

ABORIGINAL HISTORY

Volume 38, 2014

ABORIGINAL HISTORY

Volume 38, 2014



Australian
National
University

P R E S S



Published by ANU Press and Aboriginal History Inc.

The Australian National University

Canberra ACT 0200, Australia

Email: anupress@anu.edu.au

This title is also available online at: <http://press.anu.edu.au>

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying or otherwise, without the prior permission of the publisher.

Aboriginal History Incorporated

Aboriginal History Inc. is a part of the Australian Centre for Indigenous History, Research School of Social Sciences, The Australian National University, and gratefully acknowledges the support of the School of History and the National Centre for Indigenous Studies, The Australian National University. Aboriginal History Inc. is administered by an Editorial Board which is responsible for all unsigned material. Views and opinions expressed by the author are not necessarily shared by Board members.

Editor Shino Konishi, Book Review Editor Luise Hercus, Copy Editor Geoff Hunt.

About *Aboriginal History*

Aboriginal History is a refereed journal that presents articles and information in Australian ethnohistory and contact and post-contact history of Aboriginal and Torres Strait Islander people. Historical studies based on anthropological, archaeological, linguistic and sociological research, including comparative studies of other ethnic groups such as Pacific Islanders in Australia, are welcomed. Subjects include recorded oral traditions and biographies, narratives in local languages with translations, previously unpublished manuscript accounts, archival and bibliographic articles, and book reviews.

Contacting *Aboriginal History*

All correspondence should be addressed to the Editors, Aboriginal History Inc., ACIH, School of History, RSSS, Coombs Building (9) ANU, ACT, 0200, or aboriginal.history@anu.edu.au. Sales and orders for journals and monographs, and journal subscriptions: Thelma Sims, email: Thelma.Sims@anu.edu.au

WARNING: Readers are notified that this publication may contain names or images of deceased persons.

Cover design and layout by ANU Press

Printed by Griffin Press.

This edition © 2015 ANU Press and Aboriginal History Inc.

ISSN 0314-8769 (print)

ISSN 1837-9389 (electronic edition)

Contents

Preface	vii
-------------------	-----

Shino Konishi

Special Section: Western Australian Aboriginal History

Kooral Dwonk-katitjiny (listening to the past):

Aboriginal language, songs and history in south-western Australia . . .	1
---	---

Clint Bracknell

‘Keep the magistrates straight’: Magistrates and Aboriginal

‘management’ on Australia’s north-west frontiers, 1883–1905. . . .	19
--	----

Amanda Nettelbeck

This man’s tracks: Laurie O’Neill and post-war changes in Aboriginal

Administration in Western Australia	39
---	----

Anne Scrimgeour

The ‘allurements of the European presence’:

Examining explanations of Wongatha behaviour in the northern

Goldfields of Western Australia	59
---	----

Craig Muller

Articles

From ‘Miss Dalrymple’ to ‘Daring Dolly’:

A life of two historiographical episodes	89
--	----

Nicholas Dean Brodie

Infanticide at Port Phillip: Protector William Thomas and the

witnessing of things unseen	109
---------------------------------------	-----

Marguerita Stephens

‘Socialist paradise’ or ‘inhospitable island’?

Visitor responses to Palm Island in the 1920s and 1930s.	131
--	-----

Toby Martin

Aboriginal military service and assimilation	155
--	-----

Noah Riseman

Book Reviews

Aborigines and the ‘Sport of Kings’:

Aboriginal Jockeys in Australian Racing History

by John Maynard.	179
--------------------------	-----

Blind Moses: Moses Tjalkabota Uraiakuraia,

<i>Aranda Man of High Degree and Christian Evangelist</i> by Peter Latz. . . .	181
--	-----

<i>Calling the Shots: Aboriginal Photographies</i> by Jane Lydon.	185
---	-----

Colonization and the Origins of Humanitarian Governance:
Protecting Aborigines across the Nineteenth-Century

<i>British Empire</i> by Alan Lester and Fae Dussart.	187
---	-----

<i>Coranderrk: We Will Show the Country</i> by Giordano Nanni and Andrea James.	189
<i>Country of the Heart: An Indigenous Australian Homeland</i> by Deborah Bird Rose with Nancy Daiyi, Kathy Deveraux, Margaret Daiyi, Linda Ford and April Bright.	193
<i>Dark Emu, Black Seeds: Agriculture or Accident</i> by Bruce Pascoe	195
<i>Darwin</i> by Tess Lea	199
<i>Dharmalan Dana: An Australian Aboriginal man's 73-Year Search for the Story of his Aboriginal and Indian Ancestors</i> by George Nelson and Robynne Nelson.	201
<i>Dwoort Baal Kaat</i> an old story retold by Kim Scott, Russell Nelly and the Wirlomin Noongar Language and Stories Project, with artwork by Helen (Ing) Hall. Inspired by the story Bob Roberts told Gerhardt Laves in 1931 at Albany in Western Australia.. . . .	205
<i>Law's Anthropology: From Ethnography to Expert Testimony in Native Title</i> by Paul Burke.	209
<i>Our Stories Are Our Survival</i> by Lawrence Bamblett.	213
<i>Protest, Land Rights and Riots: Postcolonial Struggles in Australia in the 1980s</i> by Barry Morris.	215
<i>Representing Humanity in the Age of Enlightenment</i> edited by Alexander Cook, Ned Curthoys and Shino Konishi	217
<i>The Aboriginal Story of Burke and Wills: Forgotten Narratives</i> edited by Ian D Clark and Fred Cahir.. . . .	221
<i>The Last Man: A British Genocide in Tasmania</i> by Tom Lawson.	225
Book Note	
<i>Treasured Possessions: Indigenous Interventions into Cultural and Intellectual Property</i> by Haidy Geismar.	229
Contributors	231
Information for authors	233
Aboriginal History Monograph Series	235

Preface

Volume 38 features a rather serendipitous special section on Western Australian Aboriginal history. Just as I moved back home to Western Australia, the journal coincidentally received a number of submissions exploring diverse Indigenous histories of the state. For me, this was an opportune introduction to the latest research in the field, and for readers, I trust it offers an exciting overview of new insights into Western Australia's Aboriginal past.

This special section begins with Clint Bracknell's commissioned article on nineteenth-century Noongar songs. Through his translations and careful reconstructions of the diverse contexts in which the songs were performed and recorded, Bracknell highlights the Noongar response to the arrival of the Europeans and the early colonisation of the state's south-west.

Amanda Nettelbeck and Anne Scrimgeour both examine the policing and administration of Aboriginal people in the north-west. Nettelbeck considers the role of magistrates and justices of the peace in the 'frontier legal networks' of the Pilbara and Kimberley regions. She reveals that these networks contributed to the government's fraught attempt to pacify and regulate Aboriginal people in the late nineteenth century. Scrimgeour takes us to the middle of the twentieth century, revealing that governmental attempts to legally regulate and administer Aboriginal people in this region were still flawed. She traces the changing approach to the administration of Aboriginal people through the biography of Laurie O'Neill, a former mounted policeman and travelling inspector. Initially renowned and celebrated for his brutal methods of controlling Aboriginal people, his heavy-handed response to the Pilbara Strike demonstrated that he was distastefully out of step with the Department of Native Welfare's policy shift away from the punitive control of Aboriginal people towards new post-World-War II concerns for their welfare and 'advancement', so was removed from the region.

Finally, this special section concludes with Craig Muller's detailed study on the history of the Wongatha of the north-east part of the Goldfields. This is not just a meticulous history, but also an important critique of the *prima facie* acceptance of the research of 'bygone anthropologists' in Native Title cases. Muller finds that Elkin's account of his brief 1930 visit to the region was used as evidence in the recent Wongatha native title case without sufficient historical contextualisation. He demonstrates that there is significant historical documentary evidence that challenges Elkin's assertions, and questions the privileged status that historic anthropological accounts have in the native title process, over that of other historical evidence.

These four stimulating studies illustrate the vitality of current research on Western Australian Aboriginal history. Together, the papers draw on rich archival sources, complicate our understandings of the way in which Aboriginal lives were controlled in the past, and highlight Aboriginal voices and perspectives. These

studies also reveal the material impact historical research has on Aboriginal lives today in terms of the recognition of native title and the revival of Aboriginal languages.

Volume 38 also features four fascinating articles exploring Aboriginal histories from other parts of Australia. Two of the articles have a biographical focus. Nicholas Brodie reconstructs the life of Dalrymple Briggs, a Vandemonian woman of mixed-descent whose biography has been contorted in a number of primary and secondary sources. His painstaking study not only adds to our understating of Tasmanian frontier history, but also, like Muller's, cautions us on the *prima facie* acceptance of well-known primary sources. Noah Riseman in turn examines the lives of three Aboriginal servicemen who all had media profiles as successful examples of assimilation. In his discussion of their experiences of assimilation, he highlights the way in which these men, despite being 'success stories', experienced the policy's shortcomings.

The other two articles examine different non-Indigenous accounts of Aboriginal people and culture. Marguerita Stephens critically examines discourses on Aboriginal infanticide in colonial Victoria. Beginning with a study of imperial discourses on Indigenous infanticide, she then closely analyses the accounts of William Thomas, the assistant protector of the Port Phillip Protectorate and later Guardian of Aborigines, and William Buckley, a former convict who escaped and lived with the Wathaurung people for over 30 years before he 'came in'. Noting how such accounts were second-hand reports, relating instances of infanticide 'unseen' by the two witnesses, Stephens observes that these accounts reveal not only the power and endurance of this colonial trope, but also through the Aboriginal testimony provided by Thomas, reveals the way in which Aboriginal people struggled to make sense of the tragic deaths of children in the wake of colonisation. The history of tourist visits to Palm Island, an Aboriginal reserve in Queensland is the focus of Toby Martin's article. He explores the diverse reasons tourists visited and analyses the various tropes through which they perceived and made sense of the reserve and its Aboriginal inmates.

This is the last volume of *Aboriginal History* that I will edit, before handing over the editor's role to Dr Liz Conor. Editing this journal has been an enriching experience, and I am constantly reminded that the field of *Aboriginal History* is ever expanding, and incredibly diverse in its focus and approach. The articles published by early career researchers, both Indigenous and non-Indigenous have been particularly innovative and exciting, and highlight the healthy state of the field as new scholars make important contributions to our understanding of Aboriginal lives, experiences, treatment, and discourses in the past.

In this, my last preface, I would like to firstly thank the authors for their contributions, and the referees who have generously shared their expertise in offering guidance to the authors. I must also thank the Aboriginal History Inc

PREFACE

board. In particular I thank Luise Hercus, the reviews editor, and Peter Read and Maria Nugent, the past and present chairs, as well as copyeditor Geoff Hunt, and the staff at ANU Press. I must also thank Maria again, who co-edited the journal with me from 2010 to 2012.

Shino Konishi

University of Western Australia

Special Section: Western Australian Aboriginal History

Kooral Dwonk-katitjiny (listening to the past): Aboriginal language, songs and history in south-western Australia

Clint Bracknell

Noongar, the Aboriginal peoples of south-west Australia, have observed and interacted with Europeans since before the dawn of the nineteenth century.¹ Historians have long relied on expedition journals and the diaries of colonists for constructing interpretations of south-west Australian frontier history.² More recent work in this area emphasises oral histories and the perspectives of contemporary Noongar.³ Focusing on the region known today as the City of Albany in Western Australia, Tiffany Shellam has briefly considered Noongar language as a means by which to determine something of the motivations of certain Aboriginal people engaged in early contact with the British and French.⁴ Clearly, any interpretation of what people may have been thinking can be only enhanced when underpinned by an understanding of how they use language. Indeed, a language such as Noongar, which carries very little evidence of the inclusion of other languages, could be considered to 'represent the distillation of the thoughts and communication of a people over their entire history'.⁵

The bulk of Noongar language material recorded in the nineteenth century comprises wordlists and place names, rather than full texts. However, the few existing records of Noongar songs composed through the nineteenth century offer unique perspectives from the 'other side' of the south-west frontier. This is particularly significant because song is generally considered central to Aboriginal historical and cultural practices across Australia⁶ and because many Aboriginal songs were composed in response to rapid changes associated with the arrival of Europeans and colonisation.⁷ However, Noongar-language songs

1 Collard and Palmer 2008.

2 Hallam 1983. See also Reynolds 1980; Green 1984.

3 Scott and Brown 2005. See also Collard and Palmer 2008; Colbung 1995.

4 Bracknell 2012.

5 Crystal 2000: 38.

6 Ellis 1985. See also Stubington 2007.

7 Donaldson 1979. See also von Brandenstein and Thomas 1974; Goddard 1934; Gummow 1994.

have been overlooked in previous studies of Aboriginal music, which have predominantly concentrated on central and northern Australia.⁸ This paper will review and examine historical literature around Noongar songs from south-west Western Australia and attempt to position song composition and performance as a primary means by which Noongar dealt with change while maintaining cultural heritage and identity.

The Noongar research context

Aboriginal people of the south-west of Western Australia use the term Noongar (Nyungar, Noongar, Nyoongar, Nyungah, Nungar, Njunga etc) to describe themselves, their language and 'as an adjective describing their country, their way of life and other features of their culture'.⁹ Noongar *boodjar*, or land, lies in the south-west corner of Western Australia, extending westward from Cape Arid National Park on the south coast, moving in a north-western arc up to just south of Geraldton on the west coast.¹⁰ This *boodjar* includes metropolitan centres known today as the City of Perth, the City of Bunbury and the City of Albany. Up to 14 distinct Noongar language dialects have been acknowledged,¹¹ although the increased mobility of Noongar in recent decades is considered by some to have resulted in a gradual linguistic homogenisation.¹² While Noongar language is presently regarded as endangered,¹³ more than 30,000 people identify themselves as belonging to the Noongar language group and some individuals and families in the south-west of Western Australia still converse and sing in Noongar language today.¹⁴

Aboriginal people in the south-west have weathered a history of dispossession, colonisation and institutionalised cultural denigration,¹⁵ hence, a sense of ownership of Noongar language is extremely important to both collective and individual Noongar identity. I am one of many people descended from Noongar, specifically the first people of Western Australia's south coast between Bremer Bay and Cape Arid. Different writers have variously named the Noongar language dialect of this area as *Koreng*, *Wudjari*,¹⁶ *Ngokgurring*¹⁷ and *Kwetjman*.¹⁸ My cultural elders refer to their specific Noongar clan as *Wirlomin*, which literally translates to 'curlew-like'.¹⁹

8 Bracknell 2013.

9 Douglas 1976: 5.

10 Collard and Bracknell 2012. See also Collard and Harben 2010.

11 Tindale 1974.

12 Dench 1995.

13 AIATSIS and FATSIL 2005.

14 SWALSC 2009.

15 Haebich 2000. See also Green 1984.

16 Tindale 1974: 142.

17 Taylor 1886: 392.

18 Douglas 1976: 6.

19 Scott and Brown 2005.

I mention this not because of a belief that mere membership of a particular 'ethnic' group necessarily grants privileged knowledge. Indeed, the historian Inga Clendinnen has argued that 'the cherished stories of a particular ethnic, religious or national group (do not) have a truth status equal or superior to post-Enlightenment historians' criteria for evidence and probability'.²⁰ Nevertheless, although not conceding any special insights on account of a person's Indigenous heritage, Clendinnen does clearly demarcate boundaries for non-Indigenous researchers investigating Indigenous history, closing off anything outside of the colonial archives at the same time as emphasising the centrality of that source as a site for contestation.

In my view the sacred world of the Australians in 1788 – the world of mind and spirit, none of it written but stored in landscape, artefact, dance and story – is closed to us outsiders.²¹

Interestingly, some information *inside* the archives concerning south-west Western Australia is naturally impenetrable to 'outsiders' by virtue of it being written in Noongar language and having emerged from Noongar oral tradition. A Noongar researcher may not have special access to the thoughts of their ancestors simply by virtue of descent, but a researcher with an understanding of Noongar language and song would certainly have the capacity to divine more evidentiary data from the archives. Carter convincingly describes how early colonial observers failed to understand the significance of Aboriginal language, song and performance.²² Contemporary scholars relying exclusively on written records, without cultural or linguistic understanding of Aboriginal subjects of those records, risk a similar fate.

Understanding songs in the archives

Literature written by early colonists and audio recordings held in the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) archives from south-west Western Australia illustrate the importance of song in Noongar society as a means by which a Noongar person continuously articulates connections to country and kin.²³ In recent decades, ethnomusicologists have investigated the ways in which music is central in the construction and maintenance of individual and collective identities.²⁴ Similarly, and in research relating to the act of 'musicking',²⁵ Small notes that performer(s) and audience collectively create relationships that enable the articulation of individual and group identity/identities. Consequently, Frith explains that notions of identity are lived and enacted through music, a process that facilitates the maintenance

20 Clendinnen 2003: 40.

21 Clendinnen 2003: 5.

22 Carter 1992.

23 Bracknell 2013.

24 Frith 1996. See also Small 1998; Stokes 1994a.

25 Small 1998: 10–13.

of self and allows for group membership.²⁶ By constructing boundaries between groups, music also constructs, shapes and preserves ethnic identities.²⁷ In research pertaining to ethnicity and music in Ireland, Stokes observes that migrants assert their ethnic difference through music, which provides a link to some other country of origin.²⁸ However, Australian Indigenous music demonstrates unbroken continuity of connection to country, as Magowan and Neuenfeldt explain in their study focusing on Indigenous performance in Arnhem Land and the Torres Strait Islands, '[i]n local contexts, singers ... present identity and belonging as emergent from local and regional senses of place and personhood'.²⁹ Historical evidence demonstrates how Noongar have used song to this end in the past.³⁰ The association of song with regional Indigenous identity is also reflected in contemporary Noongar literature.³¹ Furthermore, audio recordings of Noongar singers from the 1960s and 1970s held in the AIATSIS archives serve to illustrate a significant degree of cultural continuity in what have been hostile colonial circumstances.³²

Noongar song, country and identity

Early colonial writers convey the importance of vocal music in the lives of Noongar people.³³ Some writers transcribed Noongar song lyrics,³⁴ albeit with inconsistent orthographies and questionable translations. Additionally, nineteenth-century examples of musical notation from the south-west of Western Australia exist.³⁵ These historical accounts, combined with more recent insights from Noongar people, help to form an analytical context for the place and function of traditional song in Noongar culture. Comparison and analysis of these various sources confirm that song was central to Noongar communication and expression. These accounts note that both men and women composed and performed these songs.³⁶ While some Noongar songs were performed by groups and accompanied by dance, others were sung as solo vocal pieces.³⁷ Historical and personal experiences are also documented in Noongar song, and there is evidence that highly regarded specialist composers documented information in song to ensure that it would be transmitted to future generations.³⁸ Finally,

26 Frith 1996: 110–111.

27 Stokes 1994a: 7.

28 Stokes 1994b: 114.

29 Magowan and Neuenfeldt 2005: 5.

30 Bates 1985; Green 1979.

31 Wallam, Kelly and MacDonald 2004. See also Scott and Brown 2005; Scott and Woods 2011; Scott 1999.

32 Bracknell 2013.

33 Moore 1935. See also Hassell 1975; Green 1979; Hammond 1933; King 1827.

34 Bates 1985. See also Calvert 1894.

35 See also Smyth 1878; Calvert 1894.

36 Bates 1985. See also Hassell 1975.

37 Green 1979.

38 Gibbs 2003. See also White 1980.

although some Noongar songs have travelled and been shared with or taught to other Aboriginal groups as forms of entertainment,³⁹ Noongar songs can also *belong* to certain places.⁴⁰

In 1821, while visiting the place now known as the City of Albany, Phillip Parker King witnesses and described a lengthy conversation in ‘song’ between Noongar people.⁴¹ Similarly, in the same southern location in 1831, Colonial Surgeon Isaac Scott Nind explained that ‘when in conversation, [Noongar] not unfrequently break out into a kind of chant, in which they relate such occurrences as at the moment interest them’. This implies that the Noongar language was sung as much as it was spoken, before going on to suggest some Noongar songs had arisen in an extemporaneous manner.⁴² Further north in the Swan River Colony (later to become the City of Perth), Scotsman Robert Meni Lyon characterised each Noongar individual as a ‘bard’, explaining, ‘[t]heir evenings are generally spent around their fires, singing or rather chanting their poetic compositions. I have reason to believe that their history and geography are handed down from generation to generation orally in verse’.⁴³ Taken from early colonial writings pertaining to the south-west of Western Australia, the above examples point to the existence of an Indigenous culture in which song is central to communication in everyday life.

This did not necessarily change with the arrival of colonists. In 1830, and after noticing an early example of English language song being co-opted into this communicative practice in Albany, Commander Collet Barker writes about one Noongar individual named Mokare singing in the soldiers’ quarters:

It was rather late when Talwyn [Mokare’s brother] came in and Mokare surprised me by addressing him, with ‘Where have you been a’ the [day]’, attempting at the same time the air of the Scotch song. He immediately after began telling the other a long story about Wannewar, chiefly in recitative a style they seem to adopt whenever they have anything interesting to relate.⁴⁴

This example shows Mokare using a Scottish song to make a functional statement before continuing to address his brother using ‘sung’ or ‘chanted’ Noongar language. This cross-culturally dextrous act also indicates to colonists that Mokare is familiar with *their* songs, no doubt something of importance in such a routinely musical culture.

While the previously cited historical examples involve the actions of Noongar men, evidence indicates that Noongar women also regularly sang and composed vocal music. Nind describes how ‘women more frequently sing by themselves,

39 Hassell 1975.

40 Bates 1985.

41 King 1827: 126.

42 Nind and Brown 1831: 47.

43 Lyon 1833: 52.

44 Green and Mulvaney 1992: 281.

and their songs are not always decent: they are also said by the men to be very fluent in abuse; and their oratory, as interpreted to us, was sufficiently *piquante*'.⁴⁵ However, suggesting that women's songs had far broader functions, an article in 1833 describes Noongar 'women encouraging them [the Noongar men] by their songs'.⁴⁶ Similarly, the son of an early pastoralist, Bussell, writes: 'I was intimate with the aborigines of the South-West from my earliest infancy. Black nurses sang me to sleep with Aboriginal songs when I was a child'.⁴⁷ Additionally, Bates transcribes lyrics for ancestral songs, compositions arising from dreams, and laments that were performed by women and men, which indicates that song writing was not necessarily a gender-exclusive practice.⁴⁸ While some scholars have been particularly interested in researching secret or restricted Aboriginal songs of various regions,⁴⁹ it appears that while gender-distinct or otherwise privileged south-west songs exist, a great deal of vocal music was shared openly, and a range of Noongar individuals composed, performed, taught and shared songs within their public musical traditions.

Various colonial writers have documented the dances they observed accompanying Noongar vocal music.⁵⁰ Typifying colonial attitudes of the era, the naturalist Charles Darwin describes Noongar dancers he witnessed in March 1836 on the south coast of Western Australia as 'a group of naked figures ... all moving in hideous harmony'.⁵¹ Performances of song and dance took place especially in instances when neighbouring groups visited, 'matrimonial engagements' needed organising, or decisions needed to be made about moving within 'territory'.⁵² Additionally, Hammond notes that Noongar people 'used to hold many small corroborees in the warm weather for their amusement and to pass away the evening'.⁵³ Then, as now, the word 'corroboree' refers to a public performance of song and dance and is considered to be the anglicised version of a word meaning 'dance' in Dharuk, an Aboriginal language from a region west of Sydney, New South Wales.⁵⁴

Noongar performances of this kind could be organised and performed spontaneously for colonists, sometimes with clear intents and purposes. G. F. Moore describes how in 1935, guided and accompanied by a Noongar group, he undertook a journey to look for suitable pastoral land. Upon reaching a particularly fertile area, some Noongar entertained him with a 'corrobberry':

The several figures did not differ materially from those which were familiar to us, but the words which accompanied each change contained strong allusions to passing events; so much so, that I am led to believe

45 Nind and Brown 1831: 47.

46 *Perth Gazette*, 19 October 1833: 166.

47 Bussell 1937: 5.

48 Bates 1985.

49 Berndt 1965. See also Bates 1985; Elkin 1964.

50 Hammond 1933. See also Moore 1935; Bates 1985.

51 Darwin 1845: 450–451.

52 Hammond 1933: 49.

53 Hammond 1933: 53.

54 Stubington 2007: 228.

KOORAL DWONK-KATITJINY (LISTENING TO THE PAST)

these ceremonials are to them as important as eras, and serve the purpose of historic records. It had been told to them, that Mr. Lennard and myself had grants here, and were likely to form establishments on our respective grounds. This was alluded to in one of their songs, and was expressed to the following effect: 'That the fires of Dyandala and Millendon (the names of our places on the Swan River) would soon be removed to Coonarup; that we should have plenty of wheat, and they would have plenty of bread'.⁵⁵

The younger Noongar, both male and female, appeared to regard this performance with some interest, but the old people, perhaps in despair over the newly developing frontier economy and social order, paid little or no attention to the performance. Nonetheless, Moore recorded an example of Noongar adapting performance traditions to suit their interests and set up terms of reciprocity in a rapidly changing context.

From his observations in the early 1900s, Nelson also describes Noongar man Fred McGill staging Aboriginal music and dance performances for the entertainment of non-Aboriginal people around the shire of Esperance, Western Australia.⁵⁶ This practice extended across the southern coast to Albany, where Noongar people also performed traditional songs in public, more than a century after colonisation. The following notice appeared in on the first page of the Advertising section in the *Albany Advertiser* in 1930:

Natives Corroboree

Natives Yorkshire Bob and Moses Wybung wish to notify their friends that a Native Corroboree will be held on Parade Street Reserve at 7pm to-night.

Work with the natives, like our white brethren, has been scarce, and we much appreciate the "Albany Advertiser" in publishing this brief note for us free of cost.

Roll up! Roll up! And bring your spare coppers and sixpences to help us.⁵⁷

Yorkshire Bob and Moses Wybung were among the knowledgeable informants Gerhard Laves spoke to in the 1930s when conducting the first study of Noongar language by a trained linguist.⁵⁸ A century after the establishment of a colony at Albany, their performance and fluency in Noongar language is substantial evidence of cultural, linguistic and musical continuity in the region despite the ongoing pressures of colonisation. Enhancing the indication of continuity in the

55 Moore 1935.

56 Nelson 1913: 9–10.

57 *Albany Advertiser*, 30 December 1930: 1.

58 Henderson et al 2006.

south-west of Western Australia, senior Noongar men in this century remember occasions during which Noongar from various regions gathered, away from the towns, to sing and dance together in the first half of the twentieth century.⁵⁹

While public group performances demonstrate Noongar song associated with dance, a variety of sources also indicate the existence of a parallel solo, 'ballad' tradition. A mining engineer working in the south of Western Australia in the late 1800s writes that '[a]ny remarkable circumstance which occurs, is ... perpetuated in a ballad'.⁶⁰ In an essay entitled 'The Aborigines of Western Australia', he retells Sir George Grey's account of how, when a Noongar man – Miago – departed to accompany the crew of the HMS *Beagle* on an expedition in 1838, a relative composed a song which his mother constantly sang during her son's absence.⁶¹ Moreover, according to 'Interpreter to the Natives' Francis Armstrong's account of 1836, the composition of songs was competitive amongst the different Noongar groups, 'there appears to be some rivalry, each tribe exchanging the effusions of its "balladmongers" for those of its neighbours'.⁶² Armstrong's choice of the term 'balladmonger' could be intended as derogatory, but could also speak to a tradition of Noongar narrative song poetry perpetuated by 'songmen'.⁶³

Nebinyan's songs

The ethnographer Daisy Bates describes the musical activities of one such Noongar songman from the Albany-Tambellup region named Nebinyan.⁶⁴ Nebinyan, who was reported to be over the age of 80 at the time of his death in 1910,⁶⁵ was 'chief songmaker of his tribe and [composer of] many melodies which have become established as tribal ditties'.⁶⁶ Despite such praise, Bates transcribes just a few lines of lyrics from Nebinyan's many song texts, with no accompanying musical notation and only records simple accounts of his performances.

White describes Nebinyan performing a piece for Bates in the very early twentieth century.⁶⁷ This performance had been handed down to Nebinyan from his grandfather, who was among four Noongar men who witnessed a military drill performed by soldiers under the order of British Captain Matthew Flinders of the HMS *Investigator* on 30 December 1801 when visiting the area now known today as the City of Albany. While dissimilar from most Aboriginal performance repertoire, the military drill may have been considered by these Noongar men

59 Wallam, Kelly and MacDonald 2004; McCabe 2004; Minter and McCabe 2001, 'Interview with Lomas Roberts', Unpublished audio recording, Wirlomin Noongar Language and Stories Project Archive, Perth.

60 Calvert 1894: 34.

61 Calvert 1894: 34.

62 Armstrong 1836.

63 Elkin 1964.

64 White 1980. See also Gibbs 2003.

65 White 1980: 38.

66 Bates 1985: 342.

67 White 1980.

as in keeping with established Australian Aboriginal traditions of sharing song and dance between visiting regional groups. As Carter explains, 'the corroboree was an Aboriginal counterpart to Flinders's military spectacle: a contact ritual, put on, not simply to entertain, but to mediate events'.⁶⁸

Accounts by both Flinders and his botanist, Robert Brown, reflect the small Noongar audience's attentiveness and interest in what must have been a strange spectacle, but one oddly congruous with their expectations of a foreign party visiting their territory. Brown states, 'The natives especially the old man attentively watch[ed] their motions & with a rude stick attempt[ed] to imitate them, not terrified by the explosions [but] much pleased with the red jackets & cross belts of the soldiers'.⁶⁹ Adding detail, Flinders recorded,

[T]he drum, but particularly the fife, excited their astonishment; but when they saw these beautiful red-and-white men, with their bright muskets, drawn up in a line, they absolutely screamed with delight; nor were their wild gestures and vociferations to be silenced, but by commencing the exercise, to which they paid the most earnest and silent attention. Several of them moved their hands, involuntarily, according to the motions; and the old man placed himself at the end of the rank, with a short staff in his hand, which he shouldered, presented, grounded, as did the marines their muskets, without, I believe, knowing what he did.⁷⁰

By referring to involuntarily movement and unconscious imitation, Flinders strips the Noongar of agency in this situation. As White notes, an impression of the drill was incorporated into Noongar performance traditions to be passed on to future generations and mark the occasion in the collective regional history. For the resulting inherited piece, Nebinyan painted his body with red ochre and white pipe-clay in the style of a military uniform to perform the song, which had survived in his family for over a century.⁷¹

White suggests the performance created by Noongar after witnessing the drill would have been considered sacred because of the widespread early-nineteenth-century Aboriginal Australian belief that the British were returned spirits of the dead, and therefore associated with the highly significant ancestors in Aboriginal creation stories.⁷² While Bates' published account also makes this tenuous connection,⁷³ the elevation of this performance to 'sacredness' is questionable. Nebinyan freely shared the performance with Bates at a public gathering, thereby signalling its un-restricted nature. Furthermore, Aboriginal belief of the British as returned spirits is not mentioned in the most detailed early colonial records from the Albany region.⁷⁴ In fact, Mokare, the Aboriginal friend of Captain Collet

68 Carter 1992: 164–165.

69 Brown et al 2001: 104.

70 Flinders 1814: 60–61.

71 White 1980.

72 White 1980.

73 Bates 1992: 5.

74 Green and Mulvaney 1992. See also Nind and Brown 1831.

Barker, at Albany in January 1830, quite clearly distinguishes between spirits of the dead and the British, while emphasising the mutual misunderstanding of spiritual concepts between Noongar and newcomers, as documented in Barker's journal:

[I e]ndeavoured to learn what their ideas were of a future state, but could not clearly make out if they believed in it. He said something about 'Quaylite',

when black fellow die, repeating in a shrill voice 'Cuylite, Cuylite, Cuylite', something in the way I have witnessed children imitate the speaking of a ghost. He laughed heartily at my being unable to understand what he meant, finishing a long attempt at explanation by saying 'Captain Twang poit' (does not hear, does not understand.) Then drawing my attention- 'Captain-Sunday-Book- paper' (alluding to our Church Service on Sundays). 'Black fellows twang poit. Now-Cuylite Cuylite-White fellow twangpoit'.⁷⁵

North of Albany, in the neighbouring Swan River Colony (known today as the City of Perth), apparent local Noongar faith in the idea that the British were returned dead relatives was shaken within a few years of initial colonisation.⁷⁶ Even at the time in which these beliefs were being observed, Sir George Grey perceptively explains:

[Noongar] never having an idea of quitting their own land, cannot imagine others doing it; — and thus when they see white people suddenly appear in their country, and settling themselves down in particular spots, they imagine they must have formed an attachment to this land in some other state of existence; and hence conclude the settlers were at one period black men, and their own relations.⁷⁷

With hindsight, the historical phenomenon of 'claiming' colonists as returned dead relatives may be viewed as a conciliatory overture and part of a sophisticated attempt to integrate newcomers into existing Noongar kin networks while simultaneously establishing reciprocal social and economic obligations.

In fact, the view that Australian Aboriginal people actually considered invaders to be 'ghosts' or 'spirits' was dismissed at the turn of the twentieth century for being both 'absurd' and 'wide of the truth'.⁷⁸ Tony Swain explains:

Certainly there may have been initial perceptual errors on both sides of the frontier but, like the European ethnoclassification of Aborigines with subhuman species, the identification of whites with deceased relatives was a *conceptual* equation.⁷⁹

75 Green and Mulvaney 1992: 250.

76 Reynolds 1982: 35–36.

77 Grey 1841: 302–303.

78 Roth 1903: 16.

79 Swain 1993: 122.

KOORAL DWONK-KATITJINY (LISTENING TO THE PAST)

Even considering the generosity and inclusiveness of this construct, if it did indeed exist in the region known today as Albany, the arrival of the *Investigator* did not carry the same significance as creation events from the ancestral past. The visit of Flinders and his crew certainly deserved a place in regional history, but the performance commemorating this occasion was perhaps not 'sacred' or even that exceptional, especially when evidence suggests some Noongar carried responsibilities to document a variety of their experiences in song.

In light of this, historian Martin Gibbs investigates a separate whaling song series Nebinyan performed for Bates.⁸⁰ While he inherited his grandfather's performance about the military drill, Nebinyan also draws inspiration from his own experiences of working as a whaler for 39 years, along the south coast from Albany to Esperance, and also along the west coast, as the basis of his own compositions.⁸¹ Nebinyan continues his ancestors' tradition of documenting history in performance and, in doing so, adds to the collective history of his people. Reporting on her experiences coordinating a showcase of Aboriginal performers at the Perth Carnival in 1910, Bates writes of Nebinyan:

[H]e is the custodian of all dance and other songs, of many of which he was the composer, taking the subjects from his whaling or hunting experiences... Nebinyan sang of the hunting of the tammas into the swamps, the 'Ngoongar baaming dow'uk' (natives beating their clubs to frighten the tammas into the benjer-swamp); and then the gathering and the feasting afterwards. He sang of the whales he pursued, and how they took him farther and farther away from his Kal (fire). Then the harpooning and final death of the whale. The great seas that beat upon the Leeuwin and Southern Coast were also alluded to in song and recitative. One of his whaling songs ran thus:

Gab'booroo goom'bara

Kar'rai in na jee'rrung'a

Goom'ba war'rin, goom'ba war'rin

Jee'runga goom'ba warrin

Goom'ba warrin.

(Gabbooroo goombara, big water; goomba warrin, great seas; jeerunga, going north.) The recitative or song was always commenced by Nebinyan alone, the others only joining in the chorus, so to speak, or keeping up a sort of murmuring accompaniment throughout the melody.⁸²

80 Gibbs 2003.

81 Bates 1910: 45.

82 Bates 1910: 45.

Bates' handwritten notes appear to include a few more lines from Nebinyan's whaling song cycle, particularly the phrase 'geetj booroo mamang',⁸³ referring to *geetj* (spear) and *mamang* (whale). These notes also reveal Nebinyan as the composer of a song about the sound of the drums played by a Salvation Army band, providing further evidence that Noongar singers, especially Nebinyan, incorporated a range of contemporary experiences as subject matter for new compositions. In research on Aboriginal music from other regions, Stubington explains that to accrue status as a 'songman', one must be able to perform well-known existing songs and, most importantly, also be able to create new songs.⁸⁴ Hence, the fact that Nebinyan inherited his grandfather's song leads Gibbs to suggest that Nebinyan also inherited his position as a 'songman'.⁸⁵ In light of this, Calvert and Armstrong refer to Noongar 'poets' and 'composers', accolades perhaps similar to that of 'songmen', sharing songs with neighbouring groups.⁸⁶

Travelling songs

A detailed illustration of how southern Noongar songs were shared among Noongar is provided by Ethel Hassell's account from the 1870s, published a century later. Hassell was the first British woman to live in the Jerramungup region, just east of Albany in the south-west of Western Australia, and wrote extensively on her interactions with local Noongar. Hassell describes Tooting, a Noongar 'songman' visiting Jerramungup. This 'poet' brought a 'new song and dance' to the region and taught it to local Noongar.⁸⁷ Invited to observe the first performance of the song and accompanying dance, Hassell notes that both men and women sang at the occasion and goes on to explain that this new song, generating substantial interest among local Noongar, was a comic piece about a large kangaroo attempting to find shelter from the rain under a small tree.⁸⁸ In light of this, and the other previous examples, it is clear that Noongar songs cover a wide range of topics; some relate to historical events, while others are purely for entertainment purposes.

While some songs have been shared between Noongar, other Aboriginal groups, and even with colonists, Bates writes that many 'are entirely local and are not sung outside the tribe which composed them. Most of the sea coast tribes have their own songs of the sea, which they will often sing in the quiet of their own camps'.⁸⁹ Corroborating this point, contemporary Noongar Elder Hazel Brown remembers songs for whales, dolphins, gropers and salmon associated with specific areas along the southern coast of Western Australia.⁹⁰ Daisy Bates transcribed over 60 separate Noongar song texts at beginning of the twentieth

83 Bates 1904–1912 Papers, MS 365, JS Battye Library of Western Australian History, Perth.

84 Stubington 1979: 15.

85 Gibbs 2003: 12; Elkin 1964: 295.

86 Calvert 1894: 33. See also Green 1979: 204.

87 Hassell 1975: 36–39.

88 Hassell 1975: 39–40.

89 Bates 1985: 335.

90 Scott and Brown 2005: 29–32.

century, some of which are sung by informants on field recordings from the 1960s and 1970s.⁹¹ The disparate locations in which these songs were recorded clearly show movement of songs across the south-west region. The time between Bates' transcriptions and the audio recordings taking place emphasises the continuing importance of song in Noongar communicative culture and in the maintenance of Noongar identity throughout the twentieth century and no doubt, into the future.

Conclusion

Scholars contemplating the interplay between Noongar and newcomers on the south-west Australian frontier have often relied exclusively on the written testimony of colonists to interpret past events and motivations and been unable to appreciate the utterances of the Aboriginal subjects in those documents. Noongar language and songs in the archives provide additional sources through which we may gain a deeper understanding of the early colonial period and the south-west today. Colonial observers often oversimplified Aboriginal concepts and failed to understand the significance of Aboriginal language-use and performance.⁹² Whilst historians have taken steps to engage with archival Noongar language and song as a means by which to determine something of the motivations of people in the past, some of this work would benefit from greater linguistic, cultural and social familiarity.⁹³ The involvement of contemporary Noongar in this research is valuable not just because of linguistic skill or inherited knowledge, but possibly as part of helping to maintain the transmission and consolidation of Noongar heritage. Over two centuries, a variety of dynamic composition and performance practices have mediated events and been integral to the independent preservation and transmission of history, culture and identity among Noongar in the south-west of Western Australia. Engaging with this sophisticated and enduring, though sometimes fragile, tradition may be key to generating new insights from archival records.

References

Archival sources

- Bates, Daisy 1904–1912, Papers of Daisy Bates, MS 365, J.S. Battye Library of Western Australian History, Perth.
- Minitier, Jason and Tim McCabe 2001, 'Interview with Lomas Roberts', Unpublished audio recording, Wirlomin Noongar Language and Stories Project Archive, Perth.

91 Bates 1904–1912 Papers, MS 365, Battye Library. See also Bracknell 2013.

92 Carter 1992. See also Swain 1993.

93 Shellam 2009. See also Gibbs 2003. See also White 1980.

Secondary sources

- AIATSIS and FATSIL 2005, *National Indigenous Languages Survey Report*, Department of Communications, Information Technology and the Arts, Australian Institute of Aboriginal and Torres Strait Islander Studies, Federation of Aboriginal and Torres Strait Islander Languages Department of Communications, Information Technology and the Arts, Canberra.
- Armstrong, Francis, 'Manners and Habits of the Aborigines of Western Australia', *Perth Gazette and Western Australian Journal*, 12 November 1836: 797.
- Bates, Daisy 1910, 'Native shepherding: an experience of the Perth Carnival', *Western Mail*, 12 February 1910: 44–45.
- 1985, *The Native Tribes of Western Australia*, Isobel White (ed), National Library of Australia, Canberra.
- 1992, *Aboriginal Perth: Bibbulmun Biographies and Legends*, P Bridge (ed), Hesperian Press, Carlisle.
- Berndt, Catherine 1965, 'Women and the secret life', in *Aboriginal Man in Australia*, Ronald Berndt and Catherine Berndt (eds), Angus and Robertson, Sydney: 238–282.
- Bracknell, Clint 2012, 'Re-imagining frontiers: a reflection on Tiffany Shellam's Shaking Hands on the Fringe', *Westerly* 2: 32–36.
- 2013, 'The Wirlomin Project: sustaining Aboriginal language and song', *The International Journal of Sustainability in Economic, Social and Cultural, Context* 9(1): 45–55.
- Brown, Robert, David Moore, Tom Vallance and Eric Groves 2001, *Nature's investigator: The Diary of Robert Brown in Australia, 1801–1805*, Australian Biological Resources Study, Canberra.
- Bussell, Alfred 1937, 'South West legends: how Wooditch won his bride', *The West Australian*, 25 September 1937: 5.
- Calvert, Albert 1894, *The Aborigines of Western Australia*, Simpkin, Marshall, Hamilton, Kent and Company, London.
- Carter, Paul 1992, *Living in a New Country: History, Travelling and Language*, Faber and Faber, London.
- Clendinnen, Inga 2003, *Dancing with Strangers*, Text Publications, Melbourne.
- Colbung, Ken 1995, *Yagan: The Swan River 'Settlement'*, Australia Council for the Arts, Redfern.

KOORAL DWONK-KATITJINY (LISTENING TO THE PAST)

- Collard, Leonard and Clint Bracknell 2012, 'Beeliar Boodjar: an introduction to Aboriginal history in the City of Cockburn, Western Australia', *Australian Aboriginal Studies* 1: 86–91.
- Collard, Leonard and Sandra Harben 2010, 'Nartj Katitj Bidi Ngulluckiny Koorl? (Which knowledge path will we travel?)', *Studies in Western Australian History* 26: 75–95.
- Collard, Leonard, and David Palmer 2008, 'Looking for the residents of Terra Australis: the importance of Nyungar in early European coastal exploration', in *Strangers on the Shore*, Peter Veth, Peter Sutton and Margo Neale (eds), National Museum of Australia, Canberra: 181–197.
- Crystal, David 2000, *Language Death*, Cambridge University Press, Cambridge.
- Darwin, Charles 1845, *Journals of Researches into the Natural History and Geology of the Countries Visited During the Voyage of H.M.S. Beagle Round the World: Under the Command of Capt. Fitzroy*, John Murray, London.
- Dench, Alan 1995, 'Comparative reconstitution', *Historical Linguistics* 1(1): 57–73.
- Donaldson, Tamsin 1979, 'Translating oral literature: Aboriginal song texts', *Aboriginal History* 3: 62–83.
- Douglas, Wilfred 1976, *The Aboriginal Languages of the South-West of Australia*, Australian Institute of Aboriginal Studies, Canberra.
- Elkin, Adolphus Peter 1964, *The Australian Aborigines: How to Understand Them*, Angus and Robertson, Sydney.
- Ellis, Catherine 1985, *Aboriginal Music Education for Living*, University of Queensland Press, St Lucia.
- Flinders, Matthew 1814, *A Voyage to Terra Australis in the Years 1801, 1802, 1803*, G and W Nicol, London.
- Frith, Simon 1996, 'Music and identity', in *Questions of Cultural Identity*, Stuart Hall and Paul du Gay (eds), Sage, London: 108–127.
- Gibbs, Martin 2003, 'Nebinyan's songs: an Aboriginal whaler of the South West', *Aboriginal History* 27(1): 11–20.
- Goddard, Roy 1934, 'Aboriginal poets as historians', *Mankind* 1: 243–246.
- Green, Neville (ed) 1979, *Nyungar, the People: Aboriginal Customs in the Southwest of Australia*, Creative Research in Association with Mt Lawley College, Mt Lawley.

- 1984, *Broken Spears: Aborigines and Europeans in the Southwest of Australia*, Focus Education Services, Perth.
- Green, Neville and John Mulvaney (eds) 1992, *Commandment of Solitude: The Journals of Collet Barker 1828–1831*, Melbourne University Press, Carlton.
- Grey, George 1841, *Journals of Two Expeditions of Discovery in North-West and Western Australia: During the Years 1837, 38, and 39*, T and W Boone, London.
- Gummow, Margaret 1994, 'The power of the past in the present: singers and songs from northern New South Wales', *World of Music* 36(1): 42–50.
- Haebich, Anna 2000, *Broken Circles: Fragmenting Indigenous Families 1800–2000*, Fremantle Arts Centre Press, Fremantle.
- Hallam, Sylvia 1983, 'A view from the other side of the frontier: or "I met a man who wasn't there"', *Aboriginal History* 7: 134–156.
- Hammond, Jesse 1933, *Winjan's People: The Story of the South-West Australian Aborigines*, Imperial Printing, Perth.
- Hassell, Ethel 1975, *My Dusky Friends*, CW Hassell, Fremantle.
- Henderson, John, Hannah McGlade, Kim Scott and Denise Smith-Ali 2006, *A Protocol for Laves' 1931 Noongar Field Notes*, Universty of Western Australia, Crawley.
- King, Phillip Parker 1827, *Narrative of a Survey of the Intertropical and Western Coasts of Australia: Performed Between the Years 1818 and 182, Volume II*, John Murray, London.
- Lesueur, Alexandre and Pierre-François Bernier 1824, 'Musique des sauvages de la Nouvelle-Galles du Sub', in *Voyage de Découvertes au Atlas Second Edition*, François Péron and Louis de Freycinet (eds), Arthus Bertrand, Paris: 32.
- Lyon, Robert Menli 1833, 'A glance at the manners and language of the Aboriginal inhabitants of Western Australia with a short vocabulary', *Perth Gazette and Western Australian Journal*, 30 March 1833: 52.
- Magowan, Fiona and Karl Neuenfeldt (eds) 2005, *Landscapes of Indigenous Performance: Music, Song and Dance of the Torres Strait and Arnhem Land*, Aboriginal Studies Press, Canberra.
- McCabe, Tim 2004, 'Bid-Waartiny (Looking for Tracks) Cliff Humphries-Mai Kaadidjiny: The Tracks and Stories of Kellerberrin Noongar Cliff Humphries', unpublished MA thesis, Curtin University, Perth.

KOORAL DWONK-KATITJINY (LISTENING TO THE PAST)

- Moore, George Fletcher 1935, 'Excursion to the northward', *The Perth Gazette and Western Australian Journal*, 2 May 1935: 486–487.
- Nelson, William 1913, *An Aboriginal Life's Story*, Hocking, Kalgoorlie.
- Nind, Isaac Scott and Robert Brown 1831, 'Description of the natives of King George's Sound (Swan River Colony) and adjoining country', *Journal of the Royal Geographical Society* 1: 21–51.
- Reynolds, Henry 1980, 'The land, the explorers and the Aborigines', *Historical Studies* 19(75): 213–226.
- 1982. *The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia*, Pelican Books, Ringwood.
- Roth, Walter Edmund 1903, *North Queensland Ethnography: Bulletin No. 5: Superstition, Magic and Medicine*, Government Printer, Brisbane.
- Scott, Kim 1999, *Benang: From the Heart*, Fremantle Arts Centre Press, Fremantle.
- Scott, Kim and Hazel Brown 2005, *Kayang and Me*, Fremantle Arts Press, Fremantle.
- Scott, Kim and Iris Woods 2011, *Mamang*, University of Western Australia Press, Crawley.
- Shellam, Tiffany 2009, *Shaking Hands on the Fringe: Negotiating the Aboriginal World at King George's Sound*, University of Western Australia Press, Nedlands.
- Small, Christopher 1998, *Musicking: The Meanings of Performing and Listening*, University Press of New England, Hanover.
- Smyth, Robert Brough 1878, *The Aborigines of Victoria*, Government Printer, Melbourne.
- Stokes, Martin 1994a, 'Introduction: Ethnicity, Identity and Music', in *Ethnicity, Identity and Music: The Musical Construction of Place*, Martin Stokes (ed), Berg, Oxford: 1–27.
- 1994b, 'Place, exchange and meaning: the Black Sea musicians in the west of Ireland', in *Ethnicity, Identity and Music: The Musical Construction of Place*, Martin Stokes (ed), Berg, Oxford: 97–116.
- Stubington, Jill 1979, 'North Australian Aboriginal music', in *Australian Aboriginal Music*, Jennifer Isaacs, Aboriginal Artists Agency, Sydney: 7–19.
- 2007, *Singing the Land: The Power of Performance in Aboriginal Life*, Currency House Inc, Strawberry Hills.

Swain, Tony 1993, *A Place for Strangers: Towards a History of Australian Aboriginal Being*, Press Syndicate of the University of Cambridge, Cambridge.

SWALSC 2009, *South West Aboriginal Land and Sea Council*. Available at: <http://www.noongar.org.au> accessed 22 February 2014.

Taylor, Campbell 1886, 'From Doubtful Bay to Isralite Bay: vocabulary of the Ngokgurring or Shell People', in *The Australian Race: Its Origins, Languages, Customs, Place of Landing in Australia, and the Routes by which it Spread Itself Over that Continent*, Edward Micklethwaite Curr (ed), Government Printer, Melbourne: 392-393.

Tindale, Norman 1974, *Aboriginal Tribes of Australia: Their Terrain, Environmental Controls, Distribution, Limits and Proper Names*, University of California Press, Berkeley.

von Brandenstein, Carl Georg and Anthony Thomas 1974, *Taruru: Aboriginal Song Poetry from the Pilbara*, Rigby, Adelaide.

Wallam, Angus, Suzanne Kelly and Norma MacDonald 2004, *Corroboree*, Cygnet Books, Crawley.

White, Isobel 1980, 'The birth and death of a ceremony', *Aboriginal History* 4(1): 33-42.

‘Keep the magistrates straight’: Magistrates and Aboriginal ‘management’ on Australia’s north-west frontiers, 1883–1905

Amanda Nettelbeck

Between July and September of 1887, a disagreement unfolded between Western Australia’s Attorney General Charles Warton and one of the magistrates who represented the face of the law in the colony’s north. As an assurance of the law’s even-handed operations at the colony’s peripheries, the Attorney General regularly reviewed the case reports of Aboriginal people summarily tried and convicted by regional magistrates. In the latest reports forwarded by Roebourne’s Resident Magistrate Colonel Edward Angelo, Warton noticed that an Aboriginal man had been sentenced to imprisonment with hard labour without evidence that an offence in any legal sense had actually been committed. When Warton called Angelo’s attention to his ‘slipshod’ approach to the matter of evidence, the magistrate was dismissive, and set out to enlighten Warton about the law’s value in his district. As a magistrate, he argued, he was bound to protect not only Aborigines but also settlers. Although the “‘legal assumptions” no doubt are that the native has been *punished*’, his imprisonment was ‘nominal’ compared to ‘the real punishment’ suffered by the settler whose rights and property were threatened. In short, when Aboriginal people behaved to the ‘obvious detriment’ of settlers, ‘they must be taught they cannot do so’. On receiving this reply the Attorney General complained to the Colonial Secretary that ‘I do what I can to keep Magistrates straight though I could easily save myself much time and trouble by making no remarks’, but ultimately he decided ‘it is utterly hopeless to attempt to instil into the mind of Col. Angelo the simple idea of the laws of evidence’.¹

This exchange may have been striking in its tone but was by no means exceptional; rather it reflects the irregularities that frequently marked the law’s dealings with Aboriginal people and served to protect settlers’ property investments in colonial Australia.² This was not the first time the Attorney General had called attention to this magistrate’s disregard of legal procedure when the government’s claim to treat Aboriginal people as equal subjects of the Crown clashed with settler interests: the previous year Angelo had been questioned for declining to pursue a

1 Warton to the Colonial Secretary, 20 July, Angelo to the Colonial Secretary, 2 September, Warton to the Colonial Secretary, 14 September 1887, Cons 527/1887/2619, State Records Office of Western Australia (SROWA).

2 For recent work addressing specific jurisdictions see, for instance, Ford 2010; Pope 2011; Hunter 2012; Douglas and Finnane 2012.

murder investigation against a station worker who had shot an Aboriginal man.³ Like many of his fellow magistrates, Angelo had no legal training: he was a former military officer who had served in India, the Crimea and Tasmania, and from this career came to the role of Resident Magistrate. Also like other colonial magistrates, he was closely enmeshed within the social and economic interests of the settler community. In later years he would embark upon a political career in Western Australia's Legislative Assembly as an advocate for the economic development of the north-west.⁴ Supported by military, social or political standing rather than detailed familiarity with the law, colonial magistrates nonetheless held wide scope to shape the evolution of colonial legal culture.⁵ From the early decades of the nineteenth century, they had held a critical role in the regulation of social and economic order in Australia's colonies, and particularly in rural districts where they carried considerable power as the representatives of government, there were few areas of life they did not influence.⁶ But while a valuable body of scholarship has examined the importance of Australia's colonial magistrates in shoring up the authority of the settler state, particularly in the management of convict labour, less attention has been drawn to the everyday ways in which they directly shaped the legal management of Aboriginal people on Australia's frontiers and the law's responses to Aboriginal/settler encounters.⁷

This paper will examine the gap between the legal obligations and the everyday practices of the magistrates and justices of the peace appointed during the last decades of the nineteenth century to Australia's north-west, in order to explore the significance of their role in interpreting and applying the law as a means of Aboriginal 'management'. Opening to settlement only from the 1870s, the north-west is important in highlighting the longevity of Australia's frontiers. But more particularly, it is significant in illuminating the troubled character of Australia's frontiers even when equipped with a ground-level presence of law and government. The rapid expansion of economic investment that took place in that region in the years between the *Aborigines Offenders Act 1883* (WA) and *Aborigines Act 1905* (WA) were accompanied by a high level of Aboriginal resistance and aggressive policing.⁸ During these years, the treatment of Aboriginal people produced repeated public controversy, and was subject to several government inquiries.⁹ Scholars have examined how administrative

3 Acting Attorney General Septimus Burt to Colonial Secretary, 8 May 1886, Cons 388, 3675/1886, SROWA.

4 Bolton 1979.

5 Benton and Ford 2013.

6 Castles 1982: 68–70; Neal 1991: 116–140. See also Golder 1991; Quinlan 2004; Rangelov 2005.

7 Evans 2004, Ward 2003 and Hunter 2012 examine magisterial powers in extending British jurisdiction over Aboriginal people, but their focus is on legal authority rather than everyday practice. On practices of rural magistrates in South Australia see Nettelbeck and Foster 2010.

8 The 'north-west' region of Australia is used broadly here to apply to a series of Western Australian frontier districts that unfolded in turn: the mid north-west and the more northern West and East Kimberley. On policing strategies and Aboriginal resistance on these frontiers see Gill 1977; Ross and Bray 1989; Pedersen and Woorunmurra 1995; Owen 2003. For an administrative history of this period see Marchant 1981.

9 Legislative Council Reports of 1882 and 1885; Correspondence on the Gribble Case, 1884–1887, Cons 388, AN1/1, Box 1, items 3–32, SROWA; the Roth Report 1905.

efforts to govern Aboriginal people during this period produced a paramilitary style of policing that exceeded the rule of law, while still justifying its excesses within the terms of the law.¹⁰ Although they have not earned the same attention, magistrates and justices of the peace formed an essential part of this frontier legal network, and share an equal place in explaining both the extent and the limits of government attempts to regulate Aboriginal people through legal measures. As the personification of government, magistrates and justices of the peace were charged with providing justice to settlers and Aborigines alike, but in practice their primary role — like that of police — was to protect settler investments as the cornerstone of economic development. Together these frontier officials oversaw the prosecution of stock theft as the most legally pursued form of Aboriginal crime in the north-west throughout the 1880s and 1890s.

The professionalisation of the magistracy as trained judicial officers that occurred across Australia's settled colonies over the late nineteenth century was certainly less true of Western Australia's north-west, where magistrates and justices appointed on the basis of landed interests continued to serve as the backbone of government well into the twentieth century.¹¹ Yet as had been the case in the evolution of Australia's earlier legal culture, these personnel did not operate independently: they were always subject to the supervisory eye of the central government.¹² Despite the Attorney General's oversight, however, magistrates routinely avoided or subverted legal procedures in cases relating to Aboriginal people. This equivocal relationship between representing and deflecting the law reflects more than the personal investments of the officials who served as the law's embodiment in districts far from the seat of government. In a larger sense, it indicates the degree to which governments continued to struggle to secure jurisdiction on new frontiers of settlement, even at the close of the nineteenth century.

'Facilitating justice': the scope and limits of magisterial powers

The practical difficulties of bringing Aboriginal people within British jurisdiction had underpinned the history of Australian colonial settlement throughout the nineteenth century, but the evolution of the north-west was influenced by some particular features which enhanced the capacity of rural magistrates to play a more central role in Aboriginal governance than had been the case in Australia's eastern colonies. From the mid nineteenth century, the authority to try minor offences summarily in district courts had been held by magistrates and justices across Australia's colonies,¹³ yet this authority had limited value in frontier settings. For instance, in the neighbouring colony of South Australia, the obligation on magistrates to remand Aboriginal offenders to higher courts except in cases of minor theft entailed considerable resources in sending prisoners

10 Gill 1977; Choo and Owen 2003; Owen 2003.

11 Castles 1982: 327, 374.

12 Castles 1982: 75–76; Neal 1991: 108–109.

13 Castles 1982: 214; Golder 1991: 75–76.

long distances for trial and, as Alan Pope has argued, did little to encourage 'legal remedies' to frontier problems.¹⁴ In comparison, Western Australia's rural magistracy was supported by unusual powers of summary jurisdiction designed to regulate Aboriginal crime and encourage settlers' belief in the law's capacity to protect their investments. The Ordinance to provide for the Summary Trial and Punishment of Aboriginal Native Offenders approved in 1849 enabled local magistrates, sitting with at least one justice of the peace, to award punishments of up to two dozen lashes and a six-month term of imprisonment for most non-capital offences. Thereafter, as Ann Hunter has shown, Aboriginal people were effectively created as a 'different kind' of legal subject.¹⁵

Western Australia's distinctive approach to the legal punishment of Aboriginal people was initially conceived under Governor Hutt's administration in terms of a protective logic, for it was imagined that robust magisterial powers to administer justice locally would not only bring Aboriginal people within British jurisdiction, but would thereby prevent settlers from adopting 'violent and improper means [of] redress'.¹⁶ A related humanitarian justification for devolving Aboriginal punishment to the local magistracy — one that neatly dovetailed with economy — was that it would avoid bringing Aboriginal prisoners far from their own country and holding them in custody for up to several months before a trial. Even the Protector of Aborigines Charles Symmons considered that the summary jurisdiction of magistrates and justices to try and sentence Aboriginal offenders locally would constitute a 'more lenient' approach to the management of Aboriginal crime, and be beneficial in 'facilitating justice'.¹⁷

Magisterial powers to punish Aboriginal offenders varied over the next decades but were significantly broadened from the 1880s with the extension of investment into the north-west. Under the terms of the *Aboriginal Offenders Act 1883*, magistrates sitting with an honorary justice of the peace could convict Aboriginal offenders to imprisonment with hard labour for up to two years; if no other magistrate was resident within 20 miles, magistrates and honorary justices acting alone could impose sentences of a year. These powers were considerably higher than those held by magistrates and justices in neighbouring colonies, as the Colonial Secretary found when he wrote to his counterparts to gauge the nature of practices elsewhere. Replies from Queensland and South Australia clarified that in those jurisdictions, magistrates (or their equivalence in two justices, who could never act alone) were only able to award maximum sentences of one year for non-capital offences under particular circumstances.¹⁸ Magisterial powers were further extended in Western Australia with an 1892 amendment to the 1883 Act, which reintroduced flogging and gave honorary justices the same authority as a Bench including a Resident Magistrate. With another amendment in 1893, an earlier safeguard which had prevented justices

14 Pope 2011: 162.

15 Hunter 2012: 197–210. See also Hasluck 1970: 140–142; Evans 2004: 70.

16 Governor Hutt to Lord Russell, 20 January 1842, British Parliamentary Papers, no 627, 400.

17 Protector of Aborigines Report, 16 January 1851, *Perth Gazette*, 7 February 1851.

18 Western Australia, Legislative Council, Minutes, 2nd Session 1883, A10.

from trying cases relating to theft of their own property was removed, and the term of imprisonment awardable to Aboriginal offenders was increased to three years, or five for re-offenders.¹⁹

These legislative moves to facilitate more effective legal reach over Aboriginal people were eased in Western Australia by a more porous frontier culture than was experienced elsewhere. As historians have argued, on Australia's northern frontiers to the east, Aboriginal people's labour was not extensively sought by settlers until their resistance to settler occupation had been subjugated by punitive policing and their lands effectively secured for pastoral development; until that time, Aboriginal people remained largely beyond the jurisdiction of British law in practice, if not in theory.²⁰ Yet in Western Australia this trajectory was less clear. From the colony's earliest years, a protracted dearth of white labour had encouraged the entry of Aboriginal people into colonial economies, and from the 1870s magisterial powers to award Aboriginal punishment were enhanced under the umbrella of policy to regulate Aboriginal labour.²¹ In theory this provided for the protection of Aboriginal people engaged in colonial industries, but it also brought them within the magistrates' purview of punishment for transgressions against settler masters.

Nonetheless, the vast size and sparsely settled character of the north meant that significant Aboriginal populations remained outside the colonial economy, and beyond the effective jurisdiction of government.²² In this environment, the extensive legal powers held by magistrates and justices to punish Aboriginal crime did not in themselves prove sufficient in diminishing attacks on settlers' livestock. From the mid 1880s, mounted police brought an unrelenting cycle of Aboriginal people charged with killing settlers' sheep and cattle to be tried before rural magistrates and justices of the peace, but achieving their conviction within the law's requirements was another matter. The unreliability of magistrates' legal expertise was only part of the difficulty in meeting these requirements, for the sheer scale of stock theft and the virtual impossibility of establishing evidence in individual cases undermined the rule of law on an almost daily basis. These problems revealed the magistracy's limits either in regulating the pastoral frontier, or in achieving secure jurisdiction over Aboriginal people. At the eve of Federation, then, the north-west reflected what Julie Evans has called a 'discretionary space in law, wherein national sovereignty must be produced (and constantly reproduced) in response to various conditions on the ground'.²³

19 *Aboriginal Offenders Act (Amendment) 1892* (55 Vict. No. 18) and *Aboriginal Offenders Act (Amendment) 1893* (56 Vict. No. 15).

20 McGregor 1993: 64–65; Douglas and Finnane 2012.

21 *Pearl Shell Fishing Regulation Act 1873*(WA) (37 Vict. No. 11); *Aborigines Protection Act 1886* (WA) (50 Vict. No. 25).

22 Douglas and Finnane 2012: 66. Cathie Clement calculates that at the turn of the century Aboriginal people outnumbered settlers in the East Kimberley at the ratio of almost six to one. Clement 1989: 93.

23 Evans 2009: 5.

'A very haphazard manner': the nature of locally administered justice

Sheep and cattle constituted one of the most valuable resources in the settler economy, and because they were readily driven from open country and policing surveillance was difficult to maintain, they constituted the form of property most vulnerable to theft. Although stock theft was practised within settler communities, the extent to which colonised peoples 'got away' with it worried administrators around the Empire as a potential threat to the sovereignty of the colonial state. Across different settings, authorities applied strategies to suppress it with varying degrees of compromise and severity. In the context of British India, for instance, David Gilmartin has examined how colonial officials relied reluctantly upon traditional Indian systems of local brokerage for the return of stolen cattle, in face of the incapacities of British law to repress the crime.²⁴ On Canada's western prairies, where Aboriginal theft of settlers' free-ranging cattle became a policing priority during the 1880s and 1890s, police cooperated with Indian Agents in applying the extralegal measure of returning Aboriginal people to reserves unless they held a pass.²⁵ In British Kenya, as David Anderson has shown, authorities tried with limited success to deter African stock theft through particularly heavy terms of imprisonment in addition to fines levied against the offender's whole community.²⁶

On Australia's pastoral frontiers, Aboriginal stock theft was met with a mixed strategy of hard policing and penal measures, yet still it remained endemic. Colonial officials and settlers alike were aware that the decline of traditional foods produced by pastoral occupation created a pattern of Aboriginal deprivation and consequent stock theft that no amount of policing and prosecution could eradicate.²⁷ Officials were also alert to the possibility that when Aboriginal people drove off large numbers of sheep and cattle, stock theft constituted an act of economic warfare that in turn incited settler demands for war-like retribution.²⁸ Such practical realities established a set of cyclical difficulties that lay beyond the scope of the law to resolve, and that invited a discretionary approach by those officials who represented it on the ground.

At the heart of these cyclical difficulties was the problem of evidence. In theory, when settlers lost sheep or cattle they were obliged to report individual suspects whom the mounted police would pursue under warrant, then arrest and escort to the nearest magistrate for trial. Despite the power of magistrates and justices to try Aboriginal prisoners locally, constant problems arose in meeting the laws of evidence in an environment where the disappearance of livestock was unwitnessed, and the distances between pastoral station, police post and magistrate were considerable. As everyone knew, it was almost impossible to catch Aboriginal people 'in the act of committing a depredation', and 'by the time

24 Gilmartin 2003: 39–43.

25 Smith 2009: 68–73.

26 Anderson 1986: 404–410.

27 For instance *Western Mail*, 9 April 1892: 35.

28 Slack 2002: 80–81.

the constable is out the blacks are away'.²⁹ Moreover, while settlers constantly demanded more police action in eradicating Aboriginal stock theft, they often refused to commit their own time or that of their station workers to bear witness at trials, increasing the difficulties of building a case against any suspect.³⁰ When Aboriginal prisoners came to trial, other difficulties further weakened the chain of evidence. In principle, interpreters were to be made available if required, but in reality their presence at trials was *ad hoc*, and the likeliest interpreter was the police tracker who had helped capture the prisoners.³¹ As officials were also aware, Aboriginal people drawn into an unfamiliar legal setting would make admissions of guilt if led to do so: in 1887 the Chief Justice Alexander Onslow stated that 'if you ask [natives] whether they are guilty they always admit it'.³²

Mounted police represented the first point of intervention in quelling Aboriginal stock theft, and they were well aware of the problems in acquiring sufficient evidence to prosecute it. In face of limited manpower and constant settler complaints about the inadequacy of police protection, their practical approach was to track 'suspects' in districts where sheep or cattle killing was considered rife, raid Aboriginal camps, and arrest whomever failed to escape. This was an approach that implicitly relied upon latitude in police use of force. In 1888, accusations of police violence against Aboriginal people by the Reverend John Brown Gribble led the government to review the regulations on police use of firearms. The Attorney General Charles Warton cautioned that under the regulations' current wording, 'there is great danger of the Police forgetting that they are essentially a civil not a military body'. He advised that 'it may be right to arm the police but it is not right to form rules as if it was a natural or constitutional or normal condition of a policeman to be armed to the teeth'.³³ Yet although direct references to police powers to 'kill' were replaced with modified wording, the redrafted regulations still retained wide licence for lethal force, including the provision that when the necessity for force arose, the police 'must do their duty and the law will protect them'.³⁴ When cases of Aboriginal people shot during the course of police patrols were reported to local magistrates, as they sometimes were, they were framed within the legally admissible boundaries of self-defence or last resort, and were almost always accepted.³⁵ Nonetheless, police actions exceeding the law still needed to be justified within the framework of law. As Russell McGregor has argued, while in Queensland the Native Police were known to be an effective instrument of Aboriginal 'dispersal' precisely because they operated largely unmonitored by administrative oversight, in Western Australia's north the network of police, magistrates, courts and prisons was the primary means of regulating Aboriginal movement and behaviour.³⁶

29 Report of Corporal Sunter, 13 September 1901, Cons 430, 1901/2157, SROWA.

30 Sergeant Cunningham to Commissioner of Police, 27 April 1888, Cons 430, 1888/932, SROWA.

31 Roth Report 1905, 15.

32 *Western Mail*, 28 May 1887.

33 Attorney General to the Colonial Secretary, 4 October 1888, Cons 527, 2833/1888, SROWA.

34 'Use of Arms by Police', Cons 527, 2833/1888, SROWA.

35 For instance Cons 430, 1904/2163; Cons 430, 1904/3739; Cons 430, 1904/4337, SROWA.

36 McGregor 1993: 74.

The roles of police and magistrates in moving Aboriginal people away from settlers' stock and into gaol, then, were closely interwoven.³⁷ In practice, a close collaboration was particularly important in the prosecution of Aboriginal stock theft because the cases that came before magistrates and justices most frequently relied upon the evidence of the arresting police. This did in fact raise periodic concern amongst authorities that the evidence on which Aboriginal prosecutions proceeded was likely to be unreliable. In 1890, commenting upon the reports forwarded by justices of the peace E. F. Darlot and H. N. Walsh, the Attorney General questioned the justices' 'loose procedure' of deciding Aboriginal convictions on a police statement of guilt, and allowing such a statement to 'take the place of [a prisoner's] admission to the Bench'.³⁸ In part, administrators' concerns were financial, since the daily ration expense police received for each person taken into custody led the government to suspect that Aboriginal prisoners were held 'for the purpose of making profit of the rationing'.³⁹ The voicing of such concerns, however, did not lead to change in the manner in which police and magistrates proceeded with Aboriginal prosecutions, even into the twentieth century. In 1905 Dr E. J. Gurdon wrote to the government to state that in the local trials he had observed, Aboriginal people were convicted on 'unreliable' police evidence, and that the accused were not made aware of the nature of the charges against them. Invited to respond, the Commissioner of Police smoothed over Gurdon's claim with the circular logic that if the evidence were insufficient, the magistrate would be obliged to dismiss the case.⁴⁰ Yet as the exchange in 1887 between Roebourne's Resident Magistrate and the Attorney General indicated, magistrates and justices did convict Aboriginal people on 'slipshod' evidence, and were ultimately given considerable discretion in doing so.

'Not a satisfactory conviction': irregularities in Aboriginal prosecutions

The flexibility with which the local magistracy approached legal requirements was apparent more generally in how they completed reports of Aboriginal trials and convictions. As a matter of course, reports for each case required a record of the words in which the accused admitted guilt and all important points of the evidence. Given the practical limitations on evidence, in practice this habitually amounted to recording the testimony of a police constable, a station owner or one of his employees, accompanied by a generic statement that the accused admitted to the charge.⁴¹ Whereas the formalities of reporting required an exact

37 In the early years of Australia's colonies the roles of police and magistrates in establishing law and order had been closely entwined with the appointment of police magistrates to manage local constabularies. For instance Palmer 1994.

38 Attorney General to Colonial Secretary, 17 July 1890, Cons 527, 1890/1723, SROWA.

39 Governor Broome to Colonial Secretary, 28 October 1884, Cons 527, 1884/6112, SROWA; Roth Report 1905, 14–15.

40 Commissioner of Police to the Under Secretary, 20 November 1905, Cons 430, 1905/4476, SROWA.

41 For instance Cons 527, 1884/1205; Cons 527, 1885/3947; Cons 527, 1885/2451, SROWA.

record of the testimony of each individual accused, the numbers of Aboriginal prisoners brought before them were such that magistrates and justices often simply recorded a communal admission of guilt. From the mid 1880s, group convictions of Aboriginal prisoners accused of stock theft ranged from half a dozen to more than 40 people at a time.⁴² Group trials were sometimes so large that, as the press reported from Carnarvon in 1886, 'the Court was obliged to be held on the verandah'.⁴³

What is notable about this pattern is not just the predictable fact that ill-trained magistrates and justices convicted Aboriginal people on uncertain evidence, but the fact that their reports were so often questioned from the office of the Attorney General with so little effect or consequence. In 1887, the Attorney General voiced disapproval of the inadequate proof of individual guilt in reports of Aboriginal conviction sent in from the northern districts. After reading the reports forwarded by Resident Magistrate C. D. Foss at Carnarvon, in which the single refrain 'we killed these sheep and eat them' sufficed for the conviction of four Aboriginal prisoners, Warton issued the reminder that 'when two or more prisoners are before a magistrate each should be separately asked if he pleads guilty or not guilty and each prisoner's words in answer should be taken down. Prisoners (in the plural) can't make an admission'.⁴⁴ The convicting magistrate Mr Foss, he added, was 'often irregular' in regard to meeting such legal requirements. In reply Foss complained: 'I have sent these forms down for the last four years, and this is the first time that I have been informed that I have acted irregularly with regard to sending down the evidence'.⁴⁵

Foss' response was understandable. Although all regional reports of Aboriginal convictions were forwarded to the Attorney General's office, and he periodically made comment on the irregularities they contained, magistrates and justices on the pastoral frontier were usually allowed discretionary authority to conduct Aboriginal prosecutions as they saw fit. In 1884 the Attorney General – Worton's predecessor Alfred Hensman – noted on Foss' latest reports that in addition to the magistrate's failure to write up Aboriginal convictions 'in proper form', the 'evidence in these cases is very light'. He did not seek to question the convictions, however, but allowed that it was 'open to the magistrate to convict upon [the evidence] if he was satisfied that it was reliable'.⁴⁶

This latitude extended to cases where it was even questionable that a crime had taken place. In 1885, the Attorney General expressed doubt about the conviction of 'Georgy' by Angelo's predecessor, Roebourne's Resident Magistrate Edward Laurence, because the settler whose sheep Georgy had allegedly stolen had not complained of losing any stock, and moreover declined to press a charge. Yet although the Attorney General noted that Georgy's 'was not a satisfactory

42 In 1887, a single group of 42 Aboriginal prisoners was convicted for sheep stealing to terms of imprisonment ranging between six months and two years. Cons 527, 1887/4170, SROWA.

43 *Western Mail*, 13 February 1886: 9.

44 Attorney General to Colonial Secretary, 15 April 1887, Cons 527, 1887/1579, SROWA.

45 Government Resident Foss to Colonial Secretary, 31 May 1887, Cons 527, 1887/1579, SROWA.

46 Attorney General to Colonial Secretary, 11 June 1884, Cons 527, 1884/2938, SROWA.

conviction by any means', he would not 'go so far as to advise that the conviction was illegal'.⁴⁷ Similar concerns were raised about reports of Aboriginal convictions from justice of the peace E. F. Darlot, who conducted Aboriginal trials alone in the absence of any other magistrate or justice within 20 miles. Hensman again issued the reminder that 'it is very desirable in all cases of convictions of natives for stealing sheep ... to have clear evidence that the sheep have been missed from the flock', but he did not recommend that the sentences be reviewed.⁴⁸ An unusual case was that of Aboriginal shepherd Coogin, alias Frank, whose sentence on a charge of sheep stealing was only remitted when his employers undertook to prove his innocence. By the time the prisoner was released, almost half his sentence had been served.⁴⁹ Coogin's case not only reflected a general neglect of the laws of evidence in Aboriginal prosecutions, but also pointed to the vagaries of Aboriginal people's legal position when employed in colonial economies. In this instance, a settler intervened to overturn the unwarranted conviction of his Aboriginal employee, yet in other instances, settlers who were abusive to their Aboriginal employees had little reason to fear the law's intervention.⁵⁰

The unevenness of the sentences that magistrates and justices awarded to Aboriginal prisoners was another point raised but rarely pursued by administrators at the seat of government. With regard to Darlot's reports, Attorney General Hensman noted that the justice had provided no clarification as to 'why some of the natives received 12 and others 6 months'. Having noted the inconsistency, however, he allowed for it by concluding that it 'may be that the previous character of some was worse than the others'.⁵¹ With regard to Foss' reports, Hensman's successor Charles Warton also observed that there was 'rather a disproportion' between the sentences awarded, but conceded that the magistrate had discretion to determine the sentences as the person best acquainted 'with the characters of the prisoners'.⁵² Indeed, there was little in the reports to explain the relatively wide range of prison terms awarded by local magistrates and justices to Aboriginal prisoners, a circumstance sometimes noted by the Attorney General but rarely directly challenged.

An exception arose in 1887 when the Superintendent of Rottnest Prison, William Timperley, drew the government's attention to the fact that a year earlier Resident Magistrate Foss, together with justice of the peace John Brockman, had sentenced 26 Aboriginal prisoners on stock theft charges to two years' imprisonment with hard labour at Rottnest, and that another group of 25 prisoners tried by the same magistrate on the same charges had recently arrived under sentences of one year. For the first group of convicted men, he wrote, 'what will no doubt astonish them, and confuse their ideas of justice, will be the fact that a large number of their

47 Report of Resident Magistrate Laurence, 18 February 1885; Attorney General to Colonial Secretary, 19 March and 22 May 1885, Cons 527, 1885/969, SROWA.

48 Attorney General to Colonial Secretary, 24 November 1885, Cons 527, 1885/4614, SROWA.

49 Cons 527, 1891/1665, SROWA.

50 Nettelbeck 2013: 368–369.

51 Attorney General to Colonial Secretary, 24 November 1885, Cons 527, 1885/4614, SROWA.

52 Attorney General to Colonial Secretary, 19 March 1884, Cons 527, 1888/1349, SROWA.

friends, who had been convicted of *exactly the same crimes*, arrived at Rottneest Prison *after* them, and were sent back to their own homes long *before* them'. For the sake of good order at the prison, he recommended that the remainder of their two-year sentences be remitted, a recommendation the governor approved in consideration of the overcrowded state at Rottneest.⁵³

On other occasions the Attorney General pointed to the myriad ways in which reports of Aboriginal convictions sent in by regional magistrates and justices failed to meet requirements, but other than regretting 'that more care is not taken' with the paperwork, or issuing a reminder that a magistrate 'should be informed of his duty', it was rare for further steps to be taken in directing the magistracy's approach to the local prosecution and conviction of Aboriginal people.⁵⁴ Faced with a constant tension between the rule of law and the practical difficulties of governing the frontier, the position of central authorities was to fall back on the legal fiction that the government's provisions for the equitable treatment of Aboriginal people were 'satisfactory'.⁵⁵

'Deterrent effect' or 'mistaken leniency': the ambiguities of Aboriginal management

The difficulties of achieving effective control over Aboriginal attacks on settler property not only revealed the fractures in the law's capacity to regulate the pastoral frontier, but they also brought forward doubts about the value of prosecution and incarceration as means of Aboriginal management. Magistrates sometimes dismissed Aboriginal cases because of insufficient evidence, but they also awarded maximum terms of imprisonment in the opinion that these would at least 'have a deterrent effect and prevent cattle stealing in the future'.⁵⁶ Other magistrates openly doubted that imprisonment had a deterrent effect, but regarded the penal system as yielding other pragmatic advantages. The view of Resident Magistrate Colonel Angelo was that 'the native gets food and clothing from Govt while in prison', while for the term of his incarceration, the government got the prisoner's labour which was 'worth more than his food and clothing'.⁵⁷ Aboriginal imprisonment, he stated on another occasion when reporting the conviction of 42 prisoners in one sitting, had little to do with justice but effectively amounted to an exchange of labour for rations.⁵⁸

While some magistrates were of the view that the legal system delivered other benefits towards the goal of Aboriginal management than those of justice, the

53 Superintendent Timperley to Colonial Secretary, 21 February 1887; Governor Broome to Colonial Secretary, 12 April 1887, Cons 527, 1887/746, SROWA.

54 For instance Cons 527, 1888/2361; Cons 527, 1890/1327; Cons 968, 1909/958, SROWA.

55 'How we treat the blacks', *Western Mail*, 21 January 1898: 46.

56 Resident Magistrate Foss' report for the Gascoyne district, 17 March 1887, Cons 527, 1887/746, SROWA.

57 Government Resident Angelo to Colonial Secretary, 2 September 1887, Cons 527, 1887/2619, SROWA.

58 Angelo to Colonial Secretary, 5 October 1887, Cons 527, 1887/4170, SROWA.

view of Robert Bush JP was that the law was simply not an effective instrument for achieving governance over Aboriginal people. In his opinion, the law's primary limitation arose from the 'ill advised' principle that it served equally to protect Aboriginal people as to punish them. Bush, who claimed to have 'more natives brought before me for sheep stealing than any other magistrate in the colony', was also owner of the Clifton Downs station on the Gascoyne. As a pastoralist, he was unambiguous in stating that the rule of law should serve less to ensure justice than to secure 'the settlement and improvement of these splendid Northern Districts'. Yet to the degree that it failed to protect settler property, he argued, the rule of law did little more than provide gaoled Aboriginal prisoners with free access to the government's rations; worse, this 'mistaken leniency' rendered the settler 'powerless', for the law did 'not let him punish these natives himself, and there is no one else to punish them'.⁵⁹

As this justice of the peace complained, there was no officially approved alternative to the rule of law. Regardless of whether Aboriginal imprisonment was regarded as a future deterrent, a pragmatic arrangement for the supply of cheap labour, or a form of 'leniency' that failed the requirements of settler protection, the principle could not be dispensed with that in the eyes of the law Aboriginal people were subjects of the Crown. In 1887, Wyndham's Resident Magistrate was a keen supporter of local settlers in their petition to the government to establish a Native Police Force on the Queensland model, and in urging forward the petition he reminded authorities that the European police were 'not the slightest use in this country'.⁶⁰ The Superintendent of Police, however, was obliged to distance himself from the local magistrate's position on grounds that such a policing model would openly flout the principle that the police were also available 'for the protection of the aboriginals'.⁶¹ In face of daily settler demands for protection of their property, frontier officials had little option but to administer a monotonous cycle of Aboriginal arrests, convictions and incarcerations year after year. Cathie Clement has calculated that in the east Kimberley alone between 1886 and 1908, Aboriginal people were imprisoned at the ratio of ten to 12 men per head of cattle lost.⁶²

On rare occasions, the inherent failures — and perhaps the inherent harshness — of the legal system of Aboriginal management triggered a break in the chain. In 1895 Constable McGinnis refused the order of justice of the peace H. B. Walsh to inflict a flogging sentence on an Aboriginal prisoner for sheep stealing. The constable 'said he would do no more flogging', Walsh complained to the Commissioner of Police, and if 'he won't do it, who should?'⁶³ Similarly, in 1904 the Resident Magistrate at Derby R. H. Wace, perhaps tired of hearing Aboriginal cases based on insufficient evidence, declared he would henceforth

59 'Native depredations in the northern districts', *Western Mail*, 26 December 1891: 15.

60 Government Resident Wyndham to Colonial Secretary, 4 January 1887, Cons 527, 1887/0677, SROWA.

61 Superintendent of Police to Colonial Secretary, 28 February 1887, Cons 527, 1887/0677, SROWA.

62 Clement 1989: 93.

63 HB Walsh JP to the Commissioner of Police, 17 April 1895, Cons 430, 1895/905, SROWA.

discharge all Aboriginal prisoners brought before him for stock theft on the word of police, unless station owners or their representatives were prepared to appear at trials to give evidence. The Under Secretary of Law H. G. Hampton took up the magistrate's point as an opportunity to challenge the system, writing to the Minister for Justice and the Crown Solicitor that Aboriginal trials were prosecuted 'in a very haphazard manner'. Convictions were 'decided on the flimsiest of evidence, which consists in most cases simply of a Constable's testimony, and that perhaps of a native [witness]', when 'it goes without saying that beyond the fact that the cattle are killed it must of necessity remain almost impossible to obtain reliable evidence'.⁶⁴ In this instance, the police responded with consternation. There would be 'serious trouble' if the Resident Magistrate was allowed to implement his intention, the Commissioner warned, for 'the natives will take advantage of the fact of their being discharged without trial'. Bound as he was to the imperfect system of law as it operated, the Crown Solicitor overrode the Under Secretary's arguments.⁶⁵

In addition to threatening to discharge Aboriginal cases brought on police evidence, Resident Magistrate Wace criticised the legal system he represented in testimony to Walter Edmund Roth, then conducting the Royal Commission of Inquiry into the treatment of Aboriginal people in the north.⁶⁶ Overall, Roth's findings were a scathing indictment on the legal network of police, magistrates and justices that oversaw Aboriginal prosecutions. Stock theft comprised 90 per cent of Aboriginal cases to come within the ambit of this legal network, he reported, and it functioned with a degree of 'carelessness almost amounting to criminality'. Police and trackers went forth and arrested whole Aboriginal camps without warrants on little if any evidence; in securing convictions, Aboriginal prisoners were coerced into admissions of guilt and little effort was made to ensure they understood the charges against them; some magistrates convicted children as young as ten; and the capacity of magistrates and justices of the peace to adjudicate their own or their neighbours' grievances gave them a 'terrible power' over Aboriginal people.⁶⁷

Even before Roth's investigations, the status of magistrates and justices of the peace as local landowners had raised questions about the extent to which their legal authority could be abused. This was debated in the press in late 1898 and early 1899 when three separate cases arose of justices of the peace charged with Aboriginal assault.⁶⁸ Each of these cases was settled by neighbouring magistrates with inconsequential fines, but their quick succession focused public attention on the wide-ranging powers held by honorary justices of the peace to adjudicate

64 Under Secretary of Law to the Minister for Justice, 22 December 1904, and the Crown Solicitor, 26 January 1905, Cons 430, 1905/1330, SROWA.

65 Crown Solicitor to the Under Secretary of Law, 27 January 1905, Cons 430, 1905/1330, SROWA.

66 Roth Report 1905, 17.

67 Roth Report 1905, 13–21.

68 'Ill-treating a native: a magistrate fined', *Western Mail*, 10 February 1899; 'Ill-treatment of natives', *Western Mail*, 3 March 1899.

Aboriginal matters.⁶⁹ However, like the series of queries issued by the Attorney General's office about magistrates' haphazard paperwork, irregular patterns of sentencing and acceptance of doubtful evidence, these cases of justices on trial for Aboriginal assault did little to alter the discretion allowed to the local magistracy to interpret how the law would be applied to Aboriginal people. Indeed, just months earlier in May 1898, a circular was issued to all magistrates and police stating that the role of Aboriginal protector would henceforth be considered part of their 'ordinary duties'.⁷⁰

Undoubtedly some magistrates and justices were personally unsuited to their role's responsibilities, but the legal breaches that marked their daily dealings with Aboriginal people went well beyond questions of personal disposition. More fundamentally, they arose from the difficulties of governing the pastoral frontier through an assumed legal jurisdiction that in reality was far from secure. However, one of the outcomes of Roth's report was a recommendation that the legal authority to control 'the welfare and protection of the natives' be clarified under the office of the Chief Protector. This recommendation was incorporated into the *Aborigines Act 1905*, which would usher in a new era of restraint on Aboriginal lives in the name of protection.⁷¹ Over the coming years, pastoralist complaints about Aboriginal 'depredations' would fade as Aboriginal people became more essential to the pastoral economy, but also more subject to the overseeing eye of the Aborigines Department.

Conclusion

Mark Finnane and John McGuire have noted that the pacification of Australia's frontiers entailed a 'transitional period', during which an earlier absence of an effective infrastructure of law and government gradually gave way to a criminal justice network represented by police, courts and prisons that brought Aboriginal people within a 'new locus of regulation'.⁷² In Australia's north-west, these phases were made less distinct through the appointment of a widespread regional magistracy with broader powers to award Aboriginal punishment than pertained elsewhere in Australia. Alongside the mounted police, the magistracy was intended to provide the colony's newly opening districts with a legal framework that would facilitate the management of Aboriginal people through the administration of justice at the local level. Not only would jurisdiction be ensured over the remotest frontier, it was envisaged, but a system of reporting and central administrative oversight would safeguard the impartial and just operation of the law.

69 Similar questions had been raised decades earlier in New South Wales about the discretionary power magistrates held over convict labourers. Neal 1991: 116.

70 Circular from John Forrest to Resident Magistrates, Resident Medical Officers and Police Officers, 1 May 1898, Cons 255, 1898/53, SROWA.

71 Roth Report 1905, 1–2; Haebich 1988.

72 Finnane and McGuire 2001: 280.

In reality, the relationship of Aboriginal people to the settler state remained indeterminate, and the problems of quelling Aboriginal attacks on settler property remained difficult to resolve on frontiers where the conflicting interests of incoming settlers and dispossessed Aboriginal people presented constant challenges to the law's terms. To some degree, the failures of legal order arose from a magistracy comprised of land owners with limited legal training and economic investments in the very districts where they represented the face of government. That this was likely to produce an abuse of authority was a well-known story in the history of the colonial magistracy.⁷³ Yet the larger, less personal obstacle to the establishment of legal order in Australia's north-west lay in the inherent conditions of a volatile frontier, where 'government had constantly to be reinvented' in response to local conditions.⁷⁴

The expressed view of some magistrates — one widely reflected in the magistracy's everyday practices — was that their role had more to do with the pragmatic need to pacify an Aboriginal population over which jurisdiction remained uncertain than with a legal duty to deliver justice. In pursuing this course they were allowed considerable discretion by the central government in determining how the punitive function of the law would be applied to Aboriginal people, so long as their legal imperfections could be smoothed over within the framework of law. In so far as this system of Aboriginal management failed to regulate a protractedly unsettled frontier, the result was that few observers believed in the law's efficacy: this included settlers who complained that sending Aboriginal people to gaol had no effect in protecting their property;⁷⁵ and officials like the police constable who refused to do any more flogging, or the magistrate who declared he would no longer prosecute Aboriginal cases. One witness to Roth's inquiry commented that the terms on which Aboriginal people were prosecuted and convicted were a 'perfect farce', and the only way to remedy this legal masquerade was to stop bringing them to trial.⁷⁶ Yet unable to dispense either with the rule of law or with the claim to jurisdiction over Aboriginal people, there was perhaps little scope but for government authorities to tolerate the gap between the principle and the reality of 'what is called British justice'.⁷⁷

References

Official printed sources

1884 British Parliamentary Papers, No. 627, Despatches of the Governors of the Australian Colonies, with the Reports of the Protectors of Aborigines.

73 Neal 1991: 134.

74 Douglas and Finnane 2012: 66.

75 For instance 'The native question', *Western Mail*, 9 April 1892: 35.

76 'Dr Roth's investigations: prosecution of Aborigines', *The West Australian*, 14 February 1905: 2-3.

77 'Dr Roth's investigations: prosecution of Aborigines', *The West Australian*, 14 February 1905: 2-3.

1882 Western Australia, Legislative Council, Instructions to and Reports from the Resident Magistrate Despatched by Direction of his Excellency on Special Duty to the Murchison and Gascoyne Districts (Fairbain Report), Government Printer, Perth.

1883 Western Australia, Legislative Council Minutes, 2nd Session, A 10, 'Telegrams from South Australia and Queensland as to the Powers of Justices or Resident Magistrates to Pass Sentences upon Aboriginal Natives', Government Printer, Perth.

1885 Western Australia, Legislative Report of the Select Committee of the Legislative Council to Consider and Report upon Questions Connected with the Treatment and Condition of the Aboriginal Natives of the Colony, Government Printer, Perth.

1905 Western Australia, Report of the Royal Commission of the Condition of the Natives (Roth Report), Government Printer, Perth.

Pearl Shell Fishing Regulation Act 1873 (WA) (37 Vict. No. 11).

Aborigines Protection Act 1886 (WA) (50 Vict. No. 25).

Aboriginal Offenders Act (Amendment) 1892 (55 Vict. No. 18).

Aboriginal Offenders Act (Amendment) 1893 (56 Vict. No. 15).

Aborigines Act 1905 (WA) (5 Edw.VII. No. 14).

State Records Office of Western Australia (SROWA)

Consignment 255, Chief Protector of Aborigines Files.

Consignment 388, Aborigines Protection Board Files.

Consignment 527, Colonial Secretary's Office Files.

Consignment 430, Police Department General Files.

Consignment 968, Prisons Department Files.

Newspapers

The Perth Gazette

The West Australian

Western Mail

Published sources

- Anderson, David 1986, 'Stock theft and moral economy in colonial Kenya', *Africa* 56(4): 399–416.
- Benton, Lauren and Lisa Ford 2013, 'Magistrates in empire', in *Legal Pluralism and Empires 1500–1850*, Lauren Benton and Richard R. Ross (eds), New York University Press, New York.
- Bolton, GC 1979, 'Angelo, Edward Houghton (1870–1948)', *Australian Dictionary of Biography*, <http://adb.anu.edu.au/biography/angelo-edward-houghton-5029/text8371>.
- Castles, Alex 1982, *An Australian Legal History*, Law Book Co, Sydney.
- Choo, Christine and Chris Owen 2003, 'Deafening silences: understanding frontier relations and the discourse of police files through the Kimberley police records', *Studies in Western Australian History* 23: 129–156.
- Clement, Cathie 1989, 'Monotony, manhunts and malice: eastern Kimberley law enforcement 1886–1908', *Journal and Proceedings of the Royal Western Australian Historical Society* 10(1): 85–96.
- Douglas, Heather and Mark Finnane 2012, *Indigenous Crime & Settler Law*, Palgrave Macmillan, London.
- Evans, Julie 2004, 'The formulation of privilege and exclusion in settler states', in *Honour Among Nations*, Marcia Langton et al (eds), Melbourne University Press, Melbourne, 69–82.
- Evans, Julie 2009, 'Where lawlessness is law: the settler-colonial frontier as a legal space of violence', *Australian Feminist Law Journal* 30: 3–22.
- Finnane, Mark and John McGuire 2001, 'The uses of punishment and exile: Aborigines in colonial Australia', *Punishment and Society* 3(2): 279–298.
- Ford, Lisa 2010, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia 1788–1936*, Harvard University Press, Cambridge, MA.
- Gill, Andrew 1977, 'Aborigines, settlers and police in the Kimberleys 1887–1905', *Studies in Western Australian History* 1: 1–28.
- Gilmartin, David 2003, 'Cattle, crime and colonialism', *Indian Economic Social History Review* 40(1): 33–56.
- Golder, Hilary 1991, *High and Responsible Office: A History of the NSW Magistracy*, Sydney University Press, Sydney.

- Haebich, Anna 1988, *For Their Own Good: Aborigines and Government in the Southwest of Western Australia*, University of Western Australia Press, Perth.
- Hasluck, Paul 1970, *Black Australians: A Survey of Native Policy in Western Australia 1829–1897*, 2nd edition, Melbourne University Press, Melbourne.
- Hunter, Ann 2012, *A Different Kind of Subject*. Australian Scholarly Publishing, Melbourne.
- McGregor, Russell 1993, 'Law enforcement or just force? Police action in two frontier districts', in *Race Relations in North Queensland*, Henry Reynolds (ed), University of Queensland Press, St Lucia: 63–82.
- Marchant, Leslie 1981, *Aboriginal Administration in Western Australia 1886–1905*, Australian Institute of Aboriginal Studies, Canberra.
- Neal, David 1991, *The Rule of Law in a Penal Colony*, Cambridge University Press, Melbourne.
- Nettelbeck, Amanda 2013, "'Equals of the white man": prosecution of settlers for violence against Aboriginal subjects of the Crown, colonial Western Australia', *Law and History Review* 31(2): 355–390.
- Nettelbeck, Amanda and Robert Foster 2010, 'Colonial judiciaries, Aboriginal protection and SA's policy of punishing with "exemplary severity"', *Australian Historical Studies* 41(3): 319–351.
- Owen, Chris 2003, "'The police appear to be a useless lot up there": law and order in the East Kimberley', *Aboriginal History* 27: 105–130.
- Palmer, Darren 1994, 'Magistrates, police and power in Port Phillip', in *A Nation of Rogues: Crime, Law and Punishment in Colonial Australia*, David Philips and Susanne Davies (eds), Melbourne University Press, Melbourne, 73–96.
- Pedersen, Howard and Banjo Woorunmurra 1995, *Jandamarra and the Bunaba Resistance*, Magabala Books, Broome.
- Pope, Alan 2011, *One Law for All? Aboriginal People & Criminal Law in Early South Australia*, Aboriginal Studies Press, Canberra.
- Quinlan, Michael 2004, 'Australia 1788–1902: a working man's paradise?', in *Masters, Servants & Magistrates in Britain & the Empire*, Douglas Hay and Paul Craven (eds), University of North Carolina Press, Chapel Hill, 219–250.
- Rangelov, Jamens 2005, 'The Port Phillip Magistrates 1835–1851', unpublished PhD thesis, Victoria University, Melbourne.

'KEEP THE MAGISTRATES STRAIGHT'

- Ross, Helen and Eileen Bray 1989, *Impact Stories of the East Kimberley*, East Kimberley Assessment Project, Canberra.
- Slack, Michael 2002, 'The "plains of promise" revisited: reassessment of the frontier in north-west Queensland', *Journal of Australian Studies* 26: 71-83.
- Smith, Keith 2009, *Liberalism, Surveillance and Resistance: Indigenous Communities in Western Canada 1877-1927*, Athabasca University Press, Edmonton.
- Ward, Damen 2003, 'The Politics of Jurisdiction: "British" Law, Indigenous Peoples & Colonial Government in South Australia & New Zealand c 1834-60', unpublished PhD thesis, Oxford University, Oxford.

This man's tracks: Laurie O'Neill and post-war changes in Aboriginal Administration in Western Australia¹

Anne Scrimgeour

At the end of August 1951, the local officer for the Western Australian Department of Native Affairs, Laurence (Laurie) O'Neill, drove to the Kalgoorlie cemetery and took his own life. What drove him to do so is not known. What is known is that his brother Jim had been buried there two months earlier after a sudden illness. Certainly O'Neill had had his share of personal tragedy, both his children having died at birth in Halls Creek in the state's north in the mid 1930s. But it may have been the case, too, that he had struggled to adjust to the shifting culture of 'native administration' in Western Australia. When he joined the department in 1941 the skills and experience he brought with him from 12 years as a mounted policeman in the Kimberley made him eminently suited to a role in 'native administration', a Perth newspaper asserting that 'Native Affairs Branch is lucky to have so competent and experienced a representative'.² By the end of the decade, however, O'Neill's approach in dealing with Aboriginal people was no longer viewed as appropriate for a Native Affairs officer, and his views were described as being 'diametrically opposed to those of the department'.³

The post-war shift in Western Australia's Aboriginal policy began with the appointment in 1948 of Stanley Guise Middleton as Commissioner of Native Affairs, a chief administrator largely overlooked in the history of Aboriginal administration, as Anna Haebich notes.⁴ Geoffrey Bolton refers to the changes that took place with the appointment of Middleton as 'remarkable', although Haebich argues that his success in achieving his 'reformist vision' was limited by a number of factors including insufficient finances and entrenched racism.⁵ Peter Biskup believed that the changes instituted by Middleton were less significant than they may appear, being essentially a continuation of a dictatorial form of administration.⁶ This reflects a view, expressed with regard to the history of Aboriginal administration more broadly, that stresses continuities in practice

1 I am grateful for the assistance of a number of people who provided information and feedback on this paper, including Victoria Haskins, John Bucknall, John Wilson, Amanda Nettlebeck, Adrian Day and Ann Curthoys.

2 *Daily News*, 24 May 1946: 6.

3 Commissioner of Native Affairs, SG Middleton, cited in Biskup 1973: 237.

4 Haebich 2005: 201.

5 Bolton 1983: 153, Haebich 2005: 201-220.

6 Biskup 1973: 265.

rather than contrasts, particularly with regard practices such as that of child removal.⁷ Others have argued, on the other hand, that the policy changes that took place throughout Australia at that time were significant.⁸ Certainly men recruited into Aboriginal administration after the war believed their approach was a radical departure from earlier practices.⁹ Leslie Marchant, for example, criticised the *Bringing Them Home* report into the separation of Aboriginal children from their families for its failure to differentiate between pre- and post-war practices. Having worked during the 1950s as a patrol officer in Western Australia, he argued that the 'new generation of young scholar-administrators' spawned by the war had not returned home from fighting for democracy overseas 'to deny freedoms and practice genocide here'.¹⁰ The appointment of patrol officers in the Northern Territory lessened to some extent the Commonwealth Government's dependence on the police to administer its Aboriginal policies, in what Mark Finnane and Fiona Paisley describe as a move away from the 'hard policing of the frontier' to 'the softer administration of the patrol officer'.¹¹ In Western Australia, too, post-war changes included a shift away from the use of police in Aboriginal administration.¹² Writing of the Kimberley region of Western Australia, Mary Anne Jebb refers to the significant shift that took place in the 1950s as the Department of Native Affairs attempted to differentiate the role of its officers from that of the police.¹³ It is this feature of the changes that took place in the post-war years that is the focus of this article, examined through the lens of the career of Laurie O'Neill.

'A fine type of Western Australian mounted police'

As a constable in the North-West mounted police prior to his recruitment to the state's Department of Native Affairs, Laurie O'Neill gained a reputation as an excellent bushman and an ideal example of Australian manhood. Joining the police force at 21 years of age in 1929, his duties included conducting mounted patrols over the King Leopold Ranges into the rugged north-western region of the Kimberley. The pursuit, capture and removal in chains of suspected law-breakers and leprosy sufferers on these patrols often represented first contact encounters with Aboriginal people. His service in the 1930s coincided with the growth of interest in the role of the mounted police, and accounts of his patrols and extracts from his journals were published in newspapers as real-life frontier adventure stories.¹⁴ Perth's *Daily News*, for example, introduced an account of a patrol undertaken by O'Neill with the claim that 'true adventure constantly

7 For instance, Morris describes the changes that took place in the administration of Aboriginal people in New South Wales in the late 1940s as simply continued racism in a different mode. Morris 1989: 123.

8 For instance McGregor 2004.

9 Long 1992; Gare 1999.

10 Marchant 2003: 32.

11 Finnane and Paisley 2010: 170.

12 Rowley 1971: 255–256.

13 Jebb 2002: 211–212.

14 Nettelbeck and Foster 2010: 133.

rides beside the northern constable', and that the epic feats of the north-west police would fill 'a volume as stirring and fascinating as anything written about the Canadian "mounties"'.¹⁵ In 1933 the writer Ion Idriess accompanied O'Neill on patrol, recounting his experiences in *Over the Range*, *One Wet Season*, and *Man Tracks*.¹⁶

Operating ostensibly under the same constraints and regulations as the police in more southern areas of the state, Kimberley policemen were not given carte blanche to carry out the unrestrained violence that characterised mounted police activities in northern Queensland.¹⁷ They were, rather, required to arrest offenders and bring them to trial. Nevertheless, their role in enabling the establishment of pastoral stations and protecting settlers and their stock on Aboriginal lands placed Kimberley policemen at the vanguard of the colonising process. Faced with the task of imposing an alien law on a people who had no knowledge of it, their activities involved acts of police violence characteristic of the dispossession of indigenous peoples in other parts of Australia and in settler colonies throughout the world.¹⁸ Well into the 1920s they engaged in violent confrontations with Aboriginal people, an alleged massacre being carried out by police at Forrest River in 1926, just three years before O'Neill entered the force.¹⁹ While there is no evidence of O'Neill's involvement in illegal acts of violence of this nature, such incidents served as a backdrop to his interactions with Aboriginal people. His actions in pursuing and capturing Aboriginal people and walking them in chains for hundreds of miles to Derby for trial or for incarceration at the leprosarium were themselves acts of violence, a display of colonial power. If O'Neill did not step outside the law in the violence he perpetrated, he would certainly have carried with him the threat of the potential for such violence. That Aboriginal people feared and avoided O'Neill is suggested by a comment made by a settler in Idriess' account. Speaking of the leprosy that was spreading through the Aboriginal population at the time, a settler tells O'Neill, 'I wish you could drive away leprosy as easily as you scatter the *munjons*'.²⁰ Although much of the work of tracking and capturing was undertaken by Aboriginal trackers who travelled with him, O'Neill's role was as a representative of colonial power, an authority he asserted in all his dealings with Aboriginal people and on which he depended for his own survival in remote country. He is remembered by Aboriginal people in the Kimberley as 'a hard and efficient policeman from whom it was difficult to escape'.²¹

15 *Daily News*, 19 March 1935: 8.

16 Idriess 1935, 1939 and 1950.

17 McGregor 1993.

18 Finnane and Paisley 2010: 141; Nettelbeck and Smandych 2010: 357.

19 Jebb 2002.

20 Idriess 1939: 17. *Munjons* was the term used in the Kimberley for Aboriginal people who continued to live independently from settlers.

21 Jebb 2002: 211. Jebb writes that Weeda Munro remembers being afraid of O'Neill when he asked her to remove her clothes so he could photograph her.



Figure 1: Laurence O'Neill

Source: Papers of Laurence O'Neill, Battye ACC7934A.

Accounts of O'Neill's patrols in Idriess' books and newspaper articles emphasise his physical strength and forcefulness. The manly qualities of fortitude, resourcefulness, determination and gameness, tempered with a 'cheerful disposition', a boyish face and a winning smile, make O'Neill an ideal model of the Australian bushman. A 'good horseman', 'excellent bushman', and 'generally well-equipped for the role', he was 'one of the ablest bushmen in the West Australian police'. 'The north is no place for a weakling', the *Daily News* commented, 'but particularly must the policeman be equipped with those moral and physical attributes characteristic of the strong man'. It is O'Neill's physicality that is most frequently emphasised: he is described as 'tall and strong with the

long swinging walk of the bushman', and as having a 'long loping stride [that] took him to places rarely seen by the white man'. He is described using verbs of forceful forward movement: 'alertly quick to swing into action', he strikes quickly, gives 'quick chase', has a quick grasp; he thinks quickly and acts quickly. His actions in *probing* the fastnesses in search of native killers, *prying* secrets out of obstinate natives, and *piercing* 'the veil that shielded the action in one hundred aboriginal minds' create an impression of an ability to penetrate the primitivity of both Aboriginal country and the Aboriginal mind.²²

Needing an ability to 'pierce the veil' of the Aboriginal mind to carry out his duties in apprehending Aboriginal people, O'Neill was an expert on 'the natives',²³ his expertise based on an unquestioned presumption of Aboriginal inferiority and immutability. According to Idriess, O'Neill believed that Aboriginal people were 'chained to the primitive by a mental chain that [they could] never break'. They had, it seemed, 'been born a million years ago with a brain that could not expand as the rest of humanity developed'.²⁴ Russell McGregor argues policy changes implemented around the time of the Second World War involved a fundamental shift from policies based on an assumption of Aboriginal incapacity to change, to those based on a presumption of reformability, and were, as a result, far from inconsequential despite the continuation of practices such as child removal.²⁵ This presumption of non-reformability, along with the connected belief that Aboriginal people were dying out, was the ideological basis of 'protection' legislation that characterised Aboriginal administration in the first half of the twentieth century. This was, according to Finnane, a system that criminalised Aboriginal people, involving the enforcement of punitive and restrictive legislation by police and Native Affairs officers.²⁶ This legislation saw a convergence in the roles of officers of the Native Affairs Department and the police. Police officers appointed as 'native protectors' and vested with extensive responsibility and authority over Aboriginal people, represented an embodiment of this convergence of roles.

'A special aptitude for handling these problems'

While protection legislation, administered to a large extent at the local level by police protectors, impacted on the lives of Aboriginal people in southern areas of Western Australia and in northern towns, a somewhat different form of governance was used with regard to the larger Aboriginal populations of the northern pastoral regions. Here, the governance of Aboriginal people was largely outsourced by the government to pastoralists, who held power through their control of Aboriginal access to land. Their power over Aboriginal people was supported by the police, who, having been initially involved in subjugating

22 *Kalgoorlie Miner*, 19 November 1938, 7; *Border Watch*, 23 November 1937: 2; Idriess 1939: 6, 1935: 107; *Daily News*, 24 May 1946: 6, 4 April 1933: 5.

23 Bolton 1983: 251–252.

24 Idriess 1939: 25.

25 McGregor 2004: 306.

26 Finnane 1994: 118.

Aboriginal people and making Indigenous land available for pastoral settlement, continued to exploit the climate of fear established through frontier violence to ensure Aboriginal compliance to the needs of the pastoral industry. A key function of police patrols throughout Australia was to provide protection for sheep and cattle stations.²⁷ Police patrols were often used for this purpose by governments under pressure from pastoralists, as Chris Owen has shown with regard to the colonisation of the east Kimberley.²⁸ In the west Kimberley, Indigenous country was made available for pastoralism during the first decades of the twentieth century through the operation of police patrols such as those undertaken by O'Neill. Jebb argues that the arrest and removal from their country of large numbers of Aboriginal people during these patrols facilitated the colonisation of the west Kimberley and transformed its Indigenous population into a labour force for pastoral stations.²⁹ The work of Jack Bohemia and Bill McGregor, too, highlights the crucial role played by the police in making and keeping the Kimberley safe for pastoralists.³⁰ Even when 'pacification' had been achieved, police reported that pastoralists appreciated patrols whenever 'the natives were getting out of hand', indicating that a major aim of the patrols was to ensure the continued compliance of Aboriginal people as a source of labour.³¹

O'Neill was recruited as a Travelling Inspector for the vast area of the state north of the twenty-sixth parallel by a Native Affairs Department that valued his forceful approach and his ability to control Aboriginal people, particularly with regard to the labour needs of the pastoral industry. His appointment was made in 1941, a year after A. O. Neville's resignation as Commissioner of Native Affairs. During the term of Neville's successor, Francis Illingworth Bray, described by Biskup as 'a public servant personified', the department's priorities tended to be determined by the Minister for the North-West in the state Labor Government, Aubrey Augustus Michael Coverley.³² Since first winning the seat of Kimberley for the Labor Party in 1924, Coverley had made no secret of his belief that settler interests in the north should take priority over Aboriginal interests. Criticising what he called the 'stupid system of protecting the aborigines to the detriment of the settlers as a whole', he argued that Aboriginal reserves hindered white settlement and called for reserve land to be thrown open for selection.³³ He complained that the restrictive *Aborigines Act 1905* (WA), 'provided protection for the blacks, [but] no protection at all for the whites'.³⁴ He was also vocal in his opposition to government interference in the free use of Aboriginal labour by northern pastoralists and other settlers. The unregulated use of labour was not only essential for the settlement and development of the north, he argued, but

27 Nettelbeck and Smandych 2010: 356.

28 Owen 2003.

29 Jebb 2002: 36–37, 91, 132.

30 Bohemia and McGregor 1995: 53.

31 Bohemia and McGregor 1995: 171; Derby police report, Series 76, 1938/2200v7, SROWA.

32 Biskup 1973: 180.

33 First quote cited in Biskup 1973: 186; Coverley, evidence given to the Moseley Commission, 'Native problem. Evidence given at inquiry. Commission's busy day', *West Australian*, 28 March 1934: 8.

34 Coverley, evidence given to the Moseley Commission, *West Australian*, 28 March 1934: 8.

would ensure that tax-payers were not burdened with the expense of keeping a 'useless race'.³⁵ Biskup writes that the decision of the newly elected Labor Government to give Coverley responsibility for Native Affairs in 1939 was 'little short of a sell-out by the administration to the pastoralists'.³⁶

Evidence that the department saw O'Neill's role as maintaining control over Aboriginal labour for the pastoral industry can be found in its correspondence with the Army seeking O'Neill's release from military service during the war. Having been stationed as a police officer in Fitzroy Crossing, O'Neill arrived in Broome to take up his position with Native Affairs at the end of January 1942, just five weeks before the first Japanese bombing raid on the township. Two weeks later military authorities requested O'Neill's release from the department for enlistment as a Lieutenant in 101 North Australia Field Security.³⁷ His services were 'specially required ... for investigation on native matters as affecting the defence of the state' by Army authorities fearful of the possibility of subversive activity by Aboriginal people in the event of invasion.³⁸ Cecil Kelly, who served with O'Neill in 101 Security Section, recalled: 'the bloody blacks that's what we watched mostly, keep an eye on the blacks, because if anything had have happened, well the blacks would have more or less been the first to join the Japs'.³⁹ Native Affairs Commissioner Bray reported that O'Neill 'rendered excellent service' in the Army, and noted with satisfaction that his department had 'secured the services of a good officer'.⁴⁰ The *Daily Mail* was more effusive:

When ... Cliff Gibson, ... was appointed Army's chief factotum in the North ... the first man he selected for his staff was O'Neill who, as a lieutenant, rendered invaluable service. Whether it was a case of helping to control a mob of stampeding bullocks, prying the secrets out of an obstinate native, or preparing an army intelligence report, it all came the same to O'Neill.⁴¹

By August 1943, however, the fear of invasion had abated and restrictions imposed by the military on the movement of Aboriginal people were lifted.⁴² The department, concerned that the Army was no longer exercising adequate control over Aborigines, began to request O'Neill's release from Field Security to enable his return to duties as Travelling Inspector with the department. During a tour of the Kimberley, Coverley had become 'convinced that the whole native

35 Western Australia, Parliamentary Debates, vol 83 1929: 2163; vol 98 1936: 2380-81; Coverley, evidence given to the Moseley Commission, *West Australian*, 28 March 1934: 8.

36 Biskup 1973: 177-178.

37 Major Gibson to Native Affairs, telegram, 19 March 1942, Series 1691, 1941/1107/66, SROWA.

38 Bray to Under Secretary for the North-West, 27 March 1942, Series 1691, 1941/1107/72, SROWA; Hall 1989: 122-130.

39 Bridge 2011: 309.

40 Bray to Under Secretary for the NW, 27 October 1942, Series 1691, 1941/1107/91, SROWA.

41 *Daily News*, 24 May 1946: 6.

42 Hall 1989: 127.

situation desired supervision, in fact close supervision, it is fast getting out of hand'. He urged Bray to 'take immediate action for Inspector O'Neill's release'.⁴³ In appealing for O'Neill's release, Bray wrote:

The Native Situation in the North is giving a lot of anxiety. The pastoralists are depending on native labour, but it has become disturbed owing to the high rate of wages paid by the Allied Works Council and our Public Works department.⁴⁴

The Under Secretary for the North-West addressed the Public Service Commissioner about the 'urgent need for the supervision of natives in the North West':

It is ... essential that the services of such an experienced officer as Lieut. O'Neill should be available ... in connection with the peaceful employment of natives in the pastoral industry in the Kimberleys. He is a particularly capable officer ... and we have had to struggle on in the North without his advice and guidance in coping with the Native Question, which is a matter of national importance not only in respect to the productive capacity of the pastoralists but also in regard to the safety of Australia.⁴⁵

Coverley appealed directly to the federal Minister for the Army, Francis Forde, for O'Neill's release, repeating his request when the initial appeals were denied on the ground that O'Neill, now promoted to Captain, was too valuable an officer to be released.⁴⁶ Coverley argued that, since the Army was no longer 'directly interested in the control of natives ... the reason for Captain O'Neill's enlistment in the Army in the first place has now disappeared'. Referring again to O'Neill's 'special aptitude' for handling issues concerning the control of Aboriginal labour, he felt sure that Forde would give his request his 'earliest reconsideration'.⁴⁷

Whether as a result of Coverley's further appeal or otherwise, O'Neill was released from the Army two months later, in May 1944, and he resumed his role as Travelling Inspector for the northern region.

'A deepening and widening movement of thought and action': the pressure for change

O'Neill returned to the department at a time when it was coming under pressure to change its approach to the administration of Aboriginal people. Under Coverley and Bray's administration, the department attempted to close itself

43 Coverley to Bray, 16 December 1943, Series 1691, 1941/1107/116, SROWA.

44 Bray to the Under Secretary for NW, 21 December 1943, Series 1691, 1941/1107/117, SROWA.

45 Under Secretary for NW to Public Service Commissioner, 22 December 1943, Series 1691, 1941/1107/118, SROWA.

46 Coverley to Minister for the Army, F. Forde, 1 March 1944, Series 1691, 1941/1107/123, SROWA.

47 Forde to Coverley, 23 March 1944, Series 1691, 1941/1107/127, SROWA.

off from emerging ideas of Aboriginal capacity for 'advancement' and academic calls for 'positive policy' aimed at the social incorporation of Aboriginal people into the wider Australian community. In 1944 Coverley resisted calls from the leader of the National Party, Ross McDonald, for a federal royal commission into the state's administration of Aboriginal people, claiming that 'the government's policy was grounded on years of experience' and was not a policy of 'dreamers and theorists'.⁴⁸ There was also pressure for policy change that year from the National Missionary Council, which organised a survey of the administration of Native Affairs in Western Australia to be conducted by the Professor of Anthropology at Sydney University, A. P. Elkin. Although the expenses involved in conducting the survey were to be borne by the missionary body, Coverley refused to allow the survey team to enter government reserves and institutions, and plans for the survey were abandoned. Elkin later referred to the debate that took place over the proposed survey as evidence that he had become 'a kind of symbol' of 'a deepening and widening movement of thought and action' throughout the 1940s, which he described as a revolution.⁴⁹

Pressure of a different kind came from within O'Neill's own district, where Aboriginal workers on sheep and cattle stations in the Marble Bar and Port Hedland area threatened to take industrial action. O'Neill's advice to the department, drawing on his expertise in Aboriginal matters, was that no action was needed because Aboriginal people lacked the organisational ability required to conduct a strike.⁵⁰ He had earlier expressed a similar view of Aboriginal incapacity to organise themselves, telling Idriess that Kimberley settlers could be grateful 'that the abos lack co-operation because of their tribal intrigues and jealousies, and that they prefer the spear to the rifle. Otherwise no white men could live in this country'.⁵¹ His assessment seemed to be borne out when the initial attempt at strike action, on 1 May 1946, faltered and failed. Although Aboriginal workers 'set down' and refused to work on stations throughout the region, most were persuaded to return to work by O'Neill and local police officers who carried out patrols around the stations for the purpose.⁵² However, strike action did get underway three months later when about 150 Aboriginal people refused to return to their places of employment after attending the Port Hedland races. They refused to comply with police instructions to camp outside of the town, marching together into the town's Two Mile camp in a demonstration of group strength and defiance.⁵³ Whereas O'Neill had been successful in convincing isolated groups of workers on stations to return to their employment, he seems to have been uncertain about how to deal with demonstrations of this nature. The Deputy Commissioner, Charles McBeath, broke his flight from Derby to Perth to spend a few days in Port Hedland to look

48 *West Australian*, 23 November 1944: 3.

49 Elkin 1962: 227-228.

50 O'Neill to Bray, 5 November 1945, Series 2030, 1945/0800/33, SROWA.

51 Idriess 1939: 22.

52 Fletcher, police patrol report, 19 May 1946, Series 2030, 1945/0800/33, SROWA; Marshall, police patrol report, 30 April - 5 May 1946, Series 76, 1943/0099v7, SROWA.

53 Wilson 1961: 63.

into the situation, and O'Neill, feeling that he could serve no useful purpose by remaining in Port Hedland, travelled to the Roebourne area to undertake the removal of mixed descent children from their families before returning home to Broome.⁵⁴ Over the following months more Aboriginal people in the Pilbara left their places of employment to join the strike, which was to last for three years despite repeated attempts by the department to bring it to an end.

Despite his poor advice about the capacity of Aboriginal people to undertake strike action, and despite his failure to deal with strike action when it was taken, O'Neill was promoted a few months later to the position of Acting Deputy Commissioner, just two and a half years after his release from the Army. Another Kimberley policeman was seconded from the police force to take his place as Travelling Inspector for the Northern District.

Change was on its way, however. When the Labor Party lost power in the state election of March 1947, the incoming Coalition Government appointed National Party leader Ross McDonald as Minister for Native Affairs. Having criticised the previous administration for its refusal to take 'helpful advice' from authorities outside the state, McDonald now opened the department to new approaches in Aboriginal administration. When Bray retired as Commissioner in April, McDonald held off appointing a new Commissioner, consulted Elkin on a way forward for the department, and commissioned magistrate F. E. A. Bateman to undertake a survey of the Aboriginal situation in the state. Bateman advocated a more decentralised administrative structure for the department, with more field officers more carefully recruited through a cadet system similar to that being used in the Northern Territory and New Guinea. Native Affairs work needed 'the best brains available', a fact that had apparently not been recognised in Western Australia, he wrote. He particularly criticised the practice of recruiting Travelling Inspectors from the ranks of the police force. In a statement that clearly applied to O'Neill he wrote that 'the practice of appointing officers outside the Native Affairs Department to field positions and then transferring them to the senior administrative positions is a most undesirable one, which should cease'.⁵⁵

Consulted by Minister McDonald on a way forward for the state, Professor Elkin recommended the appointment of a Commissioner from outside Western Australia. According to Elkin he encouraged 'two Hubert Murray-trained men in Papua' to apply for the position, one of whom, the assistant director of the Papua-New Guinea Department of Native Affairs and District Services, Stanley Middleton, was appointed Commissioner in August 1948.⁵⁶ Middleton immediately set about restructuring the department as Bateman had recommended, establishing a decentralised system along the lines of the administration of Papua-New Guinea. To staff the new structure, he recruited additional officers with experience in 'native administration' in Papua New Guinea, and within a year of his appointment the number of field officers in

54 O'Neill, patrol report, Series 2030, 1946/1306/7-8, SROWA.

55 Bateman 1948: 35-36.

56 Biskup 1973: 228-229.

the department had doubled from four to eight, with five of the eight being ex-Papua-New Guinea officers. One of the new recruits, Sydney Elliott-Smith, was appointed Deputy Commissioner and O'Neill was returned to the field as a District Officer.

The newly created role of District Officer was designated a lower Public Service classification and salary than the superseded position of Travelling Inspector, and O'Neill complained to the new Commissioner of his reclassification and reduced salary.⁵⁷ Middleton was unsympathetic. Ex-Papua-New Guinea officers with 'educational, magisterial and administrative qualifications and experience in the field far superior' to O'Neill's were being recruited as District Officers, he wrote.⁵⁸ He told O'Neill it would be some time before he was 'sufficiently experienced in office procedure and administrative practice to measure up' to his expectations of a District Officer. Despite O'Neill's years of experience in the police force and Native Affairs, Middleton did not think him capable of providing direction and training to subordinate staff, some of whom were university educated – the 'new generation of young scholar-administrators' to which Marchant referred and belonged.⁵⁹ The restructure was criticised by Coverley, who complained about the recruitment of 'imports' with little knowledge of the state or its native affairs.⁶⁰ In reply Minister McDonald referred to 'the new developments that have taken place in only the last few years [such as] the growing industrial consciousness of the natives'.⁶¹ That he did so is an indication that post-war changes in Aboriginal administration were motivated to some extent by Aboriginal activism such as the Pilbara strike.

'Plenty of Police and plenty of Jails': O'Neill's handling of the Pilbara strike

Early in 1949 O'Neill was appointed as District Officer for the Pilbara where the strike was in its third year. Shortly after his arrival, 11 strikers were arrested and charged with 'enticing' an Aboriginal worker from his lawful employment.⁶² The trouble had begun when a station manager picked up a striker, Purnungurrara (Cocky Brown), from the Marble Bar picture show to work at Corunna Downs station without first consulting strike leaders or negotiating wages and conditions of employment. In response 11 strikers walked to Corunna Downs and took Purnungurrara away. As a demonstration against the arrest of the 11 men, seven more strikers removed another worker from the station, and were also arrested and charged.⁶³ Middleton instructed O'Neill by telegram to 'endeavour pacify

57 O'Neill to Middleton, undated, Series 1691, 1946/1220/70, SROWA.

58 Middleton to the Public Service Commissioner. 11 April 1949, Series 1691, 1946/1220/71, SROWA.

59 Middleton to O'Neill, 20 April 1949, Series 1691, 1946/1220/74, SROWA.

60 Western Australia, *Parliamentary Debates*, vol 123: 356, 6 July 1949.

61 Western Australia, *Parliamentary Debates*, vol 124: 915, 3 August 1949.

62 Under section 47 of WA's *Native Administration Act 1905* it was illegal to entice 'a native to leave any lawful service without the consent of a protector'.

63 O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

ringleaders without condoning lawlessness'.⁶⁴ O'Neill's handling of this situation is characteristic of the oppositional stance taken by departmental officers which had resulted in the strike becoming so thoroughly entrenched until this time.

As an officer of the Department of Native Affairs and a Native Protector, it was O'Neill's responsibility to defend Aboriginal people in court and to protect them from injustice. When the charges against the 11 strikers were heard at the Marble Bar Police Court on 25 March, a request was made by Don McLeod that he be allowed to represent them. McLeod had been involved in organising the strike three years earlier and had since remained in contact with the strikers as something of an advisor. His request to represent the accused was refused by the magistrate on the grounds that O'Neill was there to defend them. O'Neill's defense was weak and the men were sentenced to two and three months' imprisonment with hard labour.⁶⁵

The strikers were angered by the prosecutions and by the lack of justice they received at such hearings. McLeod wrote to Minister McDonald about the case. 'I have often thought', he wrote, 'what a difference it should make if you or someone in whom you have confidence could sit in incognito and watch the travesty of justice which takes places at various hearings up here'.⁶⁶ Immediately after the hearing a large number of people gathered outside the courthouse and a discussion arose about the case and the rights of the strikers to visit relatives working on stations. Strike-leader Dooley Binbin spoke in what O'Neill called 'a tirade of propaganda directed against the "squatters" ... and also the Dept'. Although charged with the responsibility of protecting Aboriginal people from prosecution, O'Neill's response to Dooley indicates his willingness to exercise control through the threat of prosecution. That he should outline his exchange with Dooley in a departmental report indicates that he expected departmental sanction for the remarks he made. He wrote that following Dooley's 'tirade', he

shut him up and told him that ... if the natives did not abide by the laws of the country but continued to obey mob law as expounded by himself they would continue to be in conflict with the law, Dooley replied that there was plenty of boys ready to go to Jail and he could get another Hundred if necessary, I then told him that there was also plenty of Police and plenty of Jails to accommodate them.⁶⁷

Middleton also learnt of the exchange outside the courthouse from McLeod, who wrote of the threatening attitude of Native Affairs officers in his letter to the minister. He wondered,

what useful purpose Inspector L O'Neil hoped to achieve by his light hearted threat that any further action would result in the goaling [sic]

⁶⁴ Middleton to O'Neill, telegram, 22 March 1949, Series 2030, 1943/0621/100, SROWA.

⁶⁵ O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

⁶⁶ McLeod to McDonald, 6 April 1949, Series 2030, 1943/0621/129, SROWA.

⁶⁷ O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

of those involved and his confirmation in the same jovial manner when Dooley accepted the dare on behalf of a hundred or several hundred of his friends.

'This action will obviously snowball', McLeod went on, 'until every native in the district becomes involved'.⁶⁸

Far from 'pacifying the ringleaders' as Middleton had instructed, O'Neill's approach threatened to inflame the situation. Middleton alerted O'Neill to the need to differentiate his role from that of the police. 'Where Police action is required', he wrote, 'it will not be in the best interests of this Department to appear in a role which may be mistaken for that of assistance to the Police or otherwise than that involved in true protectorship of the natives themselves'.⁶⁹ These instructions came too late, however; even as Middleton cautioned O'Neill, groups of strikers were demonstrating against the prosecutions by travelling out to stations to bring more workers into the strike. On 14 April 1949, 32 men involved in the removal of workers from Warrawagine station were arrested at gunpoint, walked in chains for 20 kilometres and transported into Marble Bar in the back of a semi-trailer.⁷⁰ Although O'Neill later reported that the chains were removed when the prisoners reached the Marble Bar lock-up, men involved in this incident have provided graphic descriptions of being held in chains in the overcrowded lock-up.⁷¹ McLeod called for an adjournment of the hearing of their case to enable him to arrange legal representation from Perth, but this was denied because of serious overcrowding of the lock-up. When the charges were heard on 21 April, requests by the defendants that they be represented by McLeod were denied by the magistrate and after inadequate defence from O'Neill these men also received sentences of two and three months with hard labour, bringing the number of imprisoned strikers to 43.⁷²

This was a disastrous turn of events for a department hoping to clean up its image as one concerned with the 'true protectorship of the natives'.⁷³ The events received national and international coverage, were referred to by the Anti-Slavery Society in London and were raised in the United Nations Organization by the Soviet Foreign minister, Andrey Vyshinsky. With the matter raised in both the Federal House of Representatives and the Senate, and with church and welfare organisations voicing their concern over the large number of arrests and the use of chains, the Western Australian Premier, McDonald and Middleton were all forced to defend the action taken.⁷⁴ Criticism from the Fremantle

68 McLeod to McDonald, 6 April 1949, Series 2030, 1943/0621/127-30, SROWA.

69 Middleton to O'Neill, 14 April 1949, Series 2030, 1943/0621/133, SROWA.

70 Withnell, police report, 14 April 1949, Series 76, 1946/2538v8, SROWA.

71 O'Neill, Native Affairs report, 7 July 1949, Series 2030, 1949/0454/35-6, SROWA; *How the West Was Lost: The Story of the 1946 Aboriginal Pastoral Workers' Strike* 1987.

72 *West Australian*, 22 April 1949: 5; 23 April 1949: 15; McLeod to Ron Hurd, Fremantle Branch, Seamen's Union, 15 May 1949, Battye 5121A/14-20.

73 Middleton to O'Neill, 14 April 1949, Series 2030, 1943/0621/133, SROWA.

74 *Daily News*, 30 April 1949, 1 July 1949: 6, 9 July 1949: 7; *West Australian*, 26 October 1949: 8; 27 October 1949: 9; *Sydney Morning Herald*, 24 October 1949: 1, 26 October 1949: 11; Circular letter from Society of Friends, Modern Women's Club, and Native Rights and Welfare League to

Branch of the Seamen's Union included the threat of a ban on the shipment of wool from the area if persecution of the strikers continued.⁷⁵ As more workers left Pilbara stations in protest at the prosecutions, pastoralists complained of the department's 'weak-kneed' approach in not coming down harder on the strikers.⁷⁶ The police also criticised the department for its failure to remove strike leaders from the district as they had recommended.⁷⁷

'A more modern practical outlook'

When a further ten strikers were arrested and charged with 'enticing' workers from Noreena Downs station in mid June, Middleton decided to step in to stop the snowballing effect that McLeod had predicted.⁷⁸ It was clear that the arrests and prosecutions were simply inflaming the situation. Although he made arrangements to fly up to the Pilbara himself to sort things out, he changed his plans at the last minute and instead sent Sydney Elliott-Smith, the newly recruited Deputy Commissioner appointed to take charge of the state's north. One of Middleton's new breed of Native Affairs officer, Elliott-Smith had been assistant Resident Magistrate in New Guinea and commander of the Papuan Administrative Unit during the war. He flew from Perth to Port Hedland on 30 June 1949, calling in to Carnarvon on the way to hold discussions with the magistrate who was to hear the charges against the strikers. On 6 July he successfully defended the strikers in a court hearing in Marble Bar.⁷⁹ Although McLeod had the 'distinct impression that things had been "worked out" with the magistrate beforehand' he and the strikers welcomed Elliott-Smith's advocacy and the acquittals as evidence of a change in the department's attitude.⁸⁰ 'Elliott Smith ... broke it off in the finish', Dooley later told John Wilson. 'The court case was stopped and nobody went to jail.'⁸¹ McLeod considered it 'a change to find such an honest atmosphere in a Court where natives were being charged'.⁸² He later recalled that 'we all travelled out to [the strike camp at] Moolyella tin field where we had a victory meeting, patting each other on the back and agreeing that the world was not such a bad place after all'.⁸³

Churches, Trade Unions, Social and welfare organizations, undated, Series 2030, 1949/0454/48, SROWA; Western Australia, *Hansard*, House of Representatives, 1 July 1949, Series 2030, 1949/0454/50, SROWA; Western Australian Housewives' Association to McDonald, 10 June 1949; McDonald to Australian Women's Charter Committee, 13 June 1949, Series 3841, Cons 769, file 3, SROWA.

75 Hurd to Premier McLarty, 10 June 1949, Series 3841, Cons 769, file 3, SROWA; Hurd to Middleton, 30 June 1949, Series 2030, 1949/0454/39, SROWA.

76 Robert Middleditch to McDonald, 20 June 1949, Series 3841, Cons 769, file 3, SROWA.

77 P.C. Marshall to Inspector Triat, 7 July 1949, Series 76, 1946/2538v8, SROWA.

78 Middleton to O'Neill, telegram, 21 June 1949, Series 2030, 1949/0454/1, SROWA.

79 Elliott-Smith journal, 30 June 1949, Series 2030, 1949/0488/36, SROWA; Pullen, Native Affairs patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

80 McLeod 1984: 63–64.

81 Wilson 1961: 68.

82 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

83 McLeod 1984: 64.

Elliott-Smith spent a week in the Pilbara, holding discussions with pastoralists, strikers and McLeod. A Tasmanian, he described his visit to the Pilbara as his 'first glimpse of the attitude of Australians towards the aborigines', an attitude he described as 'nothing short of primitive'. The situation needed 'logical and sane leadership', he said, adding, 'unfortunately our cause has not been helped by the attitude of certain of our officers'.⁸⁴ Although he described both McLeod and Dooley in disparaging terms in reports to the department, the strikers found his manner a welcome change from that of previous officers. During discussions they told him emphatically that they did not want officers of 'the old school' to remain in or be appointed to the district, naming the officers 'in whom they had lost confidence'.⁸⁵ Although those named by the strikers are not identified in departmental reports, it is clear that Laurie O'Neill was one of them. On the day that Elliott-Smith left the district to carry out a tour of the Kimberley, he instructed O'Neill 'to return to Hedland and thence to Perth', writing that he wanted to 'leave this place free as a test of the sincerity of both McLeod and the native people during my visit to the North'.⁸⁶

McLeod's optimism at what seemed a new relationship with the department, and his confidence in Elliott-Smith as a new type of officer, had immediate consequences for the strike movement.⁸⁷ Close on the heels of Elliott-Smith's visit, the Seamen's Union went ahead with its ban on the shipment of wool from stations refusing to sign agreements with the strikers. As the ban quickly became bogged down in union politics on the Port Hedland waterfront, and with Seamen's Union members being logged for every day the ban continued, McLeod sought to resolve the stand-off by obtaining the department's agreement to negotiate a scale of wages for Aboriginal workers. Although O'Neill was in Port Hedland, he took no part in the waterfront dispute, and McLeod made no attempt to seek from him the assurance he needed to end the ban.⁸⁸ Instead, McLeod made urgent efforts to contact Elliott-Smith in the Kimberley. On receiving Elliott-Smith's assurance that a wage scale in place on two of the stations would be used as the basis for further negotiation, the union lifted the ban and the strike ended.⁸⁹ O'Neill flew to Perth the following week and a short time later was posted to his hometown of Kalgoorlie.⁹⁰

By the end of the year Middleton could write of the 'obvious confidence' that Pilbara Aboriginal people now had in the department and Elliott-Smith. Since that officer's visit, he wrote, there had been 'no further outbreaks of lawlessness on the part of natives in the Pilbara District'.⁹¹ On the day he wrote this, the *Daily News* carried a story, clearly originating from Middleton, about Elliott-Smith's

84 Elliott-Smith to Middleton, 2 March 1950, Series 2030, 1949/0454/109-111, SROWA.

85 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

86 Elliott Smith journal, 6 July 1949, Series 2030, 1949/0488/33, SROWA.

87 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA; Elliott-Smith journal, 13 August 1949, Series 2030, 1949/0488/24, SROWA; Wilson 1961: 76.

88 O'Neill journal, 16-18 July 1949, Series 2030 1949/0160/59, SROWA.

89 Battye 5121A.

90 O'Neill journal, 24 July 1949, Series 2030 1949/0160/61, SROWA.

91 Middleton to Minister of Native Affairs, 14 December 1949, Series 2030, 1949/0454/105, SROWA.

success in the Pilbara, headed 'Peace Follows in This Man's Tracks'. The motif of the tracks of man echoes the title of one of Idriess' books featuring the young Laurie O'Neill, yet a shift had occurred in the imagery surrounding successful interactions with Aboriginal people. In Idriess' work, O'Neill follows the tracks of 'stone-age men', facilitating the advancement of civilisation through the forceful penetration of the primitive strongholds of Aboriginal land and mentality. Now, the Native Affairs officer is a peacemaker; it is he who makes tracks, providing 'logical and sane leadership' that will facilitate Aboriginal 'advancement' towards citizenship under the new policies of assimilation.

O'Neill was 41 years old when he was posted to Kalgoorlie. It was just 20 years since he had joined the police force, meeting with distinction the cultural expectations that attended the duties of mounted policemen in frontier regions in the 1930s. He had been lionised as a hero in newspapers and immortalised in the works of Idriess. He had developed skills that were valued by the Army and viewed as indispensable to the necessary control of Aboriginal labour in the north by the Department of Native Affairs. He had risen to the position of Acting Deputy Commissioner, second in charge of Native Affairs in the state. Now he found himself out of step with the department's changing approach.

The changes that took place in the administration of Aboriginal people in Western Australia at the end of the 1940s were not, by any means, a complete separation of the roles of the police and those of the Native Affairs officer. Restrictive and punitive legislation remained in place, limited finances meant that police officers continued to be appointed as protectors, and departmental practices under policies of assimilation were frequently punitive and heavy-handed. The department did, however, attempt to remake itself as one concerned with Aboriginal welfare rather than control, and in doing so attempted to differentiate the role of its officers from that of the police. Techniques of 'hard policing' of Aboriginal people, developed through experience in the police force in frontier and pastoral regions, were no longer viewed as appropriate, and nor were they effective in the face of the sort of activism that O'Neill encountered in the Pilbara. Although changes in the department's approach were driven in part by the broader movement throughout Australia towards policies based on the presumption of Aboriginal reformability, they were driven, too, by local activism, as Laurie O'Neill's removal from the Pilbara shows.

In August 1951, the month in which O'Neill took his own life, Middleton found it necessary to attempt to clear up 'confused thinking' about his department and its officers at a meeting of Pilbara pastoralists. 'If a native breaks the law', he explained,

it is a matter for the police and nothing to do with the Department of Native Affairs. If any officer of my Department took any action which

could be described as a punitive measure he would be charged with assault. I repeat that he is merely a welfare officer, nothing more or less, and his job is to act in the assistance of natives.⁹²

Middleton referred to his role as purely a welfare officer on other occasions when he insisted that the economic interests of pastoralists were not the concern of his department.⁹³ Given the emphasis which the previous administration, just a few years earlier, had placed on the importance to the pastoral industry of O'Neill's role as a Travelling Inspector, and on his special aptitude in dealing with issues connected to Aboriginal pastoral labour, O'Neill could perhaps be forgiven if such statements came as news to him.

References

Archival sources

State Records Office of Western Australia (SROWA)

Consignment 430, Series 76,

1938/2200v7, Derby Police Station. Patrol Journals

1943/0099v7, Marble Bar – Police patrol journals

1946/2538v8, Marble Bar – Police patrol journals

Cons. 1498, Series 1691 Files – Personal (staff) [1]

1941/1107 O'Neill, Mr. L (Inspector of Natives)

1946/1220 O'Neill, L.

Cons. 993, Series 2030 Files – Aborigines Departments

1943/0621 Moolyella – Native Matters

1945/0800 D.W. McLeod Port Hedland – Appointment as Protector of Natives

1946/1306 Journal – NW Inspector. M L O'Neill

1949/0160 Port Hedland District – Inspector of Natives – Journal

1949/0454 Industrial Unrest amongst natives in the Pilbara District

⁹² Middleton, transcript of a 'meeting re native affairs in the Pilbarra District', 19 August 1951, Series 20, 1952/0830/43–42, SROWA.

⁹³ Geoffrey Tebbutt, 'Commissioner says: white leader has helped natives', *Herald* (Melbourne), 25 March 1953.

ABORIGINAL HISTORY 2014 VOL 38

1949/0456 West Kimberley District Officer. Derby. Patrol Reports

1949/0488 Visit of Assistant Deputy Commissioner (Mrs [sic] Elliot-Smith) to the North West

Cons. 769, Series 3841 Correspondence files – Native Affairs, 3

Cons. 3390, Series 20 Files – Mining

1952/0830 v1 Committee of Inquiry – Use of native labour by D. W. McLeod

J. S. Battye Library of Western Australian History (Battye)

5121A D. W. McLeod Correspondence, 1947–1967

Bateman, FEA 1948, Report of a Survey of Native Affairs, Government Printer, Perth

Gare, Frank Ellis 1999, oral history interview by W J E Bannister, National Library Bringing them Home oral history project.

Newspapers

Border Watch

The Daily News (Perth)

Herald (Melbourne)

Kalgoorlie Miner

The Sydney Morning Herald

The West Australian

Secondary sources

Biskup, Peter 1973, *Not Slaves, Not Citizens: The Aboriginal Problem in Western Australia 1898–1954*, University of Queensland Press, Brisbane.

Bohemia, Jack and Bill McGregor 1995, *Nyibayarri Kimberley Tracker*, Aboriginal Studies Press, Canberra.

Bolton, Geoffrey 1983, 'Black and white after 1897', in *A New History of Western Australia*, CT Stannage (ed), University of Western Australia Press, Perth.

Bridge, Peter J 2011, *Fighting the Kimberley: The Three Australian Corps Kimberley Guerilla Warfare Group 1942 –1943*, Hesperian Press, Perth.

- Elkin, AP 1962, 'Australian Aboriginal and white relations: a personal record', *Royal Australian Historical Society Journal* 48(3): 208–230.
- Finnane, Mark 1994, *Police and Government: Histories of Policing in Australia*, Oxford University Press, Melbourne.
- Finnane, Mark and Fiona Paisley 2010, 'Police violence and the limits of law on a late colonial frontier: the "Borrooloola Case" in 1930s Australia', *Law and History Review* 28(1): 141–171.
- Haebich, Anna 2005, 'Nuclear, suburban and black: Middleton's vision of assimilation for Nyungar families', in *Contesting Assimilation*, Tim Rowse (ed), API Network, Perth.
- Hall Robert 1989, *The Black Diggers Aborigines and Torres Strait Islanders in the Second World War*, Allen & Unwin, Sydney.
- How the West Was Lost: The Story of the 1946 Aboriginal Pastoral Workers' Strike* 1987, directed by David Noakes, Friends Film Productions and Market Street Films Ltd, Perth, DVD.
- Idriess, Ion 1935, *Man Tracks: With the Mounted Police in Australian Wilds*, Angus & Robertson, Sydney.
- 1939, *Over the Range*, Angus & Robertson, Sydney.
- 1950, *One Wet Season*, Angus & Robertson, Sydney.
- Jebb, Mary Anne 2002, *Blood, Sweat and Welfare: A History of White Bosses and Aboriginal Pastoral Workers*, UWA Press, Perth.
- Long, Jeremy 1992, *The Go-Betweens: Patrol Officers in Aboriginal Affairs Administration in the Northern Territory 1936–74*, North Australia Research Unit, Australian National University, Casuarina, Northern Territory.
- McGregor, Russell 1993, 'Law enforcement or just force? Police action in two frontier districts', in *Race Relations in North Queensland*, Henry Reynolds (ed), Department of History and Politics, James Cook University of North Queensland, Townsville: 63–82.
- 2004, 'Governance, not genocide: Aboriginal assimilation in the postwar era', in *Genocide and Settler Society: Frontier violence and Stolen Indigenous Children in Australian History* A Dirk Moses (ed), Berghahn Books, New York and Oxford: 290–311.
- McLeod, DW 1984, *How the West was Lost: The Native Question in the Development of Western Australia*, Nomads Foundation, South Guildford, Western Australia.

- Marchant, Leslie R 2003, 'From the diary of a Protector of Aborigines', *Quadrant*, 47(4) 2003: 32-34.
- Morris, Barry 1989, *Domesticating Resistance: The Dhan-Gadi Aborigines and the Australian State*, Berg, London.
- Nettelbeck, Amanda and Robert Foster 2012, "'As fine a body of men": how the Canadian Mountie brought law and order to the memory of the Australian frontier', *Journal of Australian Studies* 36(2): 125-140.
- Nettelbeck, Amanda and Russell Smandych 2010, 'Policing indigenous peoples on two colonial frontiers: Australia's Mounted Police and Canada's North-West Mounted Police', *The Australian and New Zealand Journal of Criminology* 43(2): 356-375.
- Owen, Chris 2003, "'The police appear to be a useless lot up here": law and order in the East Kimberley 1884-1905', *Aboriginal History* 27: 105-130.
- Rowley, CD 1971, *The Remote Aborigines: Aboriginal Policy and Practice vol III*, Australian National University Press, Canberra.
- Wilson, John 1961, 'Authority and Leadership in a "New Style" Aboriginal Community: Pindan, Western Australia', unpublished MA thesis, University of Western Australia, Perth.

The ‘allurements of the European presence’: Examining explanations of Wongatha behaviour in the northern Goldfields of Western Australia

Craig Muller

In the early summer of 1930, Peter Elkin, a prominent figure in early Australian anthropology, travelled to the Mount Margaret Mission, near Laverton in the northern Goldfields region of Western Australia. He did so to follow up research begun on the eastern edge of the Nullarbor Plain, with Aboriginal groups who comprised what was later dubbed the Western Desert Cultural Bloc, a common cultural region covering the vast arid zone of central Australia. Elkin conducted fieldwork at Mount Margaret for three weeks, met only some of the Aboriginal people there and never returned, but in an article published subsequently he made a significant extrapolation. The Aboriginal people at Mount Margaret did not belong there. They had come in from the Warburton Range and the border country and replaced the local groups which had, as Elkin phrased it, ‘almost ceased to exist’.¹

Sporadic further anthropological fieldwork was conducted in the area during the seven decades following Elkin’s research, but the information found was confined to specialist publications. No effort was made to construct a historical narrative of the Aboriginal people in this part of the Western Desert until native title in the late 1990s sparked a research effort that rediscovered what had become ethnographic arcana, with significant consequences. At this time, the Wongatha people claimed native title rights over their country, a large area extending eastwards from the area around Mount Margaret. In opposing the claim, the respondents, led by the Western Australian state government, the Commonwealth and the Western Australian Pastoralists and Graziers Association, put Elkin’s statement at the forefront of their argument that the Wongatha were descended from a migrating people and therefore did not have long term attachment to the area they were claiming.² This effort was effective: on 5 February 2007, the Federal Court dismissed the claim, citing Elkin as a

1 Elkin 1943: 25, quoted in Federal Court of Australia 2007: para 579.

2 Federal Court of Australia 2007: para 580.

crucial source underpinning the decision.³ In summarising, Lindgren J. said that migration or population shift into the claim area, as Elkin had argued, was 'a distinguishing feature of the present case ... well established ... not disputed'.⁴

Research for the Wongatha native title claim followed the heuristic principle that privileges early ethnographic material over other sources (as often happens with native title claims elsewhere),⁵ even though such material was not subject to detailed historiographical critique.⁶ Limiting the range and analysis of available historical sources risks limiting outcomes; in this case, alternative sources suggest Elkin was mistaken. A fuller accounting of the sources shows that Elkin's research methodologies at Mount Margaret were deeply flawed, while his statements about Aboriginal people were flatly contradicted by other well-placed commentators, among them the mission's founder and 30-year resident, the Swiss-born evangelist Rudolph (Rod) Schenk.

Ethnographic and historical research — especially, but certainly not only, for native title — imposes definitions of Aboriginal identity.⁷ To the end of 2011, there had been 175 native title determinations with a further 443 claimant applications outstanding.⁸ Almost all of these 600 claims would have been accompanied by at least two expert reports and in some cases half a dozen or more, most by anthropologists. These reports variously support or refute Aboriginal assertions of identity. Offering guidance to the system, Justice Mansfield noted,

anthropological evidence may provide a framework for understanding the primary evidence of Aboriginal witnesses [giving native title evidence] in respect of the acknowledgement and observance of traditional laws, customs and practices.⁹

But the basis of historical anthropological evidence, too, needs to be assessed.

Elkin was a strong proponent of assimilation, arguing that it was necessary for Aboriginal people to move to the superior society in order to survive.¹⁰ This shaped his thinking. He wrote from Ooldea in South Australia that he learned that Aborigines from the south-eastern parts of Western Australia were 'probably' migrating westward towards Laverton and Mount Margaret.¹¹ Going to that area he says he 'found that my inferences were correct'.¹² He was also already convinced that Aborigines on the fringes of European settlement would die out, their place to be taken by others from deeper in the desert and he found this to

3 Federal Court of Australia 2007: para 701.

4 Federal Court of Australia 2007: para 301.

5 See, for example, Pitty 1999 and Reilly 2000 for discussion of how this occurred in the Yorta Yorta people's native title claim.

6 An alternative case was made, including by this author, but patently not well enough; material contradicting Elkin was presented but had little discernible impact.

7 See, for example, Morton 1998; Tonkinson 1999; Merlan 2006: 193; Dauth 2011.

8 National Native Title Tribunal 2012.

9 Federal Court of Australia 2004: para 89.

10 McGregor nd.

11 Elkin 1931–32: 48.

12 Elkin 1931–32: 48.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

be correct too.¹³ According to Elkin, life in proximity to European settlements offered Western Desert Aborigines 'comparative attractiveness',¹⁴ a sentiment echoed in the Federal Court 70 years later: 'By succumbing to the allurements of the European presence, the claimants' ancestors changed the legal landscape for today's native title purposes.'¹⁵

The Court told the Wongatha people their ancestors had moved off their traditional lands to inquilinate in the northern Goldfields where they did not belong. The dying out of the Aboriginal people who occupied the northern Goldfields at the time of European settlement and replacement migration from the desert became findings of fact in the Court and the identity of applicants was branded. Future dealings between the Wongatha and government would proceed within a framework imposed by these findings.

Considerable Aboriginal movement did occur in the northern Goldfields region but these patterns of behaviour have often been described through particular cultural lenses. In this case, the concept of migration became the metaphor that allowed non-Aboriginal commentators to comprehend Aboriginal activities in the northern Goldfields.

At Mount Margaret, Elkin recorded meeting approximately 200 Aborigines. All but one had come in from country far beyond the frontier; Mandjindja from the Warburton Range and Mula, Wongaii and Ngalia from the desert well to the east and south-east of the mission.¹⁶ This mass movement had been made possible because the original Mount Margaret-area population had died out.¹⁷

Yet, based on census figures supplied by local police officers, in their role as Protectors of Aborigines, there were 1,319 Aboriginal people in the Laverton district (an area that included Mount Margaret) the year Elkin visited and 1,255 the following year.¹⁸ Even allowing for expected difficulties in contacting semi-nomadic people it is still notable that Elkin failed to account for 85 per cent of the area's Aboriginal people.

Elkin also missed the plentiful evidence of a local Aboriginal population that had been in long-term contact with European settlers. Some two-dozen children had

13 Elkin 1931-32: 49.

14 Elkin 1931-32: 46.

15 Federal Court of Australia 2007: 3.

16 Elkin 1931-32: 49. Elkin's field notes describing the groups at Mount Margaret are brief but vary slightly from the published findings. Here, he recorded a 'Laverton mob' whose members had come from Mandjindja country, a Linden mob from the country to the south as well as Kogara, Yalindjara and Kaiili people. See Elkin, AP 1930, 'notebook 8', Acc 664, item 1/2/ 138, University of Sydney. Half a century later, Elkin recalled the Aboriginal population at Mount Margaret in 1930 as consisting of 'the remaining "local" Aborigines together with large numbers who were then moving in from the Warburton Ranges and thereabouts'. Elkin 1980. The inverted commas around local are intriguing.

17 Elkin 1931-32: 48.

18 Western Australia, Chief Protector of Aborigines, *Annual Report...*, 1930: 28, 1931: 27.

been born at Mount Margaret during the 1920s. Many were resident when Elkin visited. A. O. Neville, then Chief Protector of Aborigines, wrote approvingly in 1931,

That civilising influences are at work is evident from the number of requests received to permit legal marriages to take place with full Christian rites in place of the usual native customs.¹⁹

The certificates from these marriages show some of the people who were born in the district between about 1905 and the 1920s. Schenk reckoned by the mid-1930s there were 50 people of mixed descent in the Laverton district, half of them resident at Mount Margaret.²⁰

Observing that very few of the Aborigines at Mount Margaret spoke or understood any English²¹ fits Elkin's claim as to their places of origin but is starkly at odds with the known mission population profile. In the first year of operations, 1921–22, Rod and his wife Mysie, concluding that 'the Wongatha [sic] needed a good grasp of English',²² made the decision to teach in that language. At the end of 1923, they announced triumphantly, 'There seemed to be a sudden spurt on English comprehension'.²³

At a minimum, several mission-associated Wongatha were explicitly acknowledged as multilingual. Sometime employee Kunjil understood the English spoken to him as early as 1923, while it was noted in 1930 that both Jim Cookadoo alias Jim Barnes and Snowy Barnes were fluent in English.²⁴ Ranji McIntyre, probably born in 1908, had learned to speak English from a prospector before his arrival at the mission, at the age of about 13 or 14. Other Wongatha youths, such as Bert Thomas and Steve Earle, arrived in the mission's early years and stayed. If they were not already fluent they must have learned English working closely with the Schenks and others over the ensuing years. There was no choice for Aboriginal mission inmates; Rod Schenk never learned Wongatha.²⁵ Language aside, Elkin's apparent obliviousness to the long-term presence of Aboriginal people seems to have extended to the substantial buildings at Mount Margaret — including dormitories built for a population he thought had spent almost no time with Europeans.

It remains a puzzle how Elkin failed to acknowledge the bulk of the district's Aboriginal population. Perhaps Schenk tried to keep the mission inmates away, yet it seems Elkin did make contact with at least some of the long-term residents. Subsequent to his visit, the missionaries accused Elkin of 'using our Christian men... There were corroborations enacted then that they had not seen for years,

19 Western Australia, Chief Protector of Aborigines, *Annual Report...*, 1931: 23.

20 Schenk 1935.

21 Morgan 1985: 49.

22 Morgan 1985: 61.

23 Morgan 1985: 73, 69.

24 Morgan 1985: 12, 117.

25 Morgan 1985: 61.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

the men said'.²⁶ It is impossible to reconcile the notions that all of those Elkin spoke to were from the distant east and did not speak English and that he 'used' Christian converts — men who were resident at Mount Margaret, who had received their Christian instruction in English and who had been so long under the missionaries' influence they had ceased to participate in the Law.

It may be that in setting out to make inquiries 'into the social organization, totemism and customs of the natives'²⁷ Elkin omitted part-Aboriginal people from his research, but this possibility presents at least two concerns. Firstly, how did he determine, in three weeks, who among the several hundred people at Mount Margaret was part-Aboriginal? How could he (and those citing him) be sure he got this right? Secondly, if he did ignore part-Aboriginal people his reasoning must have been that they were too assimilated and therefore had lost their culture, a dubious point from which to advance.

To demonstrate whether Elkin's model of migration and population replacement occurred several questions have to be addressed: what else is said about the original Aboriginal populations of Mount Margaret and Laverton; did people come in; if so, were they attracted by European influences or were other, traditional behaviours occurring; and were people transferring across cultural zones to the extent the movement must be called migration rather than normal hunter-gatherer movement? Considerable data, alternative to Elkin's, exists that can be interrogated for answers.

Firstly, if the Wongatha population decreased significantly in the first decades of European settlement, as Elkin had it, there should be evidence in the historic record of epidemic disease, massacres or outward migration. Explorer David Carnegie specifically refuted suggestions that massacres of Aboriginal people took place in the region.²⁸ However, survivors of gunshot wounds were said to be present in the northern Goldfields in the early settlement period.²⁹ These reports were not investigated and it is not known whether the incidents in which the wounds occurred were widespread and whether other people were killed, though this must be considered a strong possibility. One mass killing was widely reported during the early contact period — at Mount Catherine late in 1894, where at least two and possibly considerably more Aborigines were shot.³⁰ On another occasion, an Aboriginal person reported a massacre having occurred near Mount Margaret,³¹ an incident that was investigated but considered

26 Morgan 1985: 121.

27 Elkin 1931-32: 46.

28 Carnegie 1982: 34-35.

29 *Mount Leonora Miner*, 8 March 1902.

30 Accounts vary considerably. An eyewitness who was later discredited claimed an entire group was put to death, while another European who spoke to survivors put the number at two (*West Australian*, 12 February 1895: 5 and McDonald, MN1124, Acc 3406A, item1, Battye Library). Aboriginal people today recount a widespread oral history of the Mount Catherine massacre in which all but one or two of a group trapped in a rock canyon were killed.

31 Stokes, Report, 2 October 1895, Con 430, file 2199/1895, SROWA.

unfounded. After late 1896, there was a police presence at Laverton, Leonora and Menzies, inspection of Aboriginal people by Aborigines Department employees, newspapers and a sizable European population and it becomes much less likely that unreported wholesale murders occurred. It cannot be said how many Aboriginal people died during the frontier violence that occurred in the region but nothing suggests that the number approached a level that would threaten population viability.

It is known that exposure to introduced diseases for which Aboriginal people had no resistance accounted for many deaths in advance of and after European settlement. This occurred in the northern Goldfields, though the sparseness of the population and the arid conditions seem to have been alleviating factors. Richard Helms, the naturalist with the Elder Expedition crossing near the eastern extent of Wongatha country a year before the Coolgardie gold rush, reported finding no signs of disease among the Aboriginal people he met.³² While hunger, even famine, was a regular feature for Aboriginal people after European settlement, specific reports for the Laverton, Menzies and Kookynie districts between 1901 and 1905 said the local Aborigines were healthy.³³ These reports were made by government employees who were diligent in reporting evidence of diseases because of the fear of transmission to the European population. A report from Duketon did suggest Aboriginal people there were afflicted with contagious diseases, with one death reported in 1906.³⁴ There is otherwise no support for the notion that disease killed many northern Goldfields Aborigines.

Norman Tindale, Elkin's contemporary, speculated on an outward migration of Aboriginal people from the northern Goldfields to Kalgoorlie,³⁵ but the available information indicates otherwise. Such mass migration would have been reported, if not at the point of exodus then by newspapers and other sources who invariably commented when Aboriginal people appeared at their location. In 1908, the Kalgoorlie District Police Office submitted that there were approximately 70 Aboriginal people in the larger Kalgoorlie area.³⁶ The collated police reports from Kalgoorlie and nearby Coolgardie from 1912 show that there were no Aborigines living permanently in the area, though people passed through periodically.³⁷ In 1915, when the population was declining rather than increasing, there were just 13 Aboriginal people known to be living in the Kalgoorlie district.³⁸

Statements about Aboriginal attachment to country also discredit the migration theory. In 1901, Chief Protector of Aborigines Henry Prinsep visited Kalgoorlie

32 Helms 1896: 242.

33 Olivey, Western Australia, Aborigines Department, *Report...*, 1902: 24; Dunkley, Arthur, Report dated 22 December 1902, Con 255, file 40/1903, Report dated 19 December 1903, Con 255, file 29/1904, SROWA; Beurteaux, ECD, Report, 28 May 1906, Con 255, file 423/1906, SROWA.

34 Burt, AE, Report, 15 September 1904, Con 255, file 375/1904, SROWA; Beurteaux, ECD, Report, 28 May 1906, Con 255, file 423/1906, SROWA.

35 Tindale 1974: 252, 258.

36 Western Australia, Aborigines Department, *Report...*, 1908: 14–15.

37 Western Australia, Aborigines Department, *Report...*, 1910: 19.

38 Western Australia, Aborigines Department, *Report...*, 1915: 27.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

to discuss civic concerns about Aboriginal people loitering and begging.³⁹ He included a meeting with some of the local Aboriginal elders, who suggested that if a reserve be created for Aboriginal people to live on, as was being proposed, their preference was for the south coast, suggesting they were from this direction.⁴⁰ Conversely, both Kalgoorlie and Laverton police agreed that northern Goldfields Aborigines were unwilling to cross the territorial boundary at approximately Menzies⁴¹ except temporarily to attend ceremonies.⁴²

In addition to the lack of evidence of population demise, a miscellany of sources provides a continuous record of a group of Aborigines being present in the northern Goldfields from the time of first European contact. Even before permanent settlement, the explorers John Forrest and Lindsay Wells encountered Aboriginal people in the region, in 1869 and 1892 respectively.⁴³ From the end of 1896, Police Constable Glass began patrolling northward from his base at Niagara to the newly established gold-mining centres that sprang up north and west of Lake Carey. Glass found a few Aborigines camped at Malcolm in November 1896, more substantial camps of 30 people at Bummers Creek and 50 at Pindinni Soak in February 1897, a much larger gathering of about 100 at Mount Margaret the following month, and about 40 people were at Cutmore's Well in May 1897.⁴⁴

Glass's successors found this pattern continued. Members of the 'Mount Weld tribe' were camped at nearby Mount Margaret in July 1898,⁴⁵ another camp was set up at Hawks Nest, between Laverton and Mount Margaret in August 1898⁴⁶ and a third at Laverton in November 1899.⁴⁷ Just before the last Christmas of the century, about 30 Aborigines from the Erlistoun district were seen at Morgans en route to Menzies.⁴⁸ In April 1900, Corporal Feely estimated the Aboriginal population on the Mount Margaret Goldfield to be approximately 300 – occasional visitors to the townships.⁴⁹ Eight years later, his colleague O'Connor made a submission during the brief time a police station was operating at Yundamindera, south of Laverton, noting there was a resident Aboriginal population in the area,⁵⁰ while the same was the case for the Linden district in February 1909.⁵¹

39 Western Australia, Aborigines Department, *Report...*, 1901: 6–7.

40 Western Australia, Aborigines Department, *Report...*, 1901: 6–7.

41 Western Australia, Aborigines Department, *Report...*, 1908: 14–15; Gravestock, J, Report dated 2 August 1938, Con 993, file 691/1938, SROWA.

42 See, for example, Bailey, CA, Report dated 10 October 1896, Con 495, item 45,, Report dated 14 February 1897, Con 495, item 47, SROWA; *Coolgardie Miner*, 30 October 1896 and 4 December 1896.

43 Forrest 1969: 49–50; Wells 1893: 64–67.

44 Glass, J, Report dated 29 November 1896, Con 430, file 4119/1896, Reports dated 11 and 22 February 1897, Con 430, file 849/1897, Report dated 24 March 1897, Con 430, file 1557/1897, Report dated 21 May 1897, Con 430, file 1557/1897, SROWA.

45 Report dated 15 July 1898, Con 431, item 1, SROWA.

46 Report dated 15 August 1898, Con 431, item 1, SROWA.

47 Report dated 25 November 1899, Con 431, item 1, SROWA.

48 Sullivan, Report dated 24 December 1900, Con 431, item 5209/1900, SROWA.

49 Feely, W, Report dated 1 April 1900, Con 255, file 172/1900, SROWA.

50 O'Connor, J, Report dated 30 June 1908, Con 255, file 712/1908, SROWA.

51 Stewart, R, Letter dated 23 February 1909, Con 652, file 160/1909, SROWA.

The small newspapers that briefly flourished in the Goldfields in the decade from the late 1890s trace the local Aboriginal population during the first decade of European settlement. Members of 'the tribe' — by which we must presume local — were visiting Laverton in 1899,⁵² while three years later the *Laverton Mercury* identified a group which had been in the Mount Margaret area since first European settlement.⁵³ Acknowledgments of the local origins of the Aboriginal people in the Laverton district was repeated throughout 1903, with the *Laverton Mercury* referring to the 'aboriginals of these parts', 'the black population of the Margaret district' and 'the blacks in this neighbourhood'.⁵⁴

At Mertondale in 1902 it was noted, 'some time ago a number of blacks made their presence objectionable by loafing around the town for several days'.⁵⁵ This pattern continued: in 1904, 'blacks ... have made their presence around Malcolm particularly objectionable during their recent visit';⁵⁶ in the same place the next year, 'The blacks paid another visit to town during the week';⁵⁷ the settlers at Morgans were being 'much troubled' by Aboriginal people appearing at the town in 1905.⁵⁸ Numerous other reports describe Aboriginal movements as 'visits' to the various towns,⁵⁹ while various newspaper articles note the Aboriginal camps that were set up at various times.⁶⁰ These towns were inside the frontier and therefore not the expected places of first contact for people coming in from the desert. Rather, these records show a transient northern Goldfields population.

Reports from the Aborigines Department, often giving rough census details and descriptions of Aborigines' physical conditions, provide a third set of source material. Travelling Inspector C. A. Bailey, sent to report in 1896, counted some 150 Aborigines he said belonged to the Menzies and Mount Margaret district.⁶¹ An Aboriginal population of 45 was reported for the Niagara district early in 1899,⁶² while Bailey's successor, G. S. Olivey, encountered 'a big mob of natives' at Laverton who had been in the area for some time, 20 Aborigines at Morgans, another 20 at Kookynie and a handful more at Niagara.⁶³ A group described as the 'Laverton tribe' was present in 1908.⁶⁴ The number of Wongatha residing in the northern Goldfields was considered sufficiently large that in 1903 Chief Protector of Aborigines Henry Prinsep proposed setting aside a reserve at or

52 *Laverton Mercury*, 4 November 1899.

53 *Laverton Mercury*, 22 and 23 November 1902.

54 *Laverton Mercury*, 4 July and 18 December 1903.

55 *Malcolm Chronicle and Leonora Advertiser*, 23 May 1902.

56 *Malcolm Chronicle and Leonora Advertiser*, 10 June 1904.

57 *Malcolm Chronicle and Leonora Advertiser*, 20 January 1905.

58 *Laverton Mercury*, 14 July 1905.

59 See, for examples, *The Mount Leonora Miner*, 8 March 1902, 15 August 1903 and 2 August 1905; *Laverton Mercury*, 7 December 1907; and *Malcolm Chronicle and Leonora Advertiser*, 27 November 1903 and 10 June 1904.

60 *Malcolm Chronicle and Leonora Advertiser*, 28 April 1900, 14 December 1901, 15 November 1902 and 1 January 1904.

61 Bailey, CA, Report dated 10 October 1896, Con 495, item 45, SROWA.

62 Report dated 22 February 1899, Con 255, file 145/1899, SROWA.

63 Western Australia, Aborigines Department, *Report...*, 1902: 24.

64 *Aborigines Department* 1908: 15.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

near Morgans, an idea that had the *Laverton Mercury* declaring derisively that this would only be giving 'what already belongs to them',⁶⁵ strongly hinting at their localness.

In 1917, Laverton Constable O'Loughlin wrote that he occasionally issued rations to a number of elderly Aborigines who had lived in the Laverton district for years.⁶⁶ In the mid-1920s, a colleague at Morgans, S. E. Perks, reported on the 'local natives',⁶⁷ while the minister of the Aborigines Department enquired into the possibility of shifting 'the local tribes' from the Mount Margaret district in 1930.⁶⁸ A mid-1930s report noted the presence of 16 people who 'belong to Menzies'.⁶⁹ There is no obvious discontinuity in this litany; no point where it can be shown there was major population demise or replacement.

Confirmation of population continuity comes from the two European men whose long tenure in the northern Goldfields and regular dealings with Aboriginal people gave them far more participation/observation experience than Elkin had. Constable E. P. Thompson was issuing rations at Laverton in 1921 to Aboriginal people most of whom, he reported, were born and grew up locally and who for that reason would not allow him to hunt them away as he had been ordered.⁷⁰ Most of the ration recipients would have been elderly, since it was a strict Aborigines Department instruction for many years that only people who could not work or hunt be allowed to receive rations.⁷¹ Age and health details on ration lists show this policy was put into practice. It must therefore have been the case that Thompson was including in his description many who had been born in the area prior to European settlement, less than 30 years earlier.

The Mount Margaret Mission in its infancy hosted Aborigines who referred to themselves as 'Margaret blackfellas', while others identified with Laverton.⁷² In 1934, when Schenk gave evidence before the Moseley Royal Commission into Aboriginal welfare, he could identify more than 200 Aborigines who had been born and grew up in the district.⁷³ It is nigh impossible to doubt the verisimilitude of the reports these two men submitted, Thompson to his superiors explaining why it was difficult to follow orders and Schenk to a Royal Commission.

65 *Laverton Mercury*, 16 April 1903.

66 O'Loughlin, Letter dated 18 July 1917, Con 993, file 19/1927, SROWA.

67 Perks, SE, Report dated 1 August 1924, Con 993, file 19/1927, SROWA. A few months later, Perks stated there were 150 Aboriginal people in the Morgans district and that they were kept out of the towns (see Perks, Report dated 19 December 1924, Con 993, file 19/1927, SROWA).

68 Kitson, WH, Report dated 17 March 1930, Con 993, file 431/1928, SROWA.

69 Letter dated 25 May 1936, Con 993, file 195/1936, SROWA.

70 Thompson, Letter dated 11 April 1921, Con 3354, item 1: 226, SROWA.

71 This order was made repeatedly: firstly, in the Goldfields context, in 1897 and 1898 (Bailey, CA, Report dated 14 February 1897, Con 495, item 47: 9, SROWA and Haebich 1992: 55); reaffirmed by the Chief Protector of Aborigines in 1908 (Western Australia, Aborigines Department, *Report...*, 1908: 15) and 1911 (Gale, CF in Con 652, file 479A/1911); and again by the new Chief Protector in 1915 (Neville, Letter dated 25 February 1915, Con 993, file 369/1926, SROWA).

72 Schenk 1923a, b.

73 'Statement by Mr. R.S. Schenk', 1934, Con 987, item S, SROWA. By the time of the Royal Commission Schenk had spent 13 years in intimate contact with Aboriginal people at Mount Margaret and had been told by them that they were local to the area. In 1953, when Schenk again

Schenk had learned these people called themselves *Wongutha*, that they were the same group that had been in the area when settlers arrived in 1894 and that they regarded the Mount Margaret area as their country.⁷⁴ This proposition can be tested: attachment to country, including whether people claim the right to say who can come on it, can be measured, to an extent, in what people say and how they behave (usually as seen through the lens of non-Aboriginal observers). A migrant group would not, wholesale, develop such attachments and rights through short term association — Aboriginal identity is vested in areas of country and not subject to rapid change.

Describing the Goldfields after a decade of European presence, Chief Protector of Aborigines Henry Prinsep complained in 1905 that the continued strength of Aboriginal feeling for country placed a strain on his department's budget:

Each little tribe of natives so loves its own little district, and this love has been inherent in these races for such a long period that the old and crippled members of the tribe will hardly ever seek relief out of their district. They will die first; and to prevent such a wholesale cruelty, I see no way but to continue nearly all these relieving stations [at various Goldfields towns].⁷⁵

These lines demolish the argument that Aborigines had migrated in during the preceding ten years, driven by a desire to cadge European foods, with little regard to their country of origin. Instead, the proscription on staying in the right territory was ironclad, even at the risk of starvation.

David McDonald, a close and long-term observer of Aboriginal people from the time of his arrival at Murrin Murrin in the 1890s, agreed. He remembered that 'Wongi ... was the name of the native tribe who roamed this area, their home ground being Pindinnie [a permanent soak south of Mount Margaret] ... The various tribes such as roamed the goldfields areas ... each had there [sic] own section of country mapped out.'⁷⁶

Schenk and the other missionaries were aware of the strength of Aboriginal attachment to country, the strength of feeling for *ngurra*, the special, heartfelt area that provides each individual Aboriginal person with physical and spiritual sustenance and identity.⁷⁷ When authorities were discussing whether Aboriginal children should be sent to Mount Margaret, where dormitories were being built,

refuted the migration theory, the Commissioner of Native Affairs referred to Schenk as 'a close observer of aborigines for the past 30 years'. See Western Australia, Commissioner of Native Affairs, *Annual Report...*, 1953.

74 Schenk 1935; Morgan 1985: 7, 10.

75 Western Australia, Aborigines Department, *Report...*, 1905: 6. Elkin, too, observed this, but confused the issue, saying, 'Man [i.e. desert Aborigines] is tied from his birth to his death to the rockholes' but the same people readily 'lose the desire to return' to their country (Elkin 1931–32: 49).

76 McDonald nd: 20.

77 Barnes et al: 3. This book contains numerous contemporary expressions of *ngurra*, the relationship between Wongatha people and their individual areas of country.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

or to the Moore River Native Settlement, the State Government facility near Perth, the missionaries declared firmly that the children should remain, 'in their own country'.⁷⁸ Some years later, Schenk chided pastoralists who were lobbying to shift the mission: 'we say it is a sin to try to hunt [the district's Aborigines] out 130 miles past Laverton ... Anyone who tries to send natives out of their own district, either has no knowledge or no heart.'⁷⁹

Further indication of the relationship to this specific region is signalled by Wongatha people asserting the right to control access. Early settlers and businessmen brought Aboriginal people from distant places to the northern Goldfields to serve as police trackers, drovers and animal herders. These 'stranger' Aborigines were often at considerable risk. In many Aboriginal societies, and certainly in the Western Desert, trespass was regarded as a serious breach of protocol that could be dangerous for the intruder.⁸⁰ This was true in the Goldfields in the early contact period, where Aborigines Department Inspector Bailey observed, 'the tribal customs of Aborigines forbid their entering the confines of other tribes, any departure from such customs usually result in combat, often death'.⁸¹

Basil, a Nyungar youth from the Northam area, taken to Murrin Murrin to mind a butcher's stock, was killed by local Aborigines in 1898, in large part because he was unknown.⁸² The same year, Wilbah alias Tiger, brought to Menzies from the north-west of the state also to undertake shepherding work was caught off guard and killed with a spear thrust into his back. There was general consensus that the accused in the latter case, five men from a group that occupied the country south of Laverton, had killed Wilbah because he was from out-of-country.⁸³ A few years later, an attempt was made on the life of Banjo, an Aboriginal man from the Pilbara district serving as the police tracker at Malcolm.⁸⁴ In this case, too, his stranger status was cause of the attack.⁸⁵ It is unlikely these punishments for transgressing country would have been committed by people who were themselves newcomers and therefore trespassers.

Wongatha country was defended against larger incursions too. News that a party of kangaroo hunters, mostly Mirning people from the coastal country of the Great Australian Bight, was headed through the Kookynie district *en route* to the East Murchison at the end of the 1905 winter caused 'great consternation'

78 Morgan 1985: 107.

79 'Statement by Mr. R.S. Schenk', 1934, Con 987, item S, SROWA.

80 For example Tindale 1974: 24, 1976: 17; Myers 1986: 101; Skyring and Yu 2008: 63.

81 Bailey, CA, Report dated 15 October 1896, Con 495, item 45, SROWA. Though it had been mollified by the time the Wongatha native title claimants gave evidence in the early twenty-first century the need for people to get permission to enter the country of others remained strongly felt (see Federal Court of Australia 2007: paras 1408–1415).

82 *Malcolm Chronicle and Leonora Advertiser*, 5 December 1898.

83 Duncan, Report dated 16 October 1898, Con 430, file 4007/1898, SROWA; *The Menzies Miner*, 22 October 1898: 7.

84 *Malcolm Chronicle and Leonora Advertiser*, 23 May 1902.

85 *Malcolm Chronicle and Leonora Advertiser*, 23 May 1902.

amongst the Wongatha because they were a large number of strangers.⁸⁶ The warfare between the Laverton and Darlot Aborigines that cost a minimum 35 lives in six bloody years of the early twentieth century was variously attributed to action taken to punish wrong-way marriages or payback,⁸⁷ but the constant descriptions were of two territory-based groups at the centre of the conflict. In 1937, Laverton constable Gravestock stated that Darlot Aborigines did not come closer to Laverton than the King of Creation mine, 50 kilometres north of Laverton and that when they did venture within Laverton country fighting usually resulted.⁸⁸

Attachment to an area comes with a corollary, the oft-expressed antipathy to being on country that belongs to others. Expressions of this form a significant rebuttal of the migration assertion. Following his appearance before the Royal Commission, Schenk went public with his frustration at the continued lobbying to move the mission, and its Aboriginal residents, eastward. He declared that the Wongatha regarded any place 100 miles beyond Laverton 'as strange country', that many of the Mount Margaret people had never been that far eastward and that 'no humane treatment would ever induce them to go out there or to stay there'.⁸⁹ Decades later, Schenk's daughter related what she had learned growing up with the Mount Margaret Aborigines in the 1930s and 1940s:

Some, mind you, told me that they had come from Minnie Creek [to the east] but mostly people don't want to go out — You see, to go out to Warburton Ranges they are another complete different people. That's how they see them, you see; they are not the same people. In fact, to [her father's] amazement he found that Leonora people and Laverton people who frequented Cox's Find and Mulga Queen were two different people. So that they stayed in the [Laverton] district.⁹⁰

Resistance to being forcibly moved eastward continued in 1940 when the government planned to shift Mount Margaret people to the newly opened institution at Cosmo Newbery. Schenk wrote, 'Any risk of being sent to Cosmo will have a salutary influence because as it is a strange country to them they have a mortal fear of being sent there.'⁹¹ Several dozen were nonetheless moved from Cox's Find, Mount Margaret and Laverton: within a short period, Superintendent A. J. Donegan remarked that his new charges were being made to overcome the 'taboo' they had expressed for the country they were now occupying.⁹²

86 *Kookynie Press*, 12 August 1905: 4. Once it was ascertained the visit was not hostile, cordial relations were established.

87 Brodribb, H, Report dated 26 September 1910, Con 652, file 950/1910, SROWA.

88 Gravestock, J, Report dated 19 August 1937, Con 993, file 144/1937, SROWA.

89 Schenk 1935.

90 Morgan 1986.

91 Schenk, RS, Letter dated 20 October 1941, Con 993, file 421/1938, SROWA.

92 Donegan, AJ, Report dated 26 June 1940, Con 993, file 320/1940, SROWA. Underlining in original.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

Migration is understood to mean a process where newly developed stimuli cause usually voluntary and permanent movement to markedly different geographic, social and cultural places. Movement that is regular, temporary and/or within a common cultural zone is not migration. Some Aboriginal people did come inside the northern Goldfields frontier, but before that movement can be labelled the reasons why it occurred must be examined.

Long before European settlement, occupation of the Western Desert was a dynamic process that involved a two-fold strategy: 'drought evasion', where the individuals or families from a particular area stayed within their territory but moved towards and then were restricted to a small number of the most reliable water sources,⁹³ or 'drought escape', which included regular temporary abandonment of the very driest areas in favour of various refuges – hilly or granite country that retained permanent water supplies.⁹⁴ The amount of rainfall and surface water availability determined the patterns adopted,⁹⁵ and the desert groups needed to maintain good relations with the people of the areas into which they moved.

This pattern was identified in the immediate pre-settlement period. The explorer Charles Hunt, south of Kalgoorlie in 1864, met a group of Aboriginal people who had come from the arid country to the east and were headed for the granite country to wait out the hot weather.⁹⁶ Returning the following year and in 1866, in the same general location, he was told again of the regular tactic of travelling westward during the summer dry periods.⁹⁷ In 1891, the Elder Scientific Exploring Expedition, under the leadership of David Lindsay, made its way northward through the scrub country on the western edges of the Great Victoria Desert preparing for a return crossing through central Australia. There had been no rain in this country for three years and, because of the severe drought, people had left their desert country where there was no water and headed west beyond Leonora.⁹⁸

In the post-settlement period, Aboriginal decisions were still made first and foremost in response to climatic oscillations and only subsequently by the presence of Europeans. A large group of Aborigines arrived in the Laverton area in midsummer 1904 and moved back to the spinifex country when sufficient winter rains had fallen.⁹⁹ This movement was repeated during the dry years of

93 Gould 1991.

94 Veth 1989, 2002; Gould 1991.

95 Veth 1987.

96 Hunt 1864, *Journal of Exploration Eastward of York in 1864*, facsimile edition, publication details unknown, Battye Library: 61.

97 Hunt Journal, 16 June and 7 July 1865, unpublished, Battye Library; Hunt 'Exploration Journal of an Expedition to the Eastern Interior of Western Australia, by Mr. C.C. Hunt', in *Exploration Diaries*, unpublished, Battye Library: 47.

98 Lindsay 1893: 56.

99 *Laverton Mercury*, 29 January 1904; Brown, ED, Letter dated 9 September 1904, Con 255, file 375/1904, SROWA.

1910 and 1911.¹⁰⁰ The year 1914 was until 2001 the worst drought year in the south-western part of the continent since Europeans began keeping records. The police report from Laverton that year was unequivocal: 'The drought was responsible for the large number of indigents.'¹⁰¹ The result was that government rationing at the various northern Goldfields centres increased rapidly, but then declined sharply in subsequent, wetter, years as people returned to the bush.¹⁰²

Chief Protector Neville saw a regular impact on his budget, commenting that in the Leonora district, 'we must expect some addition to our indigent lists at the end of the long dry summer before the advent of the winter rains. It has been the same for years'.¹⁰³ A decade later, Neville's minister gave an overview of Aboriginal movements across the northern Goldfields frontier:

during dry times the natives invariably come into the feeding depots in great numbers. As soon as the heavy rains fall, most of these natives will disperse, leaving the local tribes only on the ration lists.¹⁰⁴

In 1917, Constable O'Loughlin noted a group of local Aborigines returning to Murrin Murrin from a 12-months absence in the bush,¹⁰⁵ while at Leonora, after good rains fell in 1915, police advised that the Aboriginal people had gone into the bush seeking food.¹⁰⁶ When rains fell in the early winter of 1932, the *Kalgoorlie Miner* reported the desert groups had moved back into the spinifex, 'taking advantage of the cool weather and in expectation of ample water supplies in the various rock holes on the eastern boundaries, where game should be plentiful'.¹⁰⁷

Secondary to the need for water was the availability of both game and vegetation supplies. Populations of *Macropus rufus* — the red kangaroos that are an important food source for Aboriginal people in the Western Desert region — fluctuate according to drought and have done so since before the arrival of Europeans.¹⁰⁸ People followed these to areas where rain has recently fallen.¹⁰⁹ Vegetation is of greater importance: it is generally reckoned that vegetable foods comprise between 50 and 80 per cent of the traditional diet of Western Desert Aborigines.¹¹⁰ Usually, when it rained in an area, people moved there to hunt the animals that came to feed on the fresh shoots of grass and to collect

100 Western Australia, Aborigines Department, *Report...*, 1910; *Laverton Mercury*, 23 December 1911.

101 Western Australia, Aborigines Department, *Report...*, 1914: 48.

102 In 1914, approximately 70 of the reported 400 Aborigines in the district (17.5 per cent) were receiving government rations (see Western Australia, Aborigines Department, *Report...*, 1914: 48). The following year, the equivalent figures were 15 of 425, or 3.5 per cent (see Western Australia, Aborigines Department, *Report...*, 1915: 27) and in 1916 they were 20 of 400, or 5.0 per cent (see Western Australia, Aborigines Department, *Report...*, 1916: 51).

103 Neville, AO, Letter dated 27 February 1919, Con 1667, file 107/1927, SROWA.

104 Kitson, WH, Report dated 17 March 1930, Con 993, file 431/1928, SROWA.

105 O'Loughlin, Letter dated 18 July 1917, Con 993, file 19/1927, SROWA.

106 Haly, Arthur, Letter dated 22 December 1915, Con 1667, file 107/1927, SROWA.

107 *Kalgoorlie Miner*, 23 April 1932: 2.

108 Department of Conservation and Land Management 2002: 39, 41.

109 Gould 1991.

110 Meggitt 1957; Gould 1969.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

mulga, grass and murrin murrin seeds to grind into flour.¹¹¹ Kookynie constable Dodd counted 200 Aboriginal people at Kookynie in 1909 and noted they 'travel around & as the game becomes scarce & they cannot get sufficient food they move on to another part of their Country or District'.¹¹²

Dodd's comment hints at the changing economic systems European settlement brought. These – pastoralism in particular – placed much greater pressure on the country's natural flora and fauna resources and made gaining sustenance from the land difficult. Kangaroos and dingoes were killed while the animals brought in to stock the northern Goldfields pastoral stations destroyed the native vegetation. Concerned newspaper editors noted on several occasions the Aboriginal people's vulnerability to the appropriation of land and the shooting and poisoning of game.¹¹³ Constable Perks at Morgans noted in the mid 1920s the problems caused when a poor season exacerbated the lack of game and a shortage of murrin murrin seeds.¹¹⁴

Any doubts about the deleterious effect on diet are dispelled by a comparison between reports on the health of Western Desert people before and after the mass arrival of Europeans. Various descriptions given in 1892 and 1893 declared of the people living outside the range of European settlement, 'most of them [were] of fine physique',¹¹⁵ 'a fine, tall, stalwart race of men, with handsome women',¹¹⁶ 'getting fat' on the plentiful game.¹¹⁷ '[A]s to their physique they were certainly in advance of the semi-civilized aborigines seen in the neighbourhood of large towns.'¹¹⁸ As late as 1931, people beyond the frontier were in better health. Surveyor H. L. Paine found the people he met who lived in the Warburton Range area, far beyond the frontier, were 'healthy and unspoiled ... particularly well-built people'.¹¹⁹ At the time of the first European settlement, Western Desert Aborigines were seen as, 'a laughing, careless race, full of humour, mirth and song', people who displayed an 'extreme buoyancy of spirits',¹²⁰ a 'happy and careless race'.¹²¹

This changed dramatically as vital resources were lost. When the Elder expedition arrived at Fraser Range station, a pastoral station in the southern Goldfields in 1891, they found the Ngadjju there were faring poorly.¹²² Expedition naturalist Helms blamed this squarely on the insufficient food available on and

111 McDonald, nd: 15, 20–21.

112 Dodd, J, Letter dated 13 September 1909, Con 652, file 579/1909, SROWA.

113 For example, *Kalgoorlie Miner*, 19 April 1900: 7, 28 February 1905: 2; *Laverton Mercury*, 19 April 1907.

114 Perks, SE, Report dated 19 December 1924, Report dated 28 September 1925, Con 993, file 19/1927, SROWA.

115 Lindsay 1893: 3.

116 Lindsay 1893: 6.

117 *West Australian*, 6 September 1895: 6.

118 Gillett 1892: 80.

119 Paine, 'Report and Journal of Surveyor H.L. Paine, Leader of the Warburton Range Expedition 26th May 1931 – 17th Oct. 1931', unpublished, Battye Library: 4, 12.

120 Raeside 1996: 95.

121 Bailey, CA, Report dated 14 February 1897, Con 495, item 47, SROWA.

122 Lindsay 1893: 3.

near the station.¹²³ Victor Streich, another member of the expedition, returned to survey in the now settled Goldfields in 1904 and noted that since his first visit native game had disappeared and spinifex, which did not provide an edible food resource, had spread.¹²⁴ Prospector Albert Gaston described the effects as European settlement wended its way north in the mid-1890s:

The few blacks around Coolgardie were the most miserable, half-starved creatures I have ever seen. The further one goes north the better the blacks seem to be physically. Around Mt. Margaret were some very strong and well-made men. In that district game is a little more plentiful.¹²⁵

Within a decade, the wretched conditions of near starvation around Kalgoorlie were replicated further north.¹²⁶ Newspapers repeatedly asked for assistance for the underfed northern Goldfields Aborigines,¹²⁷ with the *Laverton Mercury* in 1910 lambasting the government and the Aborigines' Protection Board for its inaction, going as far as to say that the desired outcome of driving the Wongatha out of Laverton could not be achieved because they would die in the desert.¹²⁸ Whether because of inconsistent rain or settlement, people had no choice; they came westward to find food and water.

There were other reasons for moving westward which remained within the framework of pre-contact Aboriginal identity. People came to find partners: 'marrying far away' was considered a way to ensure that 'right way' marriages occurred.¹²⁹ That is, in the sparsely populated arid country east of Laverton, finding a suitable partner from the right skin group usually meant travelling great distances. Another compelling reason was the fighting and payback killings that occurred periodically in the desert.¹³⁰ After Mount Margaret was established in 1922 people brought their children in, not because they were responding to the lure of the place but in order to avoid having the children removed much further afield to Moore River.¹³¹

Far from being a lure, being near the towns was not necessarily the most desirable option. From *A Drop in a Bucket*, written by Margaret Morgan, Rod's and Mysie's daughter, based on her parents' diaries and letters, Rod Schenk's discomfort at the scene he witnessed at Laverton in 1921 is clear:

Constable Hunter, mounted on horseback, charging down on groups of Aboriginal outcasts with stockwhip flaying out in all directions. The sound of the crack of the whip, the whirls of dust, the screams of

123 Helms 1896: 241.

124 *Kookynie Press*, 28 September 1904: 4.

125 Gaston 2007: 180.

126 *Western Argus*, 20 June 1895: 5; *Coolgardie Miner*, 14 December 1895, 2 and 25 July 1896.

127 *Laverton Mercury*, 19 April 1907 and 15 January 1910; *Mount Leonora Miner*, 4 January 1908.

128 *Laverton Mercury*, 15 January and 17 September 1910.

129 Federal Court of Australia 2007: especially section 4.7.

130 Cooper, L in Federal Court of Australia 2007: para 981.

131 Forrest, I in Federal Court of Australia 2007: para 254.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

women and children, angry shouts of men, terror-stricken faces — that picture was printed indelibly on [Rod Schenk's] memory. The little *yulira* (friendless) mob ran for their lives before the onslaught.

Rod found out it was a daily occurrence.¹³²

Unsurprisingly, then, many preferred to stay away from the towns. Aborigines Department official Brodribb, sent to Laverton in 1910, was told about 'the numerous Spinifex Natives, many of whom never come in, and are practically wild'.¹³³ Former Laverton resident John Thompson recalled that in the early twentieth century Aboriginal people mostly stayed in the bush,¹³⁴ while Gravestock reported in 1938 that 'most of the natives would sooner be in the bush provided they received some Rations'.¹³⁵ At this time, visits by groups from the desert were still uncommon enough to excite comment,¹³⁶ as when Schenk and the Commissioner of Native Affairs exchanged notes, agreeing that such visits only occurred when the seasons were particular poor in the desert — on average every four or five years — and even this did not guarantee people would come in.¹³⁷

Moving near the towns was more likely to result from being pushed out of the arid zones rather than pulled in by the temptations of settlement. The distinction is important: moving voluntarily might be expected to cause a psychological break with the original area of country as a new area was deemed better. If, however, people were forced to move because the alternative was starvation then such a shift in how people conceptualised the country they were leaving and the country they were going to would not occur. In this case, Wongatha people moving westward to spending more time in association with Europeans did not signal dis-attachment from country or modification of traditional customs.

Many people remained in the bush east of Laverton. Implicit in the reports of hunting and gathering is that the Aboriginal people in question had knowledge of the resources there. Such knowledge — the basis of attachment to country — is not readily gained; these were people who belonged to this country. Schenk came to know them well. He had alerted the Aborigines Department to their origins in 1937, correcting Laverton Constable Gravestock's advice that Aborigines from the Warburton Range were in the district. Schenk wrote how connections to country were expressed:

132 Morgan 1985: 6–7.

133 Brodribb, H, Report dated 26 September 1910, Con 652, file 950/1910, SROWA.

134 Thompson 1976.

135 Gravestock, J, Report dated 29 November 1938, Con 993, file 144/1937, SROWA.

136 Gravestock, Report dated 29 November 1938, Con 993, file 144/1937, SROWA.

137 Neville, Report dated 10 August 1937, Con 993, file 144/1937, SROWA; Schenk, RS, Letter dated 19 April 1937, Con 993, file 144/1937, SROWA.

many natives that Constable Gravestock calls Warburton natives come from places less than halfway out to Warburtons [sic], and Constable Gravestock would find this is correct by asking them which is their particular water hole.¹³⁸

Schenk worried that if he had to move the mission the Wongatha would stay put and he would be working with an entirely new group.¹³⁹ Soon, though, his pragmatism reasserted; instead of moving, Schenk offered to open a branch of the mission at Cosmo Newbery, 80 kilometres north-east of Laverton, in the spinifex,¹⁴⁰ with the intention of proselytising among the easterly group.¹⁴¹ Gravestock became supportive, suggesting that a mission outstation would provide a means of stopping people crossing the pastoral stations in the region and visiting Laverton and nearby Beria.¹⁴² He favoured Burtville as the location but suggested also Claypan Well, some 60 kilometres east of Laverton, already a meeting and camping place for the eastern group. Schenk's preparedness to expend the time, effort and money required to establish a new mission affirms the ongoing Aboriginal presence in the country east of Laverton – a group of people who would not permanently move to Mount Margaret or near any other town in the northern Goldfields.

A final, crucial condition needs to be met before the movement of subsistence hunter-gatherers can be labelled migration: the people in question must have crossed cultural boundaries. Movement within traditional cultural and economic orbits constitutes no more than normal seasonal ranging. Evidence provided over a long period suggests that the Aboriginal people crossing the northern Goldfields frontier were not also crossing into strange country.

David McDonald recorded that the country of two of the northern Goldfields groups with which he was most familiar extended eastward from Pindinni Soak and Edjudina, respectively.¹⁴³ This tallied with the impressions gained by two Aborigines Department employees; Travelling Inspector L. C. M. Beurteaux, who said the Aboriginal group he encountered in the northern Goldfields in 1909 travelled in a circuit between the towns of Morgans and Laverton, north to Mulga Queen and eastward into the spinifex country,¹⁴⁴ and H. Brodribb, who noted that the Aborigines of the Laverton district were closely aligned with those living in the spinifex country to the east.¹⁴⁵

138 Schenk, RS, Letter dated 23 August 1937, Con 993, file 144/1937, SROWA.

139 Schenk 1935.

140 Schenk 1935.

141 Schenk, RS, Letter dated 30 March 1937, Letter dated 19 April 1937, Con 993, file 144/1937, SROWA.

142 Gravestock, J, Report dated 19 August 1937, Con 993, file 144/1937, SROWA.

143 McDonald, nd.

144 Beurteaux, ECD, Report, 28 May 1906, Con 255, file 423/1906, SROWA.

145 Brodribb, H, Report dated 26 September 1910, Con 652, file 950/1910, SROWA.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

During the winter of 1931, the surveyors Paine and Barclay traversed the country between Laverton and the Warburton Range. The two men were briefed and professionally inclined to provide detailed descriptions of the spinifex country and they spent weeks in the company of a dozen or more Laverton-area Aborigines. Their reports are thus replete with ethnographic comment that now provides valuable insight into territorial limits, reciprocal rights within those territories and the exchange of initiates. Patent tensions that existed eliminate the possibility that the Laverton people had originated from the Warburton area over the three decades leading up to Paine and Barclay's survey:

[The Aborigines] accompanied us until we neared the boundary between the Laverton and Warburton tribes. Then the Laverton people broke away in different directions and in small groups, while the Warburton people stayed with us. By the way the Laverton people spoke to us it was evident that they were somewhat afraid of the Warburton's [sic] – yet they appeared to permit a few Warburtons [sic] at a time to come through their own tribal territory and to remain in Laverton for a period. We were not able to find out what agreements existed or what formalities were observed by the visitors ... the Laverton tribe would not intrude into Warburton tribal country even though they were prepared to receive a few Warburton boys and let them come into Laverton.¹⁴⁶

Later, north of Baker Lake:

The Natives who have followed us from Laverton have been busy since arriving at this place (Winduldarra) in making womeras (Wally-ma) and doing up their weapons generally. Apparently they expect to meet newer people shortly. Frankie [the guide from Laverton] told me that 'sulky fella' is about two sleeps away, and yet he says the Warburton Natives are 'good fella'. Maybe there is more than one tribal boundary 'close up'.¹⁴⁷

Reaching Minnie Hill in the Warburton Range, the Laverton people were,

becoming anxious as to the further extent of our easting. Must be near the end of their permits. One ... admitted that "Black fella out there might be little bit sulky fella", and was very relieved when I told him that Bhilbring [nearby Lightning (sic) Rock, east of Warburton] is as far as we go.¹⁴⁸

Others support this information. The Laverton correspondent to the *Kalgoorlie Miner* wrote in 1930 that the local Aborigines, 'cover country from Laverton 200 to 250 miles east, over their particular area or boundary, never daring to

146 Barclay nd, *The Aborigines of the Area in Western Australia between the town of Laverton...*, Battye Library: 4, 11.

147 Paine, 'Report and Journal of Surveyor H.L. Paine, ... 26th May 1931 – 17th Oct. 1931', unpublished, Battye Library: 9-10.

148 Paine, 'Report and Journal of Surveyor H.L. Paine, ... 26th May 1931 – 17th Oct. 1931', unpublished, Battye Library: 21.

encroach on their fellowmans' boundary, north or south',¹⁴⁹ while during 1939, local pastoralist W. A. Ross wrote of Aboriginal people coming in to Laverton, 'their home-land is from Laverton Eastward'.¹⁵⁰ The group described would not travel as far west as the Mount Margaret Mission area, which seemed to be strange country to them. As a child in Laverton, John Thompson recalled an incident in the first decade of the twentieth century when strangers came in from a lot further east than usual and were unknown to the local Aborigines.¹⁵¹

Consistently, descriptions show that most of the people at Laverton belonged to a group whose cultural and subsistence orbit extended eastward somewhere between 200 and 400 kilometres. The fuzziness of the described boundary is expected; typical of such mobile hunter-gatherer groups in sparsely populated country and a result of uncertain observations by Europeans. People coming in to Laverton from this region were remaining within their traditional country – additional proof that 'migration' is not a valid description. (It was, however, a long-lasting impression. In the Wongatha decision, Lindgren, J. found that the majority of the claimants were descended from people who migrated into the claim area.¹⁵² This was not borne out in the Wongatha witnesses' evidence. Fewer than 30 per cent of claimant witnesses stated they were born outside the claim area, 31.4 per cent of parents of witnesses were stated to have come from outside the claim area and just over ten per cent of grandparents had similar origins. For many parents and the great majority of grandparents either no place of origin was given or they were not Aboriginal.)¹⁵³

In attempting to understand Aboriginal life, commentators in Australia have constructed metaphors that made Aboriginality more comprehensible where it was otherwise unfamiliar and abstract. Aboriginal cultural groupings have been described as 'nations', 'tribes' and 'clans', terms introduced, used, debated and often rejected through the course of Australian anthropology.¹⁵⁴ The heartfelt places in Aboriginal lives noted above are often referred to as 'Country' but this too is a metaphor that describes a relationship between individual and place in non-Aboriginal terms, while *ngurra* remains a difficult concept to describe.¹⁵⁵

149 *Kalgoorlie Miner*, 27 September 1930: 2.

150 Ross 1939.

151 Thompson 1976.

152 Federal Court of Australia 2007: para 1167.

153 See Federal Court of Australia 2007: Annexure F.

154 For example Berndt 1959; Berndt and Berndt 1988; White 1985: 36; Hiatt 1996: 20–21.

155 Even Myers (1986: 48), author of the authoritative Western Desert study, *Pintupi Country, Pintupi Self*, struggles here, translating the concept of *ngurra* as 'camp', 'country' or 'place', a starkly broad range of possibilities. Equally, the framers of the Wongatha native title claim could not provide a culturally accurate legal description, conceptualising *ngurra* as, 'a person's birth place, camp or home or area of ancestral connection, having primary importance and "run", being a broader area signifying a range of occupation' (Federal Court of Australia 2007: para 138). None of this captures the term's emotional content (e.g. Federal Court of Australia 2007: Annexure F).

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

The entire Aboriginal ontology has been named 'Dreamtime', evoking a certain understanding for non-Aboriginal people but a problematic term¹⁵⁶ that falls well short of the explanation it purports to be.¹⁵⁷

Thinking of Aboriginal seasonal traditional movement as migration served such a purpose, putting Aboriginal life into a historicised and westernised context but one which erases Aboriginal agency. In the Australian discourse of the previous century migration most often refers to a process whereby the less fortunate – sometimes inferior – improve their lives by physical and cultural relocation to mainstream Australian society. (Remember: this was a European population which had migrated to the Goldfields seeking economic improvement, shaping their thinking in the process.) So too the people of the desert were drawn haplessly towards European settlement.

Construction of the migration metaphor happened as relations between settlers and Aboriginal people in the northern Goldfields changed and Aboriginal identity was reimagined. During the initial prospecting period of 1894–96, many encounters between Aborigines and Europeans occur in fraught, *ad hoc* circumstances at places of heightened significance (most often, scarce water sources). Descriptions of Aboriginal people, often employing the language of military conflict, were made in this adversarial context.

Half a decade on, the local mining economy had changed. Company-owned ventures superseded the scattered masses of prospectors who operated in the region in the first instance. This changed the nature of daily contact between Aborigines and Europeans. With well-established, centralised mining and safe transport routes the gold extraction industry had no real interest in controlling large areas of landscapes and the colonising narrative was reordered. The war was over; Aboriginal people had lost and it was now permissible to publicly recognise their moral (though not legal) rights to the land. At the turn of the century, each of the northern Goldfields newspapers referred to, variously, the 'the original owners of this soil', 'the coloured natives of [the region's] soil', 'the original owners of the big Mt. Margaret territory', and 'the rightful owners of the soil'.¹⁵⁸

Elkin's visit came at the cusp of a second change in Aboriginal-European relations in the northern Goldfields. Mining's importance had diminished slightly but a more significant change in the northern Goldfields economy had occurred with the establishment and rapid growth over the preceding quarter-century of a pastoral industry. Pastoralism used the land far more extensively and thus discouraged acknowledgment of Aboriginal ownership. The historical justification that Aboriginal people forwent private property rights because

156 Berndt and Berndt 1988: 229.

157 See especially Wolfe 1991, 1997; also Stanner 1970; Myers 1986: 47.

158 *Mount Leonora Miner*, 8 March 1902; *Malcolm Chronicle and Leonora Advertiser*, 24 June 1904; *Laverton Mercury*, 23 November 1901 and 19 April 1907.

they did not invest their labour in the land re-emerged in new guise: Aboriginal connection to the land would not need to be acknowledged if it could be said that Aboriginal people had displaced themselves.

In this newer, pastoral context, Aboriginal people in the northern Goldfields were denied their local place, described instead as a nuisance, floating population¹⁵⁹ who formed an 'objectionable presence',¹⁶⁰ illegitimately dependent on European largesse because they were off their own country. Before the 1934 Moseley Royal Commission and then in print a few years later, Rod Schenk voiced his concern that the history of Aboriginal people in the region was being reformed:

Wherever one meets a number of natives the usual complaint is that they came from further out, and should be driven back... Likewise they said the natives at Laverton all came from the ranges of the interior and should be sent back... Why occupy the country and then resent the presence of the natives in the district? Those who reiterate that the native race has got to go thereby provide evidence conclusive against their own policy of securing all the good land.¹⁶¹

The pastoralists who said this were not drawing on Elkin but in their equal failure to understand what Aboriginal people were doing both resorted to a constructed explanation. The migration experience was already deeply embedded in the worldview of non-Aboriginal Australians. In a different context it was also what the pastoralists and Elkin expected of Aboriginal people; that they would be drawn almost helplessly from their lands by the promise of betterment.

Both Elkin and the pastoralists are shown to be wrong by other sources who were their contemporaries. Often, primacy is attached to historical material generated by earlier professional researchers over that produced by non-professionals making *ad hoc* observations. In this part of the Western Desert, this has led to compounding error. Aboriginal people in the northern Goldfields made decisions based on need, moving back and forth to places of supply and/or remaining within their traditional cultural region and range of subsistence foraging. Here, migration was not the process in which Aboriginal people were involved, but a misnomer which has had deprecating consequences in the long run.

Acknowledgments

I would like to thank those Wongatha and Aboriginal people from other groups who have been patient in telling me their histories. I have followed up ideas generated while undertaking native title research at my former place of employment, the Goldfields Land and Sea Council. Colleagues and Board members there, where research is but one part of an overextended and

159 See, for example, Western Australia, Aborigines Department, *Report...*, 1900: 6, and 1902: 8; *Malcolm Chronicle and Leonora Advertiser*, 3 June 1904; *Laverton Mercury*, 17 March 1921.

160 *Malcolm Chronicle and Leonora Advertiser*, 20 January 1905.

161 'Statement by Mr. R.S. Schenk', 1934, Con 987, item S, SROWA, Schenk 1937: 30.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

underfunded organisation, were consistent in their support. Much of this research took place at the Battye Library and the State Records Office of Western Australia where staff have also been particularly helpful. Thanks also to the Department of Indigenous Affairs (as it was) for assistance in getting access to various files held under their control.

References

Archival sources

Barclay, Hugh C 1931, *The Aborigines of the Area in Western Australia between the town of Laverton, the Warburton Ranges to the northeast of that town and Lightning Rock to the East of the Ranges, the latter being about 60 miles west of the southwestern corner of the Northern Territory, as visited by a survey team from the Dept of Lands and Surveys of WA in 1931*, publishing details unknown, Battye Library, Western Australia.

Elkin, AP 1930, 'notebook 8', A.P. Elkin Collection, Fisher Library, University Archives, University of Sydney, accession 664, item 1/2/8.

Hunt, CC 1864, *Journals of Exploration Eastward of York in 1864*, facsimile edition, publication details unknown, Battye Library, Western Australia.

— 1865, Journal by CC Hunt, unpublished, Battye Library, Western Australia.

— 1866, 'Exploration Journal of an Expedition to the Eastern Interior of Western Australia, by Mr. C.C. Hunt', in *Exploration Diaries*, unpublished, Battye Library, Western Australia.

McDonald, David nd, *Biography (D.S. McDonald)*, unpublished typescript, Battye Library, MN1124 Accession 3406A, item1.

Paine, HL 1931, 'Report and Journal of Surveyor H.L. Paine, Leader of the Warburton Range Expedition 26th May 1931 – 17th Oct. 1931', unpublished, Battye Library, Perth, Western Australia.

Thompson, John 1976, *Interview with Jean Teasdale*, Battye Library, Western Australia.

State Records Office of Western Australia (SROWA)

Consignment 255, Files – Chief Protector of Aborigines

file 29/1904, Native Affairs Kookynie

file 40/1903, Re Natives Menzies District

ABORIGINAL HISTORY 2014 VOL 38

file 145/1899

file 172/1900

file 375/1904, Reported large number destitute natives at Duketon. Mt. Margaret G.F.

file 423/1906, Travelling Inspector Report. Re. Condition Ab. Natives – E. Gold Fields.

file 712/1908

Consignment 430, Police Department: General Files, 1876-1971

file 849/1897, Journal of P.C. Glass

file 1557/1897, Journal of P.C. Glass

file 2006/1897, Journal of P.C. Glass

file 2199/1895, Reported outrage committed at Mt Margaret – Two white men & some natives shot by four men.

file 4007/1898, Menzies Ab native Tiger speared by hostile blacks.

file 4119/1896, Journal of P.C. Glass.

file 5209/1900, Aborigines & their dogs about Mt Morgans, complaints re

Consignment 431, Mount Margaret Police Station

item 1, Mount Margaret police occurrence book.

Consignment 495, Aborigines Protection Board, • Correspondence & Report, 1892-1894.

item 45

item 47

Consignment 652, Files – Department of Aborigines and Fisheries

file 160/1909

file 479A/1911, Correspondence Blankets 1911 – 1912 – 1913 Clothing

file 579/1909, Rationing Natives – Kookynie – Provision for.

file 950/1910, Raid by Darlot-Leonora natives on natives encamped at Laverton.

Consignment 987, Moseley Royal Commission

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

item S, Statement by Mr. R.S. Schenk, Moseley Royal Commission.

Consignment 993, Files – Aborigines Department

file 19/1927, Native Matters – MT. MORGANS.

file 144/1937, LAVERTON. Proposed Native Station in the Vicinity. (Cosmo Newbery Station).

file 195/1936, MENZIES – Native Matters.

file 320/1940, Cosmo Newbery Native Settlement. PROGRESS REPORTS OFFICER IN CHARGE.

file 369/1926

file 421/1938, Mt. Margaret Mission – Register of Inmates RETURNS.

file 431/1928, MT. MORGANS GOSPEL MISSION. (1) Suggested removal of further inland. POINT SALVATION- (2) Allocation of 1 Million acres reserve. Reserve 20396 – 500,000 acres.

file 487/1937, Mt Margaret Mission – NATIVE MATTERS.

file 691/1938, Back to the Goldfields Celebrations – Permission for natives to take part in.

Consignment 1667, Files – Aborigines Department

file 107/1927, LEONORA – NATIVE MATTERS –

Consignment 3354, Laverton Police Station

item 1, Laverton police letter book

Official printed sources

Western Australia, Aborigines Department, *Report for Financial Year Ending 30th June...*, 1900, 1901, 1902, 1905, 1908, 1910, 1914, 1915, 1916, Government Printer, Perth, Western Australia.

Western Australia, Chief Protector of Aborigines, *Annual Report of Chief Protector of Aborigines for the Year Ended 30th June...*, 1930, 1931, Government Printer, Perth, Western Australia.

Western Australia, Commissioner of Native Affairs, *Annual Report of the Commissioner of Native Affairs for the Year Ended 30th June ...*, 1953, Government Printer, Perth, Western Australia.

Newspapers

Coolgardie Miner

Kookynie Press

Laverton Mercury

Malcolm Chronicle and Leonora Advertiser

Menzies Miner

Mount Leonora Miner

West Australian

Western Argus

Secondary sources

Barnes, Cyril et al 2007, *Ngayuku Kapi: Stories from the North-East Goldfields*, Goldfields Land and Sea Council, Kalgoorlie.

Berndt, Ronald M 1959, 'The concept of 'The Tribe' in the Western Desert of Australia', *Oceania* 30(2): 81-107.

Berndt, Ronald M and Catherine H Berndt 1988, *The World of the First Australians: Aboriginal Traditional Life: Past and Present*, Aboriginal Studies Press, Canberra.

Carnegie, David W 1982, *Spinifex and Sand*, Hesperian Press, Victoria Park, Western Australia.

Dauth, Tim 2011, 'Group names and native title in south-east Australia', in *Unsettling Anthropology: The Demands of Native Title on Worn Concepts and Changing Lives*, Toni Bauman and Gaynor Macdonald (eds), AIATSIS, Canberra: 21-40.

Department of Conservation and Land Management 2002, *Red Kangaroo (Macropus rufus) Management Plan for Western Australia, 2003-2007*, Department of Conservation and Land Management, Western Australia.

Elkin, AP 1930, 'notebook 8', accession 664, item 1/2/138, University of Sydney.

Elkin, AP 1931-32, 'The social organisation of South Australian tribes', *Oceania* 2(1): 44-73.

— 1943, *The Australian Aborigines: How to Understand Them*, 2nd edition, Angus and Robertson, Sydney/London.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

- 1980, 'Aboriginal-European relations in Western Australia: an historical and personal record', in *Aborigines of the West: Their Past and Their Present*, Ronald M Berndt and Catherine H Berndt (eds), University of Western Australia Press, Perth: 285–323.

Federal Court of Australia 2004, *The Alyawarr, Kaytetye, Warumungu, Wakay Native Title Claim Group v Northern Territory of Australia* [2004] FCA 472, (Mansfield J), <<http://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2004/2004fca0472>> (accessed 30 January 2014).

- 2007, *Harrington-Smith on behalf of the Wongatha People v Western Australia* (No 9) [2007], FCA 31, (Lindgren J), <<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/FCA/2007/31.html?stem=0&synonyms=0&query=Harrington-Smith>> (accessed 9 January 2014).

Forrest, John 1969, *Explorations in Australia: I. – Explorations in Search of Dr. Leichardt and Party. II. – From Perth to Adelaide, Around the Great Australian Bight. III. – From Champion Bay to the Telegraph and to Adelaide. With an Appendix on the Condition of Western Australia*, facsimile edition, Gilbert and Rivington, London.

Gaston, Albert 2007, *Coolgardie Gold: Personal Record*, Hesperian, Carlisle, Western Australia.

Gillett, CS 1892, 'Exploration in Western Australia between Northam and Eucla, in 1887, by Mr. Gillett', *Proceedings of the Royal Geographic Society of Australasia*, Government Printer, Sydney.

Gould, Richard A 1969, 'Subsistence behaviour among the Western Desert Aborigines of Australia', *Oceania* 39(4): 253–274.

- 1991, 'Arid-land foraging as seen from Australia: adaptive models and behavioural realities', *Oceania* 62(1): 12–33.

Haebich, Anna 1992, *For Their Own Good: Aborigines and Government in the South West of Western Australia 1900 – 1940*, University of Western Australia Press, Nedlands, Western Australia.

Helms, Richard 1896, in *Transactions of the Royal Society of South Australia* 16(3), Ralph Tate (ed), WC Rigby, Adelaide, South Australia.

Hiatt, LR 1996, *Arguments about Aborigines: Australia and the Evolution of Social Anthropology*, Cambridge University Press, Cambridge.

Lindsay, David 1893, *Journal of the Elder Exploration Expedition, 1891*, South Australian Government, South Australia.

- McGregor, Russell nd, 'Intelligent parasitism: A.P. Elkin and the rhetoric of assimilation', API Network 3, <http://www.api-network.com/main/pdf/scholars/jas51_mcgregor.pdf> (accessed 28 June 2007).
- Meggitt, MJ 1957, 'Notes on the vegetable foods of the Walbiri of Central Australia', *Oceania* 28(2): 143–145.
- Merlan, Francesca 2006, 'European settlement and the making and unmaking of Aboriginal identities', *The Australian Journal of Anthropology* 17(2): 179–195.
- Morgan, Margaret 1985, *A Drop in a Bucket: The Mount Margaret Story*, United Aborigines Mission, Box Hill, Victoria.
- Morton, John 1998, 'Essentially black, essentially Australian, essentially opposed: Australian anthropology and its uses of Aboriginal identity', in *Pacific Answers to Western Hegemony: Cultural Practices of Identity Construction*, Jürg Wassmann (ed), Berg Publishers, Oxford: 355–385.
- Myers, Fred R 1986, *Pintupi Country, Pintupi Self: Sentiment, Place, and Politics among Western Desert Aborigines*, Australian Institute of Aboriginal Studies, Canberra.
- National Native Title Tribunal 2012, National report: native title, <<http://www.nntt.gov.au/News-and-Communications/Publications/Documents/Corporate%20publications/NNTT-national-report-card-February-2012.pdf>> (accessed 30 January 2014).
- Pitty, Roderic 1999, 'A poverty of evidence: abusing law and history in *Yorta Yorta v Victoria* (1998)', *Australian Journal of Legal History* 5: 41–61.
- Raeside, Jules 1996, *Golden Days: Being Memoirs and Reminiscences of the Goldfields of Western Australia*, Hesperian Press, Carlisle, Western Australia.
- Reilly, Alexander 2000, 'The ghost of Truganini: the use of historical evidence as proof of native title', *Federal Law Review* 28: 453–475.
- Ross, WA 1939, Letter printed in the *West Australian*, 3 June 1939.
- Schenk, RS 1935, Letter printed in the *West Australian*, 11 April 1935.
- 1937d, *The Educability of the Native*, Service Printing Co for UAM, Perth.
- Skyring, Fiona and Sarah Yu 2008, '"Strange strangers": first contact between Europeans and Karajarri people on the Kimberley coast of Western Australia', in *Strangers on the Shore: Early coastal contacts in Australia*, Peter Veth, Peter Sutton and Margot Neale (eds), National Museum of Australia, Canberra: 60–75.

THE 'ALLUREMENTS OF THE EUROPEAN PRESENCE'

- Stanner, WEH 1970, 'The Dreaming', *Cultures of the Pacific*, in T Harding and B Wallace (eds), Free Press, New York: 304–315.
- Tindale, Norman 1974, *Aboriginal Tribes of Australia: Their Terrain, Environmental Controls, Distribution, Limits and Proper Names*, Australian National University Press, Canberra.
- 1976, 'Some ecological bases for Australian tribal boundaries', in *Tribes and Boundaries in Australia*, Nicolas Peterson (ed), Social Anthropology series no 10, Australian Institute of Aboriginal Studies, Canberra: 12–29.
- Tonkinson, Robert 1999, 'The pragmatics and politics of Aboriginal tradition and identity in Australia', *Journal de la Société des Océanistes* 109(2): 133–147.
- Veth, Peter 1987, 'Martujarra prehistory: variation in arid zone adaptations', *Australian Archaeology* 25: 102–111.
- 1989, 'Islands in the interior: a model for the colonization of Australia's arid zone', *Archaeology in Oceania* 24(3): 81–92.
 - 2002, 'Abandonment' or Maintenance of Country? A Critical Examination of Mobility Patterns and Implications for Native Title, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
- Wells, LA 1893, *Journal of the Elder Exploration Expedition, 1891*, South Australian Government, South Australia.
- White, Isobel 1985, 'Editor's Introduction', in *The Native Tribes of Western Australia*, Isobel White (ed), National Library of Australia, Canberra: 36–37.
- Wolfe, Patrick 1991, 'On being woken up: the Dreamtime in anthropology and in Australian settler culture', *Comparative Studies in Society and History* 33(2): 197–224.
- 1997, 'Should the subaltern dream? Australian Aborigines and the problem of ethnographic ventriloquism', in *Cultures of Scholarship*, Sarah C Humphreys (ed), University of Michigan Press, Ann Arbor, Michigan: 57–96.

Articles

From 'Miss Dalrymple' to 'Daring Dolly': A life of two historiographical episodes

Nicholas Dean Brodie

She was, German readers learned in 1823, 'Namen Miss Dalrymple'.¹ French-speakers were informed that she had 'une figure très-agreable'.² Her claim to international fame was, at this time, based purely on her physiology. When this description was first penned she was reportedly the oldest surviving of the children 'produced by an intercourse between the natives and the Europeans' in Van Diemen's Land. Moreover, she was 'the first child born by a native woman to a white man in Van Diemen's Land'. She was 'remarkably handsome', had skin that was 'light copper', 'rosy cheeks, large black eyes' with a touch of blue, good eye lashes, 'uncommonly white' teeth, and limbs which were 'admirably formed', 'wunderschon' even.

This account of Dalrymple Briggs, written by the naval Lieutenant Charles Jeffreys based on observations made sometime in the late 1810s, was published in 1820, then quoted extensively by George Evans in his *A Geographical, Historical, and Topographical Description of Van Diemen's Land* (1822), which was translated into both French and German in 1823.³ Dalrymple Briggs, by the standards of early-nineteenth-century inhabitants of Launceston, was remarkably famous in her own time, and may not have known it. Local fame came later, in 1831, when she defended her children against a group of Aborigines who had attacked the stock hut she lived in. That incident was widely reported in the Australian colonies and, for such events, relatively well documented. However, the story of Dalrymple's defence of this hut has taken on fantastical elements in both popular and scholarly memory, creating a misleading image of 'Daring Dolly Dalrymple!'⁴

This paper reveals how the telling of two episodes of Dalrymple's life merged and became a narrative package. It shares with Penny Russell's study of Mathinna a hope 'to unsettle the fictions that have been so long in circulation that they have taken on the appearance and solidity of fact'.⁵ But, as well as being

1 Evans 1823a: 14.

2 Evans 1823b: 31.

3 Jeffreys 1820: 123; Evans 1822: 18–20.

4 Pithouse 1922.

5 Russell 2012: 341.

a revision of key moments in the recorded life of Dalrymple Briggs, it is also a study of some unusual historiographical processes at work in and regarding Tasmania. Whereas Mathinna was subjected to a multiplicity of stories and vignettes, Dalrymple Briggs' life was very quickly corralled into a particular telling, demonstrably at odds with actuality, and persistently upheld despite its inherent ridiculousness and rather problematical attributes. Unpicking this strange trail of chronicled repetitions and glosses, with a sensitivity to textual borrowings more commonly applied to medieval manuscripts than records of the colonial frontier, it is possible to chart a mythologising process which has continued seemingly from the moment of her birth.

Born sometime around 1808, baptised, and raised by the Mountgarretts in Launceston, Dalrymple's name gives a clue to a significance thereafter attached to her. The first boy born in the new settlement of Port Dalrymple was named 'Dalrymple', and so it seems the formula may have been re-used for another 'first'.⁶ She was, as Jeffreys put it, 'the first child born by a native woman to a white man in Van Diemen's Land', and so was invested with symbolic significance. When, via Evans, this description was translated into German, the translator opted more cautiously for 'das erste bekannte Kind', the first *known* child. Such caution would, however, rather rarely be repeated in the many retellings of the life of Dalrymple Briggs.

Episode one: 'remarkably handsome'

Charles Jeffreys' description of 'Miss Dalrymple', while later having a significant impact on subsequent interpretations of the adult woman, was actually rather fleeting in the context of his experiences in Port Dalrymple in the 1810s. The girl Dalrymple's existence was only mentioned in passing as a small aside to a bigger story about her mother saving Dalrymple's younger sibling from the flames of a campfire, and the clutches of a tribe of Aborigines who reportedly so strongly disapproved of 'half-caste' children that they wished them burned. This other child was successfully extricated only to die of its injuries, apparently at Jacob Mountgarrett's house in Launceston where Dalrymple resided. Key to its textual context is the way it was given as an exemplar of the barbarity of the Aboriginal men towards their women, situated in a whole section devoted to arguing that the Aboriginal women fled to the recently arrived European sailors and sealers to escape 'considerable harshness and tyranny' they reportedly received at the hands of their Aboriginal husbands.⁷

This whole section of Jeffreys' text, however, has an obvious apologetic intent, perhaps because the sealers were often ex-sailors. As Clements has recently noted, there is no shortage of evidence of widespread sexual violence on the sealing frontier.⁸ In a particular way, this frontier is crucial to understanding the context

6 *Sydney Gazette and New South Wales Advertiser*, 6 January 1805: 4.

7 Jeffreys 1820: 118–123.

8 Clements 2014: 190–203.

of Dalrymple's birth, and her first widely documented existence. James Kelly left one of the most detailed descriptions of Dalrymple's father George Briggs during the course of their shared voyage circumnavigating Tasmania in 1816.⁹ Kelly's description has Briggs playing little role in the narrative until arriving in the north-eastern portion of Tasmania, wherein he becomes a central interface between the sailors and the Aborigines. The account shows Briggs to have been conversant in the local Aboriginal language, reportedly bigamous, and to have fathered several children. But Briggs' role is not that of an isolated European man adopting the cultural mores of Aboriginal peoples, a kind of Tasmanian version of the lone Pakeha Maori of New Zealand.¹⁰ Rather he is a representative of a new community which was a growing regional power, similar to contemporary sealing communities in New Zealand, in both cases competitors for territory and women.¹¹ Kelly's account shows Briggs deliberately playing two sides of an internecine conflict against each other. Moreover, in trying to compel alliance, Briggs was reminded by one of the Aborigines of their help in capturing women for the sealers from other Aboriginal groups.

For Dalrymple the incident as Jeffreys reports it highlights a couple of themes that resonate with the way she has been presented thereafter. Although forever after remembered as the first 'half-caste', a child of the sealer Briggs, her father's absence is very notable in Jeffreys' description concerning her, and in fact her role in the narrative is primarily illustrative. She reveals the beauty of the mixed-race children, but she also reinforces one of Jeffreys' core themes: the way that Europeans were a protective force on the frontier against the ravages of violent Aboriginal masculinity. Her mother fled to Launceston, where she found security 'at the residence of a gentleman of that place'. Here Dalrymple is introduced as having been 'previously taken under their [i.e. Mr and Mrs Mountgarrett's] protection'. And, it should be remembered, Jeffreys was writing to a wide British audience through a London publisher.

But contrasting this cosy image, Dalrymple's sister Eliza was known to have been subjected to sexual abuse a decade later, with the perpetrator being one of the few 'white' men hanged in Van Diemen's Land for a crime committed against an Aborigine.¹² It is a salient reminder that life for pretty children with absent parents on the colonial frontier could be horrific. In 1870 the historian-ethnographer James Bonwick noted that there was 'no record of her [Dalrymple's] Launceston career after twelve years of age, but we may fear the effect of her beauty in a colonial period not celebrated for the virtues'.¹³ But Bonwick was wrong. Evidence for at least part of Dalrymple's childhood does survive, even though he clearly had not seen it, in the form of a curious series of depositions which relate to another event in her life.

9 University of Tasmania Library Special and Rare Materials Collection, RS99/1. Available online at: <http://eprints.utas.edu.au/9819/>.

10 Bentley 1999.

11 Wanhalla 2009.

12 *Hobart Town Gazette*, 27 January 1827: 3; *Hobart Town Gazette*, 3 February 1827: 2; Clements 2013: 41–42.

13 Bonwick 1870: 322.

Interlude: neglected episodes

She was shot. Living with Mountgarrett in July 1825, Dalrymple was wounded by duckshot, fired by Mountgarrett himself. There are essentially two competing versions of the event derived from a series of depositions made to an investigating magistrate.¹⁴ One version (three witnesses, two depositions) has Dalrymple intentionally wounded, fleeing the house screaming and bleeding, Mountgarrett both drunk and aggressive. The other version, ostensibly by the illiterate Dalrymple herself (one deposition), has the child accidentally shot after alerting Mountgarrett to the presence of a possum, and not severely wounded. A medical examination identified scarring. Because Dalrymple apparently refuted the other witnesses, the charge was dropped.

Regardless of which version reflected actuality, all agreed that she had been shot. They only differed on whether it was deliberate, and how badly wounded the child had been.

In looking at how Dalrymple's life has been repeatedly recorded it is fascinating to see a cyclical historiographical process develop in tandem to Dalrymple's life, but without reference to subsequent events. The incident of 1825 has never gained widespread attention. Yet Jeffreys' fleeting description of 1820 was quoted by Evans in 1822, and translated into two other European languages in 1823. It was quoted again by Bonwick in 1870, and Roth in 1899, and, although sometimes the precise origin of the story itself has become obscured, by many since.¹⁵ What is striking is that Evans, writing in Tasmania, relied on a London-published book, and was himself to publish in London. Similarly with Bonwick, this reliance on London-published material shows the Imperial centre informing the colonial periphery and vice versa in a highly cyclical and self-referential way. The account of Dalrymple passed back and forth across the globe in printed form, highlighting the way that each 'account' of Van Diemen's Land was not written in a literary vacuum. While Lawson has recently drawn close attention to the Imperial centre's familiarity with events in Van Diemen's Land, this extends that analysis to point out the Imperial centre was not just aware of events, but rather that it played an active role in a somewhat circular process of documenting those same events.¹⁶

Another important insight comes from another manuscript source, although one widely available in printed form from the 1990s, and associated manuscript sources, which help provide some context for the hut defence episode of 1831. By 24 September 1830 Dalrymple Briggs was living with Thomas Johnson at Stocker's hut. In the course of his 'Friendly Mission' George Augustus Robinson visited the property and provided a brief description:

14 National Library of Australia, NLA MS 3251, Box 1, Volume 4, not fully paginated. A transcript is available online at: <http://manuscript3251.wordpress.com/2009/10/24/ms-3251-1825-31-black-natives-also-paton-vs-gregson/>.

15 Bonwick 1870: 321; Roth 1899: 176.

16 Lawson 2014. See especially his comments on the literary culture (pp. 145–150), and his comments on Bonwick (pp. 154–157).

This stockkeeper lives with an half-caste female, a stout well made person by whom he has had two children. They are exceedingly fine children, ... The children are very fair and their hair is white.¹⁷

So little attention did the 'Conciliator' of Aborigines give to Dalrymple, he did not record her name. The next day Robinson passed by Gibson's hut, and recorded two bits of local gossip from 'Punch' about Gibson's stockkeeper (Cubit). In the first, Robinson describes Cubit knifing an Aborigine, fleeing to Stocker's hut, and then attacking the Aborigines' camp at night by tracking the fires.¹⁸ This is behaviour which fits rather well with Clements' recent characterisation of Tasmanian frontier conflict as dominated by a cycle of day-night attack and counter-attack warfare.¹⁹ The second bit of gossip, however, seems to have led to some later confusion. 'Punch said', Robinson wrote 'that when the half-caste woman lived with Cubitt she assisted in killing natives'.²⁰

While James Cubit's story is a little unclear, he certainly crops up as a figure in conflict with Tasmanian Aborigines, but there are problems with seeing him as a figure that has any major connection with Dalrymple outside of this one fleeting reference. This is a significant point to consider when assessing the strength of association between Dalrymple and Cubit commonly held in the mythologised narrative of her life. Cubit was a convict, arrived in 1820, was a labourer aged either 24 or 34 (records vary), and was sentenced to seven years transportation.²¹ Clearly in late 1825 he was working as Stocker's 'servant', when he was speared. He received his Certificate of Freedom on 15 May 1826.²² The following year, he was one of 12 men who requested permission to have their families sent from England.²³ In 1830 Roderic O'Connor reported to the Committee for the Affairs of the Aborigines that:

A man employed by Mr. Stocker named 'Cubitt' has killed a number of the Natives and they have made many attempts upon his life and speared him in several places — On one occasion when he was escaping from them they cried out to him in English 'We will have you yet.'²⁴

From the Land Commissioner's journal, this event can be placed as late February or early March 1828.²⁵ Regardless of particularities, a number of contemporary reports, including those already cited, confirm this picture of James Cubit as one who shot and was speared, but they do not point to his having been saved by a shot-gun wielding Dalrymple as later mythology would have it.²⁶

17 Plomley 2008: 254.

18 Plomley 2008: 254.

19 Clements 2014: 204–209 and *passim*.

20 Plomley 2008: 254.

21 State Library of Tasmania, CON31/1/6, p. 80; CON13/1/2: 20.

22 State Library of Tasmania, CON23/1/1, no. C240.

23 State Library of Tasmania, GO/26/3: 67.

24 'Minutes of Evidence taken before the Committee for the Affairs of the Aborigines; Evidence of Roderic O'Connor Esquire, 17 March 1830' in Chapman and Jetson 2006: 236.

25 McKay 1962: 80.

26 Other sources are addressed in more detail below.

A year after Robinson's visit, both Dalrymple and Cubit were attacked, albeit on different days at different locations. When Cubit was attacked it was 'the ninth time this unfortunate man has been speared', and one is a little tempted to see him being singled out particularly, perhaps because he had 'killed a number of the Natives' and was well known as an enemy.²⁷ If Dalrymple had in fact 'assisted' Cubit 'in killing natives', this could also explain why she was attacked with such determined efforts in August 1831. Assuming, that is, that 'Punch' can be trusted and Robinson reliably recorded him.

Episode two: 'the successful resistance of a single female'

On 24 September 1831, the *Hobart Town Courier* published Government Notice no. 196, which contained a printed copy of a letter written by William Moriarty dated 25 August 1831.²⁸ In it, the colonial government deliberately made Dalrymple Briggs famous throughout the Australian colonies. This letter, of which the original manuscript copy also survives in a form verbatim to the printed one, contains a lengthy version of events on 22 August 1831, apparently as detailed by Dalrymple herself.²⁹ The letter also contains information about a separate attack, on another person (Cubit), at a different location, on the following day, 23 August 1831, which was also printed. In both popular and scholarly memory, however, the two events have come to be linked as a single event, with grossly different characteristics than those indicated by all contemporary observations and documentation.

Moriarty's description of how 'an Aboriginal Tribe attacked the stock hut of Mr. Stocker' is quite detailed and lengthy, but the salient points form a clear sequence.

There was no person in the hut when the natives first appeared but a woman named Dalrymple Briggs with her two female children, who hearing some little noise outside, sent the elder child to see what was the matter and hearing her shriek, went out herself with a musket; on reaching the door she found the poor child had been speared; [she dragged the child inside] she barricaded the door and windows, and availed herself of every opportunity to fire at the assailants, but as they kept very close either to the chimney, or the stumps around the hut, and she had nothing but duck shot, with little effect, though she imagines she did hit one of them.³⁰

Dalrymple's 'resolution' in fending them off prevents the attackers pulling down the chimney. They leave for an hour and return with firesticks, and attempt

27 *Hobart Town Courier*, 24 September 1831: 2: I suspect the ninth time means individual wounds, not individual incidents.

28 *Hobart Town Courier*, 24 September 1831: 2.

29 State Library of Tasmania, CSO1/316: 941-944.

30 *Colonial Times*, 7 September 1831: 3; *Hobart Town Courier*, 24 September 1831: 2; *Colonial Times*, 28 September 1831: 4; *Sydney Gazette and New South Wales Advertiser*, 22 October 1831: 3.

to burn the hut down by lighting the roof. From within the hut Dalrymple repeatedly shakes the roof free of the firesticks until 'the return of Thomas Johnston, the stock-keeper, pointed out to them the necessity of a retreat'. The whole episode lasted 'six hours'.

Two other contemporary accounts of the event survive which do not appear to have been utilised by subsequent historians or writers recounting the event, yet both corroborate the essentials of Moriarty's report and add a few minor details about the incident concerning Dalrymple Briggs at Stocker's hut on 22 August 1831, and the events the following day at Gibson's hut. Another letter of September 1831 printed in the *Colonial Times* noted that

on Monday the Aborigines visited Mr Stocker's stock hut, when they speared a child, who was standing at the door, through the thigh; the mother, known by the name of Dalrymple, fired six shots at them before the man in charge arrived to her assistance; they attempted to burn the hut, in which fortunately they could not succeed; and in the flight slightly speared two horses that were near them. The following day they visited Mr. Gibson's hut, and speared the stock-keeper Cupit, ... in the thigh.³¹

The other previously uncited account is a manuscript letter, this one from Malcolm Laing Smith, dated 7 September 1831, which described how

at Stockers they wounded a Child and made a desperate attack upon the Hut which was defended by the Child's Mother the only person in the Hut at the time ... at Gibsons Place a man named Cupit received a spear wound³²

All surviving documentation highlights that a child was wounded and Dalrymple successfully defended the hut, and on the following day at another location James Cubit was speared. Moriarty's letter adds the detail that Cubit was saved by a convict. The clarity of this sequence is later muddled.

Moriarty's letter was printed because, as prefatory comments of Government Notice no. 196 stated, the Lieutenant Governor, George Arthur, wanted it 'published, in order to show how easily these wretched people may be intimidated and driven off when they are opposed with coolness, presence of mind and determined resolution'. This was, he acknowledged, despite continued hopes expressed in the same preface, 'that every possible means should be pursued, and preserved in, to conciliate the Aborigines'.

The manuscript copy of Moriarty's letter was endorsed by a hand other than Moriarty, possibly the Van Diemen's Land Colonial Secretary John Burnett, writing to Arthur with the hope that Arthur 'will cause the Heroine Dalrymple Briggs to be rewarded in some way or other'.³³ The same endorser particularly

31 *Colonial Times*, 7 September 1831: 3.

32 State Library of Tasmania, CSO1/316: 955.

33 State Library of Tasmania, CSO1/316: 944.

wanted 'to publish this letter, with some remarks on the conduct of this intrepid Female'. As we know, it was.³⁴ Moreover, partly overlaying the endorsement of Moriarty's letter just noted, yet another writer, 'GA', George Arthur himself, commented on the potential significance of this event. Agreeing that 'Certainly this woman should be rewarded', Arthur was concerned to 'examine some more particular information respecting Her' before publication of the account was authorised.³⁵ Dalrymple was eventually given permission to marry the convict Thomas Johnston, and she was granted land, which shows the government making good on this suggestion.³⁶ This sequence of consequential events further helps confirm chronology, and also highlights that enquiries must have satisfied the government. Knowing that there was an investigative process between the event and its wider publicity, and knowing of Dalrymple's mixed heritage, it is both curious and perhaps quite deliberate that her particular background was not highlighted.

The event stayed in local memory for some time. In 1847, writing to the *Launceston Examiner* with an account of the troubles with Aborigines in the Deloraine area, Lieutenant Foote, an ex-navy settler, wrote how

Mrs. Johnson received a grant of land from Lieutenant-Governor Arthur, for gallantly defending herself and hut against the natives, on Stocker's Plains, beyond Deloraine, on the Meander River; her husband being in the bush after cattle at the time, the aborigines set fire to the hut, and tried to burn her with it; the grant of land is at Perth, where she and her husband reside.³⁷

The salient details in living memory clearly conform to that of the contemporary documentation.³⁸ Referring to her as 'Mrs. Johnson', the account perhaps also suggests firsthand knowledge of the person concerned.

The combatants employed tactics which are more widely discernible.³⁹ Although Dalrymple's actions were offered to the colonial reading public as an exemplar, it was an exemplar of determination and courage, not any particular strategy. Showing the thought-processes of members of the government, it highlights that tension in Tasmanian governance between humanitarian urges and frontier realities which has already received considerable critical attention.⁴⁰

34 *Hobart Town Courier*, 24 September 1831: 2; *Colonial Times*, 28 September 1831: 4; *Sydney Gazette and New South Wales Advertiser*, 22 October 1831: 3.

35 State Library of Tasmania, CSO1/316: 944.

36 State Library of Tasmania, CON 45/1/1: 94 (request for permission to marry, October 1831); CSO1/886/18804; McFarlane 2005.

37 *Launceston Examiner*, 13 October 1847: 3.

38 Even if the inspiration for recording the recollection was to argue against the idea of returning Aborigines from the Bass Strait Islands to mainland Tasmania.

39 See for instance the account of the conflict given by Clements 2014.

40 Lester and Dussart 2014: 37–76.

Imagining 'Dolly': the historiography

While locally famous, and certainly remarkable, Dalrymple Briggs' action in defending her hut was one of many violent encounters on the Van Diemen's Land frontier that might otherwise have been relegated to historiographical obscurity. But with a demonstrable disregard for facts and details, an ideological argument to make, and a good story, Jorgen Jorgenson seems to have created an image of Dalrymple Briggs as 'faithful Dolly' which has persisted.⁴¹ Jorgenson was a Danish-born ex-convict, turned Roving Party leader, who attempted to turn writer and expert on Tasmanian Aborigines. Sometime after 1837 Jorgenson penned 'A Narrative of the Habits, Manners, and Customs of the Aborigines of Van Diemen's Land'. It was never completed, and survives in manuscript form, but was transcribed and published in 1991 by Brian Plomley, who convincingly suggested the attribution of Jorgenson as the author.⁴²

Two elements of Jorgenson's text deserve mention. The first is that he quoted extensively from available sources. This is significant to his account of Dalrymple Briggs because it is situated near the end of the manuscript just as he deliberately and openly shifts from a style of primarily quoting to one based on 'anecdotes'. In fact the Dalrymple section crosses and seemingly prompts the shift. He quotes Jeffreys' description of her physique and her sibling's fiery encounter, and then provides a version of Dalrymple defending the hut unlike any contemporary account. Although a manuscript source, it is largely a secondary source, just an unpublished one. The second point to note was that he was deliberately writing against extant literature on the subject, and held clear views about who was not to blame for the outbreak of hostilities between Europeans and Aborigines. He firmly refuted Jeffreys' (and therefore Evans') suggestions that the sealers were saviours of the women, and instead characterised them as violent sexual predators. He rejected the widespread belief that stockmen and shepherds were instigators of violence, particularly that against women. Although not published for over a century, there are clear indications in the text that Jorgenson was writing with an English readership in mind.⁴³ The account of Dalrymple defending her hut was given by Jorgenson as a contrasting story to that of the violent Aboriginal men burning her sibling that was recorded by Jeffreys. Central to this point is that in Jorgenson's account of Dalrymple defending the hut, she is not protecting her children, but a white stockman.

It is clear from the text that he had never met Dalrymple Briggs, and it is unclear where exactly the story came from other than the vague 'anecdotes'. Whatever the source of his information, however, it is clear that he was misinformed in some demonstrable ways. According to Jorgenson, Dalrymple Briggs lived with two men, Thomas Johnson and 'John Cupid'. Then, 'one day' Dalrymple saved the stockman 'Cupid' by killing 14 Aborigines with 'a double barrelled shot gun',

41 Plomley 1991: 126.

42 Plomley 1991: 39–42.

43 Plomley 1991: 47, 49–51. Note the repeated phrasing directed at 'English readers'.

in reward for which Arthur granted land to Dalrymple and Johnson in Perth.⁴⁴ This all seems extremely unlikely, is fraught with demonstrable chronological tensions, and key verifiable details of the story are wrong. It is very unlikely that an individual could kill 14 people with a double-barrelled shotgun, especially since in all likelihood she would have had to laboriously re-load the weapon between each shot, as cartridges for breech-loading rifles were still largely unavailable in Van Diemen's Land at the time.⁴⁵ One might also question why all 14 Aborigines remained at the site after the first shots were fired, and the first individuals killed. The whole event also has an improbably convenient symmetry with 14 attackers, 14 thrown spears, and 14 dead. Moreover, by linking the miraculous shootout to Dalrymple's reward, her marriage to Johnson, and their moving to Perth, the story is linked to events which are demonstrably in the wake of the widely reported August 1831 incident.⁴⁶

It seems that Jorgenson may have been conflating events of the mid-1820s that concerned the stockkeeper James Cubit (who he misnamed) when he was a stockkeeper at Stocker's hut, with that of August 1831, when he was demonstrably the stockkeeper at Gibson's hut. Because the widespread reporting of Dalrymple's defensive stand against attacking Aborigines at the hut was linked to Cubit being speared the following day — in August 1831, it is tempting to see stories and events only dimly remembered being coalesced into a single event. No contemporary records bear out a sequence of events quite like Jorgenson's account.

Jorgenson also described Aborigines killing the stockkeeper William Knight at Simpson's hut as a 'follow-up' to the attack on Dalrymple, but there are major obstacles to accepting this. Dalrymple is not connected in contemporary records with any one or more of Cubit, Johnson, Stocker's hut, or Gibson's hut at or near the time when William Knight was killed. This event was in July 1827, and it was not itself an Aboriginal retaliation as such, but in fact resulted in a well-publicised retaliatory strike on Aborigines by local settlers.⁴⁷ This further highlights how Jorgenson was muddling times, places, and people. He seems to have taken some of the vague gossip of the sort that Robinson encountered in 1830 concerning Cubit and Dalrymple, and have written them together into an event of 1831 with some literary flair and license. In doing so Jorgenson turned Dalrymple Briggs from a defender of her children to 'faithful Dolly', defender of the white stockman Cubit, a characterisation that well-suited Jorgenson's wider argument.

44 Plomley 1991: 125.

45 For instance, in 1822 the *Hobart Town Gazette* reprinted a report from the United States about the 'new and invented repeating musket', 2 March 1822: 2; and if we examine for-sale lists, there is little evidence of widespread rapid-fire weaponry being generally available. The list of items from the ships *Resources* and *Sovereign* in February 1831 are typical: 'Muskets, Pistols, double and single barrel fowling pieces', 'Shot, Musket ball, gunpowder in lb. canisters', 'Musket and pistol flints'; in other words, no cartridges, no breech-loaders: just old-school muskets, shot and gunpowder. *Hobart Town Courier*, 26 February 1831: 1.

46 State Library of Tasmania, CON45/1/1: 94 (request for permission to marry, October 1831).

47 *Colonial Times and Tasmanian Advertiser*, 6 July 1827: 4.

Adding to the confusion, Jorgenson was the first person to name Dalrymple Briggs 'Dolly Dalrymple'. It is possibly a mistaken attribution, as there was another Aboriginal woman known as Dolly in the colony in the 1830s.⁴⁸ No other record refers to her this way until James Bonwick in 1870, drawing, as will be shown, on Jorgenson's unpublished manuscript to provide an unattributed but practically verbatim version of Jorgenson's description of the hut battle.⁴⁹

Bonwick conveyed, without any sense of contradiction, two versions of Dalrymple Briggs' story. How this came to be so, and how this tension has been critically approached, has much to tell us about Australian historiography. When Bonwick produced his survey of the Aboriginal Tasmanians and the conflict with the European settlers *The Last of the Tasmanians; or, The Black War of Van Diemen's Land* (1870), he included both accounts, but in different contexts.⁵⁰ The same duality was later re-told in Bonwick's shorter but more popularly inclined, *The Lost Tasmanian Race* (1884).⁵¹ Conveying the history of events in the early section of his text, he recounted Dalrymple's shootout as '[o]ne of the most stirring incidents in the history of the war', and simply quoted the Moriarty letter at length, correctly attributing the event to August 1831.⁵² However, in a later chapter analysing 'Half-Castes', he gives an account of Dalrymple, who with 'a double-barrelled gun', 'defended her fortress, and compelled her assailants to retreat with heavy loss of life', saving 'Cupid', whereby she was awarded with land in Perth with Johnson.⁵³ This account, and the wider narrative sequence of this section, was clearly drawn from Jorgenson.⁵⁴

Although Bonwick did not identify Jorgenson as the source of his information for the second version, he elsewhere described how he came to have Jorgenson's 'manuscript'.⁵⁵ Of the source of this story, Bonwick only noted that 'Particulars of the conflict are given elsewhere', possibly a veiled reference to Jorgenson's manuscript, but more likely a reference back 202 pages in his own volume to the Moriarty letter regarding the August 1831 action.⁵⁶ Readers therefore could not have known the particular source of the information or its reliability until Jorgenson's surviving manuscript was found in the Mitchell Library in Sydney and published by Plomley in 1991.

Bonwick therefore seems to be the vehicle through which Jorgenson's version, a strange concatenation of Jeffreys' physical description of the child Dalrymple

48 Melville 1835: 86, 88.

49 A letter from 'T.T.' printed in the *Launceston Examiner*, 16 June 1890: 4 says 'I was well acquainted with the mother of Miss Polly [sic] Dalrymple, who afterwards became Mrs Thomas Johnson', which could give credibility to a Polly/Dolly attribution, but it post-dates the first printed use of 'Dolly' by two decades. Most newspaper references to 'Dolly Dalrymple' are from the twentieth century.

50 Bonwick 1870: 121–122, 322–323.

51 Bonwick 1884: 68–69, 202–203.

52 Bonwick 1870: 121–122.

53 Bonwick 1870: 322–323.

54 Plomley 1991: 125–6; Bonwick 1870: 321–323.

55 Bonwick 1870: 207.

56 Bonwick 1870: 323.

and her later recorded defence of the hut, entered both scholarly and popular historical memory as a sort of narrative package. Curiously Jorgenson's fantastical 'history' was brought to a wider reading public's attention within Australia by a historical fiction writer, Horace B. Pithouse, whose novel, *The Luck of 1825* (1922), included multiple chapters addressing Dalrymple's saving of Cubit and the subsequent hut battle.⁵⁷ Pithouse's story dramatised Dalrymple's defence with a mixture of elements of the twin stories conveyed by Bonwick. This is made explicitly clear in a small addendum note, where Pithouse indicated that Bonwick was his source; moreover, that Bonwick 'gives two different accounts of the affray at Dairy Plains'.⁵⁸ Pithouse further noted that 'For the purposes of this story the incident is predated by a few years'.⁵⁹ Pithouse deliberately placed the events in 1825 for narrative purposes.

Dalrymple's mixed-race origins are significant to Pithouse's presentation of events, even if typified by the time of their writing. Pithouse describes Dalrymple,

a strikingly handsome personage and of almost perfect physique, though a half-caste. Yet little beyond the thickness of her lips betrayed her native origin. Her eyes, o'ershadowed by exquisitely arched dark eyebrows, shone dark, yet with a violet light, large and liquidly beneath long curled lashes. Her face, always rosy-cheeked and flushed with excitement as it now was, was a model for a painter ; but her crown of glory undoubtedly was her hair, which dropped nearly to her waist in long nut-brown, wavy locks. Athletic and intelligent, she stood now the very impersation [sic] of the spirit of fearlessness.⁶⁰

This characterisation is important to the narrative, firstly for facilitating her 'so well knowing the instincts of the aborigines', but also for exploring wider tensions about race and culture.⁶¹ The 'chief' Powranna appears, armed with Cubit's lost gun. He mishandles it, and smashes it in rage. Then a counter Aboriginal character Crowowa arrives, also armed with a gun, and once again Dalrymple's background is suggested by her reaction to this man: 'Why Dolly so long withheld the finger that was itching to pull the trigger on the newcomer [Crowowa] she could never explain'.⁶² Pithouse posits a sort of mystical-sanguinary bond existing between Dalrymple and Crowowa. This mutual connection is furthered when, while the rest of the Aborigines split and move to assault the hut and encircle it in two groups, Crowowa stands off. He too, it seems, is hesitant to harm Dalrymple. For this, however, Dalrymple regards him with mixed feelings, thinking him a 'coward', but also experiencing 'a strange undefined feeling of disappointment in him'.⁶³ There is no simple heroine-coward relationship here.

57 Pithouse 1922: 216–242.

58 Pithouse 1922: addenda.

59 Pithouse 1922: addenda.

60 Pithouse 1922: 222.

61 Pithouse 1922: 223.

62 Pithouse 1922: 224.

63 Pithouse 1922: 227.

Pithouse thus explored the admixture of race and culture in fairly nuanced ways. The two senior Aboriginal men both carry European weapons into the conflict, though with different degrees of competence. Their assault is also fraught with apparent internal tensions, as frequently the Aborigines appear to be at odds over strategy; specifically, between Crowowa, who has more confidence with European ways and technologies, and Powranna, who is burdened by a lack of technological competence, base instincts of rage, and a pride that will not desert him until the very end where eventually the sounds of 'Tally ho! Tally ho! Tally ho!' indicate the return of 'a party of horsemen', which drives the Aborigines to flight.⁶⁴ Both of the Aboriginal gunmen get shot by Dalrymple, albeit not mortally, yet the only wound inflicted by Aborigines upon those in the hut is when the cowardly Wanba, hiding after a failed assault on the chimney, manages to jab the unconscious Cubit with a spear on his second attempt.⁶⁵ Only one Aborigine dies in the affray, although Dalrymple conveniently 'swoons' in time to fail to fully witness her rescuer's chase of the tribe and any retribution they dealt out.

So while the whole exchange does have elements of racial stereotyping, such as strong but kindly Cubit and cowardly Wamba, the core element of this story is the tension between the characters of Powranna (least adaptive, most traditional), Crowowa (adaptive, siding with his tribe despite failing to convince them to take another path), and Dalrymple (adaptive, whose primary loyalty is to her children). Through this sequence Pithouse explored a complex shifting of identity, between tradition and modernity, change and continuity.

In contrast, historians have generally repeated the narrative in one of two ways. The first is a local historical chronicle tradition, first exemplified by John West (1852), then James E. Calder (1875), who simply conveyed the details of the attack on and defence of the hut drawn from the printed Moriarty letter.⁶⁶ In these, the event was usually offered as an exemplar of feminine determination against attacking Aborigines, exactly as Government Notice no. 196 intended, albeit to later audiences. The government seems to have hoped it would allay fears about unprotected women and children at isolated huts, and later repetition of the story maintained this focus on female bravery and resolution. But in both of these cases, wider pieces of information were added. In West's case, the identification of Dalrymple as a 'half-caste woman' shows that he is not exclusively relying on Moriarty's letter, because that did not mention this detail, which implies there was a certain element of common knowledge informing his history. In a way it is a reminder that because of Jeffreys' publication, Dalrymple probably could never have realistically avoided the 'half-caste' label in ways that other mixed-race children could have done. Calder's account, which did not mention Dalrymple's heritage, suggests that the speared child 'was enticed outside by the

64 Pithouse 1922: 240.

65 Pithouse 1922: 232; Cubitt was speared outside the hut, of course.

66 West 1852: 38; Calder 1875: 11–12.

blacks ... imitating the cries of poultry when alarmed', thus similarly showing the addition of minor details, but still bearing a general conformity to the details of the Moriarty account.

A second trend has been to invest the event with some significance, typified by academic historical scholarship of the 1990s and 2000s. The story had gained a certain popular currency in the press in Northern Tasmania in the early twentieth century, clearly in part because of Pithouse's novel.⁶⁷ Historians seemed to react against such popular understandings of events, but responded more at the level of meaning than detail. For instance Shayne Breen railed against the way that the story 'has been written about several times', despite himself only citing two local histories, and was more concerned with what he felt were narrow 'racist and sexist interpretations' that 'always fail to locate the blacks' attack on Dolly's hut [sic] within the wider black-white relations of the district'.⁶⁸ Curiously, he asserted that the Aboriginal attacks were 'not intended to kill', with the Dalrymple attack given as an illustration of this fact, even though a child was speared and concerted efforts were made to burn the hut down with the inhabitants still inside it.

While Breen's strange characterisation of the event as play fighting has not held, his suggestion that the event needed to be situated within a wider 'black' versus 'white' battle was taken up by Lyndall Ryan, who has repeatedly situated the event in a series of papers arguing that European settlers utilised 'massacre' as a tactic of land clearance in the Australian colonial frontier.⁶⁹ Although not explicitly citing Breen for Dalrymple's actions, it seems clear that Ryan read Breen's paper because an identical map from his paper was later published in one of hers.⁷⁰ But Ryan's point was clearer than Breen's, in that Dalrymple Briggs became something of an expression of settler-violence. Of the event, Ryan states that in '1825 [sic]', 'His [James Cubit's] partner, Dolly Dalrymple, saved him by fighting them [the attacking Aborigines] off with a shotgun, killing 14 of them'.⁷¹

When published in the *Journal of Genocide Research*, Ryan's sole reference for this bold claim (endnote 57) was to the 6 January 1826 edition of the *Hobart Town Gazette*.⁷² This version of events is clearly not from that source as there was no edition of the *Hobart Town Gazette* published on 6 January 1826.⁷³ Ryan's version was rather, it seems, a combination of the Jorgenson version of events coupled with the date of the event given by Pithouse.

67 See for instance, the *Advocate*, 21 October 1931: 2; *Advocate*, 4 June 1940: 6.

68 Breen 1996: 118.

69 Ryan 2007, 2008a, 2008b, 2009, 2010.

70 'Figure 2' in Ryan 2008b: 491 is identical to 'Map 2' in Breen 1996: 111.

71 Ryan 2008b: 490.

72 Ryan 2008b: 490, 498 at no. 57.

73 Ryan seems to have mistaken the reference to the *Colonial Times and Tasmanian Advertiser*, 6 January 1826: 4.

Ryan's various 'massacre' papers show a relatively consistent narrative about Dalrymple and Cubit, but a diversity of sources, dates, and details.⁷⁴ Trying to find corroborating evidence for the Jorgenson version of events, Ryan turned to Robinson's record of visiting Dalrymple and 'Punch's' gossip about Cubit, and Cubit and Dalrymple, to make the case that the hut battle preceded the killing of William Knight in 1827.⁷⁵ But in the period that Ryan has Dalrymple living with Cubit, she was demonstrably living near Launceston with Mountgarrett. More depositional evidence places her still living in the Launceston district in February 1827.⁷⁶ It is possible that she lived with Cubit at Stocker's hut prior to Cubit moving out and Johnson moving in, and at that time 'assisted in killing natives', as Robinson's informant suggested, but there is a relatively short window of opportunity. But it was not in 1825, and not necessarily the case anyway, considering the extreme vagueness of the source. Superficial similarities in the textual structure of Robinson's diary entry from 1830, and Jorgenson's description of the hut battle, seem to have led Ryan to accept, somewhat understandably, Jorgenson's conflation of events. Both Robinson and Jorgenson described Cubit fleeing to safety at Stocker's hut, Dalrymple killing Aborigines, and then each mentions Aborigines killing William Knight. For Jorgenson, the sequence was causal. Dalrymple fought to save Cubit, and the surviving Aborigines killed Knight in retribution. Robinson's diary entry is, however, a collection of stories about previous events where the sequence is incidental. I think it points to a particular oral tradition concerning Cubit, which had a clear narrative, but obvious problems. There may be something to independent elements of this tradition, but when presented as a unifying story it is clearly an elaborated conflation.

This highlights quite clearly how Robinson has come to dominate modern histories of Van Diemen's Land to such a great extent that his diaries are mined for corroborating information for obviously problematical stories. In tandem with this is a process of cyclical scholarship. Even just in Ryan's case, as the publications progressed, the amount of source material cited was reduced and the death-count became firmer.⁷⁷ Each time the story was published it seemed to gain credibility, regardless of how it was sourced. Conditionality went out the window like a blast of duck shot. This is profoundly interesting for being exactly what happened with the Jorgenson account in the first place: fact-making by attrition.

74 Ryan recounts the story at least four times: Ryan 2007: 10; Ryan 2008a: 4–5; Ryan 2008b: 490, and Ryan 2012: 171.

75 Ryan 2007: 10; Ryan 2008a: 4–5.

76 National Library of Australia, NLA MS 3251, Box 1, Volume 2: 295. A transcript is available online at: <http://manuscript3251.wordpress.com/2009/10/23/ms-3251-1821-1844-box-1-vol-2/>.

77 Ryan's initial view of the incident was that 'Jorgenson says 14' Aborigines were killed (Ryan 2007 and 2008a). In these two publications, several primary sources were cited, composed in and/or concerning events from the mid 1820s to the 1840s, not all of which actually concerned Dalrymple Briggs. Notably, she identified the *Colonial Times* (6 January 1826) which described an isolated Cubit being attacked in 1825, but also the printed Moriarity account of and from 1831. In two later publications (2008b and 2012), only one source was cited, the *Hobart Town Gazette* (6 January 1826), and 'Jorgenson says 14' was rendered as '14', without the conditional allegation.

But it is also interesting for dropping Dalrymple's mixed heritage. For both Breen and Ryan, the conflict was 'black' versus 'white'. Ryan placed Dalrymple firmly in the 'white' camp. She was not alone in doing this, as both Jorgenson and Robinson made comments about the whiteness of Dalrymple's children, and Government Notice no. 196 effectively made her a public example of the brave settler-woman.⁷⁸ Again, despite the different historiographical focus and approach, colonial-era propaganda has managed to convey its message.

From historiography back to methodology

De-chronicled, Dalrymple Briggs reveals the complexity of historical memory, and ironically therefore serves again as a symbol. This is not a new biography, and was not intended to be such. There is more to Dalrymple's life, whether documented or not, which is absent from the above discussion. But beyond being a symbol, Dalrymple Briggs can serve as a methodological focal point, aptly complicating the ambiguous experiences and realities of the colonial frontier.

Jeffreys' account of Dalrymple and its many repetitions highlight how a narrative can survive multiple meanings being attached to it, and illustrates that there was not a single colonial narrative, so much as competing colonial narratives. Conversely, Dalrymple's defence of the hut shows how authoritative narratives could be created, whether by the colonial authorities, or by later historians. Only by understanding the process whereby a narrative becomes authoritative can any sensible critique be made of it.

A final part of this methodological approach is the willingness to jettison cherished narratives. The postmodernist turn had made historians wary of claiming to write a definitive 'true' version of any given event, but, as an examination of the mythology of 'Daring Dolly Dalrymple' serves to remind us, sometimes recorded history can be demonstrably wrong.

References

Primary sources

National Library of Australia

- NLA MS 3251 Sir John Ferguson Collection, 'Echoes of bushranging days'

State Library of Tasmania

- CON13/1/2 Convict Department, Assignment lists and associated papers

⁷⁸ Plomley 1991: 126; Plomley 2008: 254.

FROM 'MISS DALRYMPLE' TO 'DARING DOLLY'

- CON23/1/1 Convict Department, Alphabetical registers of male convicts
- CON31/1/6 Convict Department, Conduct registers of male convicts arriving in the period of the assignment system
- CON45/1/1 Convict Department, Alphabetical register of applications for indulgences
- CSO1/316 Colonial Secretary's Office, General Correspondence
- CSO1/886/18804 Colonial Secretary's Office, General Correspondence
- GO/26/3 Governor's Office, Letterbooks of despatches sent to the Under-Secretary of State

University of Tasmania Library Special and Rare Materials Collection

- RS99/1 Royal Society, Kelly Voyage

Newspapers and periodicals

Advocate

Colonial Times

Colonial Times and Tasmanian Advertiser

Hobart Town Courier

Hobart Town Gazette

Launceston Examiner

Sydney Gazette and New South Wales Advertiser

Secondary sources

Bentley, Trevor 1999, *Pakeha Maori: The Extraordinary Story of the Europeans Who Lived as Maori in Early New Zealand*, Penguin, Auckland.

Bonwick, James 1870, *The Last of the Tasmanians; or, The Black War of Van Diemen's Land*, Sampson Low, Son, and Marston, London.

- 1884, *The Lost Tasmanian Race*, Sampson Low, Marston, Searle, and Rivington, London.

- Breen, Shayne 1996, 'Human agency, historical inevitability and moral culpability: Rewriting black-white history in the wake of Native Title', *Aboriginal History* 20: 108–132.
- Calder, James Erskine 1875, *Some Account of the Wars, Extirpation, Habits, &c., of the Native Tribes of Tasmania*, Henn and Co, Hobart.
- Chapman, Peter and Timothy Jetson (eds) 2006, *Historical Records of Australia, Resumed Series III, Dispatches and Papers Relating to the History of Tasmania, Vol. IX*, Melbourne University Press, Carlton.
- Clements, Nicholas 2013, 'Frontier Conflict in Van Diemen's Land', unpublished PhD Thesis, University of Tasmania.
- 2014, *The Black War: Fear, Sex and Resistance in Tasmania*, University of Queensland Press, St Lucia.
- Evans, George William 1822, *A Geographical, Historical, and Topographical Description of Van Diemen's Land*, Souter, London.
- 1823a, *Schilderung der Insel Van Diemensland, einer höchst merkwürdigen Brittischen Colonie in der Südsee*, Johann Bernhard Appel, Hamburg.
- 1823b, *Voyage a la Terre de Van Diemen, ou Description Historique, Géographique et Topographique de cette ile*, Au Bureau Des Annales Des Voyages, Paris.
- Jeffreys, Charles 1820, *Van Diemen's Land: Geographical and Descriptive Delineations of the Island of Van Diemen's Land*, J M Richardson, London.
- Lawson, Tom 2014, *The Last Man: A British Genocide in Tasmania*, I B Tauris, London.
- Lester, Alan and Fae Dussart 2014, *Colonization and the Origins of Humanitarian Governance: Protecting Aborigines across the British Empire*, Cambridge University Press, Cambridge.
- McFarlane, Ian 2005, 'Dalrymple, Dolly (1808–1864)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dalrymple-dolly-12877/text23257> (accessed 15 May 2013).
- McKay, Anne (ed) 1962, *Journals of the Land Commissioners for Van Diemen's Land 1826–28*, University of Tasmania and Tasmanian Historical Research Association, Hobart.
- Melville, Henry Saxelby 1835, *The History of Van Diemen's Land, 1824–1835*, Henry Melville, Hobart.

- Pithouse, Horace Bond 1922, *The Luck of 1825*, A McCubbin, Melbourne.
- Plomley, Norman James Brian (ed) 1991, *Jorgen Jorgenson and the Aborigines of Van Diemen's Land*, Blubber Head Press, Hobart.
- (ed) 2008, *Friendly Mission: The Tasmanian Journals and Papers of George Augustus Robinson 1829–1834*, Queen Victoria Museum and Art Gallery, and Quintus Publishing, Hobart and Launceston.
- Roth, Henry Ling 1899, *The Aborigines of Tasmania*, second revised edition, F King and Sons, Halifax.
- Russell, Penny 2012, 'Girl in a red dress: Inventions of Mathinna', *Australian Historical Studies* 43(3): 341–362.
- Ryan, Lyndall 2007, 'Abduction and Multiple Killings of Aborigines in Tasmania: 1804–1835', www.yale.edu/gsp/colonial/downloads/Aborigines_in_Tasmania.doc (accessed 15 May 2013).
- 2008a, 'List of multiple killings of Aborigines in Tasmania: 1804–1835', *Online Encyclopedia of Mass Violence*, published 5 March 2008, <http://www.massviolence.org/List-of-multiple-killings-of-Aborigines-in-Tasmania-1804> (accessed 15 May 2013).
- 2008b, 'Massacre in the Black War in Tasmania 1823–34: a case study of the Meander River region, June 1827', *Journal of Genocide Research* 10(4): 479–499.
- 2009, '"The long shadow of remembrance": remembering the debate about massacre in the Black War in Tasmania', *Coolabah* 3: 51–59.
- 2010, '"Hard Evidence": the debate about massacre in the Black War in Tasmania', in *Passionate Histories: Myth, Memory and Indigenous Australia*, Frances Peters-Little, Ann Curthoys and John Docker (eds), Aboriginal History Inc and ANU E Press, Canberra: 39–50.
- 2012, *Tasmanian Aborigines: A History Since 1803*, Allen & Unwin, Sydney.
- Wanhalla, Angela 2009, *In/Visible Sight: The Mixed-Descent Families of Southern New Zealand*, Bridget William, Wellington.
- West, John 1852, *History of Tasmania*, Vol 2, Henry Dowling, Launceston.

Infanticide at Port Phillip: Protector William Thomas and the witnessing of things unseen

Marguerita Stephens

[My informant Bairuk] could not remember any case of deserting infants or of killing them. But he remembered one case of a man near Berwick who eat a child. This man was a Bunjil. (A. W. Howitt 1881)¹

But I see plainly, he says, that I cannot see. ... If there is not ground for a candid thinker to make up his mind, yea or nay – why not suspend the judgment? (Ralph Waldo Emerson, *Representative Men: Montaigne*)

Turn the pages of any omnibus ethnology, anthropology or history of Aboriginal Australia published from the late eighteenth century through to the early twenty-first century and there is a good chance that you will find an entry on infanticide.² Along with cannibalism, infanticide has stood as a leitmotif for the perceived savagery and, at times, the sub-humanity, of the *Australians* just as it has done for other inhabitants of the non-metropolitan world. And yet these paired tropes of savagery – the one circulating predominantly within a terrain of contested masculinity, the other predominantly of contested femininity – *always* circulated in fluid discourse wherein the very uncertainty that surrounded claims about their performance invited surveillance and the interrogative operations of the colonial state.³

I have argued elsewhere that in the southern colonies of Australia, and specifically in the Port Phillip District of New South Wales, Europeans and Aborigines shared a disdain for, and a fear of, ‘strangers’ – black or white – and hence, that European enquiries about infanticide found ready confirmation amongst unneighbourly tribes; that such discourses flourished despite a dearth of evidence, and came to form part of the ground upon which colonial strategies of Aboriginal child ‘rescue’ and institutionalisation were constructed from the

1 Howitt Papers, State Library of Victoria (SLV) MS 9356, Box 1053/2 (b): 22.

2 Nineteenth- and early-twentieth-century authors who note infanticide are discussed in Cowlishaw 1978: 262–282. See also Broome 2005: 32; Federal Court of Australia 2000 (*Lorna Cubillo and Peter Gunner v Commonwealth of Australia*) (Action 14 and 21 of 1996) Judgment Summary, O’Loughlin J. 11 August 2000: paras 58, 821; Fels 2010: 25–31; Hamilton 1989: 236–258; Hamilton 1981: 123; Howson 1999: 11–12; Kociumbas 2001: 138–160; Russell 2007: 18–46; Thomas 2014.

3 The article is concerned with infanticide as a defining and instrumental trope. That occasional infanticides have occurred in Aboriginal communities, as in most other communities, is likely. What is at issue here is the extent to which it was either a common and customary practice, or a practice instituted in response to colonial occupation.

1860s onwards.⁴ As with cannibalism, the evidence for infanticide is most often spectral, its transmission provoked, argues Geoffrey Sanborn, by a desire to unearth and to assert knowledge about colonised peoples to a variety of ends from the exterminatory to the humanitarian. As with cannibalism, discourses on infanticide most often inhabit the terrain of the unseen, in which the 'witness' (good or bad) 'sees only a fragment and then imagines the rest in the act of appropriation'.⁵ Like the cannibal of the (missed) colonial encounter, infanticides remain uncaptured.⁶

But while the actual practice of infanticide remains illusive, the instrumental value of infanticide discourse is more easily captured. Satadru Sen argues, in relation to India, that *beliefs* about infanticide enabled British administrators to set up 'an elaborate regime of surveillance and policing' in which whole castes and whole villages became defined as 'infanticidal'. Infanticide, he argues,

belonged to the trope of colonial discovery, i.e., the crime had become a trophy of empire, and a major marker of racial/cultural difference ... part of the "ground" ... on which the colonizing mission could be justified, extended, and contested.⁷

'This was not', Sen argues, 'so much a conversation about children's lives, as it was about the legitimacy of the interventionist state'.⁸

The question of whether infanticide was or was not practised by Kulin people at Port Phillip — either as customary practice or in despairing or resistant response to colonial dispossession — remains the subject of debate and the insubstantiality of evidence alone does *not* prove the negative: that infanticide was *not* performed, that it was *not* customary. This paper focuses on the shifting accounts of two 'good witnesses' (by bent of proximity alone) — William Buckley and William Thomas — and argues that the 'truth' of the matter is, and must remain, at best, clouded. After escaping from the short-lived convict settlement at Sorrento, on the south-eastern arm of Port Phillip Bay, in 1803, Buckley lived amongst the Wathaurung people of the Bellarine Peninsula until he 'came in' to John Batman's occupation party in July 1835. William Thomas was Assistant Protector under the Port Phillip Protectorate headed by George Augustus Robinson from 1839 to 1849, and then served as Guardian of Aborigines from 1850 until his death late in 1867. Like Buckley, Thomas lived in close proximity to the Kulin tribes who frequented Melbourne and he frequently 'itinerated' with them through central Victoria and the district of 'Western Port'. Arguably, no two European men were better positioned to observe the intimacies of Aboriginal cultural practice in the early colonial period; and many later accounts of infanticide practices drew on

4 Stephens 2009: 175–194.

5 Stephen Greenblatt quoted in Sanborn 1998: xii, 7.

6 Sanborn 1998: xiv.

7 Sen 2002: 55–56.

8 Sen 2002: 56

those of Buckley and Thomas.⁹ Thomas himself referenced Buckley's account in his own ruminations over the question of whether the women in 'his tribes' were practising infanticide under his very nose. And yet both of these well-placed, 'good witnesses' wavered in the evidence they brought to a discourse that materially contributed to marking the Aborigines of Victoria as subjects requiring intense colonial surveillance and intense legislative intervention. Buckley was closely interrogated on the subject by a number of significant chroniclers of life at Port Phillip. Thomas, as befitted a colonial official, kept a daily journal for the whole period of his employment. It details his struggles to make meaning in the interstices between popular belief about particular practice and the evidence of his own experience, and, uniquely, gives us a few precious words from Aboriginal women and men themselves on this subject.

Imperial interest in infanticide came in waves. Raised into legislative focus in relation to India in the Bengal Code of 1795, it was 'rediscovered' there in the early 1820s and came to prominence when the House of Commons reprinted East India Company correspondence and reports on infanticide and suttee in 1824.¹⁰ In the Australian context, infanticide entered the field of knowledge about natives as early as 1798 when David Collins' description of what could have been better described as a mercy killing of an infant at Botany Bay was taken up by Malthus as an instance of population limitation amongst 'savages'.¹¹ Sturt included an exposé of infanticide amongst Aborigines met on his journeys of 1829-31 into the interior of New South Wales (unseen by him but related to him by a white stockman).¹² New South Wales Presbyterian elder, John Dunmore Lang, in London in 1834, alerted his evangelical colleague, the influential parliamentarian Thomas Fowell Buxton to its practice, and to its purported connection with the decline of the Aboriginal population of New South Wales: their numbers, he told Buxton, were rapidly diminishing 'from the prevalence of infanticide, from intemperance, and from European diseases', and they faced 'utter extinction'.¹³ In 1836 infanticide was identified as a cause of Aboriginal decline by Dandison Coates, secretary of the Church Missionary Society, before the Select Committee on the Aborigines in British Colonies ('The Aborigines Committee') chaired by Buxton.¹⁴ Thus, by the mid 1830s, two powerful,

9 Buckley's evidence was circulated in Wedge 1836: 419-424; Howitt and Fison 1880: 190, 190n; Howitt 1996 [1904]: 750; Bonwick 1883: 235-236. Thomas' statements on the subject were circulated in Westgarth 1846 and 1848.

10 Sen 2002: 55; Caldwell and Caldwell 2002: 205-227. Lester and Dussart note that in the same year, the British Government also established a 'Protectorate of Slaves' in Trinidad. Lester and Dussart 2008: 208.

11 Collins 1798, I: 65, 597-598, 606-608, 608n; Malthus 1798: 23-24; Clendinnen 2003: 225-227, 260-261.

12 Sturt 1833, II: 222-223.

13 Lang to Buxton 10 June 1834, in House of Commons 1836, Minutes of Evidence on Aborigines (British Settlements): 682, 684. See also summary of the letter in William Thomas Papers, Mitchell Library (ML) MS 214, Reel 1, frame 24-25.

14 House of Commons 1836, Minutes of Evidence on Aborigines (British Settlements): 486-487, 502, 539, 684.

signifying discourses intersected: that of Aboriginal savagery signified by the killing mother, and that of the Aborigines as a dying race — seemingly bound for extinction in the face of European colonial expansion.

By the mid 1830s, the colonial government of New South Wales was under enormous pressure to unlock the lush grasslands of the Port Phillip District. In June 1835 John Batman and the Port Phillip Association laid claim to around 240,000 hectares (600,000 acres) of land, as ‘beautiful’ and ‘as rich ... as I ever saw’, with ‘grass of the best description’, wrote a jubilant Batman.¹⁵ At the northern end of Port Phillip Bay, Batman located a party of Wurundjeri (or, more likely, was located by that party), and six of the senior men made their mark on a treaty prepared in advance by Batman: he later argued that they fully understood that they were signing over their lands in exchange for an annual tribute of tools, blankets and rations. Whatever the true meaning of the agreement for the Kulin,¹⁶ it was invalidated in London in January 1836 on the grounds of prior claim to the territory by the British crown. But in their judgment, Justices Burge, Follett and Pemberton invited the Port Phillip Association to avoid being ‘ousted’ from their new estate by making application to government laying out ‘every ... circumstance connected with the acquisition’.¹⁷

Those circumstances, as publicised by George Mercer, the Association’s advocate in Britain, gave finely tuned prominence to the Association’s ‘philanthropic’ and evangelical motives, and to the ‘understanding’ of agreed terms that Batman had been advised by Sir George Arthur (Lieutenant Governor at Van Diemen’s Land) to secure with the Aborigines of Port Phillip.¹⁸ Mercer was able to report in April 1836 that

15 Batman Journal, May-June 1835, SLV MS 13181: 31, 32.

16 While Batman’s claim was surely exaggerated, Robert Kenny has argued (Kenny 2008: 38.5, 38.7) that the claim may not have been without some merit: that the Kulin signatories may have sought to ameliorate what they recognised as the inevitable occupation of their Country (having ample foreknowledge from northern neighbours) and have entered with deliberation into an agreement with Batman, enacted through a coincidence of mutually misconstrued rituals, with the intention of negotiating and limiting the inroads of the newcomers and obtaining coveted technologies. Indeed, William Thomas’ journal records a statement made late in 1839 by Billibellary, one of the signatories to Batman’s ‘treaty’, that suggest that the failure of later-comers to honour Batman’s agreement was a source of discontent amongst the Kulin clans. ‘31 December 1839. I press’d them hard to leave but to no effect, they said that Borak Gago, plenty long time ago Black fellow Burrow long time nge. Mr Batman &c &c gave Plenty Yellow [Nilra?] Curran &c &c like now Plenty for Goldbrn & Port Phillip Black fellow Melbourne.’ See also Thomas’ Quarterly Report of 1 January 1840 in which he reported that Billibellary had complained about the lack of rations and the pressure on the clans to leave Melbourne, and asked ‘why you want Blackfellow away, plenty long time ago Mereguk Batman come here Blackfellow stop long long time all Black fellow, plenty bread plenty sugar, Blanket &c’: Thomas Quarterly Report, 1 January 1840, Public Record Office Victoria (PROV) VPRS 11, item 292. Similar claims are made in relation to the New Zealand Treaty of Waitangi in Morris 2014 (forthcoming): 60.

17 Opinion of Justice Burge, 16 January 1936, Redmond Barry Papers, ‘Table of Cases &c’, SLV MS 8380, Box 597/2.

18 ‘Sir George Arthur’, in *Australian Dictionary of Biography* (AGL Shaw, 1966). Saxe Bannister, Attorney-General of NSW 1823–26, also advocated a treaty as being ‘indispensable towards ensuring justice to the Aborigines’ of New South Wales: Bannister letter to Buxton, August 1835, in House of Commons, 1836, Minutes of Evidence on Aborigines (British Settlements), p.177.

Buxton, unsolicited ... by me, has, on perusing the documents tendered his advocacy in the House, in support of the system we have adopted in reference to the natives, declaring that he will never acknowledge a right to deprive them of the lands, without compensation, protection, food, &c¹⁹

Arthur (who had long-standing connections with Buxton and with Lord Glenelg and James Stephen at the Colonial Office),²⁰ Batman, Mercer and the British judges had rightly wagered that Buxton's concern for the territorial rights of the colonised would be tempered by the offer of compensation as laid out in the treaty, but more so by the Association's plan to send missionaries to proselytise amongst the Aborigines at Port Phillip. Despite the formal invalidation of the treaty, Batman's venture at Port Phillip was assured of continuation when, in June 1836, Buxton and the secretaries of Britain's most prominent mission societies jointly laid out, before the Aborigines Committee, a calculus of imperial humanitarianism in which the transmission of Christianity was measured as both 'fair and adequate compensation' for the appropriation of Aboriginal lands, and, happily, 'as the only compensation we can afford'.²¹

Amongst the documents circulating in London in 1836 in support of Batman's 'treaty' was testimony taken from William Buckley in August the previous year by the Association's surveyor, John Helder Wedge, confirming the Aborigines of Port Phillip as infanticides, a claim perfectly calculated to commend them to British humanitarians as a people in dire need of Christian salvation. Under questioning from Wedge, Buckley had readily agreed that infants were unceremoniously killed by their mothers due to

the custom the women have of nursing their children till they are three or four years old; to get rid therefore of the trouble and inconvenience of finding sustenance for two; should a second be born before the eldest is weaned, they destroy the youngest immediately after it is born; [otherwise] ... from mere wantonness; and as it would seem to us ... a total absence of maternal feeling.

'One woman in particular', Buckley allegedly told Wedge, 'had destroyed ten of her children', the last but 'a few days previous to my [Wedge's] arrival at the Port'.²²

19 Mercer to Robertson, 23 April 1836, in Mercer Papers, SLV MS 8519, Box 991/4 (b).

20 Lester and Dussart 2008: 210.

21 The joint testimony of the mission society heads on 6 and 8 June 1836 progresses from their condemnation of the colonial project overall due to its ill effects on Aborigines, to a conclusion that only through missionary endeavour could the Aborigines of Port Phillip be saved. It was Buxton who assisted them out of the dilemma into which they had argued themselves. House of Commons, 1836, Minutes of Evidence on Aborigines (British Settlements): 481–516, especially, p. 516.

22 Mr Wedge's Narrative of an Excursion Amongst the Natives of Port Phillip', SLV MS 6332, MF 63.

The likelihood that Buckley could accurately enumerate the sequential killing of infants across decades, and the 'just missed' quality of the testimony as mediated through Wedge, might suggest the operation of motives other than 'good witnessing' here, on the part of both Wedge (arguing for the Port Phillip Association's territorial claim) and Buckley (arguing for a pardon); yet Buckley's testimony fed the humanitarian claims of the association too well to be queried. Buckley was soon pardoned and appointed as interpreter and superintendent over the tribes at Port Phillip.

In concert, these high-level revelations at 'home' and in the colonies, positioned infanticide as a defining aspect of Aboriginal culture. Like the people of the sub-continent, by the mid-1830s the *Australians* were deemed to be infanticidal, and the children of the Aborigines, in particular, emerged as subjects requiring humanitarian intervention.

By 1836 missionaries were active at Port Phillip. On 20 April 1836, Reverend Joseph Orton of the Wesleyan Mission Society arrived from Van Diemen's Land. Almost immediately, he wrote, 'I met the celebrated Buckley ... I hope to be able to obtain considerable information from him'. Buckley obliged with a by now well-rehearsed narrative.

I gather[ed] several interesting facts regarding the natives [from Buckley].
... I was shocked to learn, not only that they are cannibals, but that ...
[t]hey are frequently in the habit of devouring their own offspring.
When they happen to have a second child unable to walk, from the great
inconvenience of carrying them in the course of their wanderings, one of
them is sacrificed and eaten by the parents.²³

Over the course of the next few days, Orton also met a party of Aborigines encamped near Batman's hut – and 'I succeeded in making them understand that by and by white men would come to teach their children to read and write, which pleased them much'.²⁴

In August Orton reported to the Wesleyan Missionary Society in London that he had 'pointedly and repeatedly' interrogated Buckley and had no doubt that they practised infanticide: 'my own observation of the disparity of years between children of the same parents at least collaterally supports the fact'. He also reported the interest of the Aborigines in having their children taught to read and write.²⁵

Arriving at Port Phillip in January 1837, under instruction to establish an Anglican mission, George Langhorne also interrogated Buckley on the subject of infanticide, but Langhorne's account indicates some moderation in Buckley's testimony. Rather than the wanton killers of incommensurable infants, Buckley now recounted that the people who had given him succour had large families and

²³ Orton, Journal, 20 April 1836, SLV PA 94/23.

²⁴ Orton, Journal, 23 April 1836, SLV PA 94/23.

²⁵ Orton, Letterbook, August 1836, SLV PA 94/23.

were 'much attached' to their children; that they practised a form of ritualised mortuary cannibalism on the bodies of slain adversaries; and that 'they eat also of the flesh of their own children to whom they have been much attached should they die a natural death'.²⁶ In this account there was no mention of customary infanticide, and no infants under familial threat. What motivated Buckley to construct his various accounts (and how far his accounts were modified in transmission) can only be guessed at, but there is a clear reining in of his account between 1835 and 1837. But this moderated rendition could hardly compete with the sensational and instrumental first take, which circulated through the mythos of Australian savagery well into the twentieth century.

In its final report of 1837, Buxton's committee called for the establishment of an 'Aboriginal protectorate' at Port Phillip. A rudimentary plan for a protectorate in New South Wales had come from both John Dunmore Lang and from Sir George Arthur. In a letter to Buxton in 1834, Lang had suggested the appointment of a 'suitable person as Protector of the Aborigines' and 'a Board of Protection, to consist of certain officers of the Government, certain ministers of religion ... and certain private gentlemen in the colony, distinguished for their active philanthropy'.²⁷ Sir George Arthur, in London during 1837, was put in charge of recruiting the personnel for the venture.²⁸

Amongst those chosen by Arthur to serve as one of four Assistant Protectors under Chief Protector George Robinson (Arthur's ally in near-genocide at Van Diemen's Land) was William Thomas, a middle-aged London schoolmaster with patronage in Buxton's evangelical circles. Appointed in December 1837, Thomas, his wife Suzannah, and their four children, arrived at Port Phillip on 3 January 1839. Thomas' Port Phillip journal, extending from 1839 to 1867, records the prevalence of settler belief in Aboriginal infanticide, and allows us to trace the changing course of Thomas' own position regarding the purported practice – from initial disbelief, to an (at times wavering) affirmation even in the face of consistent denials and countering testimony from Aboriginal women and men themselves.

Thomas' initial position was that the widespread settler belief in customary, wanton and frequent Aboriginal infanticide was scurrilous and unfounded. In May 1839, and in close daily contact with the Kulin tribes encamped in Melbourne, he noted the care of a mother for her sick child, remarking that such tenderness

puts a lie upon that Sydney Journal who has asserted that the Aborigines of Australia are less than the brutes in the scale of Existence void of natural affection, destroying their own offspring to save them the trouble of rearing them.²⁹

26 Langhorne 1837, *Reminiscences of James Buckley...*, SLV MS 13483.

27 Lang to Buxton, 10 June 1834, in House of Commons (Britain), 1836: 683.

28 Lester and Dussart 2008: 210.

29 Thomas Journal, 19 May 1839, ML MS 214, Reel 1, frame 52.

Yet in the face of popular opinion, and the anticipation by the Colonial Surgeon, Dr Cousins, of the inevitable extinction of the tribes of Melbourne if the spiralling death rate could not be halted,³⁰ Thomas began to reconsider his position.

On Thursday 13 February 1840, he was alerted to the death of a child in the Melbourne encampment by the lamentations of a woman whose child 'had died just before daylight' and was yet 'quite warm'. The child's father had wrapped it in his own blanket and, Thomas wrote: 'I endeavour'd to unwrap it ... but they seemed very unwilling. I hesitated by observing how warm the child's head felt but they assured me Weakun Picky Picky ... & they seem much concerted at my suspicions', meaning that they assured him the child had died, and made it clear to him that they were aware of his simmering suspicion of infanticide. In this instance Thomas drew back and, perhaps apologetically, wrote in the margin of his journal: 'Ridiculous has been the sayings of some writers that they kill & eat the first child or burn it'; but his suspicion was now aroused, and he also noted, unkindly, that they 'soon forget their Dead'.³¹ In the light of later expositions on infanticide, Thomas' inclusion of the Kulin word 'weakun', with its clear meaning here of 'dead', or 'is dead', is of significance, and I will return to it later.

Late in September 1842, Thomas noted in his journal the return to the principal Melbourne encampment (by now at the Merri Creek) of the Woiwurrung man Nerrim Kurruck 'without his Child, says he died in the bush at Beal, but I fear been killed'. The male infant, in Thomas' opinion, had likely been 'put out the way 2 d[a]ys back', but Thomas allowed the matter to go by, only renewing his private vow to 'spiritualize these people'. In the following week, he observed the ceremonial exchange of a child, from a family with surviving children to a childless man — the Brandoo ceremony — noting 'the agitated ... feature of the poor Mother' whose child was to depart.³² For Thomas, the ceremony highlighted both the attachment of the women to their children and the dearth, now, of young children amongst the clans.

In February 1843, with most of the surviving Woiwurrung now working to bring in the harvest at the Nerre Nerre Warren Aboriginal station some 40 kilometres south-east of Melbourne, Kurboro informed Thomas that his sister's female child, born three days previous, had died. His suspicions again aroused, Thomas asserted his authority to interfere at such grievous times, and 'examin[ed] ... the body ... very carefully in the presence of several White persons'. It was Thomas' wife Suzannah who offered the opinion, supported by all the Europeans present, that the child had died a natural death brought on by convulsions. 'The Body [was] wrapt again in what it died in ... [and was] accompanied to the grave by its Mother, Uncle, Brother, Aunt & [its father] Nunuptune'.³³

30 Cousins in Thomas Journal, 6 May 1839. The prospect of 'extinction' was also raised in correspondence: Robinson to Thomas, 16 September 1839, SLV MS 14624, Box B 'Officials Rec'd/ Official Communications 1839', letter no. 150; and in Thomas draft response to Government Circular of September 1841 in Thomas Journal, ML MS 214, Reel 2, frame 351.

31 Thomas Journal, ML MS 214, Reel 2, frame 57–58.

32 Thomas Journal, 23 and 26 September 1842, SLV MS 14624, Series 1.

33 Thomas Journal, 11 February 1843, SLV MS 14624, Series 1.

In the spring of 1843, with the dearth of young children and infants in the Kulin population now evident to all, Thomas directly interrogated Billibellary, the Woiwurrung *ngurungaeta* (headman), on the subject of infanticide, and Billibellary, according to Thomas, confirmed the practice. Thomas' first record of Billibellary's 'confession' is in his private journal:

7 October 1843. I have a long Conversation this day with Billibellary, on the Subject of Killing there [sic] Infants when born, he acknowledged it was so, & named those who had had children since I had been among them 8 in My tribes only, and only his Suzanna alive, he said they done it with a Cord Generally but sometimes by putting a Koogra all round its head, he said that Black Lubra's say now no good Children, Black fellow say No Country now for them, very good Weikite & no more come up Pickaniny. I pointed out to him the wickedness of the practice that God would ask all those Lubras when they died where those Children were that they killed. Billibellary promised that he would endeavor to make them let their Children live, he said that there were 3 who would soon have pickaninys, Murry, and he would see that [ENDS]. [Margin Note: Billibellary's Confession, On the awful Infanticide that had existed among them, and stated the Cause, & his promise]³⁴

In his quarterly report to Superintendent La Trobe, composed early in December 1843 some seven weeks later, Thomas reiterated Billibellary's 'confession', with minor variation only, adding that Billibellary had asserted it was 'the lubras [who] made away with them', and (in response to Thomas' pressing them to settle down at the Nerre Nerre Warren station, many miles distant from their chosen place on the Yarra at Bulleen) that:

He [Billibellary] said if Yarra Blackfellows had a country on the Yarra that they would stop on it and cultivate the ground. He told me that there were three lubras who would soon have pickannineys and he would see that they did not kill them.³⁵

Thus, by late 1843, Thomas had come to believe the prevailing view that infanticide was impacting on Aboriginal populations to such an extent that extinction now loomed. But in linking infanticide to loss of country (as had Billibellary), Thomas moved the discourse onto a more sympathetic terrain than it usually occupied amongst settlers, with a readily available remedy consonant with the mission of the Protectorate and Thomas' own: of converting the Kulin and their children into respectable, Christian, farmers and artisans, permanently settled on land reserved for their use. There was, Thomas told Billibellary, 'country enough for Black and White people if they would but stop in one place'.³⁶

34 Thomas Journal, ML MS 214, Reel 3, frame 99.

35 Thomas to La Trobe, Quarterly Report 1 December 1843, PROV, VPRS 4467, 1840-1849 Victorian Aboriginal Protector Returns. See also Broome 2005: 32-33.

36 Thomas to La Trobe, Quarterly Report 1 December 1843, PROV, VPRS 4467.

This multiform record of Billibellary's 'confession', from Thomas' private journal and from his official quarterly report to Superintendent La Trobe, has been reinscribed into modern historiography by Broome (2005) and by Fels (2010) as evidence that women were killing their infants in despairing response to dispossession. Both have adopted Thomas' sympathetic approach to the purported upsurge of infanticides. Broome argues that such acts were 'clear indications of the despair that colonisation had wrought among the Kulin'; Fels sees them as a response to the 'bitter realisation ... that they had lost their country' and that any meaningful future could not be imagined without their country for their future children. It was, Fels argues, 'not merely a matter of dispiritedness, or dejection or depression ... [but] a positive choice about identity'.³⁷

And yet Thomas' journal contains later entries that undermine a too ready acceptance of the tragic agency of Billibellary's 'confession' (as passed to us by Thomas), even in its sympathetic, humanitarian, or post-colonial rendition.

Following the conversation of 7 October 1843, Thomas determined to stop the 'killings' in alliance with Billibellary. He recalled many years later that on that evening Billibellary harangued the tribes 'upon the subject, and in forceable language, and I was in hopes that he had succeeded'.³⁸ But Billibellary was unsuccessful, for some weeks later, on Monday 18 December, Thomas was alerted to another infant death when 'Jack's lubra appears in Encampment without her infant'. 'I accuse her of killing it she denies it says it was bad in the chest & all over Buberum & died 14 days back.'³⁹

In mid-January 1844 Thomas again suspected infanticide. In his journal he noted that he had not seen the infant 'Queen Victoria' or her mother for some days and that, on enquiring their whereabouts, had been told the child had died. As women came into the encampment on the northern fringe of Melbourne he questioned them on the child's fate. 'Sunday 21 January 1844 ... Question Eliza touch[ing] poor Queen Victoria but she persists that it died. I very much doubt it. O Lord look down upon these people.'⁴⁰

A week later (28 January 1844), Thomas angrily accused Billibellary of not intervening to prevent the death of Queen Victoria. Billibellary reiterated the women's account of the death: he (Billibellary) 'assures me that the Child lately dead was not killed that it was very bad a whole day & night & that the mother did not kill it he would take me to where it was burried'.⁴¹ Thus in the first two instances of suspected infanticide immediately pursuant to Billibellary's 'confession', the accusation was denied, and the cause of death clearly attributed to natural (or rather, introduced) causes.

37 Broome 2005: 32; Fels 2010: 26–27. Fels' interpretation relies in part, though not entirely, on a mistranscription of the word 'weikite' as 'we kill', as discussed below.

38 Fels 2010: 27, 26–31. See also Thomas Papers, ML MS 214, Reel 21–22, frames 48–9.

39 Thomas Journal, ML MS 214, Reel 3, frame 147.

40 Thomas Journal, ML MS 214, Reel 3, frame 166.

41 Thomas Journal, ML MS 214, Reel 3, frame 169.

Thomas was undeterred. He continued to harangue the women through the autumn and winter of 1844 as more infants died. On Sunday 19 May 1844 he used his morning service to

point out the anger and Determination of God to punish he who ever kills their Children, they paid great attention, & to my surprise about an hour after many came to my Quarters to hear more of White Mans Laws of Murder.

It was, he noted 'a profitable Sabbath'.⁴²

But not so profitable, for the 'killings', as he saw them, still continued. On 15 June 1844 he found that Tallenmun of the Loddon River tribe,

has left for the Bush, I fear to sacrifice her poor child, my suspicion was heighten [sic] by seeing the husband with fresh daubs of mourn[in]g. I questioned him very closely but he said she was merely gone with some lubras to get bandagecoots [sic] &c for skins for sale.⁴³

Five days later Tallenmun returned to the encampment without her infant. When questioned by Thomas

she appear'd in great distress & said the child was dead. I was very hasty to her & said Oh you wicked Mother you have Killed your poor little babe that suck milk from your breast. When You Die Pungil Marmn will ask you where your little baby, her heart seem'd full, poor creatures.⁴⁴

There can be little wonder that women and their husbands resisted Thomas' insistent and intrusive efforts to know where their infants were buried. He had, in times past, interfered with burials, and bodies had been exhumed for examination by prying whites to the horror of grieving parents; and now, too, he sought to have the body examined by the Colonial Surgeon 'for satisfaction'.⁴⁵ Little wonder then that Tallenmun

was very anxious to make me believe that the Child died, but would not take me to where she had burried it, I found her in Mourn[in]g, turn[in]g to her husband I beg'd that he would shew me where the child lay but he pretends that only the Old Woman knew.

While in other instances, Aboriginal men and women had simply closed off the conversation with this intrusive 'protector', in this instance, the child's father Nerremunun/Morgan, proposed his own counterpoint to Thomas' accusation of infanticide by 'return[in]g the Box of ointment' that Thomas had provided for the treatment of the ailing infant, and proposing instead to Thomas

42 Thomas Journal, ML MS 214, Reel 3, frame 188.

43 Thomas Journal, ML MS 214, Reel 3, frame 194.

44 Thomas Journal, 20 June 1844, ML MS 214, Reel 3, frame 195.

45 Thomas Journal, 21 June 1844, ML MS 214, Reel 3, frame 196.

that it was that [the ointment] that kill'd it. ... [Nerremunun] 'took out the Box, on looking at it I found that not a morsel of it had been used I took the box stating that if he or his Lubra did not take me to where the child was burried that I should always say that his Lubra & the Old Woman had killed the child.

Later the same day Thomas returned to the encampment and again 'endeavor[ed] to get out of Nerremunun where the child was burried but in vain, all I could get from him was that it was burried, and not burnt'.⁴⁶

On Saturday 22 June 1844, Thomas again went early to the encampment, and later 'Wait[ed] on the Col[onia]l Surgeon & report[ed] touch[in]g the child & my fears' and requested that he also join the search for the body. This hunting party appears not to have located the infant's grave, as the death was recorded in Thomas' end of year table of births and deaths as due to 'suspected infanticide', aged 20 days.⁴⁷

In mid-August 1844, the Mount Macedon people visited Melbourne and, observing the ceremonial signs of mourning on the face of a woman, Thomas again recorded his

fear she has killed her suckling infant, Infanticide is in my opinion much on the increase they say 'no country, no good pickaninee' O Lord stretch out thy delivering hand to save these poor creatures.⁴⁸

Some weeks later, in September, Ningollobin joyously reported to Thomas that he had a son, born four days earlier at Bacchus Marsh, at Captain Backhouse's station. The child's mother was Toulomn.⁴⁹ Five weeks later the infant was dead. On 3 November 1844, Thomas recorded a conversation about the death of this child with the senior woman Murrun, which indicates that the women themselves — those so flatly accused of being infanticidal killers — were struggling to formulate explanations for the torrent of infant deaths that now swept over them.

A conversation with Murrun this day is worth recording. She said 'that Tolomes [Toulomn's] pickaninie was dead, that that Lubra not like other Lubras sit down on Sundays but means all the time she was pregnant would walk about big one Sunday that White Mans God very angry & when the child was born all over sores & only live one moon Big one Sulky Pungil Marman because she no narlummy Sunday'. I gave suitable remarks to Murrum & stated that it was useless her resting on Sunday if she did not think of God.⁵⁰

46 Thomas Journal, 20 June 1844, ML MS 214, Reel 3, frame 195.

47 Thomas Journal, table at 31 December 1844, ML MS 214, Reel 1, frame 284.

48 Thomas Journal, 14 August 1844, ML MS 214, Reel 3, frame 217.

49 Thomas Journal, 28 September 1844, ML MS 214, Reel 3, frame 43.

50 Thomas Journal, 3 November 1844, ML MS 214, Reel 3, frame 235.

In this counter-explanation, as put to Thomas by Murrin, it is not the actions of Aboriginal women but Thomas' powerful 'white man's god ... Pungil Marman' that is proposed as the agent of the infant deaths. Toulomn, posits Murrin, had refused to participate in Thomas' Sunday services, had continued to 'walk about' on the Sabbath, and as punishment, her child had been born with the signs of congenital syphilis and had died before it was a month old. The god that brought the Europeans, and with them white flour, tobacco, sugar, hunger and sickness, has perhaps also the power to punish those who did not observe the Sabbath in the right manner. It is a powerful argument in the face of such enormous change; but it also points to the struggle of women themselves to make sense of the malign forces that had beset them. That they sought for an explanation in the new suggests that infanticide was not the cause of their infants' deaths, but also that they apprehended that deaths mediated by Thomas' malign and retributive god might perhaps be controlled with Thomas' aid. Indeed, Murrin's explanation sits in a field of explanation not at all dissimilar to Thomas' own worldview: one in which numinous forces impressed themselves directly on human lives, and in which right action — however perceived — might mollify godly wrath. Seen in this light, the connection drawn by the women (and reiterated to Thomas by Billibellary) between the loss of Country and the loss of their children need not turn on active human intervention. Instead, it is a natural articulation of effect and cause in a world turned upside down. As Billibellary had said, 'now no good Children, Black fellow say No Country now for them, very good Weikite [dead] & no more come up Pickaniny'.

In his official return of 30 November 1844 Thomas reported: 'Infanticide I am persuaded is now awfully on the increase, *tho it cannot be detected*. Their argument has some reason no good Pickaninys now no country'.⁵¹ From his own records he tallied 76 deaths (all ages) and only 12 births across the six years that he had acted as protector to the Kulin, and as far as he knew, only one infant had survived.⁵² Extinction surely loomed but the cause of the infant deaths was still uncaptured.

In September 1845, Thomas began preparing notes towards a proposed book on the 'customs and manners' of the Aborigines. In those private notes he rehearsed the by-now orthodox infanticide brief: that women showed little compunction in disposing of female infants in particular, and that it was done by strangulation or smothering. But he added, with a modest qualification that suggests some continued, nagging uncertainty, that 'if the child is not made away with before the next new moon, it is generally allowed to live, altho' I have known instances (*I have had every reason to expect*) of their being destroyed after this date (vide Queen Victoria)'.⁵³ Ironically, it is Thomas' stealthy qualifiers that position him as a good witness in this search for truth, for after two years of close interrogation of Aboriginal women he had not found 'ocular' proof.⁵⁴ Perhaps he also took heed

51 Thomas Quarterly Report, November 1844, ML MS 214, Reel 1, frames 285–286, italics added.

52 Thomas Papers, ML MS 214, Reel 1, frames 284–6, 'Outline of sundry reports ...'.

53 Thomas Papers, ML MS 214, Reel 3, frame 43, italics added.

54 Sanborn 1998: 6.

of the conversation with Murrin and the other women and men who challenged his accusations, for by the time his notes turned into a pair of articles on the 'manners and customs' of the Kulin in the *Port Phillip Patriot* in January 1845 (15th and 24th) his comments on infanticide were even more circumspect: he wrote only that infanticide was limited to the despatch of infants whose mothers died while they were as yet unweaned.⁵⁵

And yet, this circumspection was short-lived. In response to a circular issued in September 1845 by a Select Committee of the NSW Legislative Council bent on winding up the Protectorate, Thomas wrote unequivocally:

[Infanticide] is [known among them], and I fear a growing evil; they were ever accustomed to destroy the fruit of the womb till a male was born, but now, I have reason to believe that male and female are alike destroyed; one chief has acknowledged to me that he has no power to stop it; the blacks say 'no country, no good have it pickanineys'.⁵⁶

With the Protectorate under concerted attack from settlers who argued, in petitions to the New South Wales legislature, that the rights of Aborigines were held above their own rights and that its cost was exorbitant given the parlous state of the local economy, and with the humanitarian mission to civilise and Christianise the Aborigines now widely derided by settlers,⁵⁷ Thomas was under some pressure to present himself as a man of authority and objectivity about Aboriginal matters. He leaned, therefore, away from his own inconclusive witnessing towards the orthodoxy of the infanticidal savage. Perhaps, too, he may have perceived some benefit in arguing that they would soon be extinct through their own devices rather than through any failure of action on his part. But Thomas was not a man to plot and prevaricate, and the emotional centre of gravity in this response is in the unhappy inevitability of *his* failure and *their* disappearance. Thomas' authoritative confirmation reappeared in William Westgarth's *Report on the Condition, Capabilities and Prospects of the Australian Aborigines* published in Melbourne in 1846, and in his *Australia Felix* published in London and Edinburgh two years later. Infanticide was prevalent and 'established beyond any reasonable doubt' and was 'systematically pursued' by the Aborigines of Victoria, wrote Westgarth, one of Port Phillip's leading citizens.⁵⁸ Notably, Westgarth passed over replies to the committee from correspondents who declined to confirm the practice.

55 Thomas, 'Manners and customs of the Aborigines', *Port Phillip Patriot*, 24 January 1845.

56 New South Wales, Select Committee on the Condition of the Aborigines (NSW, Legislative Council, *Votes and Proceedings*, October 1845, replies to circular: 56). See also Victoria, Select Committee on the Aborigines (Victoria, Legislative Council, *Votes & Proceedings*, 1859: 10, 12) in which William Hull attributes virtually the same statement to the Boonwurrung headman Derrimut in the mid 1850s. (Compare Fels 2010: 25–26).

57 Lester and Dussart 2008: 210–213. For the cost of the Protectorate and the drastic cut in its budget in 1843, see Auditor General's report appended to New South Wales, Select Committee, October 1845. Thomas' reply to the circular: 55–58.

58 Westgarth 1846: 14; Westgarth 1848: 59.

Thomas recorded two further episodes of suspected infanticide. On 8 September 1846, at the Merri Creek encampment, he noted that Kitty's infant was gone,

she says been dead 3 d[a]ys, have my doubts of it, she nor her husband will not tell me where they have buried it, I feel very dissatisfied but the poor woman is so ill that I dare not too much frighten her, get home by 5 o'clock, much regretting the little infant, who I fear is put out of the way.

Two months later, Billibellary's daughter arrived at the Merri Creek encampment, 'much affected' and daubed in mourning clay following the death of her father, and without her infant. 'Poor innocents', wrote Thomas, 'I fear all are put out of the way.'⁵⁹

Beyond 1846, Thomas' journal contains no further reference to suspected infanticides, but publicly he continued to urge it as a partial explanation of Aboriginal population decline, always making the connection between the alleged despatch of infants and the loss of country. In reply to the circular issued in 1849 by yet another select committee of the NSW Legislative Council intent on winding up the Port Phillip Protectorate, Thomas positioned infanticide as one, but one only, of the causes of Aboriginal population decline. He attributed their decline,

First to their connexion with the white population bringing the venereal disease; ... when I came among them, old and young, even children at the breast were affected with it; I have known hapless infants brought into the world literally rotten with this disease. Second, a redundancy of males, and debauchery among themselves. Third, their indifference to prolong their race, on the grounds as they state, 'of having no country they can call their own', hence should there be a birth the infant is artfully put out of the way.⁶⁰

But in his private journal, where his thoughts went unwitnessed, Thomas continued to record his uncertainty on the subject. His responses to enquiries from the Victorian Select Committee on Aborigines of 1858–59 are a case in point. Testifying before the committee on 1 November 1858, Thomas stated, 'We have only one child left, ... I do not say they have not had children, but they have been made away with.'⁶¹ In his written response to the circular of that committee, as printed, he replied, with equal clarity: 'it does [occur], and that to an almost universal extent'.⁶² But Thomas' private papers contain a longer, more detailed draft of his response to the circulated queries of 1858, which tellingly records, yet again, the lack of objective proof behind his public declarations. 'Infanticide', he wrote, 'has existed among them [due] to the releasing them of the trouble in rearing their offspring', he again recounted Billibellary's admission 'that

59 Thomas Journal, ML MS 214, Reel 3, frames 376, 398.

60 New South Wales, Select Committee on the Aborigines and Protectorate (NSW, Legislative Council, *Votes and Proceedings*, September 1849: 55).

61 Victoria, Select Committee 1859, minutes of evidence: 3, Q 47–48.

62 Victoria, Select Committee 1859, replies to circular: 51 (Division II, Q 18).

he could not stop it', he reiterated Billibellary's linking of the deaths to loss of country, and he noted that most deaths occurred 'about the 21st day after birth'. But he added:

I never had but one (almost evident) case of infanticide under my observation. I was far away on the trail to Gippsland. At day break I heard the lamentation of death ... and went direct to the lubra who had had an infant about 3 weeks. She was in great (apparent) anguish but no babe. I insisted on seeing it when she pointed to a little fire about 30 yards off, and there sat the old woman who had been the nurse, with the little innocent wrapped over and over again, and corded up for internment. I with my knife cut the cords. The child was still warm but life had gone, smothering, (as no marks of violence was on the body) is in my opinion the way they despatch them. I may here remark that tho' I feel persuaded almost all since I have been among them have been made away with, yet such is their knowledge of my abhorrence, that when the infant is 14 or 15 days old will with a few others leave the encampment & return in about a fortnight invariably without their babe, their faces in deep mourning.⁶³

That Thomas believed that infanticide occurred cannot be doubted; but as one of the most proximate European witnesses in this colonial precinct, he is candid, in his private writings at least, in recording the lack of objective proof underpinning that belief. Against Billibellary's 'confession', and the probability that, if killings did occur, women would have hidden them from Thomas' prying eye and hand, we must balance the search by Murrin and Nerremunin for alternative explanations for the infant deaths and the barrenness that threatened the very survival of the tribes. Murrin was a woman of an age to have been directly involved in such killings if they occurred, and was therefore well positioned to know the truth of the matter. Her accusation to Thomas that it was his 'sulky' god that caused the deaths ought to stand against the unstable testimonies of Buckley and Thomas, and even that of Billibellary. The 'truth' lies in Thomas' *objective* record of events at Port Phillip: that these purported killings remained forever unseen by white eyes.

Finally, it is necessary to return to Billibellary's 'confession' of October 1843, linking the deaths of newborns to the loss of country. The likelihood is that some part at least of this conversation was held in the Woiwurrung language — with all the power of translation adhering to Thomas — because he gives us the phrase 'very good, weikite' in his journal entry.⁶⁴ The word 'weikite', which

63 Thomas Papers, ML MS 214, Reel 21–22, frame 48–9, undated [1858], italics added. See also Fels 2010: 30–31.

64 Similarly 'weakun' in the entry of 13 February 1840, above. The word 'weikite' is consistently translated in nineteenth-century word lists as the passive 'dead' or 'is dead', and not the active, 'kill'. See William Thomas, John Green and Edward Eyre in Smyth 1876, II: 100, 119, 127, 165, 168. See also, Mathew 1899: 205, 232–233 and compare words for kill (table p. 258). Thomas also gives 'Ber-bern Weakinner — hang till dead' amongst words and phrases for use amongst prisoners in Melbourne Jail, Thomas Papers, ML MS 214, Reel 21–22, frame 37.

runs off the edge of the page in the manuscript, has recently been transcribed as 'we kill', leaving readers in no doubt about the actions of the women.⁶⁵ But linguists at the Victorian Aboriginal Corporation for Languages (VACL) have unhesitatingly identified the word as *weikite*, meaning 'dead', or 'are dead'. Hence, 'very good weikite and no more come up pickaniney': [it is] very good [that the children are] dead; it is right that the children are dead and no more are coming due to the loss of country. The causal link between the deaths of newborns and the loss of country folds readily into Kulin explanatory fields, requiring no active intervention by 'killing' mothers. The passive voice here, perhaps not just coincidentally, echoes Thomas' statement of 1858 that the infants 'have been made away with'.

If we suspend the infanticide explanation momentarily, an explanation for the rash of infant deaths is at hand, one requiring no intervention against viable infants by wanton killers. Thomas himself told the New South Wales Select Committee of 1849 that he had seen children born 'literally rotten' with congenital syphilis, and the reports of Henry Jones, medical dispenser to the Aborigines at Thomas' Nerre Nerre Warren station in 1842–43, also confirm the prevalence of syphilis amongst men, women, children and infants.⁶⁶ Untreated syphilis is marked by miscarriage, stillbirths and deaths of newborns often within weeks of birth following the onset of 'the snuffles' and the eruption of mouth lesions which render suckling impossible leading rapidly to severe malnutrition and death. While newborns may show no symptoms, skin lesions are common, and death commonly occurs around three weeks after birth.⁶⁷ The symptoms closely fit those described by Murrin as pertaining to Tolome's newborn: 'born all over sores & only live one moon'. And this came in concert with other infectious diseases brought by the Europeans that severely compromised the viability of infants. In short, as an explanation for the severe decline in the number of infants and children amongst the Aborigines at Port Phillip during the 1840s, infanticide is extraneous.

The British humanitarian movement, which reached the peak of its influence over colonial policy in the mid 1830s, contained inherent tensions between the logics of evidence that pointed to the ills of colonialism and its bid for new domains for Christian evangelism. In the face of ethical and economic arguments against colonial expansion (fostered with some vigour by humanitarians themselves), evangelical humanitarians asserted a moral obligation to protect, civilise and Christianise the 'natives' of the empire. As the heads of the principal British mission societies argued before Buxton's committee in June 1836, the transmission of Christian knowledge and salvation was just compensation for the unstoppable occupation of native lands. It was at best a shaky logic, but was ably reinforced by the layered construction of the trope of infanticide that pitted innocent infants against their savage, ungodly mothers. Emissaries of Batman's

65 Fels 2010: 26. See also Stephens 2009: 190, in which the word was noted as 'illegible'.

66 Jones to Robinson, 1842, PROV VPRS 12 on microfilm VPRS 4467, unit 3, 5; PROV VPRS 12/PO, unit 4, bundle 13, item 52; PROV VPRS 4410 on microfilm VPRS 4467, unit 2, items 48–51.

67 Hazen 1923: 96–97; Top and Wehrle 1976: 678–681.

Port Phillip Association, and the first missionaries to set up at Port Phillip, happily circulated Buckley's testimony about infanticide. Other influential colonists reinforced the connection between infanticide and the decline of a people who seemed simply 'to wear out, and ... decay' before colonial 'progress'.⁶⁸ A decade later, the same discourse rationalised the failure of colonists in general and the officers of the Protectorate in particular, to prevent the decline in the Aboriginal population.

If the available evidence cannot prove that infanticide was *not* deployed by Kulin women, either as a matter of custom or as an act of tragic agency in response to the loss of their country, we ought at least accept that the evidence for its occurrence is weak and almost invariably based on hearsay. Buckley's unpublicised recantation of 1837 held no sway against the enabling testimony transmitted to London by Wedge and the Port Phillip Association in 1835. William Thomas' unstable witnessing points to the power of the discourse to self-construct across colonial domains, yet it also provides a poignant record of the struggle of Aboriginal women and men to make meaning out of the tragedy that had befallen them. Theirs too is an unstable construct, sometimes associating the loss of their children with the loss of their Country, and at other times with the malign machinations of the new world in which they found themselves. This is a discourse that contributed materially to the fashioning of the Aborigines as a dying race ripe for territorial replacement, and gave warrant to humanitarian projects of protection that carried colonisation forwards. It is a discourse with such power to shift the eye from well-established causes of Aboriginal population decline in the early colonial period to things unseen, that modern scholars would do well to note the lack of objective evidence attaching to it.

References

Archival sources

Mitchell Library

Thomas, William Papers, MS 214.

Public Record Office Victoria

VPRS 4467, 1839–1851 Aboriginal Affairs Records - Victorian Aboriginal Protector Returns (microfilm). VPRS 4467 contains:

- VPRS 11, 1841–51 Unregistered Inward Correspondence to the Chief Protector of Aborigines [VPRS 4467 Units 1, 2 & 5]

⁶⁸ Archdeacon Broughton, 3 August 1835, in House of Commons, 1836, Minutes of Evidence on Aborigines (British Settlements), p. 17, question 242, 245.

- VPRS 12, 1840-49 Aboriginal Protectorate Returns [VPRS 4467 Units 2 & 3]
- VPRS 4410, 1839-49 Aboriginal Protectorate Weekly, Monthly, Quarterly and Annual Reports and Journals [VPRS 4467 Unit 2]

State Library of Victoria

Barry, Redmond 1841, 'Table of Cases decided in the Supreme Court of New South Wales for the District of Port Phillip', in Redmond Barry Papers, MS 8380, Box 597/2.

Batman, John Journal, May-June 1835, MS 13181.

Howitt, Alfred W Papers, MS 9356, Box 1053/2 (b).

Langhorne, George 1837, *Reminiscences of James (sic) Buckley who lived for thirty years among the Wallawarro or Watourong tribes of Geelong communicated by him to George Langhorne*. MS 13483 (digitised).

Mercer, George, Papers, MS 8519, Box 991/4 (b) 'Geelong and Dutigalla Association' 1836-7.

Orton, Joseph 1836, Journal, extracts transcribed in M Noel Orton Papers, [pre-accession number] PA 94/23.

— 1836, Letterbook, extracts transcribed in M Noel Orton Papers, [pre-accession number] PA 94/23.

Thomas, William Papers, MS 14624.

Wedge, John Helder 1835, 'Journey to Examine the Country West of Indented Head', John Batman Documents, Fieldbook H1572, MS 9302, Box 23/3(a)..

— 1836, 'Mr Wedge's Narrative of an Excursion Amongst the Natives of Port Phillip', John Batman Documents 1828-35, MS 6332, MF 63: enclosure No. 2 in Arthur to Hay 28 January 1836.

Official printed sources

1836 United Kingdom, House of Commons, 'Report from the Select Committee on Aborigines (British Settlements) with Minutes of Evidence', 5 August 1836, in *Britain, Parliamentary Papers, House of Commons. Reprint, Irish University Press Series of British Parliamentary Papers, 'Anthropology/Aborigines'*, Vol 1, Irish University Press, Shannon, 1968.

1845 New South Wales, Report from the Select Committee on the Condition of the Aborigines, Legislative Council, *Votes and Proceedings*, 31 October 1845.

1849 New South Wales, Report from the Select Committee on the Aborigines and Protectorate, Legislative Council, *Votes and Proceedings*, 4 September 1849.

1859 Victoria, Report on the Select Committee on the Aborigines, Legislative Council, *Votes & Proceedings*, 3 February 1859.

Secondary sources

Bonwick, James 1883, *Port Phillip Settlement*, Sampson Low (&c), London.

Bride, TF 1969 [1898], *Letters from Victorian Pioneers*, Heinemann, Melbourne and London.

Broome, Richard 2005, *Aboriginal Victorians: A History Since 1800*, Allen & Unwin, Crows Nest, New South Wales.

Caldwell, John and Bruce Caldwell 2002, 'Family size control by infanticide in the great agrarian societies of Asia', *Journal of Comparative Family Studies* 36(2): 205-227.

Carey, Jane and Claire McLisky (eds) 2009, *Creating White Australia*, Sydney University Press, Sydney.

Clendinnen, Inga 2003, *Dancing with Strangers*, Text Publishing, Melbourne.

Collins, David 1798, *An Account of the English Colony in New South Wales*, Cadell and Davies, London.

Cowlshaw, Gillian 1978, 'Infanticide in Aboriginal Australia', *Oceania*, XLVIII(4): 262-282.

Federal Court of Australia 2000, 'Lorna Cubillo and Peter Gunner v Commonwealth of Australia' (Action 14 and 21 of 1996) Judgment Summary, O'Loughlin J. 11 August 2000.

Fels, Marie Hansen 2010, 'I Succeeded Once': *The Aboriginal Protectorate on the Mornington Peninsula, 1839-40*, Aboriginal History Inc and ANU E Press, Canberra.

Hamilton, Annette 1981, *Nature and Nurture: Aboriginal Child-Rearing in North-Central Arnhem Land*, Australian Institute of Aboriginal Studies, Canberra.

— 1989, 'Bond-slaves of Satan: Aboriginal women and the mission dilemma', in *Family and Gender in the Pacific*, Margaret Jolly and Martha MacIntyre (eds), Cambridge University Press, New York: 236-258.

- Hazen, HH 1923, 'Practical observations on syphilis', *The American Journal of Syphilis* VII: 96-97.
- Howitt, Alfred W 1996 [1904], *The Native Tribes of South-East Australia*, Aboriginal Studies Press, Canberra.
- Howitt, Alfred W and Lorimer Fison 1880, *Kamilaroi and Kurnai*, George Robertson, Melbourne.
- Howson, Peter 1999, 'Rescued from a rabbit burrow: understanding the "Stolen Generation"', *Quadrant*, June 1999: 11-14.
- Kenny, Robert 2008, 'Tricks or treats? A case for Kulin knowing in Batman's treaty', *History Australia* 5(2): 38.1-38.14.
- Kociumbas, Jan 2001, 'Azaria's antecedents: stereotyping infanticide in late nineteenth-century Australia', *Gender & History* 13(1): 138-160.
- Lester, Alan and Fae Dussart 2008, 'Trajectories of protection: Protectorates of Aborigines in early 19th century Australia and Aotearoa New Zealand', *New Zealand Geographer* 64: 205-220.
- Malthus, Thomas 1798, *An Essay on the Principles of Population*, Johnson, London.
- Mathew, John 1899, *Eaglehawk and Crow: A Study of the Australian Aborigines including ... a survey of Australian Languages*, David Nutt, London and Melville, Mullen and Slade, Melbourne.
- Morris, Grant 2014, *Law Alive: The New Zealand Legal System in Context*, 3rd edition, (forthcoming).
- Russell, Lynette 2007, '"Dirty domestics and worse cooks": Aboriginal women's agency and domestic frontiers, southern Australia, 1800-1850', *Frontiers* 28(1 & 2): 18-46.
- Sanborn, Geoffrey 1998, *The Sign of the Cannibal*, Duke University Press, Durham and London.
- Sen, Satadru 2002, 'The Savage family: colonialism and female infanticide in nineteenth century India', *Journal of Women's History* 14(3): 53-81.
- Smyth, Robert Brough 1876, *The Aborigines of Victoria: with notes relating to the habits of the natives of other parts of Australia and Tasmania compiled from various sources for the Government of Victoria*, Government Printer, Melbourne.
- Stephens, Marguerita 2014, *The Journal of Assistant Protector William Thomas 1839-1867* (transcription), Victorian Aboriginal Corporation for Languages, Melbourne.

- 2009, 'A word of evidence: shared tales about infanticide and "others not us" in colonial Victoria', in *Creating White Australia*, Jane Carey and Claire McLisky (eds), Sydney University Press, Sydney: 175–194.

Sturt, Charles 1833, *Two Expeditions into the Interior of Southern Australia during the years 1828, 1829, 1830 and 1831*, vol II, Smith, Elder & Co, London.

Thomas, Tony 2014, 'How the truth went begging', *Quadrant Online*, 10 January 2014, <http://quadrant.org.au/opinion/bennelong-papers/2014/01/truth-went-begging/> (accessed 12 May 2014).

Top, FH and PF Wehrle 1976, *Communicable and Infectious Diseases*, Mosby, Saint Louis.

Wedge, John Helder 1836, 'On the country around Port Phillip, South Australia', *Journal of the Royal Geographic Society of London* 6: 419–424.

Westgarth, William 1846, *A Report on the Condition, Capabilities and Prospects of the Australian Aborigines*, William Clarke, Melbourne.

- 1848, *Australia Felix, or a Historical and Descriptive Account of the Settlement of Port Phillip, New South Wales: Including Full Particulars of the Manners and Customs of the Aboriginal Natives*, Oliver & Boyd, Edinburgh.

‘Socialist paradise’ or ‘inhospitable island’? Visitor responses to Palm Island in the 1920s and 1930s¹

Toby Martin

Tourists visiting Queensland’s Palm Island in the 1920s and 1930s followed a well-beaten path. They were ferried there in a launch, either from a larger passenger ship moored in deeper water, or from Townsville on the mainland. Having made it to the shallows, tourists would be carried ‘pick a back’ by a ‘native’ onto a ‘palm-shaded’ beach. Once on the grassy plains that stood back from the beach, they would be treated to performances such as corroborees, war dances and spear-throwing. They were also shown the efforts of the island’s administration: schools full of happy children, hospitals brimming with bonny babies, brass band performances and neat, tree-fringed streets with European-style gardens. Before being piggy-backed to their launches, the tourist could purchase authentic souvenirs, such as boomerangs and shields. As the ship pulled away from paradise, tourists could gaze back and reflect on this model Aboriginal settlement, its impressive ‘native displays’, its ‘efficient management’ and the ‘noble work’ of its staff and missionaries.²

By the early 1920s, the Palm Island Aboriginal reserve had become a major Queensland tourist destination. It offered tourists – particularly those from the southern states or from overseas – a chance to see Aboriginal people and culture as part of a comfortable day trip. Travellers to and around Australia had taken a keen interest in Aboriginal culture and its artefacts since Captain Cook commented on the ‘rage for curiosities amongst his crew’.³ From the 1880s, missions such as Lake Tyers in Victoria’s Gippsland region had attracted

1 This research was undertaken with the generous support of the State Library of NSW David Scott Mitchell Fellowship, and the ‘Touring the Past: History and Tourism in Australia 1850-2010’ ARC grant, with Richard White. Thanks to suggestions made by Richard White, Caroline Ford, Emma Dortins, Meredith Lake, Alecia Simmonds, Mark Dunn, Lisa Murray and the anonymous readers of this article. Thanks to Jill Barnes for sharing her unpublished PhD thesis with me.

2 ‘Caravan tales’, *The Queenslander*, 20 June 1929: 4; ‘Palm Island, North Queensland’, *Singleton Argus*, 12 June 1931: 2; Watson 2010: 42; ‘Palm Island, North Queensland winter tours’, *Brisbane Courier*, 28 June 1929: 3; ‘A holiday trip in the north’, *Townsville Daily Bulletin*, 3 June 1921: 6; ‘Life in North Queensland: A southern visitor’s impressions’, *Worker* (Brisbane), 7 October 1931: 18. Some of the archaic terminology in these contemporary accounts may offend readers today. I quote these words because the casual way in which they were used betray deeply held views of the time.

3 White 2005: 13.

organised tour groups.⁴ However, the development of government reserves in the late-nineteenth and early-twentieth centuries, the industrialisation of tourist transport particularly large ocean-going liners, the opening up of previously remote areas such as north Queensland and popular interest in racial paradigms meant that the inter-war years were a boom period for tourism to Aboriginal settlements.

What were visitors' responses to the Aboriginal people of Palm Island? That is the question that this article will consider. Historians have tended to characterise tourist interest in Aboriginal people from the mid-nineteenth to the mid-twentieth centuries as examples of a widespread interest in so-called 'primitive' cultures. Such cultures were rendered exotic by their supposed antiquity: they were seen as unchanging and incapable of change. As Jane Lydon has shown, visitors to the Coranderrk mission in Victoria at the turn of the century were fascinated by the 'relics of savagery'.⁵ Even by the 1930s, primitivism seemed to remain the primary appeal of Aboriginal culture. Thom Blake and Sianan Healy have argued that audience reactions to Aboriginal performances of boomerang throwing and historical re-enactments of frontier conflict were limited by the stereotypes of primitivism. Jillian Barnes and Lynette Russell have shown that popular travel writers of the mid twentieth century were fascinated by 'stone-age' hunters. Maria Nugent has argued that despite efforts by Aboriginal people to position themselves as historical actors, the main attraction of 1920s visits to Sydney's La Perouse Aboriginal Government reserve was the chance to effectively journey back in time to see and souvenir an ancient culture.⁶

The example of Palm Island both confirms and complicates this characterisation of tourist interest in Aboriginal people. While the language of primitivism was ubiquitous in descriptions of Palm Island – especially in its marketing – visitors were often interested in other things as well, such as the ability of the state to care for vulnerable and victimised people and prepare them for modern society. Of course, it mattered who the visitors were and for whom they were writing their observations. This article will consider a range of sources – mostly journalism and popular travel writing, but also official publications of the Queensland Tourist Bureau, personal letters and visitor's books comments – and how the intentions of the visitor coloured their descriptions.

Visitors to Palm Island had different reasons for making the journey and arrived with differing preconceptions about Aboriginal people: preconceptions that could be confirmed or challenged after a visit to the reserve. This article will consider just some of the visitor characterisations of the people on Palm Island: primitive, yes, but also fortunate, sophisticated, warlike and victimised. It will also consider the tourist gaze as being both emblematic of popular ideas about Aboriginal people in the 1920s and 1930s and subject to its own specific ways

4 Carolane 2008.

5 Lydon 2005: 190.

6 Blake 2001: 178–189; Healy 2006: 19; Russell 2001: 32; Barnes 2007, 2013; Nugent 2005: 74–77. See also Attwood 1989.

of seeing. As tourism theorist John Urry has shown, the tourist gaze reduces all spectacle to a 'site of pleasure'.⁷ What was it, exactly, that made the spectacle of Aboriginal life on Palm Island a pleasurable experience for visitors?

The Palm Island penal settlement

The *Aboriginal Protection and Restriction of the Sale of Opium Act 1897* (Qld) was created as a temporary measure to protect Aboriginal people from the vices of modern society, but in effect was a permanent restriction on individual freedoms. Prior to 1897 the only 'reserves' in Queensland were church-run missions, however, following the Act, the Queensland Government established state-run institutions where Aboriginal people were forced to live and work and their children attend school. The largest of these was Barambah (later Cherbourg) in south-east Queensland. In terms of population, this was closely followed by Palm Island, in tropical north Queensland, which was established in 1918.⁸ This process occurred somewhat later in Queensland than it did in New South Wales and Victoria. By the time Queensland had gazetted government reserves, interest in Aboriginal people was shifting from one of 'protectionism' to 'assimilation' – a shift that affected Palm Island and the tourist gaze.

Palm Island was a prison. The site was not chosen for its picturesque qualities: it was supposed to inhibit escapes.⁹ It was the receiving centre for 'troublesome cases' from settlements on the mainland. 'Crimes' that could land a person in Palm Island were often trivial. Men were sent there for agitating for better wages and conditions, 'stirring up fights' or sleeping with another man's wife. Women could be sent there for having children to a white father, as could anyone suffering from venereal disease.¹⁰ Transfers to Palm Island often seemed arbitrary, serving as a form of behaviour control. As one resident of a mainland mission recalled, 'They had only to mention Palm Island and we were quiet'. Such a population has led Joanne Watson to characterise it as a 'detention centre for political prisoners'.¹¹

Once on Palm Island, inmates were subject to a raft of restrictions: men had to work a 24-hour week (usually without pay) or be banished to nearby Eclipse Island.¹² Children lived in dormitories separated from their parents whom they were only allowed to see for restricted hours on weekends. There were bans on meetings and gatherings, restrictions on relationships between men and

7 Urry 1990: 125.

8 May 1991; Watson 2010: 18.

9 Watson 2010: 33. See also *Beautiful One Day* 2012 and Hooper 2008 for details of life on Palm Island.

10 Chaplain at Mitchell River Mission to Rev ER Gribble, 24 April 1931, Gribble Papers Box 8, 11/7, Mitchell Library; Bishop of North Queensland to the Archbishop of Canterbury, 10 July 1934, Gribble Papers Box 8, 11/8; May 1991; Watson 2010: 37. If suffering, or recovering from a venereal disease, inmates were sent to adjacent Fantome Island.

11 Watson 2010: 19.

12 Watson 2010: 39.

women, and curfews.¹³ Palm Island was also unhealthy: insufficient rations led to malnutrition, diseases such as scurvy, scabies and impetigo were rampant and its death rate was almost twice that of the rest of Queensland.¹⁴

Escapes were common. In 1932 alone there were 51 attempted escapes, including a mass breakout of 19 people.¹⁵ Such events were often condescendingly ascribed to the tendency of Aboriginal people to 'go walkabout'.¹⁶ In 1930, the Superintendent of Palm Island Robert Curry went on a violent rampage during which he murdered his own children, torched buildings and shot the island's doctor. In the end it was an inmate, Peter Prior, who was ordered to shoot Curry in defence of the island's population. Prior, although acting under orders from his prison guard, was charged with murder.¹⁷

Almost immediately after its establishment, the Palm Island penal settlement became a tourist destination. By 1921 it was being visited by small parties of tourists on fishing trips up the Great Barrier Reef, and by the late 1920s it formed part of the itinerary of winter pleasure cruises or train trips along the northern Queensland coast.¹⁸ In 1928, 60 passengers journeyed by train from Melbourne to Cairns with stops at Brisbane, Gympie and Townsville, and visits to Magnetic Island and Palm Island, as part of a 'Reso' tour for Victorian businessmen.¹⁹ In 1929 a 'large number' of tourists aboard the Howard Smith Co inter-state liner the SS *Canberra* took advantage of the side trip to Palm Island.²⁰

The tourist exploitation of places like Palm Island provided revenue for cash-strapped reserves and was a chance for administrators to showcase their supposedly efficient management of this 'model settlement'.²¹ It also offered the Queensland Government Tourist Bureau a place to showcase what was one of the main drawcards of tropical holidays: authentic Aboriginal culture. Aboriginal 'protection' and tourism were closely intertwined in this period. For instance, Archibald Meston, whose recommendations led directly to the creation of the 1897 Act and who was Protector of Aborigines in Southern Queensland from 1903–1910, also wrote a guidebook to Queensland in 1891, was the Director of Aboriginal performance group 'Wild Australia' and was Director of the Queensland Government Tourist Bureau in Sydney from 1910.²²

13 May 1991; *Beautiful One Day* 2012.

14 'Palm Island, treatment of natives, Dr Bancroft's view', *Brisbane Courier*, 30 July 1932: 14; Watson 2010: 39.

15 Watson 2010: 47.

16 'Film production, Among the Aborigines, experiences at Palm Island', *Sydney Morning Herald*, 4 November 1935: 7.

17 Watson 2010: Chapter 5.

18 'A holiday trip in the north', *Townsville Daily Bulletin*, 3 June 1921: 6.

19 'RESO Tour, seeing the State, southern visitors', *Brisbane Courier*, 16 March 1928: 14; RESO Tour, visit to Palm Island, natives stage corroboree' *Brisbane Courier*, 27 June 1928: 17.

20 'Palm Island, North Queensland winter tours', *Brisbane Courier*, 28 June 1929: 3.

21 Watson 2010: 53. At Yarrabah mission, near Cairns, for instance, donations from visitors and cash paid for souvenirs totalled 582 pounds in 1925. Considering that there were 372 residents on Yarrabah and that it cost '10 pounds per annum to feed, clothe and train an aboriginal' this was a significant contribution to the mission's economy. *ABM Review*, 18:2, 12 May 1926: 45–47.

22 Meston 1891; Stephens 1974; Lergessner 2009: 85–92.

Fortunate

Instead of seeing a prison, most visitors saw a paradise. In 1929, *The Queenslander's* 'journalist correspondent' was told that 'the aboriginals had expressed a desire to settle here' and never wanted to leave. This came as no surprise to the writer because 'In Palm Island the natives have found the nearest thing to utopia'.²³ In the same year, an article titled 'Abo's Paradise' in the *Sydney Morning Herald* waxed lyrical about the island's 'crystal clear coral seas, glistening waters of deepest blue' and its 'swaying cocoanut trees richly laden with fruit'. The *Sydney Morning Herald* assured its readers that rather than a place of forced labour, Palm Island was a 'socialist' paradise where men 'only need' work a 24-hour week to be entitled to rations 'wholesome and ample'.²⁴

None of the many newspaper articles about Palm Island as a tourist destination, nor individual tourist responses, mention the fact that it was a prison. It is likely that many visitors simply did not know the truth. Life on Palm Island was 'performed' for tourists, rather than observed, and it seems that most Australians, especially those in the southern states, were unaware of Palm Island's true function. Even someone as prominent in Aboriginal affairs as the Reverend William Morley, the secretary for the Association for the Protection of Native Races based in Sydney, only had an inkling. In 1932 he asked the Anglican chaplain on Palm Island Reverend E. R. Gribble, 'why do they go there, do they suffer from homesickness ... is it at all a sort of penal settlement for natives'? These suspicions were swiftly confirmed by Gribble.²⁵

Morley's letter also shows that some people may have at least heard rumours of Palm Island's true function. However, seeing prisons as humane places, if not utopias, has been a common response of tourists. Tourists to 'reform' prisons in the mid nineteenth century saw them as fine examples of enlightenment ideals, while those visiting modern, 'motel-style', prisons in the later twentieth century often thought they molly-coddled the inhabitants.²⁶ Rather than see hardships – as was the case through tourism to de-commissioned prisons such as Port Arthur – tourists were usually encouraged to see still-functioning prisons as embodying the best efforts of the state.²⁷ Travel writing about Palm Island tended to see this socialist paradise as 'consolation' for the fact that a 'cruel civilisation' had taken Aboriginal people's land from them.²⁸ Visitor accounts were often sensitive to colonial injustices, yet regarded Palm Island as their solution, rather than part of the problem. In this respect, inmates were lucky to be there.²⁹

23 'Caravan tales', *The Queenslander*, 20 June 1929: 4.

24 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11.

25 Morley to Gribble, 12 November 1932, 25 February 1933, Gribble Papers, Box 8 (69), Folder 1.

26 Wilson 2008: 33–34, 46.

27 Porter 1934: 132; Young 1996.

28 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11.

29 The opposite effect, where tourists see ex-prisons and concentration camps as paradigmatic of the problematic nature of modernity, has been characterised as 'dark tourism'. See Lennon and Foley 2006.

There were voices that raised objections. Christian humanitarian activists such as Morley and Gribble considered the 'exhibition' of Aboriginal people to tourists to be the most objectionable form of 'exploitation'.³⁰ Occasionally a journalist would attempt to peer beyond the façade of perfection offered to tourists. A caustic article for the *Brisbane Courier* noted:

there are thousands of well-to-do people, who have made their wealth in Queensland at the expense of the aboriginals, living in comfort whilst the remnant of the black race is slowly dying on a most inhospitable island ... to make the place attractive to tourists seems the principal objective. The welfare of the blacks is quite a secondary consideration.³¹

The rare tourist who was able to break away from the group and do some sightseeing on their own could also see and hear things which did not fit comfortably with the image of paradise. For instance, in 1934 a visitor from the Queensland town of Mt Isa decided that he had 'little in common' with the group of Italians with whom he was travelling and broke away from the group. During his solo wanderings he was able to strike up a conversation with some inmates. As a result he 'gleaned some astounding inside knowledge of the filth, debauchery and carelessness to which these unhappy natives are constantly subjected'. For instance, he asks, 'How many tourists realise that nearly 25% of the dark population on Palm Island are suffering from venereal disease chiefly syphilis?'³² While tourists were generally shown a selective vision of life on Palm Island, visits there could serve to unsettle preconceptions and educate members of the public about Aboriginal injustices. Also, there is something in the visitor from Mt Isa's account that suggests he was rather enjoying his time 'off the beaten track' and getting an experience 'the Italians' were missing out on. Inconvenient, hidden truths could also be sources of tourist pleasure.³³

Primitive

As far as the Queensland Government Tourist Bureau was concerned, Palm Island offered a venue to discover one of the most interesting things about the tropical north: living examples of primitive peoples and their ancient cultures. In 1938 the Bureau commissioned the writer and future founder of the literary journal *Meanjin*, Clem Christesen, to write a full-length book advertising the delights of the northern state. In *Queensland Journey*, Christesen invoked the romance of the tropics: beaches, reefs, sleeping turtles, dugong cows and Aborigines with their 'moonlight corroborees amid cocoanut groves' and their 'age-old native love songs'.³⁴ In the introduction to *Queensland Journey*, the Brisbane scholar

30 Morley to Gribble, 25 February 1933, Gribble Papers, Box 8 (69), Folder 1.

31 'Palm Island, treatment of natives, Dr Bancroft's view', *Brisbane Courier*, 30 July 1932: 14.

32 Illegible (possibly 'Macregor') to Bishop Needham, 11 May 1934, Gribble Papers Box 8 (69), Folder 1, 11/8.

33 See Buzard 1993.

34 Christesen 1938: 240, 244. Literary figures often ended up writing travel guides to Queensland, for instance EJ Banfield and Alexander Vennard, both journalists, ended up writing travel stories

'SOCIALIST PARADISE' OR 'INHOSPITABLE ISLAND'?

Frederick Walter Robinson noted that Queensland had many attractions to offer the southern visitor, such as its winter climate and tropical vegetation. 'Least of all', Robinson wrote, 'do we realise':

the privilege of having still in Queensland an aboriginal life more primitive than anywhere else in the world. The weapons and implements that ethnologists in other countries must dig to find in age-old strata of the earth, we find upon the earth's surface or in the very hands of primitive man himself.³⁵

Such characterisations of Aboriginal people reflected the global preoccupation with primitive cultures in the late nineteenth and early twentieth centuries. The attraction – for anthropologists, tourists, artists and writers alike – was that non-western cultures offered a glimpse of the early stages of human development. If life shared a single origin, as proposed by Charles Darwin, then African, Southeast Asian and Oceanic societies offered an insight into the origins of all life. In this way 'primitives' occupied an entirely different time continuum than did western cultures; they were, in theorist Marianna Torgovnik's phrase, 'eternally past and eternally present', rather than showing a path of linear development.³⁶ Anthropologists and scientists often concluded that Aboriginal Australians were not just one of the oldest examples of human life but *the* oldest, famously noted in Sir Baldwin Spencer's *The Arunta: Study of a Stone-age People*.³⁷

Popular travel literature of the 1930s eagerly reproduced such claims. In 1933 Charles Holmes, general manager of the newly established Australian National Travel Association (ANTA) and author of travelogue *We Find Australia* stated that Aboriginal people were 'the common ancestor for all modern races', a fact that was regarded as a tremendous tourist asset.³⁸ Holmes did much to popularise the idea of Australia's 'stone-age' culture being a desirable tourist commodity. The title of ANTA's *Walkabout* magazine co-opted a well-known Aboriginal expression, and its stories described visits with 'stone-age' Aboriginal people.³⁹ Holmes also exploited the possibilities of photography in order to emphasise the apparent primitivism of Aboriginal men. He helped to facilitate the travels of Swiss celebrity photographer E. O. Hoppe during his 1930 visit to Australia: a visit which saw the dissemination of several images of Aboriginal 'tribesmen' and 'war dances' on Palm Island.⁴⁰

For many visitors to Palm Island, Aboriginal performances were the embodiment of primitivism. Reports consistently described corroborees and boomerang throwing as 'primitive' or examples of the culture of 'past days'.⁴¹ Gazing on

for Queensland newspapers.

35 Christesen 1938: 5.

36 Torgovnick 1990: 186.

37 Spencer 1927, 1928; Klaatsch 1923.

38 Holmes 1933: 138; Barnes 2013: 5–6. See also McGuire 1939; Hoppe c1935; Milford 1934.

39 Barnes 2007: 96.

40 Howe and Esau 2007: 17, 198–199.

41 For instance, 'Caravan tales', *The Queenslander*, 20 June 1929: 4; 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11.

the origins of humanity was interesting in itself, but it was given a pleasureable frisson of exoticism by the fact that these origins were otherworldly, or 'weird'. Descriptions of corroborees and 'war dances' tended to emphasise their eeriness, a quality embodied in the dancers themselves. Performers were 'demon-like figures' dancing their 'debil-debil' dances filled with 'weird' and 'grotesque movements' and the music that accompanied them was the 'weird strains of a boomerang band'.⁴² While some accounts of corroborees in the late-nineteenth and early-twentieth centuries pointed out their rhythmic precision and resemblance to Russian ballet, this did not seem to be the case with descriptions from visitors to Palm Island who seemed to be entranced by the intrinsic otherworldliness of the dancing.⁴³

Corroborees were not only 'weird', they were also 'melancholy'.⁴⁴ Such melancholy came not just from the atmosphere produced by the dancers, but also the knowledge that those dancing were members of a 'doomed race'. The 'doomed race' theory argued that due to the competition between races, Aboriginal people would inevitably die out.⁴⁵ As Archibald Meston put it, the fact that the 'Australian blacks are moving rapidly into ... eternal darkness' was one of 'those inexorable laws' of nature.⁴⁶ By the end of the nineteenth century, such beliefs were almost universal.⁴⁷ The possibility that Aboriginal people were, in fact, not doomed to extinction was beginning to become apparent to missionaries, anthropologists and state protectors by the 1920s, nevertheless it still proved an exotic way of seeing Aboriginal people.⁴⁸ In 1929, the *Sydney Morning Herald* could describe a Palm Island corroboree thus: 'By the flickering lights of the camp fire, with all the superstitious awe of past days, these poor survivors of a fast vanishing race chant their sad dirges.'⁴⁹ The threat of seemingly inevitable extinction imbued Palm Island performances with a kind of exquisite melancholy.

42 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11; 'The Cairns tour by sea', *Singleton Argus*, 25 April 1932: 4; 'Australia's tropical allure', *Horsham Times*, 29 June 1934: 10. See also Blake 2001: 185; Parsons 1997: 52, 64. Film director Charles Chauvel had this effect in mind when filming the 1936 feature *Uncivilised* on Palm Island, with inmates as actors. In one scene, Aboriginal men perform a corroboree in which their bodies gyrate, bathed in shadow and flickering torch light, to the shock of a white woman in the audience. The staged eeriness of the corroboree also provided dramatic atmosphere as the backdrop to a murder.

43 Hoppe c1935: 194; Parsons 2002: 16.

44 In this they seem to echo Marcus Clarke's famous characterisation of the Australian landscape and its Indigenous people some 50 years earlier as possessing a 'weird melancholy'. Writing about corroborees: 'From a corner of the silent forest rises a dismal chant, and around a fire, dance natives painted like skeletons. All is fear-inspiring and gloomy.' Clarke 1892: 'Preface'.

45 McGregor 1997: 48.

46 Archibald Meston quoted in Reynolds 2008: 101.

47 Reynolds 1993.

48 May 1991.

49 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11.

Timeless

Primitivism was, as Johannes Fabian put it in a critique of anthropology, a form of 'time-based othering'.⁵⁰ Aboriginal reserves offered tourists, in essence, a chance to travel back in time: to look through history at an ancient and almost extinct past. Maria Nugent, too, has written that the tram trip from the city of Sydney to the Aboriginal reserve at La Perouse could be imagined as a trip back in time.⁵¹ In the case of Palm Island such a feeling was dramatised by the fact it was an island some distance from the mainland. A journey of 40 miles from Townsville across the water and the tourist was 'among things primitive'.⁵² The sea voyage to Palm Island emphasised the sense of departure from the ordinary to the extraordinary, an important ingredient in tourist delight and pleasure.⁵³

For many observers, so-called primitive people not only *inhabited* a different time, but they themselves had a different sense of time. Belgian anthropologists in the 1870s, when studying Aboriginal performers touring Europe, observed that they spent money quickly and gave it away because they 'live unconscious of time' and 'think only of the day'.⁵⁴ German travellers in Africa in the late nineteenth century observed that the fundamental difference between themselves and the locals was their respective attitudes to time: Africans had 'no concept of the value of time'.⁵⁵ At Palm Island travellers were fascinated with the 'easy care-free life of the aboriginals' and their willingness to 'bask in the sun on the beach'.⁵⁶

Freedom from time may have also contributed to ideas, popular since the Enlightenment, that primitive people, especially those in the tropics, were lazy.⁵⁷ Laziness was a quality often associated with Palm Island and Palm Islanders. Palm Island was, along with Lindeman and Dunk islands, part of a group often referred to as the 'lazy isles'.⁵⁸ Visual imagery often emphasised the apparent connections between a lazy way of life on a tropical island and the ancient culture of Aboriginal people. A photograph in the Brisbane *Courier Mail* of a silhouette of two Palm Islanders resting in the shade of a palm tree with their spears, was captioned 'In the Lazy Isles'.⁵⁹

50 Fabian 1983: 13–18.

51 Nugent 2005: 74.

52 'Caravan tales', *The Queenslander*, 20 June 1929: 4. Aboriginal Australia is still described as occupying a different sense of time to modern Australia, and visits to it, therefore, as a form of time travel. Tourist literature about the Northern Territory regularly describes the 'traditional' communities, their 'ancient ceremonies and rituals' and 'timeless culture'. See, for example: Oz Outback, Aboriginal ceremonies from Northern Australia, <http://ozoutback.com.au/Australia/abcerna/index.html>, East Arnhem Land Tourist Association, <http://www.ealta.org/> (accessed 22 January 2013).

53 Urry 1990: 135.

54 Poignant 2004: 127. These performers were captured from Palm Island.

55 Reimann-Dawe 2011: 23.

56 'RESO Tour, visit to Palm Island, natives stage corroboree', *Brisbane Courier*, 27 June 1928: 17.

57 See Konishi 2010, 2012: 127; White 2005: 39–50.

58 *Sunday Mail* (Brisbane), 10 February 1935: 25.

59 *Courier-Mail*, 16 February 1935: 18.

For tourists, places where time moves slowly and where the locals have a laid-back attitude to time make attractive holiday destinations. That one goes on holiday to escape rigid senses of time – to live ‘outside time’ as it were – is still a central idea to tourism. And it is still conflated with ‘underdeveloped’ nations or ‘simpler’ places, especially those in the tropics.⁶⁰ Pacific Islands in particular have been seen as places where to laze, to be idle, is to simply adapt to local culture.⁶¹ Laziness and primitivism combined into an attractive tourist package in early-twentieth-century tourist literature about Pacific islands. One 1931 advertisement announced steamship passages to the ‘picturesque south sea island’ where the tourist can experience ‘Fascinating native life... primitive... picturesque... and a languorous lure that invites you to laze away the days and nights in the glorious south seas.’⁶² Palm Island was often described as ‘Pacific’, not just because of its ‘palm-shaded’ beaches, but also because of the behaviour of its inhabitants. As one correspondent noted, ‘natives’ came down to meet the tourist boats, just like they do in Fiji.⁶³ Palm Island combined two important and connected time-based tourist pleasures: a place to see the oldest race on earth; and a place that had relaxed, Pacific, attitudes to time.

Sophisticated

Descriptions of a timeless, stone-age people were complicated by the awareness that performances on Palm Island had been ‘arranged for the entertainment of visitors’, rather than being spontaneous or related to spiritual belief and cultural practices.⁶⁴ This seemed to undermine the authenticity of Aboriginal performances and souvenirs. A 1932 *Country Life* photo spread featured an image of an Aboriginal ‘chief’s grave’ next to one of ‘Palm Island blacks’ in ‘full war paint’. The caption read: the grave of ‘possibly the last of a long line of chiefs and his sophisticated descendents commercialising their once-solemn ritual’.⁶⁵ Distinctions between ‘real’ and ‘fake’ Aboriginal people and culture, were regularly made in the early twentieth century. For instance, American tourists were lampooned for returning from La Perouse under the impression

60 The characterisation of Mexico as a place where everything is done ‘manana’ comes to mind.

61 A phrase, ‘Islander Time’, often used self-mockingly, has recently developed in the twenty-first century to describe it.

62 *Queenslander Annual*, 12 October 1931: 26 (ellipses in original).

63 ‘Caravan tales’, *The Queenslander*, 20 June 1929: 4.

64 ‘Life in North Queensland: a southern visitor’s impressions’, *Worker* (Brisbane), 7 October 1931: 18.

65 *Country Life Annual*, 20 December 1932: 28. Such distinctions continued. For instance, in 2012 the federal Opposition-leader Tony Abbott declared that while he was pleased that an Indigenous person – MP Ken Wyatt – had been elected to the House of Representatives for the first time, he did note that Wyatt was an ‘urban Aboriginal’. Abbott stated: ‘I think it would be terrific if, as well as having an urban Aboriginal in our parliament, we had an Aboriginal person from central Australia, an authentic representative of the ancient cultures of central Australia in the parliament.’ See: ‘Abbott wants “authentic” outback Aborigines in coalition with Wyatt’, *The Australian*, 13 November 2012; ‘Abbott in trouble again after “urban Aboriginal” remark’, *Sydney Morning Herald*, 15 November 2012.

that they had encountered a 'dinkum Aussie black'.⁶⁶ European 'experts' tended to distinguish between the sacred dances of desert or northern people and the corroborees given for tourists or visitors in southern states.⁶⁷ Palm Island, perhaps by virtue of its role as within civilisation, yet containing a population from beyond the frontier, was a slightly different case. Here corroborees were usually regarded as facsimiles of ancient practices, if not the actual object.

Several historians have noted the ways in which Aboriginal people have been active participants in the tourist transaction, albeit within an asymmetrical power structure. Barnes has noted that Walpiri men in central Australia in the mid twentieth century used their presence in ANTA photographs as bargaining tools and demanded, and received, economic recompense.⁶⁸ Kleinert has observed that Aboriginal people used the tropes of primitivism as a 'screen': simultaneously performing versions of their heritage while protecting and shielding more sensitive cultural practices from prying eyes.⁶⁹ It is likely that the 'weirdness' and 'war like' nature of Aboriginal performances on Palm Island were not just the result of tourist preconceptions, but also due to Aboriginal people exploiting the stereotypes.

At Palm Island, seeing Aboriginal people take part in an economic transaction was, itself, a source of pleasure for the tourist, and often just as exotic as 'primitive displays'. One journalist enthusiastically described a 'war dance':

Donning the war paint of red and white ochre in fantastic stripes on their bodies, the natives entertain the visitors with their chanting to the beat of stick against stick, and the rhythm of the slap of the hollowed palm to the thigh, they work themselves up to a great state of excitement, making the entertainment very realistic.

But then:

Carried away by the spirit of the primitive displays by the natives, the visitors are suddenly brought back to earth and commerce by the voice of a native peddling his wares in a vernacular worthy of "Paddy's" market' selling 'boomerangs, coral and red-berry necklaces, spears, shields, shells and such-like'.⁷⁰

A similar sense of surprise accompanied performances of popular culture. For instance, as well as 'debil debil' and 'ibis' dances, Reso travellers were also presented with a parody of the Charleston.⁷¹ Instead of singing 'in their native tongue', children surprised tourists with popular hits of the day such as 'It Ain't

66 'Sydney day by day', *The Argus* (Melbourne), 7 March 1935: 10; 'Mainland notes, teasing the tourist', *Mercury* (Hobart), 27 February 1932: 6. See also Berzins 2007: 26; Spencer 1928: 16.

67 Parsons 2002: 24.

68 Barnes 2013: 10–11.

69 Kleinert 2010: 173. See also Lydon, 2005: 178; Errington 2010: 81; Nugent 2005: 76–77; Parsons 2002: 17.

70 'Palm Island, North Queensland', *Singleton Argus*, 12 June 1931: 2.

71 'Reso tourists', *Brisbane Courier*, 20 June 1928: 14.

Gonna Rain No More' and 'Yes, We Have No Bananas'.⁷² The correspondent noted the irony in choosing a song about having no bananas to perform in a tropical paradise, however, did not comment on a phenomenon perhaps taken for granted at the time: that of Aboriginal people often being regarded through a 'prism ... which was cut by the minstrels'.⁷³ In this sense, the song choice does not seem ironic, but purposeful: there to satisfy Australian ideals of black-ness.

Glimpses behind the façade of tourist performances were, themselves, the subject of reportage at Palm Island. In 1932 *The Queenslander* published a full-page photo spread of a 'Wayside Eden'. This page contrasted a photograph of a group of Palm Islanders in their 'visiting day rig' (wearing body paint, holding spears) with a photograph in their 'everyday dress when the tourists have departed'.⁷⁴ Reports on the tourist process itself were particularly relevant for local Queensland newspapers keen to report on the development of a tourist industry and the ways in which southerners were being seduced by romantic ideas of primitivism.

As Urry has noted, seeing through the façade of tourist performances is, itself, one of the pleasures of the tourist.⁷⁵ In effect it makes tourists 'in on the joke'. On reserves, this impulse was racialised. Some observers seemed to find pleasure in the disjunction between 'primitive' and 'modern' performances and in the fact that these supposedly primitive people were not behaving in stereotypically 'primitive' ways. The fact that Aboriginal people had adapted to modern society to the degree that they could 'perform' their culture and benefit economically from such performances was, itself, a novelty. Clearly, the fact it was a novelty showed how firm the condescending ideas of primitivism were. And yet, tourism did provide a venue which, in a limited way, unsettled preconceptions about Aboriginal people.

Warlike

Another common response to the inmates of Palm Island was that they were inherently violent. Although 'mock tribal wars' were staged for the benefit of tourists, writers often reminded their readers that those performing had a history of and the potential for violence. A 1929 account by a visiting American yachtsman described Palm Island as a place where the presence of 'warring tribes' made him fear for his life and where the violent implications of the corroboree were such that he 'hoped it would not be carried too far'. This ripping yarn situated the adventurer as off the beaten track, despite the fact that Palm Island was, by this time, receiving mass tourist visits, local Aboriginal people posed for 'countless photographs' for the yacht's crew and they departed 'literally

72 'Palm Island, North Queensland', *Singleton Argus*, 12 June 1931: 2.

73 Waterhouse 1990: 100.

74 'A wayside Eden', *The Queenslander*, 7 July 1932: 21.

75 Urry 1990: 11.

bursting' with souvenirs.⁷⁶ Upon returning home, Australian tourists too were able to convert their trips to Palm Island into adventure yarns: photographs of war dances and anecdotes of spears being thrown helped paint a picture of a life-threatening trip to a strange and savage world.⁷⁷

As crude as this characterisation was, it does indicate at least some historical awareness of the reality of Palm Island's history. The Aboriginal people on Palm Island, a combination of indigenous inhabitants and those that had been brought from mainland Queensland, represented a huge diversity of tribal and language groups (although there is no evidence to suggest that 'warring tribes' was anything but a primitivist fantasy).⁷⁸ Furthermore, they were often survivors of wars against colonial expansion, which observers acknowledged by stating that their ancestors had 'speared those explorers who penetrated into that dark wilderness'.⁷⁹ 'Dispersals' were still occurring in Australia in the 1920s – the Coniston Massacre of 1928 was widely reported and commented on – and the knowledge of the frontier would have formed the backdrop to fears of violence. Although, for this characterisation to work, inmates had to be painted as the aggressors of frontier violence, rather than its victims.

Civilised

Some traveller accounts did regard the inmates as victims of settler expansion and land grabs. As we saw earlier, many accounts regarded the fact that Palm Island was a 'paradise' to be suitable consolation for past injustices. Given this, several accounts demonstrated an eagerness to see what kind of care and opportunities for employment and education the Government was providing, opportunities that would enable Aboriginal people to become 'civilised' and, possibly, to assimilate. Commentators often expressed their delight when they saw examples of reform and education on Palm Island: 'Into this tropic paradise has crept civilisation, for the Government is teaching its black subjects how to keep themselves'.⁸⁰ 'Keeping oneself' could be displayed in various ways such as care of babies, education, work, music or sport.

Those on the 1929 Howard Smith Co. cruise, for example, saw the island's school for 120 children up to third grade where the students all 'seem bright and cheerful'.⁸¹ Journalists were keen to point out that 'lady tourists' particularly

76 Brown 1935: 51–59. Even the title of the account *Horizon's Rim* indicates the author's intent to go to places beyond the normal. For an account of the modern traveller's desire to be 'not a tourist', see Buzard 1993: 6.

77 'Girls' club', *Morning Bulletin* (Rockhampton), 29 September 1931: 10.

78 'Manbarra' describes pre-settlement owners and custodians of the land and 'Bwgcolman' the descendents of those deported to Palm Island from other parts of Queensland. Watson 2010: 18–19, 40.

79 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11; 'Our tropic coast', *Advertiser* (Adelaide), 17 March 1934: 8. At La Perouse, Aboriginal people sold boomerangs decorated with the (non-peaceful) Aboriginal response to Cook's landing. Nugent 2005: 84.

80 'Our tropic coast', *Advertiser* (Adelaide), 17 March 1934: 8.

81 'Palm Island, North Queensland winter tours', *Brisbane Courier*, 28 June 1929: 3.

enjoyed seeing healthy babies at the island's hospital.⁸² In the 1870s, according to Lydon, Aboriginal women's 'conformance to respectable domesticity' was one of the most visible indicators of the good management of reserves.⁸³ By the 1920s, domesticity seems to have been reconfigured as mothercraft. This was possibly in response to the hysterical news reports, paraphrasing anthropologist Daisy Bates, about Aboriginal infanticide in the early 1920s.⁸⁴ Palm Island administration was determined to show off their successes in instructing Aboriginal mothers in the ways of modern child-rearing.

Some visitors seemed especially keen to see evidence of Aboriginal industriousness, especially those with an interest in the potential economic benefits of reserve labour. 'Reso' tours – an abbreviation for 'resources' – were an annual train service designed to connect city businessmen to rural primary producers, established by the Victorian Railways Resource Development Branch in 1922.⁸⁵ In 1928 some 60 Resonians travelled up the Queensland coast meeting and talking to sugar cane growers and other farmers. Their travels and positive responses were enthusiastically reported by local newspapers who considered their trip a great boon to Queensland, not just because of potential investment but because of the publicity they would generate for the region as a tourist destination.⁸⁶

At Palm Island the Resonians were, like other visitors, shown corroborees and met with tribal 'chiefs', but they also seemed especially eager to hear about the productive involvement of Aboriginal men in the island's timber-felling, tropical fruit and sugar cane industries. They were also interested to hear that men were 'hired' to pastoralists for station work and had accumulated considerable savings because of this work.⁸⁷ Barnes has argued that Resonians considered 'undeveloped' parts of Australia such as the desert centre to possess 'unlimited possibilities', as long as Aboriginal people were replaced with industrious Europeans.⁸⁸ However, Palm Island seemed to offer Resonians examples of ways in which the cheap labour of Aboriginal people could help to make remote Australia more productive. Making reserves productive could also resolve settler 'land hunger', which had resulted in reserves, especially in the southern states, centralised and so-called 'half-castes' ejected to reduce population numbers.⁸⁹

82 'Palm Island, North Queensland', *Singleton Argus*, 12 June 1931: 2.

83 Lydon 2005: 178.

84 For example, 'Cannibalism in Western Australia, revolting allegations', *Sydney Morning Herald*, 11 May 1921: 11; 'Aboriginals still cannibals', *Barrier Miner*, 13 May 1921: 4; and 'Cannibalism in Australia', *Brisbane Courier*, 10 May 1921: 7.

85 There were significant connections between the Victorian railways and national tourism in this period. Sir Howard Clapp, Chief Commissioner of the Victorian Railways was also Chairman of ANTA, while Charles Holmes had been Chairman of the Victorian Railways Development Board. ANTA's offices were in Melbourne's Flinders St station. Sinclair 2007: 24, 26.

86 'Reso Tourists', *Brisbane Courier*, 20 June 1928: 14.

87 'Reso Tourists', *Brisbane Courier*, 20 June 1928: 14.

88 Barnes 2011: 128, 144, 147.

89 Griffiths 1996: 151.

'SOCIALIST PARADISE' OR 'INHOSPITABLE ISLAND'?

Tourists were also treated to singing performances by children, brass band performances and sporting demonstrations: all evidence of the great strides Palm Island had taken in the civilising process. Visitors other than Resonians were also shown examples of industrious employment: 'native policemen ... beside native butchers, bakers [and] labourers'.⁹⁰ Accounts tended to see activities like this as 'work', or at least training for work, while corroborees were often 'displays', despite the fact that tourists paid to see 'traditional' performances and that performers 'worked' on the act to fit the expectations of tourists. Also, it was 'traditional' objects such as boomerangs that were bought by tourists, rather than loaves of bread.

Some historians have regarded the spectacle of Aboriginal people working, living and singing like whites as an example of the pervasive influence of primitivism. For instance, Lydon notes that tourists to Coranderrk at the turn of the century wanted to see the modern discipline of station life because it provided 'the frisson of seeing blacks almost (but not quite) metamorphosed into whites'.⁹¹ Thom Blake has argued that positive reactions to performances of sport and brass band music by Barambah inmates did not confront or challenge racism; rather, they encouraged responses akin to those for circus freaks or performing animals, that is 'See what amazing things a savage can do'. In this way it reinforced prevailing stereotypes of Aboriginal people as savage and primitive.⁹² It is true that many audience reactions to the spectacle of inmates being civilised revealed underlying condescending attitudes about race. The England Rugby League team were 'surprised' and 'astounded' at rugby league games and brass band performances at Palm Island.⁹³ Similarly, members of the audience at a musical concert at Cairns given by residents of the Yarrabah Anglican mission had 'narrow escapes from apoplexy when the picaninies started their nursery rhymes'.⁹⁴

However, demonstrations of charitable care and Aboriginal self-reliance (in a western way) could serve to assuage Australian tourists' nagging sense of guilt about colonial treatment of Aboriginal people. By the 1920s, parts of Australian society – especially religious groups, humanitarian organisations and those with more than a passing interest in Australian history – were concerned that British colonialism and settler expansionism had treated Aboriginal people unjustly. There was also the growing feeling that the Australian nation owed a debt to Aboriginal people.⁹⁵ Such a debt could be paid, it seemed, through 'consolations' like the paradise of Palm Island. Employment, education and health services helped to persuade tourists that the 'right thing' was being done and the 'Aboriginal problem' was being taken care of.⁹⁶ Such visitors would have

90 'Palm Island, Abo's paradise', *Sydney Morning Herald*, 29 June 1929: 11.

91 Lydon 2005: 211.

92 Blake 2001: 192.

93 'English team, visit to Palm Island, displays by Aborigines', *Brisbane Courier*, 3 July 1928: 8.

94 'Aboriginal concert', *Morning Post* (Cairns), 14 September 1905: 2.

95 Reynolds 1998: 112; 'Palm Island, treatment of natives, Dr Bancroft's view', *Brisbane Courier*, 30 July 1932: 14.

96 Rolls 2010.

been especially keen to see Palm Island as a socialist paradise. Further, bright children, caring mothers and industrious workers were ammunition against those who believed that Aboriginal people could not become 'civilised'.

Visitors to some of the non-Government Christian mission stations in Queensland – such as Yarrabah near Cairns and Mapoon in the Gulf of Carpentaria – also commented on the good care and instruction that the residents received. At Yarrabah visitors were delighted with healthy babies, clean, smiling, well-behaved children and Aboriginal dentists, carpenters and blacksmiths.⁹⁷ At Mapoon, visitors were 'surprised and delighted' with the quality of the children's schoolwork, and noted that this was 'a direct answer to those who hold the opinion that the Aborigines of Queensland are incapable of the higher attainments of civilisation'.⁹⁸ At neither mission were corroborees or war dances reported on, although they were certainly performed at Yarrabah and by Yarrabah residents at nearby towns.⁹⁹ Mapoon and Yarrabah were not as firmly on the tourist trail as Palm Island, and consequently attracted either those involved with Christian missionary activities, or those who sought out a reserve as a destination in itself, rather than one stop on a pleasure cruise. It is therefore, fair to assume that those visitors who noted employment and education at Palm Island had a pre-awareness of or interest in Aboriginal people and their future.

For these types of tourists, there was a future. Equipping Aboriginal people with secular education, Christian gospel and European work ethics suggested the underlying thought that they were not, in fact, a 'doomed race'. Following the logic of the 'doomed race' theory, a popular view of missions in this period was that they were places which existed simply to 'smooth the pillow of a dying race'.¹⁰⁰ However, missionaries themselves often objected to this characterisation of reserves, seeing them instead as places that would equip residents with the skills necessary to assimilate into modern life. In 1922, with newspapers around the country publicising Daisy Bates' claims that the Aborigines were headed towards 'certain and utter destruction', the Anglican *Australian Board of Missions Review* wrote a series of articles condemning such a view: 'our missions are not merely to "smooth the pillow of a dying race," but rather to supply a backward race with a power which will enable it to take its place in God's family of nations'. And less condescendingly a few years later, 'Anyone whose fetish or selfish bleat is "they are a dying race" should apply to the Superintendents of Mission Reserves for the vital statistics of their settlements; also for data regarding mental and physical and industrial ability.'¹⁰¹

97 'A day at Yarrabah', *ABM Review*, 12(8), 14 October 1921: 118; 'Yarrabah station, visitor's impressions', *Cairns Post*, 6 October 1922: 3.

98 Comments in the Mapoon mission visitor's book: Mr and Mrs Park, Killara, Sydney 1907 and Richard B Howard, Brisbane, 22 July 1908. These impressions bear out Atwood's observation that mission visitor's books were not objective, but usually pro-administration. Attwood 1989: 22. Nevertheless, through their boosting it is clear what visitor's *wanted* to see at missions.

99 Diary of ER Gribble, 18 March 1907, 14 August 1907, Gribble papers, Box 5, 10/11.

100 'The vanishing Aboriginal', *ABM Review* 13(3), 7 May 1922: 40.

101 'The vanishing Aboriginal', *ABM Review*, 13(3), 7 May 1922: 40; and 'Aborigines: impressions after eight years work', *ABM Review*, 16(7), 12 October 1924: 130.

The passionate advocacy of missionaries was starting to be reflected in government rhetoric and policy too. A 1924 report to the Queensland parliament noted that it was becoming evident that Aboriginal people may not in fact be doomed to extinction. In the annual report to parliament it was noted that there were 3,505 Aboriginal people under the age of 12, 'which hardly seems to bear out the commonly expressed opinion that the aboriginal race is dying out'. This number had doubled by 1938.¹⁰² In the mid 1920s it was becoming possible to imagine a future for Aboriginal people. J. W. Bleakley, the Protector for North Queensland, noted that 'Far from dying out, they have ... prospered'.¹⁰³ Over the course of the 1930s, as McGregor notes, Aboriginal extinction 'came to appear less and less certain'.¹⁰⁴

The possibility that Aboriginal people may not, in fact, die out and therefore needed to be prepared for modern society, was starting to take hold more broadly. *Walkabout* magazine thought missions offered Aboriginal people one of the only 'salvations' from extinction.¹⁰⁵ Many travellers and tourists agreed with this assessment of the benefits of mission life: visitors applauded the efforts of missionaries and administrators for demonstrating to the public that Aboriginal people could be 'rescued' from savagery and civilised.¹⁰⁶ By 1951, popular writer Colin Simpson could draw on respected scientific opinion in saying that Aboriginal culture may well be ancient, but that did not make it primitive and that 'Aboriginal man' has a future which 'we, surely, will not keep from him'.¹⁰⁷

It would seem that a significant minority of visitors to Palm Island agreed with this sentiment. They came to the reserve hoping to see evidence of good state care and attainment of the advancements of civilisation by its inmates. They were, on the whole, pleased with what they found there. Further, places like Palm Island offered evidence that Aboriginal people were not dying out; rather, were thriving and attaining skills that would equip them for modern society. In this way it provided corroborating evidence to the statistics that showed the doomed race theory was itself doomed.

Conclusion

The example of Palm Island illustrates the widespread interest in Aboriginal culture in the inter-war period, both amongst local tourists and international visitors. It also shows the diversity of tourist responses to Aboriginal people. While the spin of the Queensland Government Tourist Bureau and some of the more florid newspaper articles gave the impression that tourists were only interested in the primitivism of Aboriginal culture, in truth it was more than this. Tourists and travellers were still influenced by the powerful ideas of racial

102 May 1991.

103 McGregor 1997: 114.

104 McGregor 1997: 225.

105 Russell 2001: 34.

106 'Yarrabah station, visitor's impressions', *Cairns Post*, 6 October 1922: 3.

107 Simpson 1951: 178, 'Foreword'.

determinism of the early twentieth century, as their simplistic ideas about 'socialist paradises' and ancient practices indicate. However many traveller accounts did show a willingness to look beyond these clichés and to the possibility of Aboriginal agency: their sophistication in tailoring performance and exploiting a commercial transaction; their history as survivors of frontier wars; and their expertise in 'civilised' things.

Tourist responses also show the complex and sometimes contradictory ideas surrounding race in this period. On the one hand, the idea that Aboriginal people were inescapably primitive and therefore doomed to die out continued to be persuasive: particularly within a popular tourist culture that sought to exploit a kind of gloomy romantic melancholy in Aboriginal performances. On the other hand, it shows the growing realisation that Aboriginal people may not only have a future, but may have a future as a modern, 'civilised' people. The 1930s were, in the words of Tom Griffiths, 'a watershed' in Australian popular opinion about race: ideas of primitivism were entrenched among some aspects of society, yet articulately challenged by humanitarians, anthropologists and Indigenous and non-Indigenous activists.¹⁰⁸ Tourists, too, contributed to and influenced this public conversation.

References

Archival sources

Mitchell Library, Sydney

Gribble, ER Papers, Australian Board of Missions Further Records, 1873–1978, MLMSS 4503, Add-on 1822.

'Visitor's Book: Mapoon', MLMSS 1893, Box 11, Item 1.

Periodicals

ABM Review

The Advertiser (Adelaide)

The Argus (Melbourne)

The Australian

Barrier Miner

The Brisbane Courier

¹⁰⁸ Griffiths 1996: 83.

‘SOCIALIST PARADISE’ OR ‘INHOSPITABLE ISLAND’?

The Cairns Post

Country Life Annual: Stock and Station Journal

The Horsham Times

The Mercury (Hobart)

Morning Bulletin (Rockhampton)

The Queenslander

Queenslander Annual

Singleton Argus

Sunday Mail (Brisbane)

The Sydney Morning Herald

Townsville Daily Bulletin

Walkabout

Worker (Brisbane)

Theatre and cinema

Uncivilised, 1936, dir Charles Chauvel, 82 mins.

Beautiful One Day, 2012, co-produced by ILBIJERRRI and version 1.0, Performed at Belvoir St Theatre, Sydney, December 2012.

Published sources

Atwood, Bain 1989, ‘Reading sources in Aboriginal history: mission station visitors books’, *La Trobe Journal*, No 43, Autumn: 21-26.

Barnes, Jillian 2007, ‘Resisting the captured image: how Gwoja Tjungurrayi, “One Pound Jimmy”, escaped the “Stone Age”, in *Trangressions: Australian Indigenous Histories*, Ingereth Macfarlane and Mark Hannah (eds), Aboriginal History Monograph 16, Aboriginal History Inc and ANU Press, Canberra: 83-134.

- 2011, ‘Tourism’s Possession of The Centre: Gazing and Performing Kinship and Belonging at Uluru (Ayers Rock), 1927-1957’, unpublished PhD thesis, University of Sydney, Sydney.

- 2013, 'Refiguring the interface between colonising tourism and indigenous rights at World Heritage sites', in *Tourism and the Shifting Values of Cultural Heritage: Visiting Pasts, Developing Futures*, Claire Whitbread and Hui-Mei Chen (eds), Ironbridge International Institute for Cultural Heritage, University of Birmingham, Taipei, Taiwan: 1–22.

Blake, Thom 2001, *A Dumping Ground: A History of the Cherbourg Settlement*, University of Queensland Press, Brisbane.

Berzins, Baiba 2007, *Australia's Northern Secret: Tourism in the Northern Territory, 1920s–1980s*, Baiba Berzins, Sydney.

Brown, Alexander Crosby 1935, *Horizon's Rim*, Arrowsmith, London.

Buzard, James 1993, *The Beaten Track: European Tourism, Literature and the Ways to 'Culture', 1800–1918*, Oxford University Press, Oxford.

Carolane, Peter 2008, 'Parallel fantasies: tourism and Aboriginal mission at Lake Tyers in the late nineteenth century', in *Evangelists of Empire? Missionaries in Colonial History*, Amanda Barry, Joanna Cruikshank, Andrew Brown-May and Patricia Grimshaw (eds), University of Melbourne, Melbourne: 161–172.

Christesen, CB 1938, *Queensland Journey*, Queensland Government Tourist Bureau, Brisbane.

Errington, Felicity 2010, 'Boomerang', in *Symbols of Australia*, Richard White and Melissa Harper (eds), University of New South Wales Press, Sydney.

Fabian, Joannes 1983, *Time and the Other: How Anthropology Makes Its Objects*, Columbia University Press, New York.

Clarke, Marcus 1892, 'Preface', in Adam Lindsay Gordon, *Poems*, Massina, Melbourne,.

Healy, Sianan 2006, 'Years ago some lived here: Aboriginal Australians and the production of popular culture, history and identity in 1930s Victoria', *Australian Historical Studies*, 37(128): 18–34.

Holmes, Charles H 1933, *We Find Australia*, Hutchinson and Co, London.

Hooper, Chloe 2008, *The Tall Man*, Hamish Hamilton, Melbourne.

Hoppe, EO c1935, *Round the World with a Camera*, Hutchinson and Co, London.

Howe, Graham and Erika Esau 2007, *EO Hoppe's Australia*, Curatorial Assistance Inc, Los Angeles.

'SOCIALIST PARADISE' OR 'INHOSPITABLE ISLAND'?

- Griffiths, Tom 1996, *Hunters and Collectors: The Antiquarian Imagination in Australia*, Cambridge University Press, Cambridge.
- Klaastch, Hermann 1923, *The Evolution and Progress of Mankind*, T Fisher Unwin, London.
- Kleinert, Sylvia 2010, 'Aboriginal enterprises: negotiating an urban Aboriginality', *Aboriginal History* 34: 171-196 .
- Konishi, Shino 2010, 'Idle men: the eighteenth-century roots of the Indigenous indolence myth', in *Passionate Histories: Myth, Memory and Indigenous Histories*, Ann Curthoys, Frances Peters-Little and John Docker (eds), *Aboriginal History Monographs No 23*, ANU E Press, Canberra: 99-122.
- 2012, *The Aboriginal Male in the Enlightenment World*, Pickering and Chatto, London.
- Lennon, John and Malcolm Foley 2006, *Dark Tourism*, Thomson Learning, London.
- Lergessner, James G 2009, '*The Sacred Ibis*': *Protector of Aboriginals, Archibald Meston and Queensland's Race Relations*, Schuurs Publications, Brisbane.
- Lydon, Jane 2005, *Eye Contact: Photographing Indigenous Australians*, Duke University Press, Durham, NC.
- McGregor, Russell 1997, *Imagined Destinies: Aboriginal Australians and the Doomed Race Theory 1880-1939*, Melbourne University Press, Melbourne.
- McGuire, Paul 1939, *Australian Journey*, William Heinemann, London and Toronto.
- May, Dawn 1991, 'Race Relations in Queensland 1897-1971', *Royal Commission into Aboriginal Deaths in Custody*, <http://www.austlii.edu.au/au/other/IndigLRes/rciadic/regional/qld/ch5.html#Heading22> (accessed 27 February 2014).
- Meston, Archibald 1891, *Queensland Railway & Tourists' Guide*, Gordon and Gotch, Brisbane.
- Milford, RH 1934, *Australia's Backyards*, Macquarie Head Press, Sydney.
- Nugent, Maria 2005, *Botany Bay: Where Histories Meet*, Allen & Unwin, Sydney.
- Parsons, Michael 1997, 'The tourist corroboree in South Australia to 1911', *Aboriginal History* 21: 46-69.

- 2002, 'Ah that I could convey a proper idea of this interesting wild play of the natives': corroborees and the rise of Indigenous Australian cultural tourism', *Australian Aboriginal Studies* 2: 14–26.

Poignant, Roslyn 2004, *Professional Savages: Captive Lives and Western Spectacle*, University of New South Wales Press, Sydney.

Porter, George 1934, *Wanderings in Tasmania*, Selwyn & Blount, London.

Reimann-Dawe, Tracey 2001, 'Time, identity and colonialism in German travel writing on Africa, 1848–1914', in *German Colonialism and National Identity*, Michael Perraudin & Jürgen Zimmerer (eds), Routledge, New York.

Reynolds, Henry (ed) 1993, *Race Relations in North Queensland*, James Cook University, Townsville.

Reynolds, Henry 1998, *This Whispering in our Hearts*, Allen & Unwin, Sydney.

- 2008, *Nowhere People*, Penguin, Melbourne.

Rolls, Mitchell 2010, 'Why didn't you listen: white noise and black history', *Aboriginal History* 34: 11–34.

Russell, Lynette 2001, *Savage Imaginings: Historical and Contemporary Constructions of Australian Aboriginalities*, Australian Scholarly Publishing, Melbourne.

Simpson, Colin 1951, *Adam in Ochre*, Angus & Robertson, Sydney.

Sinclair, John 2007, 'Agents of 'Americanisation': individual entrepreneurship and the genesis of consumer industries', *Journal of Australian Studies* 31(90): 17–33.

Spencer, Sir Baldwin 1927, *The Arunta: Study of a Stone-age People*, Macmillan, London.

- 1928, *Wanderings in Wild Australia*, Macmillan, London.

Stephens, SE 1974, 'Meston, Archibald (1851–1924)', *Australian Dictionary of Biography*, Vol 5: 1851–1890, K–Q, Melbourne University Press, Melbourne: 243.

Torgovnick, Marianna 1990, *Gone Primitive: Savage Intellects, Modern Lives*, University of Chicago Press, Chicago.

Urry, John 1990, *The Tourist Gaze: Leisure and Travel in Contemporary Society*, Sage, London.

‘SOCIALIST PARADISE’ OR ‘INHOSPITABLE ISLAND’?

Waterhouse, Richard 1990, *From Minstrel Show to Vaudeville: The Australian Popular Stage, 1788–1914*, University of New South Wales Press, Sydney.

Watson, Joanne 2010, *Palm Island: Through a Long Lens*, Aboriginal Studies Press, Canberra.

Wilson, Jacqueline Z 2008, *Prison: Cultural Memory and Dark Tourism*, Peter Land, New York.

White, Richard 2005, *On Holidays*, Pluto Press, Sydney.

Young, David 1996, *Making Crime Pay: The Evolution of Convict Tourism in Tasmania*, Tasmanian Historical Research Association, Hobart.

Aboriginal military service and assimilation

Noah Riseman

In 1957, the Australian Broadcasting Corporation (ABC) Radio ran a 30-minute feature entitled 'The Story of Douglas Grant: The Black Scotsman'. The broadcast narrated the life of Douglas Grant, an Aboriginal man raised in a white Sydney family who served in the First World War. Brian Hungerford reported: 'It [Grant's story] means that if you take a newborn baby straight from its mother, you can bring it up to fit into any society at any level. There is no inherent mental or emotional difference between the primitive man and the civilised one'.¹ How Douglas Grant's life sits as an assimilation narrative and the role of military service in that account is complex. Whereas the ABC and other media reports promoted Grant as a 'poster-child' for assimilation, by his death in 1951 the unfulfilled promises of equality left Grant questioning whether Australian society would ever allow Aboriginal people to assimilate.

Douglas Grant was not the only Aboriginal veteran touted as a model of assimilation, nor the only 'celebrity' used to promote assimilation. Especially during and after the Second World War, the media and policymakers endorsed the armed forces as a possible way to promote Aboriginal assimilation because of the links between military service and duties of citizenship. Indigenous servicemen and women themselves also saw the military as an opportunity to earn citizenship rights. Many Indigenous service members found equality in the armed forces. Their experiences support military sociologists' arguments that the military-socialisation process aims to train service personnel with a mentality of sameness and conformity, breaking down racial and ethnic barriers.² When many Indigenous service personnel returned to civilian life, they sought continuing equality through embracing assimilation. They encountered the same prejudices as many other Indigenous Australians, gradually leading Indigenous ex-service personnel, too, to question whether assimilation brought equality. The complex links among government, media and Indigenous attitudes therefore situate military service as a critical but overlooked component of the history of assimilation in Australia.

Several thousand Aboriginal and Torres Strait Islander people served in the armed forces from the Boer War through the Vietnam War. At least 50 served in the Boer War, over 800 in the First World War, over 4,000 in the Second World War and at least 350 in Korea, Malaya and Vietnam. Across testimonies and writings of ex-servicemen and women from these conflicts are common patterns:

1 'The Story of Douglas Grant, the Black Scotsman' 1957.

2 Wadham 2013: 229. See also Riseman 2013a.

childhoods confronting discrimination, the armed forces representing a site of equality and empowerment, upon return to civilian life desiring to live as equals whilst non-Indigenous Australians continued to practice *de jure* and *de facto* discrimination.³ This article focuses on three specific Aboriginal veterans as case studies: Douglas Grant from the First World War, Reg Saunders from the Second World War and Korea, and Phil Prosser from Vietnam. Unlike most veterans, these men had profiles in the media as supposed assimilation 'success' stories. Yet in common with many other Indigenous veterans, military service was central in their lives, and after their military service they lived and worked in mainstream white Australia. These and many other Indigenous service personnel simply sought equality; the military did allow them to experience true equality, and they hoped that through embracing assimilation they could continue to live as equals. Media and governments picked up on these particular men's life stories and identified the armed forces as a site to promote assimilation. Yet in civilian life these and other ex-servicemen and women frequently confronted the shortcomings of assimilation, including discrimination in employment, housing and in their interactions with white Australians. As time went on the prejudice they encountered frustrated them, and as public discourses about assimilation shifted, so too did these ex-service personnel re-evaluate their positions and embrace integration and self-determination as true harbingers of equality.

Assimilation(ism) has multiple connotations. Although historians Tim Rowse and John Maynard argue that assimilation practices began in 1788, assimilation as an agenda entered popular discourse in the 1930s and had its heyday in the 1950s to 1960s.⁴ The term had different meanings both among non-Indigenous and Indigenous Australians. Whereas in the 1930s assimilation often had implications of biological absorption, in the 1950s assimilation was tied up with discourses about citizenship and Aboriginal people becoming 'full participants in the settler economy'.⁵ The traditional historical interpretation as summarised by Anna Haebich is that assimilation represented the promise of equal citizenship rights for Aboriginal people, but in exchange 'they were required to abandon their distinctive cultural values, lifestyles, customs, languages and beliefs and conform to the national way of life'.⁶ As Russell McGregor and Rani Kerin argue, there were tensions in the 1950s between policymakers who saw assimilation as the rise of individualism and gradual decline of Aboriginal traditions (a monocultural vision of assimilation), whereas anthropologists and Aboriginal supporters advocated pluralist models of assimilation where certain features of Aboriginality would be permitted and sometimes even encouraged to endure.⁷ In the 1960s the pluralist vision cohered into the concept of integration, whereby Aboriginal people could participate in the nation-state with equal rights while preserving their distinct cultural identities. McGregor highlights that this discursive distinction held significant meaning for Indigenous activists of the

3 Riseman 2013b.

4 See Rowse 2005; Maynard 2005.

5 Wells and Christie 2000: 117.

6 Haebich 2008: 12.

7 McGregor 2011: 101–107; Kerin 2011: 115–160. See also Haebich 2008: 110–114.

1960s, but the difference between integration and assimilation in practice was ambiguous.⁸ Indeed, the ambiguities are constitutive of the shifting meanings underpinning terms such as assimilation, integration and advancement. The nebulous nature of assimilation also led various servicemen and women to conceptualise themselves, their Aboriginality and their relationship to white Australia in different ways. One significant commonality permeates these many interpretations of assimilation: the agreement that discrimination in law and practice must end to usher in equality.

Ideas about citizenship were the bridge linking military service with assimilation because military service has traditionally been viewed as an exercise of the duties and obligations of citizenship.⁹ Even Aboriginal activists of the 1930s to 1940s invoked participation in the First and then Second World Wars as grounds to claim citizenship rights. Those activists considered citizenship rights to constitute political and economic equality; for policymakers in the 1950s, though, citizenship rights, military service and equality became tied up with the notion of assimilation.¹⁰ For example, the proposed 1939 New Deal for Aborigines, influential anthropologist A. P. Elkin's 1944 book *Citizenship for Aborigines*, and Minister for Territories Paul Hasluck's policies from 1951 explicitly promoted citizenship as the end objective for Aboriginal people and assimilation as the means. As Julie Wells and Michael Christie summarise, 'after making the transition from "primitive" to "civilised"; [individual Aboriginal people] would then be rewarded by being made citizens'.¹¹ Yet Indigenous activists of the 1960s would flip the issue of citizenship not to represent assimilation, but rather integration and equality. Veterans, including the three discussed in this article, were among the Aboriginal people who initially embraced monocultural assimilation but later re-evaluated their situations to support integration. The tensions over the meanings of assimilation, integration, equality and citizenship and how veterans negotiated these tensions will become clearer through the course of this article.

This article engages a variety of sources including newspapers, service records, magazines, Department of Repatriation files, government propaganda and oral testimonies. For all three case studies, the oral testimonies were recorded several decades after the times of service; in the case of Douglas Grant, oral recollections from those who knew him were recorded posthumously. As oral historian Alistair Thomson argues, using oral testimony from ex-service personnel is valuable to grasp how veterans remember particular conflicts and the position of military service in their life stories. Yet Thomson cautions that scholars need to consider the time that has lapsed since the events recalled because dominant narratives of historical events can shape how people reconstruct their memories. Such cautions do not make oral testimonies invalid as sources. Rather, oral

8 McGregor 2011: 107–112.

9 Janowitz 1976.

10 McGregor 2011: 50–54.

11 Wells and Christie 2000: 113. See also McGregor 2011: 34–36, 64–69, 76–97; Attwood 2003: 144–148; Elkin 1944.

histories are most valuable when contextualised with other sources of evidence. Moreover, testimonies are valuable to understand how people remember events and when viewed as markers of what individuals consider worth remembering and retelling.¹² Building on Thomson's cautions, in this article oral history testimonies are presented in conjunction with other written evidence to present wider historical pictures of the events remembered, how they are remembered and why the storytellers take particular positions.

Embodying the spectacle: Douglas Grant

Douglas Grant was born in North Queensland around 1886. According to most accounts, in 1887 two Scottish emigrants rescued him from having his head smashed against a rock by Native troopers.¹³ The Grants raised Douglas as their adopted son in a middle-class Sydney home. Grant inherited his adopted father's Scottish accent and trained as a draughtsman and taxidermist. In 1957 Frank McNeill of the Australian Museum in Sydney said of Grant's upbringing: 'there was absolutely no differentiation because being so young and all of his formative years built him into, well, nothing more or less than a normal European'.¹⁴ Grant himself later reported that other children treated him well: 'They never left me out of anything. If there was a party on, I was always taken along, too'.¹⁵

Grant ran into opposition joining the Australian Imperial Force (AIF) in 1916 because of regulations prohibiting enlistment of persons 'not of substantially European origin or descent'.¹⁶ Grant's adopted father Robert pulled some strings with the New South Wales Aborigines Protection Board and the AIF agreed to keep Douglas as a special case.¹⁷ Grant's enlistment received considerable press attention; between May 1916 and January 1917 at least ten newspapers across Australia featured short articles. The first story published in *The West Australian* provided a brief biography before commenting:

Douglas has many accomplishments. He writes a splendid hand, draws well, recites Shakespeare with histrionic ability, plays the Scottish

12 Thomson 2006. See also Thomson 2013: 10–17.

13 This is the standard account of Grant's rescue, published in newspapers, radio and secondary sources. For an alternative account of Grant's 'rescue', see Fred G Brown, 'Douglas Grant. Queensland Aboriginal A.I.F. Digger', *Townsville Daily Bulletin*, 2 February 1933: 10. Grant's 'rescue' fits with other child rescue narratives of the era. See Swain and Hillel 2010.

14 Frank McNeill, in 'The Story of Douglas Grant' 1957. See also Gordon 1965: 25–29; W.A.R., 'A notable Aboriginal', *The Australian Museum Magazine* 10(9), 15 March 1952: 301.

15 'Pure Aboriginal reared as white man', *The Mail* (Adelaide), 12 February 1944: 7.

16 See Winegard 2012: 87; Pratt 2007: 221–222.

17 'Aboriginal Soldier. Story of Douglas Grant', *Sydney Morning Herald*, 2 September 1916: 20. Article reprinted in *Morning Bulletin* (Rockhampton), 9 September 1916: 10; *The Capricornian* (Rockhampton), 16 September 1916: 40; *The Northern Miner* (Charters Towers), 21 September 1916: 2; *Worker* (Brisbane), 4 January 1917: 17. See also Huggonson 1993: 215–216.

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

bagpipes, and can earn a very good living any time by following his profession — that of a draughtsman. This brief history demonstrates what may be done with an aboriginal when taken early and trained.¹⁸

This was the first of many articles which depicted Grant as a spectacle during the war — a ‘cultured’ Aboriginal soldier living like a white man. This was an era when assimilation discourse was not common in Australia. Even so, such ideas about ‘training’ a young Aboriginal child aligned with child rescue discourse and constituted a form of proto-assimilationism.¹⁹

Grant served on the Western Front before being captured as a prisoner of war in May 1917. The Germans recognised Grant as intelligent and therefore appointed him to be in charge of Red Cross parcels for Indian civil prisoners at the POW camp.²⁰ In one letter to the Australian Red Cross he wrote:

Could I also get a copy each in book form the poems of Adam Lindsay Gordon, Henry Lawson, and Robert Louis Stevenson, or some books of Australian life Perhaps Madam you are aware that I am a native of Australia, adopted in infancy and educated by my foster parents whose honored name I bear, imbued me with the feelings and spirit of love of Home, Honour, and Patriotism.²¹

Grant’s language suggests pride in being an ‘assimilated’ Aboriginal person (though he does not use that term). His invocation of patriotism suggests that military service represented a natural progression of his upbringing in white Australia. Interestingly, though, because Grant did not adequately conform to the ‘science’ of the time, the Germans found it difficult to reconcile Grant’s race as an Aboriginal man with his European upbringing.²²

After the war Grant had difficulty finding continuing employment. From 1925–27 he even moved to Melbourne then to Barmah, Victoria to pick fruit. He subsequently returned to New South Wales and worked at a small arms factory in Lithgow until he was retrenched in 1929. Throughout this period and especially after his retrenchment, he frequently sought employment related to his draughtsman or taxidermy training at a museum, but because he was black he could only secure casual labouring jobs. Letters in his Repatriation file indicate that he was relying almost exclusively on a war pension for income. Eventually Grant became a clerk, messenger and errand boy while residing at the Callan Park Mental Hospital.²³

18 ‘An Aboriginal soldier’, *The West Australian*, 23 May 1916: 5. Article reprinted in *Gippsland Times*, 17 July 1916: 4.

19 Swain and Hillel 2010.

20 Mitchell Library, ML MSS 2766.

21 Douglas Grant, to Miss Chomley, Australian Red Cross, 5 May 1918, in National Library of Australia (hereafter NLA) MS 9058.

22 See Dr Leonard Adam, in ‘The Story of Douglas Grant’ 1957; Gordon 1965: 27.

23 ‘The Story of Douglas Grant’ 1957; NAA Sydney, series C138, item R70396 DOUGLAS GRANT; ‘Retrenchment. Air Force. Randwick station closing down’, *Sydney Morning Herald*, 5 July 1929: 13; Gordon 1965: 28–29; NAA Canberra, series B2455, item GRANT D.; ‘Relics of Aborigines.

Grant occasionally reappeared in newspapers throughout the 1920s and 1930s. Frequently he was listed with writer and inventor David Unaipon and missionary James Noble as evidence of 'what can be done to raise the status of the aboriginal and equip him for the tasks of civilised life'.²⁴ Such discourse presaged assimilationist language that emerged in the 1939 proposals for a New Deal for Aborigines. Even David Unaipon referenced himself and Grant as examples of why assimilation could successfully lift the status of Aboriginal people. Unaipon remarked: 'Here was a baby [Grant] brought straight from the wilds of Queensland and absolutely primitive antecedents. Yet see what he has done!'²⁵ Grant's position within white society included serving as the Secretary of the Lithgow Returned Soldiers' and Sailors' Imperial League of Australia (RSSILA) for three years; he also conducted the local radio returned soldiers' session.²⁶ Roy Kinghorne of the Australian Museum later remarked, 'We all regarded Douglas as one of ourselves, and when he put out his hand to shake hands, it wasn't a black hand somehow or other. It just seems as if he was just a white hand; he spoke like ourselves and was one of ourselves in every way'.²⁷ Unaipon and Kinghorne's depictions of Grant embodied the later notion of assimilation representing a means to uplift Aboriginal people, for which they should be grateful.²⁸ By the 1950s, when assimilation was the mainstream policy for Indigenous people across Australia, Grant's story was being used as propaganda to promote assimilation through media such as the ABC radio broadcast. Such media did not portray military service as the only facilitator of Douglas Grant's assimilation; rather, military service represented one component of a long assimilation process that began with his childhood in a white family.

Whereas the white press portrayed Douglas Grant as a positive example of assimilation, he confronted discrimination and gradually began to criticise white society for limiting Aboriginal people's ability to assimilate. While Secretary of the Lithgow RSSILA, Grant was on record opposing racial discrimination in public facilities and sport, writing 'The colour line was never drawn in the

Collection presented to the nation', *Sydney Morning Herald*, 22 January 1931: 8.

24 Percy S Allen, 'Bushrangers and blackfellows: orders to Phillip', *Sydney Morning Herald*, 24 January 1938, 19. Other references to Grant, Noble and Unaipon as successful examples of assimilation include 'Diary of a man about town. Aborigines of note', *The Mail* (Adelaide), 31 October 1925: 2; 'The Sydney Mail', *Sydney Morning Herald*, 11 July 1917: 10; 'Australia's natives. Their history and their future', *Cairns Post*, 7 October 1930: 2; 'A tragic story. Slaughter of blacks', *Sydney Morning Herald*, 18 April 1931: 13; 'A tragic story. Slaughter of blacks', *The Northern Miner* (Charters Towers), 13 May 1931: 2; 'Holy orders. The Rev. James Noble', *Townsville Daily Bulletin*, 10 January 1934: 3; Goorine, 'The Aborigines question (To the Editor)', *Townsville Daily Bulletin*, 12 May 1937: 15; E.R.B.G., 'The Australian Aborigines', *Cairns Post*, 26 January 1940: 11; 'Care of Aborigines', *The West Australian*, 30 January 1940: 10.

25 'An Aboriginal intellectual. David Unaipon', *The Register* (Adelaide), 3 October 1925: 9.

26 'Colour Line again', *Mercury* (Hobart), 24 June 1929: 6; 'Retrenchment. Air Force. Randwick station closing down', *Sydney Morning Herald*, 5 July 1929: 13; 'Sidelights. Scotch Aboriginal', *Brisbane Courier*, 10 August 1929: 24; 'A sermon — in black and white', *Western Mail* (Perth), 10 October 1929: 2; E.R.B.G., 'The Australian Aborigines', *Cairns Post*, 26 January 1940: 11; W.A.R., 'A notable Aboriginal', *The Australian Museum Magazine* 10(9), 15 March 1952: 301.

27 Roy Kinghorne, in 'The Story of Douglas Grant' 1957.

28 Haebich 2008.

trenches'.²⁹ The discrimination Grant witnessed persisted even into the post-war assimilation era and constituted one of the shortcomings of assimilation policies. Whichever version of assimilation one advocated — whether the pluralist or monocultural model — there was a hope that non-Indigenous Australians would accept and welcome assimilated Aboriginal people into their communities. This was not the case, and despite the efforts of assimilationists to oppose racial discrimination, prejudice persisted.³⁰ Grant clearly was not immune to such treatment; indeed, his experience foreshadowed other Aboriginal people in the post-war period, and like many others Grant grew disenchanted.

In the early 1930s, Grant looked to empower Aboriginal people to embrace assimilation. He applied as an architect to design cottages for an Aboriginal settlement at La Perouse in Sydney. Grant unsuccessfully argued that 'his services as architect should be utilised because, as an aborigine, he knows and understands the needs of his race'.³¹ By 1933 Grant was actively advocating (unsuccessfully) for Aboriginal self-determination on remote reserves, referencing Native American reservations. Grant argued that:

given an opportunity to develop free from white influence the high communal spirit of pre-settlement days, could be used usefully to occupy outposts in the continent where at present the European could not go. Let him develop naturally, not merely stay around missions, and let him become an asset instead of a drag.³²

Such ideas were consistent with assimilationist discourse, as many advocates considered segregation of remote Aboriginal people necessary because they were either not capable or not ready to assimilate. By 1944 Grant was calling for full citizenship rights for Aboriginal Australians. He remarked, 'Australia is the aboriginal's by birth — the Australian's by adoption ... Surely after 150 years the Government can see its way clear to uplift and emancipate the Australian aboriginal'.³³ Such arguments were not dissimilar to those advanced by Aboriginal activists of the inter-war era such as Jack Patten, Fred Maynard or William Ferguson.³⁴ There are no indications that Grant had any connections with these or other Aboriginal activists. In fact, Frank McNeill asserts that Grant 'never associated himself with his own race ... He considered them something very very different and that's why the experiment of bringing up Doug as he was brought up and educating him as he was educated was rather a tragic

29 'Colour Line again', *Mercury* (Hobart), 24 June 1929: 6.

30 McGregor 2011: 88–93; Haebich 2008: 214–234.

31 'Full-blooded Aborigine architect seeks to benefit his people', *The Register News-Pictorial* (Adelaide), 3 September 1930: 7. See also 'Aborigine an architect. Fought with A.I.F.', *Advocate* (Burnie), 2 September 1930: 6.

32 *The Northern Miner* (Charters Towers), 25 February 1933: 4; 'The Aborigines. Interesting plea. Give them an opportunity', *Townsville Daily Bulletin*, 25 February 1933: 10.

33 'Pure Aboriginal reared as white man', *The Mail* (Adelaide), 12 February 1944: 7.

34 See McGregor 2011: 37–54; Maynard 2007; Attwood 2003: 194–197.

experiment'.³⁵ Even though Grant did not associate with Aboriginal people in the 1930s to 1940s, his proposals suggest that he considered his daily encounters with discrimination to mirror other urban Aboriginal experiences.

Grant's life spiralled downhill through the 1930s after the deaths of his foster brother and parents left him with no support network. Observers indicate that he drank heavily as feelings of rejection took their toll. Grant's Repatriation file indicates that he was an inmate at the Callan Park Mental Hospital from 1931 until 1939 because of a 'mental disorder [which] appears due to alcoholism'. One 1939 letter from the medical superintendent at the hospital described Grant as 'an incorrigible alcoholic with mild alcoholic dementia and will never improve'. Throughout the 1940s medical reports frequently referred to him as 'depressed' or 'melancholic'.³⁶ Roy Kinghorne observed:

He used to enjoy himself at the reunions after the war, but he became a sadder, progressively more dejected figure as each April the twenty-fifth went by. One day, in the late 'forties, I saw him sitting under a tree as the fellows from my old unit were marching into the Domain ... 'I'm not wanted any more,' Grant told me. 'I don't want to join in. I don't belong. I've lived long enough'.³⁷

In 1949 Grant was classified as totally and permanently incapacitated due to heart disease and began to collect a Special Rate pension. He died in 1951 of a brain haemorrhage at The War Veterans' Home on Bare Island near La Perouse.³⁸

Media reports after Grant's death continued to portray military service as one of several life events which facilitated his assimilation. At the time of Grant's actual service, though, there was no assimilationist agenda pushing for Aboriginal military service. Reports during the war merely gave Grant a public profile as an Aboriginal soldier. In the 1930s to 1950s the media retrospectively determined military service to be one of several catalysts – child removal being the other main one – within Grant's constructed assimilation narrative. Such a narrative suited the agenda of 1950s monocultural assimilationists such as Hasluck, who envisioned Aboriginal Australians living like white Australians while gradually losing their own customs. That Grant himself questioned non-Indigenous Australians' willingness to accept 'assimilated' Aboriginal people was overlooked in public discourse. This did not constitute Grant's rejection of assimilation per se, but rather revealed his frustration with a process that required the embrace of not only Aboriginal people, but also the white community. The media's final word on Grant's life came in the 1957 ABC report: 'He was an indication of the fact that the Australian Aboriginal has plenty of latent intelligence – well it's an intelligence that can be brought out under kindly and scientific treatment'.³⁹

35 Frank McNeill, in 'The Story of Douglas Grant' 1957.

36 NAA Sydney, series C138, item R70396 DOUGLAS GRANT.

37 Roy Kinghorne, in Gordon 1965: 29. See also Roy Kinghorne, in 'The Story of Douglas Grant' 1957; Lucy 1988: 149.

38 NAA Sydney, series C138, item R70396 DOUGLAS GRANT.

39 Alex Chisholm, in 'The Story of Douglas Grant' 1957.

Soldier for the Queen? Reg Saunders

The 1930s marked the rise of assimilationism as well as the build-up to the Second World War. During this period there were calls from various organisations for the armed forces to employ Aboriginal men of mixed descent in segregated units to hasten the assimilation process.⁴⁰ Notwithstanding such proposals, in 1940 the Commonwealth explicitly prohibited the enlistment of all persons of non-European origin or descent. Even so, at least 3,000 Aboriginal and 850 Torres Strait Islander men and women served in the Second World War, primarily because the Pacific War necessitated all available manpower and womanpower.⁴¹ Among those servicemen was Reg Saunders, whose story exemplifies how assimilationists propagandised Aboriginal military service after the war.

Reg Saunders was born in 1920 into a prominent Gunditjmara family from Framlingham and Lake Condah in Victoria. Reg's uncle and father served in the First World War and his younger brother Harry would die in action in New Guinea during the Second World War. Saunders' first wife Dorothy served in the Women's Auxiliary Australian Air Force, so military service was quite prominent in the Saunders family. Reg left school after grade eight and worked in a sawmill and then in a timber-cutting business with his father and brother.⁴² Reg joined the Army in April 1940; framing his motivations, he remarks, 'No I never fought for anybody but Australia. I always was loyal to my country Australia is my country and I'd merely followed in the footsteps of hundreds of other Aboriginals in World War I'.⁴³

Reg's strong personality, friendly nature and leadership abilities led to his promotion to Sergeant before he left Australia. In November 1940 Saunders arrived in North Africa, fighting with the 2/7th Battalion against Italian forces. He also served in the doomed defence of Greece and Crete in early 1941. Saunders and others in his unit hid among Cretan villagers for 11 months before escaping to North Africa. By August 1942, Saunders was back in Australia and was then deployed to New Guinea in April 1943. Saunders testifies that he did not experience much racism in the Army. He remarks:

I didn't strike any racism in the Army though. I had a bit of a reputation as a fighter — I don't know where I got it from — and well, there were a lot of good Aboriginal fighters in those days... So I didn't get very much cheek from anybody. I didn't get any, as a matter of fact. But I never

40 See several proposals in: NAA Melbourne, series B1535, item 929/19/912; NAA Canberra, series A659, item 1939/1/12995; NAA Melbourne, series B1535, item 849/3/1644; NAA Melbourne, series MP508/1, item 82/712/670; NAA Melbourne, series MP508/1, item 275/750/1310; NAA Melbourne, series MP508/1, item 240/701/217; NAA Canberra, series A659, item 1942/1/3043.

41 See Hall 1997.

42 Gordon 1965: 35–43.

43 Australian War Memorial (hereafter AWM) S00520.

asked for it, I just used my rank the way it should have been used, I didn't abuse it, and I was more friendly with fellows and didn't rely on military discipline to get my way.⁴⁴

Saunders' success on the battlefield caught the attention of superiors and he was invited into Officer Training School. On 25 November 1944 Reg Saunders was the first Aboriginal serviceman to graduate as a commissioned officer in the Second AIF.⁴⁵ One of the officers on the selection committee remembers, 'I said after he left the room, "Here is a bloke able to lead troops. We couldn't care whether he is black, white or brindle. Let's give him a go"'.⁴⁶ The decision to give an Aboriginal man a commissioned command required the approval of General Thomas Blamey, who wrote, 'If the Commanding Officer of the 2/7th. battalion is prepared to accept Sergeant Saunders as an officer, I'm certainly prepared to do the same'.⁴⁷ Saunders was modest about breaking this colour barrier, stating 'So I wasn't aware that there was anything extraordinary about me, but I thought I was a pretty good soldier'.⁴⁸ At the end of the war Saunders left the Army.

In 1950 Reg re-enlisted into K Force in the Korean War. Financial motives were front and centre; Reg recalls, 'Where else can I get £21 a week, all hospital expenses, three meals a day and an allowance for my wife?'⁴⁹ Reg served as commander of 3RAR's C company battalion, even fighting at the Battle of Kapyong. He returned to Australia in early 1952 and trained soldiers of 2RAR for service in Korea.⁵⁰ Later he was responsible for training national servicemen. Reg resigned from the Army in October 1954, citing the low quality of national servicemen as the reason. He commented, 'There were too many officers' parties at weekend camps. The men at times were allowed to do much as they pleased'.⁵¹

At various times during and especially after the Second World War, Reg Saunders had a significant media profile. Like Douglas Grant, much of the reporting focused on Saunders as a 'model' Aboriginal person who had successfully assimilated in Australian society. Wheeling out 'model' Aboriginal people, particularly 'celebrities', was dual-purpose propaganda. It both encouraged white Australians to accept assimilated Aboriginal people as 'like them', while concurrently suggesting to Aboriginal people that they, too, could make it in mainstream Australia.⁵² Reports in 1944-45 frequently mentioned Saunders as

44 Reg Saunders, in Hall 1995: 77. For Saunders' service records see NAA Canberra, series B2458, item 337678: SAUNDERS, Reginald Walter. A narrative of Saunders' Second World War service is available from Gordon 1965: 49-132; Ramsland and Mooney 2006: 182-191; Grimshaw 1992: 88-93; Chris Saunders, in Jackomos and Fowell 1993: 20-22.

45 Traditionally Saunders is considered the first Aboriginal officer in the armed forces, but researchers recently identified a Tasmanian Aboriginal officer from the First World War.

46 In Ramsland and Mooney 2006: 187.

47 General Thomas Blamey, in Gordon 1965: 16.

48 Saunders, in Hall 1995: 80.

49 Saunders, in Gordon 1965: 142.

50 For Saunders' Korean War service see Gordon 1965: 144-158; Ramsland and Mooney 2006: 194-195; Grimshaw 1992: 93-97.

51 'Aboriginal tells Army why he quit', *Melbourne Herald*, 12 March 1956, in NAA Canberra, series B2458, item 337678. See also Gordon 1965: 160-162.

52 Haebich 2008: 152; McGregor 2011: 74; Wells and Christie 2000: 113-117.

the first Aboriginal officer in the Australian Army. Coverage after the war ranged from a photo of Saunders' daughter on Santa Claus' lap, to Saunders starring in a local pantomime revue, to Saunders' wife and daughters greeting him at Spencer Street Station when he returned from Korea.⁵³ Such imagery aligned with government efforts to 'sell' assimilation to the white Australian public.⁵⁴ In 1953 there was a media storm over whether to send Saunders to Queen Elizabeth II's coronation as part of Australia's military contingent. Ultimately Saunders was not included, but in 1955 new proposals advocated that Saunders light the cauldron at the 1956 Melbourne Olympics; this proposal, too, was unsuccessful.⁵⁵ One article from the *Melbourne Herald* encompasses the media's attitude towards Reg Saunders: 'It has been frequently demonstrated that an Aboriginal of normal intelligence ... can lift himself to the standard of his white brethren. The case of Lieut. Saunders emphasises this truth'.⁵⁶ As Haebich summarises, stories such as these sent the message 'that they had been able to succeed in spite of this impediment [being Aboriginal]'.⁵⁷

Most media coverage of Saunders the war hero and model of assimilation did not mention the difficulties he confronted as a civilian Aboriginal man. Between the Second World War and Korean War, Saunders worked in low-wage jobs such as a tram conductor, foundry worker and tally clerk. After the Korean War he again returned to low-wage positions.⁵⁸ His daughter Glenda recalls,

Dad had done extremely well ... yet at the end of it, there was nothing for him. Some of the guys have said to me, 'I can't believe that he wasn't offered the types of jobs other people were offered'. I can only think the reason was the colour of his skin.⁵⁹

Saunders had amicable relations with his colleagues but had to confront racial discrimination from the public. He recalled several incidents when tram passengers racially abused him, though he always stood his ground and often kicked those passengers off. He also confronted racial vilification on the streets of Melbourne or Sydney or on the football field. He was often refused alcohol in pubs.⁶⁰

One topic where media coverage revealed the gap between white and Aboriginal perceptions of assimilation's impact involved the Saunders family's living situation. Assimilation policies in several states including Victoria encouraged

53 'Hero's kiddies meet Santa', *The Argus* (Melbourne), 21 December 1950: 4; 'Revue company for Portland', *Portland Guardian*, 13 January 1947: 2; 'Home from Korea', *Portland Guardian*, 10 March 1952: 2; "'Daddy's safe home again!" — with Geisha Dolls, too', *The Argus* (Melbourne), 18 January 1952: 3; 'Spencer St stopped work to cheer him', *The Argus* (Melbourne), 18 January 1952: 3.

54 Haebich 2008: 118–121, 137–154.

55 Gordon 1965: 164.

56 *Melbourne Herald*, in Pottinger 2000: 34.

57 Haebich 2008: 152. See also McGregor 2011: 74; Wells and Christie 2000: 113–117.

58 Gordon 1965: 165–168.

59 Glenda Hume, in Pottinger 2000: 34.

60 Gordon 1965: 138–139.

Aboriginal people to move into houses in townships or cities.⁶¹ Yet Reg Saunders and his family confronted discrimination when applying for rental housing, being relegated to cramped tenements in industrial suburbs like other Aboriginal residents. This situation came to the media's attention when Saunders' wife wrote a letter to the *Sun News-Pictorial* detailing the poor living conditions where she and her children dwelled. The *Sun* reported:

In this room of a condemned house — the only home that a war hero and his family could find in years of searching — the youngest baby has been bitten by a rat, and there are great gaps in the broken, sunken flooring. A patch of wet mud lies at the doorway, where the floor has been worn right away.⁶²

The media attention had an impact; a man who knew Reg from the Army contacted Dorothy Saunders and offered her a furnished, affordable house in a leafy suburb.⁶³ While this was a good outcome for the Saunders family, it demonstrates one way in which white Australians overlooked the realities of discrimination confronting Aboriginal Australians. None of the coverage explained that racial discrimination was what prevented the family from renting a decent home. Rather, it merely presented the Saunders' situation as unique and with a happy ending that warranted no further investigation.

The housing situation is one example of discrimination facing all Aboriginal people during the assimilation era. Even so, throughout the 1940s to 1950s Saunders embraced assimilation for its promise of equality. He tried to live and work with white Australians and no longer resided in Aboriginal communities. When his marriage with Dorothy fell apart in 1953, he subsequently partnered with and eventually married a white woman. A line in Saunders' Aborigines' Welfare Board file commented in 1956 that 'Reg's present partner I am told is a white woman possibly a nurse so he is at least being assimilated'.⁶⁴ Saunders commented in his 1962 biography: 'Ultimately, I suppose, there'll be assimilation, but it will take hundreds of years'. Reg further used his son Chris as an example:

'He could be totally assimilated. He's a good-looking boy, not too dark, very popular, better than average at sport. And he's very bright at school. You never know.... Chris might one day get to university. And he'll certainly marry a white girl.'⁶⁵

That even Saunders argued an assimilationist approach to Aboriginal affairs demonstrates the strength of the ideology within early 1960s Australia. As Kerin asserts, many historians and Aboriginal people are hesitant to admit 'that many Aborigines supported assimilation' because of the negative connotations

61 See Haebich 2005; Manning 2005.

62 In Gordon 1965: 146; Ramsland and Mooney 2006: 195.

63 'Home offered to officer's family', *The Advertiser* (Adelaide), 20 November 1950: 3; see also 'Hero's wife to leave the slums', *The Daily News* (Perth), 21 November 1950: 4–5.

64 Typed note in NAA Melbourne, series B337, item 664.

65 Gordon 1965: 172.

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

associated with the term today.⁶⁶ Assimilationists asserted that the Army was the catalyst for Saunders' 'successful' assimilation and therefore was a possible path for other Aboriginal people. In 1951 *Mufti*, the Victorian RSL newsletter, proposed an all-Aboriginal battalion. The magazine argued, 'Captain Saunders has provided proof in abundance, if proof were ever needed, that with training the aborigines can become as good if not better in many respects as the white'.⁶⁷ This proposal did not come to fruition, and Aboriginal service personnel in the 1950s to 1960s continued to serve integrated in normal units.

When the 1960s ushered in new opportunities for Aboriginal leadership, Saunders was already involved in the fight for Aboriginal equality and continued to adhere to assimilationist discourse. He recalls, 'I felt a sense of leadership of Aboriginal people and a desire to do something about the Aboriginal situation, yes, yes ... I would have liked to have done more than I did do'.⁶⁸ As early as 1946, Saunders was opposing the bar against Aboriginal servicemen joining the British and Commonwealth Occupation Forces (BCOF) in Japan. He wrote, 'Now that the danger [war] is past I feel my race is entitled to equal opportunities with other Australians. We don't want privileges, but opportunities for advancement and fair treatment'.⁶⁹ Saunders was invited to be a guest speaker at Martin Place in Sydney for the 1961 National Aborigines Day — part of National Aborigines' Day Observance Committee (NADOC) Week.⁷⁰ Saunders recalls that a state cabinet minister who shared the platform with him still advocated that Aboriginal people should be relegated to reserves until they 'earned' their place in Australian society, reflecting assimilationist discourses about reserves serving as staging areas until 'tribal' Aboriginal people were 'ready' to assimilate. He confronted the politician and said, 'One day you're going to regret that'.⁷¹ From 1969 Saunders began working as an advisor in the Commonwealth Ministry for Aboriginal Affairs, where he was popular with Aboriginal communities he visited. By this time, just as assimilation ideology was on the way out, much of Saunders' work centred on developing initiatives to support Aboriginal self-management, such as encouraging the Walgett Aboriginal community to set up a credit union in 1972. After a heart attack in 1980, he worked in a casual capacity until he passed away from heart failure in March 1990.⁷²

Saunders' story is similar to Douglas Grant's as someone that white Australians could promote as a 'safe' model of assimilation. Saunders like Grant embraced the assimilation agenda because he saw it as a legitimate path to equality for

66 Kerin 2011: 152.

67 'Aboriginal unit proposed', *Cairns Post*, 5 November 1951: 1; 'Aboriginal battalion', *Morning Bulletin* (Rockhampton), 5 November 1951: 4; 'Aboriginal battalion suggested', *The Advertiser* (Adelaide), 5 November 1951: 2.

68 Saunders, in Hall 1995: 87.

69 Saunders, in Gordon 1965: 136–137; Ramsland and Mooney 2006: 193.

70 Mrs Joyce Rogalsky, Secretary, NSW State Committee for NADOC, to Central Army Records Office (hereafter CARO), 12 December 1960, in NAA Canberra, series B2458, item 337678.

71 Saunders, in Gordon 1965: 142.

72 Ramsland and Mooney 2006: 200–201; Moodie 1989: 17; Pottinger 2000: 36; Glenda Humes, in Jackomos and Fowell 1993: 19.

Indigenous Australians. Yet while the media portrayed Saunders as a successful product of assimilation through Army service, he gradually grew frustrated with the unfulfilled promise of equality. As ideas questioning the efficacy of assimilation arose in the 1960s, only then did Saunders re-evaluate his own position and shift support for a more pluralist approach. Yet his support for assimilation as the route to equality ran deep. Summarising Saunders' attitude, in 1962 when asked what he would like to do to improve the lot of Aboriginal Australians, Saunders responded: 'I'd try to ginger up some pride of race among the aboriginals themselves. And I'd work to have discrimination based on colour made a punishable offence in Australia'.⁷³

Stolen Veteran: Phillip Prosser

In the 1950s to 1960s the links between the armed forces, citizenship and assimilation became more explicit and were no longer isolated to individuals, although there were still 'poster children' such as Reg Saunders and, as outlined below, Phillip Prosser. There were recurring references to Aboriginal people in the armed forces in the New South Wales Aborigines Welfare Board magazine *Dawn*. The publication was meant to keep Aboriginal residents of New South Wales informed about the activities of the Aborigines Welfare Board on reserves, missions and in homes across the state while providing other local, national and international news. The Korean War, for instance, featured quite prominently in the 1952–54 issues of *Dawn*. At least one article propagandised Aboriginal servicemen preparing for Korea: 'The aboriginal people gained further credit for themselves last week when one of their number parachuted from a plane near Newcastle. He was L/Corporal Stan Houston, full-blooded aborigine of Rockhampton, and he had just graduated as a paratrooper at the Williamstown RAAF station'.⁷⁴ The cover of the November 1956 issue of *Dawn* featured an Aboriginal man demonstrating boomerang throwing to a Korean woman. Sporadic articles through the late 1950s to early 1960s continued to feature stories about military service. Some articles specifically referenced Indigenous service, while others were simply generic stories about the armed forces. Stories included references to Reg Saunders, images of servicemen heading to Malaya and references to Anzac Day services at Gallipoli.⁷⁵ All of these articles frequently promoted the armed forces as a site of opportunity for Aboriginal men and women to perform obligations associated with citizenship.

Taken collectively these articles almost read like a series of recruitment advertisements. One article that most prominently fit that profile was from May 1964 entitled 'Aborigines Discover Advantages in Army Life'. The opening sentence summarises the article's message: 'Serving side by side with many thousands of other Australians in the Regular Army today are a number of young

⁷³ Saunders, in Gordon 1965: 171.

⁷⁴ 'Aboriginal paratrooper: Australia's first', *Dawn*, April 1952: 13.

⁷⁵ See *Dawn*, July 1956, November 1956, August 1957, December 1958, July 1961, February 1962, April 1963, April 1964.

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

Aborigines who have discovered advantages in this career'.⁷⁶ The article details the different aspects of training, corps, life in the Army, skills development, education opportunities and wages. The article includes images of Aboriginal servicemen happily working with and learning from white servicemen. It concludes with a contact address for Aboriginal people interested in signing up.⁷⁷ Formal recruitment advertisements appeared in later issues of *Dawn*, particularly during the Vietnam War. An advertisement in August 1967 even promoted careers in the women's services.⁷⁸ The presence of these advertisements in *Dawn* — a magazine designed to promote assimilation — reveals that the New South Wales Aborigines Welfare Board clearly saw the armed forces as a vehicle to promote assimilation. Stories would continue to profile Aboriginal service in Vietnam in issues from 1965–70.⁷⁹

Among the Aboriginal soldiers in Vietnam who fit the assimilationist discourse was Phillip Prosser, born in Busselton, Western Australia in June 1939. Before he was five, the police removed him from his grandmother's care. The Native Welfare Department sent Prosser to be raised at Roelands mission. He had occasional visits from his father and grandmother, but Prosser grew up in the institution with little connection to his kin or culture. It was a difficult, disciplined, regimented childhood; like other institutions at the time, the education was geared towards training boys for manual farm labour and women as domestic servants. Prosser was fortunate, though, that he won a scholarship to study at the Perth Modern School. Even with more education than most Aboriginal children, Prosser recognised that the discrimination he confronted as an Aboriginal man limited his options. He testifies:

But I also knew, growing up, because of things that had happened to me as a young Aboriginal kid, that if I was to remain here in WA I would not make it in many respects. Because of the way, because of the situation in terms of, issues that affected Aboriginal people in those days. Like, half-past-six you were out of town, you know. To be seen and not heard. And all the obstacles that were facing me as a young person growing up. And I saw the Army as a way out for me.⁸⁰

The notion of the Army as an escape was not uncommon for survivors of institutional out-of-home care, both Aboriginal and non-Indigenous.⁸¹ Like Grant and Saunders before him, Prosser would find the Army to be an empowering career while concurrently the government and media used him to promote Aboriginal assimilation.

Prosser adapted well to the regimentation of the Army because of his institutional upbringing. He recalls, 'I was able to accept a lot of discipline because the

76 'Aborigines discover advantages in Army life', *Dawn*, May 1964: 9.

77 'Aborigines discover advantages in Army life', *Dawn*, May 1964, 9–11.

78 *Dawn*, August 1967: 12.

79 For a history of Aboriginal service in Vietnam, see Riseman 2012.

80 NLA TRC 5000/183.

81 Riseman 2011; Australia 2004: 161; Murray et al 2008: 132–133.

discipline that was meted out to me in the Army was nothing compared to what I had to have when I was a young kid growing up in the home'.⁸² Prosser signed up to the cadets in 1957 and enlisted in the regular Army in 1963; he served in Malaya and did a tour of duty in Vietnam from May 1966–67. He remained in the Army until 1975, leaving for family reasons. Throughout his military career, he received praise from officers for his leadership abilities and for his practical operations skills.⁸³ Though treated as an equal within the Army, Prosser still experienced discrimination in civilian Australia. He recalls:

And we went down, went into town to have a few drinks. And we walked in, sat down in the lounge area of the Hotel Manly, as it was known in those days. And the steward came up to take orders. Of course he went around the table, and when he came to me, he said- he turned to me he, the guy said, 'I'm sorry; I can't serve this gentleman because he's Aboriginal'. And of course they became pretty upset, the guys. They said, 'But he's in the Army. You've got to serve him'. He said, 'I'm sorry but we can't'. So he refused to serve me.⁸⁴

When confronting such discrimination, memories of his white army buddies standing up for him are also prevalent. Prosser remembers one mate saying,

'Those bastards can't touch you any more'. He says, 'You're a member of Her Majesty's Forces'. And I thought about it later, it made me feel good. That was my first introduction into equality from white society, as I saw it at the time, and that was the start of my Army career.⁸⁵

During the time of Prosser's upbringing and military service, a series of Commonwealth Department of Territories information pamphlets beginning in 1957 with *Our Aborigines* promoted the 'successful' assimilation of Aboriginal people to white Australians. These pamphlets disseminated information rife with stereotypes of primitivism about 'traditional' Aboriginal societies, as well as information about the 'assimilated' Aboriginal people who were functioning as active citizens in mainstream Australian society.⁸⁶ Among these pamphlets was one in 1961 entitled *One People*; the final section of the booklet was entitled 'Some Successful Aborigines', profiling stories of 'assimilated' Aboriginal people 'who – sometimes largely by their own efforts, sometimes with the generous help of other Australians – have established for themselves an honoured place in our community'.⁸⁷ The profiled Aboriginal people included sportsmen, entertainers, pastors and Aboriginal servicemen – Reg Saunders, Second World War veteran Timothy Hughes and Phillip Prosser. Of Prosser, the pamphlet stated:

82 NLA TRC 5000/183.

83 Phillip Prosser service records, service number 54832, available from CARO.

84 Phil Prosser, in *The Forgotten* 2003.

85 NLA TRC 5000/183.

86 For analysis of these pamphlets, see Haebich 2008: 137–158; McGregor 2007; Mickler 1998: 94–101.

87 *One People*, prepared by the Department for Territories, for use by the National Aborigines' Day Observance Committee on the celebration of National Aborigines' Day, 14 July 1961: 27.

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

The original Australians are still worthily represented in their country's armed forces — by such men as Driver Phillip Prosser. Driver Prosser got his taste for soldiering in the Cadet Corps of the Perth High School. Subsequently he left his apprenticeship as a carpenter and joiner to enlist in the army. In 1957, after completing a Driving and Maintenance Course at Sydney's North Head, he became the Commanding Officer's driver.⁸⁸

This description of Prosser, both as an individual and in conjunction with the popular image of Saunders, represented a government attempt to link the armed forces to the project of assimilation. The brochure summarised 'in war, aborigines, or men of aboriginal descent, have *won* the respect and affection of their fellows'.⁸⁹ Such propaganda aligned with the discourses about uplifting the primitive before earning citizenship rights, and it had some impact on non-Indigenous readers. Noongar Elder Hazel Brown recalls encountering proponents of Aboriginal service in Vietnam in Gnowangerup, Western Australia. One argued: "'Look Hazel you know the trouble with your people is, your people are lazy. Most of them [Aboriginal people] won't work.'" He said, "Army'll be good experience".⁹⁰ Hazel Brown rejected such assertions of idleness, but her testimony reveals the strength of the discourse about 'lazy' Aboriginal people and the Army representing a 'positive' site of assimilation.

Many of those Indigenous men and women who served in the 1960s–70s interpreted assimilation differently from the monocultural approach. Namely, by this period many advocates of assimilation did not believe that Aboriginal people should have to sever their cultural ties to become equal citizens. As Kerin argues, there were some who considered assimilation an opportunity to bring Aboriginal culture into mainstream Australian life. She describes such interpretations of assimilation as 'an assimilation which celebrated rather than suppressed Aboriginality'.⁹¹ Phil Prosser's testimony aligns with this pluralist vision of assimilation; he describes how he did learn leadership skills in the Army, but not at the cost of his own culture. He remarks: 'To me it was a way of getting away from this welfare mentality that you could see what was happening in the terms of the old Native welfare days. The way they treated Aboriginal people or Aboriginal people were treated. And so to me it was a way out'.⁹² Prosser used the opportunities provided in the Army to set himself up for later in life: 'Well it gave me the chance that I'd been looking for. A polite way to do things and to prepare me for later stages of my life. It furthered my, I was able to further my education'.⁹³

Prosser's life since exiting the Army in 1975 has not been without problems, particularly the post-traumatic stress disorder he suffers as a consequence of his Vietnam experience. Yet he has become a significant leader in the

88 *One People*, 30.

89 *One People*. Emphasis added.

90 Scott and Brown 2005: 153.

91 Kerin 2011: 116.

92 Phil Prosser, in *The Forgotten* 2003.

93 NLA TRC 5000/183.

Western Australian Aboriginal community, advocating for Indigenous self-empowerment. Since 1988 he has been involved in a program administered by the Western Australia Ministry of Justice called the Aboriginal Visitors Scheme. Initiated as a result of the *Royal Commission into Aboriginal Deaths in Custody*, the scheme entails sending visitors to local prisons and police lock-ups to provide counselling to Western Australian Aboriginal prisoners. Prosser states:

That service includes giving them support whilst they're incarcerated, in issues such as, crisis management, suicide intervention, and general counselling in issues that which may affect them whilst they are in prison, or in the lock-ups. Things like family, family welfare, general welfare, personal issues, and also to oversee the way that they are treated whilst they are in the prison by prison and police officers.⁹⁴

Prosser also runs cultural diversity training programs for incoming police recruits in conjunction with the Aboriginal Affairs Directorate of the Department of Police. Prosser credits much of his position as an advocate for Aboriginal rights to his Army experience.

Prosser's tenure in the Army coincided with the period of activism during which Indigenous and non-Indigenous people challenged not only their status within Australia, but also the very notion of assimilation. The challenges forced governments, political parties and organisations purporting to support Indigenous advancement to reshape their own conceptions of assimilation, accepting the importance of Aboriginal people retaining their cultural distinctiveness. By the late 1960s integration had replaced assimilation as the preferred model, and the early 1970s ushered in calls for self-determination.⁹⁵ Exiting the armed forces in the self-determination era gave Prosser opportunities that previous servicemen such as Grant and Saunders did not have. Prosser summarises how the Army set him up:

The armed services gave you equality, it gave you respect and it gave you the opportunity for advancement, which are some of the things that a lot of my people that were living in the "normal world", brackets on, brackets off, never got in terms of white society. I was an equal; I was on equal terms.⁹⁶

Conclusion

Douglas Grant, Reg Saunders and Phil Prosser are high-profile Aboriginal ex-servicemen. Their life stories vary across their individual circumstances, but what links them is how military service gave them equality, contributed to their leadership skills and led them to fight for Aboriginal equality in civilian Australia. What also unites them is how white Australia — whether through

⁹⁴ NLA TRC 5000/183.

⁹⁵ McGregor 2011: 98–118; Haebich 2008: 377–389; Clark 2008: 99–105; Attwood 2003: 193–211;

⁹⁶ Phil Prosser, in *The Forgotten* 2003.

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

the media or government propaganda — tried to paint them as assimilation 'success' stories. They navigated difficult paths, flirting with multiple visions of assimilation. Despite white Australia's efforts to define them, each of them trod their own paths. They all embraced versions of assimilation that aligned with the contemporaneous discourses, all in search of the equality that they experienced in the armed forces. Ultimately upon re-evaluating their own situations they recognised the disconnect between assimilation propaganda and their lived experiences of inequality.

Though Grant, Saunders and Prosser had profiles in the media, they were of course not the only Indigenous ex-servicemen and women who confronted the challenges of assimilation. Life stories of other Aboriginal ex-service personnel such as Second World War veterans Oodgeroo Noonuccal (formerly Kath Walker), Stewart Murray and Lambert McBride, and Vietnam veteran Glenn James reveal common sentiments.⁹⁷ Two of Oodgeroo's poems entitled 'Assimilation — No!' and 'Integration — Yes!' effectively encapsulate those sentiments. In 'Integration — Yes!' she writes:

We would like to see
Our own customs kept, our old
Dances and songs, crafts and corroborees.
Why change our sacred myths for your sacred myths?
No, not assimilation but integration,
Not submergence but our uplifting,
So black and white may go forward together
In harmony and brotherhood.⁹⁸

Perhaps it is fitting to let Reg Saunders have the last word: 'It isn't easy being a black Australian, but I wouldn't want it any other way.... And I've certainly never consciously regretted the fact that I wasn't born white'.⁹⁹

97 See Hall 1995: 111–133; Cochrane 1994; Gilbert 1977: 76–78; McBride 2000; James 2001.

98 Oodgeroo 1990: 22.

99 Saunders, in Gordon 1965: 19.

References

Archival sources

AWM S00520, Reginald Walter Saunders, interview with Peter Read for the Keith Murdoch Sound Archive of Australia in the war of 1939–45, 13 January 1989, Australian War Memorial, Canberra.

ML MSS 2766, Mitchell Library, Sydney

National Australian Archives

NAA Canberra, series A659, item 1939/1/12995

NAA Canberra, series A659, item 1942/1/3043

NAA Canberra, series B2455, item GRANT D.

NAA Canberra, series B2458, item 337678: SAUNDERS, Reginald Walter

NAA Melbourne, series B337, item 664

NAA Melbourne, series B1535, item 849/3/1644

NAA Melbourne, series B1535, item 929/19/912

NAA Melbourne, series MP508/1, item 82/712/670

NAA Melbourne, series MP508/1, item 240/701/217

NAA Melbourne, series MP508/1, item 275/750/1310

NAA Sydney, series C138, item R70396 DOUGLAS GRANT

‘The Story of Douglas Grant, the Black Scotsman’ 1957, presented by John Thompson and Brian Hungerford, ABC Radio, Script available from NAA Sydney, series SP1297/2, item 12912078.

National Library of Australia

NLA MS 9058, Papers of Douglas Grant, 1918–1988 [manuscript], created by Michael Cigler.

NLA TRC 5000/183, Phillip Prosser, interview with John Bannister, ‘Bringing Them Home Oral History Project’, Perth, 22 January 2000.

Newspapers and magazines

The Advertiser (Adelaide)

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

Advocate (Burnie, Tasmania)

The Argus (Melbourne)

The Australian Museum Magazine

Brisbane Courier

Cairns Post

The Capricornian (Rockhampton, Queensland)

The Daily News (Perth)

Dawn

Gippsland Times

The Mail (Adelaide)

Melbourne Herald

The Mercury (Hobart)

Morning Bulletin (Rockhampton, Queensland)

The Northern Miner (Charters Towers, Queensland)

Portland Guardian

The Register (Adelaide)

The Register News-Pictorial (Adelaide)

The Sydney Morning Herald

Townsville Daily Bulletin

The West Australian

Western Mail (Perth)

Published sources

Attwood, Bain 2003, *Rights for Aborigines*, Allen & Unwin, Crows Nest, New South Wales.

Australia, Senate, Community Affairs Reference Committee 2004, *Forgotten Australians: A report on Australians who experienced institutional or out-of-home*

care as children, available online from http://www.aph.gov.au/senate/committee/clac_ctte/completed_inquiries/2004-07/inst_care/report/ (accessed 5 November 2010).

Clark, Jennifer 2008, *Aborigines & Activism: Race, Aborigines & the Coming of the Sixties to Australia*, University of Western Australia Press, Crawley.

Cochrane, Kathie 1994, *Oodgeroo*, University of Queensland Press, St Lucia.

Elkin, AP 1944, *Citizenship for the Aborigines: A National Aboriginal Policy*, Australasian Publishing Co, Sydney.

The Forgotten 2003, directed by Glen Stasiuk, originally aired as an episode of *Message Stick* on the Australian Broadcasting Corporation (ABC), 27 April 2003, videocassette.

Gilbert, Kevin 1977, *Living Black: Blacks Talk to Kevin Gilbert*, Allen Lane, The Penguin Press, Ringwood, Victoria.

Gordon, Harry 1965, *The Embarrassing Australian: The Story of an Aboriginal Warrior*, Cheshire-Lansdowne, Melbourne.

Grimshaw, Peter 1992, 'Captain Reg Saunders, MBE: an Aboriginal warrior and Australian soldier', *Aboriginal History* 16(1): 85–98.

Haebich, Anna 2005, 'Nuclear, suburban and black: Middleton's vision of assimilation', in Tim Rowse (ed), *API Network*, Perth: 201–220.

— 2008, *Spinning the Dream: Assimilation in Australia, 1950–1970*, Fremantle Press, Perth.

Hall, Robert 1995, *Fighters from the Fringe: Aborigines and Torres Strait Islanders Recall the Second World War*, Aboriginal Studies Press, Canberra.

— 1997, *The Black Diggers: Aborigines and Torres Strait Islanders in the Second World War*, 2nd edition, Aboriginal Studies Press, Canberra.

Huggonson, David 1993, 'Aboriginal diggers of the 9th Brigade, First AIF', *Journal of the Royal Australian Historical Society* 79: 214–225.

Jackomos, Alick and Derek Fowell (eds) 1993, *Forgotten Heroes: Aborigines at War from the Somme to Vietnam*, Victoria Press, Melbourne.

James, Glenn 2001, interview with Ina Bertrand, Templestowe, Victoria, 23 January 2001, *Victorians at War – Oral History Project*, <http://www.victoriansatwar.net/archives/james.html> (accessed 18 February 2013).

ABORIGINAL MILITARY SERVICE AND ASSIMILATION

- Janowitz, Morris 1976, 'Military institutions and citizenship in Western societies', *Armed Forces and Society* 2(2): 185–204.
- Kerin, Rani 2011, *Doctor Do-Good: Charles Duguid and Aboriginal Advancement, 1930s–1970s*, Australian Scholarly Publishing, North Melbourne.
- Lucy, Niall 1988, 'Douglas Grant 1885–1951: Aboriginal soldier', in *Unsung Heroes & Heroines of Australia*, Suzy Baldwin (ed), Greenhouse Publications, Elwood, Victoria: 148–150.
- Manning, Corinne 2005, "'If aborigines are to be assimilated they must learn to live in houses": Victoria's transitional Aboriginal housing policy', in *Contesting Assimilation*, Tim Rowse (ed), API Network, Perth: 221–235.
- Maynard, John 2005, 'The other fellow: Fred Maynard and the 1920s defence of cultural difference', in *Contesting Assimilation*, Tim Rowse (ed), API Network, Perth: 27–38.
- 2007, *Fight for Liberty and Freedom: The Origins of Australian Aboriginal Activism*, Aboriginal Studies Press, Canberra.
- McBride, Stan 2000, in *They Spoke Out Good: Indigenous Elders tell their stories of struggle and achievement*, proceedings of forum, 18 November 1999, Nundah Reconciliation Group, Wavell Heights North, Queensland: 18–20.
- McGregor, Russell 2011, *Indifferent Inclusion: Aboriginal People and the Australian-Nation*, Aboriginal Studies Press, Canberra.
- 2007, 'Making one people: whiteness, Australian nationhood and Aboriginal assimilation', in *Historicising Whiteness: Transnational Perspectives on the Construction of an Identity*, Leigh Boucher, Jane Carey and Katherine Ellinghaus (eds), RMIT Publishing in association with the School of Historical Studies, University of Melbourne, Melbourne: 71–79.
- Mickler, Steve 1998, *The Myth of Privilege: Aboriginal Status, Media Visions, Public Ideas*, Fremantle Arts Centre Press, Perth.
- Moodie, David 1989, 'Soldier Saunders', *The Australian Way*, April: 14–17.
- Murray, Suellen, John Murphy, Elizabeth Branigan and Jenny Malone 2008, *After the Orphanage: Life Beyond the Children's Home*, University of New South Wales Press, Sydney.
- Oodgeroo Noonuccal 1990, *My People*, 3rd edition, The Jacaranda Press, Milton, Queensland.

- Pottinger, Paul 2000, 'The Unknown Soldier', *The Australian Magazine*, 4 November: 30–36.
- Pratt, Rod 2007, 'Queensland's Aborigines in the First Australian Imperial Force', in *Aboriginal Peoples and Military Participation: Canadian & International Perspectives*, P Whitney Lackenbauer, R Scott Sheffield and Craig Leslie Mantle (eds), Canadian Defence Academy Press, Kingston, ON: 215–236.
- Ramsland, John and Christopher Mooney 2006, *Remembering Aboriginal Heroes: Struggle, Identity and the Media*, Brolga Publishing Pty Ltd, Melbourne.
- Riseman, Noah 2011, 'The Stolen Veteran: institutionalisation, military service and the Stolen Generations', *Aboriginal History* 35: 57–77.
- 2012, 'Equality in the ranks: the lives of Aboriginal Vietnam veterans', *Journal of Australian Studies* 36(4): 411–426.
 - 2013a, 'Racism, Indigenous people, and the Australian armed forces in the post-Second World War era', *History Australia* 10(2): 159–179.
 - 2013b, 'Serving their country: a short history of Aboriginal and Torres Strait Islander service in the Australian Army', *Australian Army Journal* X(3): 11–22.
- Rowse, Tim 2005, 'Introduction: Contesting Assimilation', in *Contesting Assimilation*, Tim Rowse (ed), API Network, Perth: 1–24.
- Scott, Kim and Hazel Brown 2005, *Kayang & Me*, Fremantle Arts Centre Press, Fremantle.
- Swain, Shurlee and Margot Hillel 2010, *Child, Nation, Race and Empire: Child Rescue Discourse, England, Canada and Australia, 1850–1915*, Manchester University Press, Manchester.
- Thomson, Alistair 2006, 'Anzac stories: using personal testimony in war history', *War & Society* 25(2): 1–21.
- 2013, *ANZAC Memories: Living with the Legend*, 2nd edition, Monash University Publishing, Melbourne.
- Wadham, Ben 2013, 'BROTHERHOOD', *Australian Feminist Studies* 28(76): 212–235.
- Wells, Julie and Michael Christie 2000, 'Namatjira and the burden of citizenship', *Australian Historical Studies* 31(114): 110–130.
- Winegard, Timothy 2012, *Indigenous Peoples of the British Dominions and the First World War*, Cambridge University Press, Cambridge.

Book Reviews

Aborigines and the 'Sport of Kings': Aboriginal Jockeys in Australian Racing History by John Maynard, 149 pp, Aboriginal Studies Press, Canberra, 2013, ISBN 9781922059543 (pbk), \$24.95.

Aborigines and the 'Sport of Kings' is an enlarged version of John Maynard's *Aboriginal Stars of the Turf: Jockeys of Australian Racing History*, first published in 2002. The book includes information on 35 Aboriginal jockeys, 32 male and three female, and the book is dedicated to the late Leigh-Anne Gordon, who died as a result of a race fall. She was Australia's first female Aboriginal jockey to ride a winner on a metropolitan track. The number of Aboriginal jockeys is surprisingly small given the prominence of Aboriginal people in the cattle industry and not many of them are well known. The majority of them did most of their riding in country areas of New South Wales and Queensland, but a few achieved national and international fame.

The first Aboriginal jockey to become famous was Rae 'Togo' Johnstone who rose to prominence in Sydney in the 1920s. In 1931 he went overseas. He was refused a licence to ride by the British racing authorities, but was granted a licence in France. In 1933 he won the French Jockeys' Premiership and the French licence enabled him to ride in England where he won a number of major races. He spent the war in Vichy France and Monte Carlo. He was imprisoned first by Italian authorities and later by the Gestapo, but he managed to escape. After the war he won major races in France and Britain including three English Derbies. Maynard estimates that during the 1950s he was probably the highest paid sportsman in Europe.

The other Aboriginal jockey to achieve international fame was Richard Lawrence 'Darby' McCarthy. He rose to prominence in Brisbane and Sydney in the early 1960s and then went to France where he rode with great success and became quite wealthy. Returning to Australia he continued to win big races. I remember seeing him win the AJC Derby and Epsom on the same day in the spring of 1969. After that his career began to taper off and in 1976 he was disqualified for seven years for allegedly conspiring to fix a minor race at Hamilton in western Victoria. The suspension was later reduced to two years following an appeal in which he was supported by John Cain, later Premier of Victoria, and Sir John Dillon, Victorian State Ombudsman. Following further appeals the charge was expunged from his record, but the damage was done. He was not getting rides and his health deteriorated from a mixture of alcohol and prescribed weight-reducing drugs. However, he recovered from this low period in his life and recently he established the Darby McCarthy Aboriginal Employment and Training program to support Indigenous youth find employment.

One chapter is devoted to David Hugh 'Darby' Munro, a household name in the 1920s, 1930s and 1940s, perhaps the most famous Australian jockey of all.

Maynard is rather apologetic about including him since his investigation of Munro's family history fails to reveal any Aboriginal ancestry. Munro was rather dark skinned and punters recognised it. When he was beaten on a favourite he was called a 'black bastard' or a 'black bludger'. Many considered him to be Aboriginal, including Darby McCarthy, who took the name 'Darby' from the famous jockey. If he was not Aboriginal, one wonders how he came to be so dark skinned in the days of White Australia.

The author's father, Merv Maynard was a prominent jockey in the 1950s. In October 1952 he rode the winner of what had been for some years the King's Cup, but with the death of King George VI in February of that year the race became the Queen's Cup. Forty years later when Queen Elizabeth was coming to Australia, Buckingham Palace contacted the Maynard family to tell them that the Queen wanted to meet the jockey who had ridden the winner of the first Queen's Cup. On 22 February 1992 60-year-old Merv Maynard, still riding at the time, met the Queen at Royal Randwick.

A chapter is devoted to Peter St Albans. In 1876 he rode the filly Briseis to victory in the Melbourne Cup. He was only 13 at the time and had to wag school to ride in the race. He gained the mount partly because he could make the light weight, namely 6 stone 4 pounds (39.9 kilograms), though he did develop into a leading rider until a serious fall ended his career in 1882. He was perhaps the first successful Aboriginal jockey. Maynard devotes 11 pages to the question of whether he was Aboriginal without being able to come to a definite conclusion.

One theme that runs through the book is that people who were of Aboriginal descent but not obviously Aboriginal in appearance tended not to admit to being Aboriginal and this included Rae Togo Johnstone. This began to change in the late 1960s, and nowadays people with some Aboriginal 'blood' are proud of that part of their ancestry. Frank Reys, a prominent jockey in the 1960s and 1970s who rode Gala Supreme to victory in the 1973 Melbourne Cup, was of mixed Filipino and Aboriginal descent. Unfortunately the press always referred to him as Filipino and his Aboriginal ancestry went unrecognised.

Barry Blake
La Trobe University

Blind Moses: Moses Tjalkabota Uraiakuraia, Aranda Man of High Degree and Christian Evangelist by Peter Latz, 179 pp, The author [distributed by IAD Press], Alice Springs, 2014, ISBN 9870992572709 (pbk), \$35.00.

This book adds to the historical literature on Central Australia, and should be of value for those with interests in the history of frontier contact, missions, and/or the Arrernte (Aranda) people. It complements works on Arrernte contact history (Austin-Broos 2009), the history of the Hermannsburg mission (Albrecht 2002), biographical accounts of particular missionaries – Carl Strehlow (Strehlow 1969), his wife Frieda Keysser (Strehlow 2011), his successor F. W. Albrecht (Henson 1994) – and scholars of Aranda culture – T. G. H. Strehlow (Hill 2002), Spencer and Gillen (Mulvaney and Calaby 1985; Mulvaney, Morphy and Petch 1997), and Olive Pink (Marcus 2001). Previous biographies of individual Aboriginal people are confined to artists – Albert Namatjira (Amadio 1986) and Wenten Rubuntja (Rubuntja and Green 2002) – and stockmen (Ross and Whitebeach 2007). Here, in contrast, we have an account of an Aboriginal leader who was deeply involved in the work of the mission.

Moses' story is based on an oral account dictated by Moses toward the end of his life, which was written down in Aranda by F. W. Albrecht and translated and published by his son, Pastor Paul Albrecht. We are not told where the original and translated manuscripts are held nor where the transcript was published (it is actually Appendix 2, pp. 237-300, of Albrecht 2002). The author of this work, Peter Latz, has imposed a chronological order on the story and added much supplementary material to contextualise the life of Moses. He has included a map of the region, and indicated on it the travels undertaken by Moses. He also includes in the appendix a timeline of Moses' life, correlating Moses' activities with mission activities and indications of seasonal conditions and health issues in the respective years. The book also includes 28 photos, endnotes to each chapter, and a list of references. The front cover features a coloured photograph of Moses standing at the front of his church at Jay Creek; the back cover includes a photograph of the dedication of his new church in 1941.

The author is well equipped to write such an account, although he admits to not being a historian. Peter Latz, son of lay missionaries, grew up at Hermannsburg speaking Aranda and plugged into a network of Aranda boys. He personally remembers Moses, who died when he was twelve years old. His account of mission activities relies on other histories of the mission, as he acknowledges (p. 3). The story is considerably enriched by Latz's own knowledge of Aranda culture and worldview and his 'intimate knowledge of the landscape and its plants and animals, acquired over a lifetime of travels and scientific enquiry' (p. 3). Latz is best known for his work on Central Australian botany and traditional landscape management (Latz 1995, 2007). This scientific knowledge of land and climate is evident in the many references to rainfall, drought, bushfires, etc and their impact on the Aboriginal community.

Tjalkabota was born about 1872, just a few years before the founding of the Hermannsburg mission in Western Arrernte territory. As a boy he attended the mission school intermittently, when not working as a shepherd, and when an adolescent received instruction in the Christian faith, selecting the name Moses when he was baptised. He helped the missionary Carl Strehlow with learning Aranda and with translating the scriptures into Aranda. After he lost his sight at the age of 30 because of measles, he took on a much greater role in teaching younger Christians and helping with Bible translation. When Rev. Strehlow died in 1922, Moses assumed a more prominent role in leadership, story-telling, teaching and preaching. Eventually he took the initiative in becoming a travelling evangelist to other communities, being known as 'the messenger', and functioned as the de facto pastor of a congregation at Jay Creek, although he was not ordained as a minister. He was one of a group of elders who worked with Ted Strehlow on his revision of his father's translation of the Aranda New Testament.

His biographer suggests that Moses had become convinced that his people might not survive physically unless they changed some of their traditional practices, such as the payback killings, sexual promiscuity which led to venereal diseases and infertility, violence against women, and neglect of children. Acceptance of the Christian message and lifestyle, on the other hand, offered social as well as personal salvation.

It is a pity that we do not have transcripts of Moses' story-telling, teaching, sermons, debates with traditionalists, etc. This account nevertheless provides a welcome Indigenous perspective on mission history and intercultural contact. Among other things, it illustrates rather powerfully the role of Indigenous agency in the mission enterprise.

References

- Albrecht, Paul GE 2002, *From Mission to Church, 1877-2002: Finke River Mission*, Finke River Mission, [Hermannsburg, N.T.].
- Amadio, Nadine [et al] 1986, *Albert Namatjira: The Life and Work of an Australian Painter*, Macmillan, South Melbourne.
- Austin-Broos, Diane 2009, *Arrernte Present, Arrernte Past: Invasion, Violence, and Imagination in Indigenous Central Australia*, University of Chicago Press, Chicago.
- Batty, Joyce D 1963, *Namatjira: Wanderer Between Two Worlds*, Hodder and Stoughton, Melbourne.
- Henson, Barbara 1994, *A Straight-out Man: F.W. Albrecht and Central Australia Aborigines*, Melbourne University Press, Melbourne.

BOOK REVIEWS

- Hill, Barry 2002, *Broken Song: T.G.H. Strehlow and Aboriginal Possession*, Random House, Sydney.
- Kenny, Anna 2014, *The Aranda's Pepa: An Introduction to Carl Strehlow's Masterpiece Die Aranda- und Loritja-Stämme in Zentral-Australien (1907-1920)*, ANU E Press, Canberra.
- Latz, Peter K 1995, *Bushfires and Bushtucker: Aboriginal Plant Use in Central Australia*, IAD Press, Alice Springs:
- 2007, *The Flaming Desert: Arid Australia – a Fire Shaped Landscape*, The author [distributed by IAD Press], Alice Springs.
- Marcus, Julie 2001, *The Indomitable Miss Pink: A Life in Anthropology*, UNSW Press, Sydney.
- Mulvaney, John and JH Calaby 1985, *So Much That Is New, Baldwin Spencer, 1860-1929, a Biography*, Melbourne University Press, Melbourne.
- Mulvaney, John, Howard Morphy, and Alison Petch (eds) 1997, *'My dear Spencer': The Letters of F. J. Gillen to Baldwin Spencer*, Hyland House, Melbourne.
- Ross, Alexander Donald Pwerle and Terry Whitebeach 2007, *The Versatile Man: The Life and Times of Don Ross, Kaytetye Stockman*, IAD Press, Alice Springs.
- Rubuntja, Wenten and Jenny Green 2002, *The Town Grew Up Dancing: The Life and Art of Wenten Rubuntja*, IAD Press, Alice Springs:
- Strehlow, John 2011, *The Tale of Frieda Keysser– Frieda Keysser and Carl Strehlow: An Historical Biography*, Wildcat, London.
- Strehlow, TGH 1969, *Journey to Horseshoe Bend*, Angus and Robertson, Sydney.
- Harold Koch
The Australian National University

Calling the Shots: Aboriginal Photographies by Jane Lydon, 256 pp, Aboriginal Studies Press, Canberra, 2014, ISBN 9781922059598, \$39.95.

Calling the Shots is a compilation of essays telling Aboriginal stories through the lens of photography. It includes both historical and present-day practices, thus asserting the continuity between past and present that is possible through photography. In recent decades, photography has been viewed one-dimensionally as a tool wielded by settler society to objectify and control Aboriginal people throughout the history of settlers encountering them. Although this book does not shy away from telling stories of subjugation and control, it presents a multifaceted picture of Aboriginal empowerment in the face of oppression, emphasising how different Aboriginal groups have appropriated the medium of photography for purposes that are highly relevant and meaningful. The book is structured geographically, with a section for each state/territory (excepting the Australian Capital Territory) and at least one chapter in each section.

A strong theme of *Calling the Shots* is linking with ancestors through photographs. Identification of who is pictured in a photograph is crucial to this connection. In the section on New South Wales, Barkindji woman Zena Cumpston highlights this important element. In reference to Frederick Bonney,¹ who recorded the names and relationships of people he photographed on Momba station in the late 19th century, Cumpston says,

Bonney's photographs don't give me a cold, sad feeling like almost all other early photos of Aboriginal people I have seen ... these people are not lost, they are not ghosts, or continually passively posing in a way that foregrounds unequal power relationships – we can place them, watch them living in their time, we can know who they are, we can claim them and with them a part of ourselves, our culture and our survival (p. 72).

This crucial connection comes up throughout the book, from multiple stories of people regaining continuity that was broken with the stolen generation, to the indescribable elation of a woman who saw a documentary about photograph repatriation and realised one of the photographs was of her great-great-grand-aunt.

In line with the balanced perspective which is a strong feature of the book, *Calling the Shots* includes stories on how photographs of Aboriginal people were used for settler political purposes. Two styles of photography with contrasting purposes feature throughout the book. One style of photography shows Aboriginal people looking 'traditional'; for example, holding spears and not wearing clothes – even in cases where the people pictured were more integrated into the settler lifestyle. This was to capture what was considered a 'dying race' for academic purposes

1 For his photographs see a work not cited in Jane Lydon's book, Jeanette Hope and Robert Lindsay, *The People of the Paroo River: Frederic Bonney's Photographs*, Department of Environment, Climate Change and Water, Sydney, 2011.

and prove the racial inferiority of Aboriginal people, in line with the social Darwinism prevalent at the time. The other common photographic style shows Aboriginal people on mission stations, wearing contemporary clothing. The purpose of this style of photography was to prove the possibility of 'civilising' and 'Christianising' Aboriginal people. In the first case, photography was used to justify genocide. In the latter, to argue for assimilation.

Calling the Shots tells many stories of photographs being used beyond their original, often oppressive, intent. For example, there is a story from the Ngarrindjeri people in South Australia of two boys who were taken by the state in 1910 under false pretences. They were photographed in Edwardian garb for the purposes of promoting propaganda about 'civilising' Aboriginal children away from their family influence. This photograph and others like it are treasured by their descendants, including the daughter of one of the boys, who keeps a poster-sized print of the portrait on her bedroom wall. Stories like these emphasise that though histories of Aboriginal Australia are brutal, they are not the end of the story. Photographs of Aboriginal people reveal more than intended by the photographer, and take on different meanings for their descendants who reclaim them.

Settlers were not the only ones behind the camera. Also from the Ngarrindjeri people is the story from the 1950s of Aunt Charlotte, an independent woman who took photographs of her community that are greatly treasured by her family because they are representative of how her people lived. Today, photography is more accessible and there are many Aboriginal people, especially senior women, featured in the book who incorporate treasured photographic collections into their oral storytelling practices. A whole chapter is dedicated to photographs used by Wiradjuri women in this way.

Calling the Shots is a compelling read, providing a nuanced approach to a sensitive topic. It is an important contribution to combat what the book refers to as 'colonial amnesia' — a tendency for settler Australia to forget or ignore the histories of Aboriginal Australia. I recommend it to all readers interested in history, and especially to the ever-growing number of Aboriginal people who are compiling family histories.

Emmeline Tyler

The Australian National University

Colonization and the Origins of Humanitarian Governance: Protecting Aborigines across the Nineteenth-Century British Empire by Alan Lester and Fae Dussart, 291 pp, Cambridge University Press, Cambridge, 2014, ISBN 9781107007833 (hbk), \$145.00.

The Brits' IP of R2P: the 'Responsibility to Protect' (R2P) is the most recent international principle that emerged out of a United Nations hamstrung in the face of violations of human rights in sovereign nations – Rwanda, the Balkans, Syria. Or could it be a ricochet from the protectionism of the British empire colonising indigenous sovereign spaces? Lester and Dussart argue that the history of humanitarianism is in itself worthy of historical investigation, and that the nineteenth-century idea of 'protection' is at the root of modern development discourse. In the Western world the Christian concept of a brotherhood of man, which inspired early humanitarian interventions in colonial violence and injustice, has been replaced by a secular and ever-expanding 'circle of we' propelling an 'unprecedented interest in humanitarian intervention' in any part of the world, be it our business or not.

The influence of the British abolitionists in Exeter Hall, transforming themselves into societies for the protection of Aborigines, has long been acknowledged in Australian historiography, but this book frames colonial government agents in a humanitarian perspective, starting with those two *bêtes noires* of Tasmanian history – Governor George Arthur and Protector G. A. Robinson.

Arthur is described as an evangelical Tory who thought in terms of the rights of 'subjects', not rights of 'citizens'. His fear of revolution and of unsettling democratic ambitions steered him always to 'amelioration' rather than anything that might change the balance of powers. Indeed, 'governmental humanitarianism was conditioned by a reactionary fear of democracy and revolution' (p. 30). Arthur became wary of self-serving settlers and their well-rehearsed arguments during his period in Jamaica where he was confronted with the outrages of slavery. He reinvented the office of commissioners in crown colonies as protectors of slaves, soon afterwards enshrined in the *Ameliorative Code* of 1824 (p. 54). In Honduras he challenged the settler-magistrates interpreting the law in favour of slave-abusers and was subsequently hounded to the point of nervous breakdown.

During the high tide of convict transportation, Arthur was recruited to Tasmania on the strength of his reputation as the 'anti-slavery governor' to oversee the assignment of convict labour to free settlers. Aboriginal Tasmanians were soon outnumbered, decimated and displaced, and when the 'Black Line' military operation failed to bring them in, Governor Arthur appointed Protector Robinson whose 'friendly mission' tour to recruit Tasmanian Aborigines to the Flinders Island reservation is symptomatic of conciliation (between 'defiant sovereign indigenous people', settler onslaught and humanitarian concerns).

'Conciliation', stamped on the book cover in the image of G. A. Robinson and Tasmanian Aborigines at Bruny Island, was a model that Lord Glenelg thought

useful for 'elsewhere in the Empire' and the 'elsewhere' soon materialised with an unauthorised settler rush on Port Phillip, to which Robinson was posted as Protector (p. 76).

Using the transnational biographies of Governor George Arthur and Governor George Grey as their 'bookends', Lester and Dussart reach out to other parts of the British empire to identify shifting approaches of the 'ruthless benevolence' of humanitarian governance, from amelioration to conciliation to protection to amalgamation, always underlining how the 'responsibility to protect' was not a natural imprint on governmentality. They draw the bough of intervention from slave workers to convict workers to indigenous people as potential workers, with 'the protector' as a central figure to the mid-19th century, when the first phase of an indigenous protectorate declined under the onslaught of the evolution-fever infecting British science on the one hand, and the growth of settler autonomous governments on the other. Replacing protectionism, the origins of a proto-developmental discourse emerge in Arthur's cotton plantations and model farms in northern India in the wake of the first Afghan war which, incidentally, Arthur found 'difficult to reconcile with our notions of justice' and probably unnecessary, but certainly 'burdensome for many years to come' (p. 270).

Tracing the origins of the British 'responsibility to protect', and skipping over the Protectors of Chinese and many inquiries into conditions of indentured workers towards the end of the 19th century, the authors maintain an ambivalent slant on 'humanitarian governance' as one that seems always firmly grounded in self-interest and artful dodging (a label appended to George Grey by his biographer in the *Australian Dictionary of Biography*). In the end they risk offending grassroots activism, which often protests that governments are acting 'not in our name', by agreeing with M. Barnett (2011: 223) that 'the level of organized compassion increases at the very moment when death and destruction indict the humanity of the compassionate' (p. 274). This book lacks a Bibliography and a map to help the reader who has not followed Alan Lester, who has been writing about colonial philanthropy and humanitarianism in the British empire circuits for some 15 years.

Reference

Barnett, M 2011, *Empire of Humanity: A History of Humanitarianism*, Cornell University Press, Ithaca.

Regina Ganter
Griffith University

Coranderrk: We Will Show the Country by Giordano Nanni and Andrea James, 224 pp, Aboriginal Studies Press, Canberra, 2013, ISBN 9781922059390 (pbk), \$29.95.

The story of the Coranderrk Aboriginal Reserve and the campaign of its residents for justice and self-determination has been the subject of great interest among scholars in the field of Aboriginal history. From its inception in 1863 to its official closure in 1924, Coranderrk's history is a rich and complex one; it became not only a vibrant centre for the Kulin peoples of central Victoria and for refugees from more distant clans, but also the focal point of often bitter debate among settler Victorians about the destiny of the Aboriginal population. Certainly the most dramatic point in this story was the 1881 Parliamentary Inquiry on Coranderrk, which investigated the conditions and management of the reserve. Unique among nineteenth-century commissions of inquiry due to the prevalence of Aboriginal voices, it brought the plight of the Kulin into the mainstream of public opinion and revealed the resilience, adaptability, and political sophistication of Victoria's Aboriginal population. The immediate result was the removal of Coranderrk's manager and an abandonment of the Protection Board's plan to close the reserve and relocate its residents to a remote location on the Murray River. It was a major victory for the Kulin, who believed that Queen Victoria had granted Coranderrk to them in perpetuity.

Coranderrk: We Will Show the Country, by Giordano Nanni and Andrea James, is a companion book to an eponymous theatre production, which was conceived by Nanni and developed in collaboration with James as part of the Australian Research Council-funded 'Minutes of Evidence' project. The book is an excellent record of an innovative verbatim theatre performance, which had successful seasons in Melbourne and Sydney. The performance (which I attended in Melbourne in February 2012) drew its text almost exclusively from the Minutes of Evidence of the 1881 inquiry. It started its life as a simple reading of excerpts, but evolved into an intricately staged performance that gave life and vitality to a highly significant historical document.

The first chapter of Nanni and James' fine book provides a scholarly but accessible history of the Coranderrk reserve, with a focus on the events leading up to the 1881 Inquiry. This is followed by a carefully annotated version of the script. Each scene begins with an introduction that provides biographical details on the witness being examined and some reflections on the significance of the testimony. When combined with the script itself, these introductions amount to a fascinating and insightful history of the Inquiry itself. At the end of each scene there is a detailed record of even the most minor editorial changes; moreover, the sequential numbering of questions from the Minutes of Evidence is preserved in the margins of the script. A great value of this structure is that it allows the reader to ponder the choices made by Nanni and James about which testimony to include, and how to reorder the selected material to achieve a coherent narrative that is both historically sound and dramatically compelling.

The annotations identify the few moments when the script departs from the Minutes of Evidence; for example, to include extracts from letters and petitions from Coranderrk residents, or proceedings from the Inquiry that were excised from the minutes but published in the press. A good example of the latter is the heated exchange between Edward M. Curr, a prominent member of the Board for Protection of Aborigines and a key advocate of the closure of Coranderrk, and Anne Bon, an ally of the Kulin and one of the commissioners. It is very clear from the annotations that the script was carefully researched and thoughtfully prepared.

In some instances, the reordering of questions in the script adds a layer of meaning. For example, the testimony of Rev. Frederick Strickland, the Coranderrk manager, opens with a series of questions and answers about the number of Aborigines at Coranderrk, their tribal affiliations, and proportion of Aboriginal heritage. The annotations show that these are faithfully based on questions 1 to 10 in the Minutes of Evidence, with only minor edits. The script then jumps to questions 74–75, about the numbers of cattle on the station, before returning to the earlier part of Strickland's testimony. This editorial intervention might imply equivalence in the mind of the questioner between Aborigines and cattle, which is not in itself apparent in the Minutes of Evidence, even if it fits more broadly with what we know about the history of Aboriginal enumeration. Such changes (and they are quite rare) might serve a dramatic purpose in an actual performance, but to some extent they undermine the script's claim to be verbatim theatre. Nevertheless, it is to their credit that Nanni and James have opted for transparency on these issues. By laying bare their editorial decisions in the annotated script, the book becomes a valuable study of theatre as a genre of history making.

The third chapter describes the aftermath of the Inquiry, noting that the victory of the Kulin was short-lived, as a new policy of removing 'half-castes' from Victorian Aboriginal reserves was soon enshrined in the *Aborigines Act 1886* (Vic). As Nanni and James explain, this policy was an alternative means for the Protection Board to achieve its ultimate goal: 'Having failed to break up Coranderrk, it now sought ways to break up "the Aborigines"' (p. 182). The authors then give a brief account of the decline of Coranderrk and its closure by the government in the 1920s, while also pointing to station's enduring legacy and its links with subsequent campaigns for Aboriginal rights.

Chapter 4 describes the making of the theatrical production. In particular it notes the influence of the genre of 'tribunal theatre', which is usually based on the official transcripts of judicial proceedings. The authors reflect briefly on their attempt to 'balance the needs of history and theatre' (p. 193) to create an 80-minute script from the more than 5,000 questions and answers in the Minutes of Evidence. Interestingly, many of their editorial decisions are justified in both historiographical and dramaturgical terms. Although they hint at the 'creative tensions' inherent in such a collaborative, cross-cultural and inter-disciplinary project, some more detailed discussion of these tensions would have been welcome.

BOOK REVIEWS

Diane Barwick's intricately detailed *Rebellion at Coranderrk* (1998) will remain a key source for historians, but *Coranderrk: We Will Show the Country* (both book and play) will undoubtedly take the remarkable story of Coranderrk to a wider audience. It has the potential to strengthen Aboriginal communities today, by countering the dominant settler-colonial narrative of passive Aboriginal decline, and painting an alternative picture of resilience and self-determination. For all these reasons, Nanni and James's book is a fine monument to an innovative, sophisticated, and profoundly moving piece of history making.

Samuel Furphy

The Australian National University

Country of the Heart: An Indigenous Australian Homeland by Deborah Bird Rose with Nancy Daiyi, Kathy Deveraux, Margaret Daiyi, Linda Ford and April Bright, 161 + xiv pp, Aboriginal Studies Press, Canberra, 2011, Second Edition, ISBN 9780855757762 (pbk), \$44.95.

Country of the Heart is a collaboration between anthropologist Deborah Bird Rose, eco-photographer Sharon D'Amico and five Marrithiel and Marrananggu women from the Wagait floodplain and savanna country south-west of Darwin – Nancy Daiyi, Kathy Deveraux, Margaret Daiyi, Linda Ford and April Bright. Deborah Bird Rose weaves her ethnographic, biographical and historical commentary around transcripts of texts and conversations from her five co-authors based on D'Amico's photographs of their land, their families and a string of visits to a range of different places in their country. The meandering and alternating commentaries explore the relationships of the Mak Mak clan with their land across a number of generations. The stories about events at particular places are contextualised by ethnographic descriptions of Mak Mak society and cosmology. The network of relationships amongst people, and people and places, is presented from multiple perspectives which are all unified by accounts of how people respond affectively to these relationships. This is a distinguishing feature of this work – a dialogic approach that attempts to capture a sense of how the Mak Mak people respond emotionally to their country. The combination of anthropological commentary together with transcriptions of the voices of the Aboriginal land owners themselves is a novel and welcome collaborative format.

North Australian Indigenous people are now increasingly engaged in a growing land management movement that is part of the so-called hybrid economies. These are combinations of market and state economic activities in combination with customary practices such as hunting, food gathering and the use of fire as a culturally motivated land management practice. This is in fact what is being described in this book as food gathering trips, descriptions of hunting excursions and work in the cattle industry are presented as ways that the Mak Mak people interact with the land that sustains them emotionally as well as economically. These activities are central to the way that many Indigenous groups are now forging their own modernity whilst still sending very clear messages about retaining a sense of cultural continuity with the past. Such hybrid economic activity and the psychological health afforded by such connections are dependent on access to or continuing residence on the land of one's heritage. One point that this book tacitly makes is that government policy based on the assumption that whole populations of remote Aboriginal people can be moved to 'where the jobs are located' such as into 'Territory growth towns' is doomed to failure if the affective dimensions of relationships with land are ignored.

The early chapters are a tour through the floodplains and riverine landscapes of 'the Wagait' region and the kinds of attachments the Mak Mak people have with these places. This tour is not limited to the physical features of the land, but includes the mythological significance of places and the 'Dreaming' beings that created them. Communication with non-human features of the landscape is

frequently framed with the use of the term 'a sentient landscape'. Whether this assumes a view of Aboriginal spirituality as a form of animism or as ancestor religion is not explored, but there is plenty of material here on this subject to incite further debate.

Chapter names and sections have a poetic ring to them – 'action-connection', 'country tells you', 'tracks and lives', 'presence' etc. Indeed, certain collaboratively authored texts which attempt to capture numinous qualities of 'the Dreaming' and their totemic essence in the country are presented as poetry (p. 135):

My strength

The strength of that land

You can feel it in yourself, you belong there.

It's your country, your dust, your place.

You remember the old people.

The white eagles always greet me.

It's home...

Biographies of Indigenous Australians in remote parts of Australia are rare for a number of reasons, including the more obvious explanation that these are cultures with oral not written traditions. Here we have the biography of a family detailing the love they have of their land and it is satisfying to see images of family members captioned with their actual names. This is in stark contrast to the photographs of the frequently unnamed objects of anthropological enquiry in ethnographies of half a century ago. In keeping with the Indigenous preference for association in forms of person reference, there are also occasional notes in the captions on how the person depicted is related to the authors or others mentioned in the text. This work, however, aims for a more general readership outside of the confines of academic discourse, and as a result there is an avoidance here of the kind of complex analytical language that often ends up removing us further from the very world that it seeks to tease apart. This is one advantage of the growing field of collaborative anthropology whereby the objective is to produce ethnographic texts with local community consultants as active collaborators and contributors in the writing process. *Country of the Heart* is a good example of this kind of collaborative ethnography. The result is writing in the tradition of Gary Snyder – a holistic synthesis of Indigenous environmental philosophy, religion, ethnographic description and poetry that highlights the aesthetic aspects of emotional experience.

Murray Garde

The Australian National University

Dark Emu, Black Seeds: Agriculture or Accident by Bruce Pascoe, 175 pp, Magabala Books, Broome, Western Australia, 2014, ISBN 9781922142436 (pbk), \$35.00.

In an article published in 1969 archaeologist Rhys Jones used the term 'fire-stick farming' to describe the ways in which Aboriginal people used fire to manage their environment. Bill Gammage's 2011 prize-winning book *The Biggest Estate on Earth: How Aborigines Made Australia* presents a detailed analysis of the complex and sophisticated ways in which Aboriginal people have managed and maintained Australia's diverse landscapes since before European arrival. In these works, and in what is by now an extensive literature on this subject, it is well recognised that Australia's Indigenous people, throughout the thousands of years of their adaptation and survival in this land, have not only made wise use of fire, but have managed the whole range of natural resources and ecological systems to sustain successful and sophisticated societies throughout a very diverse range of landscapes and environments. This sustainable management of country, coupled with an intimate knowledge of the seasonal cycles, has enabled them to develop pliable economies.

Bruce Pascoe enters this debate with his new book *Dark Emu*. He argues that the techniques and strategies Aboriginal peoples employed in their use and management of their environments and resources equate to agriculture and farming. But his argument goes deeper. In calling for a re-evaluation of the economic modes of Australia's Indigenous people, Pascoe is asserting that Australia as a nation should, historically, have embraced more profoundly the highly successful and sophisticated nature of Indigenous cultures and societies. The book articulates this point more clearly in the last two chapters.

Pascoe begins to set out the premise to his book in the Introduction, in which he argues for a re-evaluation of the Indigenous economy, from being perceived as a 'primitive' hunter-gatherer society, to one that is far more complex. He has amassed a wealth of evidence to support his contention that Indigenous people, before European arrivals, maintained a sophisticated economy which featured aspects of farming practices and settled lifestyles including permanent settlements with established dwellings.

Pascoe harnesses the historical records of colonial observers of such activities by Indigenous people as seed selection, soil preparation, crop harvesting, eel and fish harvesting, storage of surplus crops, and the establishment of large, settled populations in semi-permanent dwellings. He pursues his argument with discussion on a wide range of ways that Indigenous people modified the environment and its resources including aquaculture, and through the important role of fire. In later chapters, Pascoe's ambitious project also encompasses discussion of Indigenous cosmology, language and law in support of his thesis that Indigenous people maintained settled, stable and sophisticated farming and agricultural societies.

The notion that Aboriginal people practiced a sophisticated economy which included various ways of modifying the environment is not new, and is the subject of recent scholarship. Gammage for example, discussing 'farms without fences' (Chapter 10), writes 'some researchers see nascent farming in these various practices from tilling to trading' (p. 296). Gammage puts it well when he states of pre-European Aboriginal society that 'people farmed in 1788, but were not farmers', since, he explains 'these are not the same: one is an activity, the other a lifestyle' (p. 281). In Gammage's analysis, the economic mode of Aboriginal people, with its sophisticated combination of hunter-gatherer and more resource intensive practices, embraces particular ways of thinking about, and relating to, the environment, as well as the daily activities of resource use and exploitation. In this scheme, the key to success for sustainable Aboriginal economic livelihoods lies in maintaining a balance between mobility, and more settled modes.

The debate is taken up too by historian John Hirst in his recent book *Australian History in 7 Questions*. Hirst poses as his first question 'Why did Aborigines not become farmers?' His discussion on this raises many questions, such as whether Aboriginal people made an intentional choice to reject agriculture. Again, I think it is not a question as to why Aboriginal people did not take up farming; rather, the point is to look at what it is about the particularities of Aboriginal peoples' economic systems that enabled them to maintain these successfully for such a long time and in such diverse ecosystems and climates. The sophistication of hunter-gatherer economies was well articulated in 1972 in Marshall Sahlins' seminal *Stone Age Economics*, which posited that hunter gatherer economies were the 'original affluent society'. It is not necessary to 're-think' or to 're-classify' Australian Indigenous people as farmers and horticulturalists in order to be able to embrace the sophistication of their economies. Nor should it be necessary to re-classify Australia's Indigenous people as farmers in order to contest the racialised and prejudicial attitudes still inherent in many layers of society towards Indigenous people. Whether 'hunter-gatherer', 'horticulturalist', or 'farmer', the label is not the issue: the point is to emphasise the qualities of Aboriginal peoples' economies and lifestyles as they are, as complex, adaptive, flexible and innovative. Certainly, as *Dark Emu* shows, there is a wealth of evidence that demonstrates the extraordinary innovative capacities of their societies, including in their material technology (see for example my own work in *Writing Heritage* on this latter point).

Dark Emu is not Pascoe's first foray into this subject. In his earlier book *Convincing Ground* (Aboriginal Studies Press, 2007) he refers to pre-European 'Indigenous agricultural practices' (p. 82), the presence of organised fish traps and stone dwellings (pp. 125–126), and horticultural practices such as grain harvesting and storage (p. 173). But *Dark Emu* asks the wrong question. It is not a matter of whether Indigenous peoples were hunter-gatherers or agriculturalists. The point – which Pascoe's book does make – is rather to re-evaluate the specific nature of Indigenous economies, and to call for a societal re-evaluation that acknowledges the sophistication, complexity and malleability of these economies. Pascoe

articulates this more directly in the later chapters of *Dark Emu*. He writes (at p. 129) that 'arguing over whether the Aboriginal economy was a hunter-gatherer system or one of burgeoning agriculture is not the central issue'. He is correct here in suggesting that 'the crucial point is that we have never discussed it as a nation'. This is where he reminds us of his central contention, in suggesting that 'the belief that Aboriginal people were "mere" hunter-gatherers has been used as a political tool to justify dispossession'.

Thinking in that way, as with Hirst's question 'why weren't Aboriginal people farmers', implies an outmoded hierarchical view of advancement or progress in which civilised, settled agricultural societies represented the highest point. The point is not to ask why Aboriginal people did not 'advance' to farming and agricultural societies. Rather, it is more productive to seek a better understanding of the particular range of modalities of Aboriginal peoples' livelihoods, which embraced a wide range of techniques and technologies for harnessing the available resources and environments. As Pascoe correctly discusses in his concluding chapters, sustaining a complex and pliable resource economy required more than tangible assets and techniques; it also necessitated the right balance between the sacred and the corporeal – religion, kinship, language and societal norms and values were all part of the complex amalgam that enabled Indigenous people to pursue their adaptable and innovative livelihoods. The important role of Indigenous peoples' unique relationships to the land was well articulated some time ago by Deborah Bird Rose, who drew attention to a specific Aboriginal 'land ethic'. This relationship is a significant element in the particular ways that Indigenous peoples successfully maintained a complex, sustainable livelihood in diverse and changing ecosystems.

Overall *Dark Emu* is an important and well argued book. Pascoe's impressive use of the historical record to advance his thesis is particularly commendable. But his reliance on secondary sources and compilations, through which he accesses the works of colonial observers is puzzling. So too is his over-reliance on the work of the late Rupert Gerritsen. Why this excessive use of Gerritsen and other recent syntheses, rather than going to the primary sources themselves?

Unfortunately *Dark Emu* is also marred by some clumsy passages, occasional questionable style, and poor editing. Pascoe's frequent use of 'Aboriginals' is notably problematic, where today Indigenous people prefer designations such as Aboriginal people, Torres Strait Islander people, and, where possible, the specific language or cultural group's name. Despite these problems, this is an important book that advances a powerful argument for re-evaluating the sophistication of Aboriginal peoples' economic and socio-political livelihoods, and calls for Australia to embrace the complexity, sophistication and innovative skills of Indigenous people into its concept of itself as a nation.

References

- Davis, Michael 2007, *Writing Heritage: The Depiction of Indigenous Heritage in European-Australian Writings*, Australian Scholarly Publishing and the National Museum of Australia Press, Melbourne and Canberra.
- Gammage, Bill 2011, *The Biggest Estate on Earth: How Aborigines Made Australia*, Allen & Unwin, Crows Nest, New South Wales.
- Hirst, John 2014, *Australia History in 7 Questions*, Black Inc, Collingwood, Victoria.
- Jones, R 1969, 'Firestick farming', *Australian Natural History* 16: 224–228.
- Pascoe, B 2007, *Convincing Ground: Learning to Fall in Love with your Country*, Aboriginal Studies Press, Canberra.
- Rose, Deborah Bird 1988, 'Exploring an Aboriginal land ethic', *Meanjin* 3: 378–386.
- Sahlins, Marshall 1972, *Stone Age Economics*, Aldine-Atherton Inc, Chicago and New York.
- Michael Davis
University of Sydney

Darwin by Tess Lea, 290 pp, New South Publishing, Sydney, 2014, ISBN 9781742233864 (hbk), \$29.99.

This attractive looking book is one of a series focusing on Australia's capital cities (Alice Springs gets its own book, as well). Although currently living in Sydney, author Tess Lea grew up in Darwin and until a few years ago worked at the Northern Territory's only university. The extensive bibliography shows the book has been well-researched, yet Lea's account is highly personal, as she often relies on her own recollections and those of family and friends. She has also sought out the accounts of other local people to bring to life various parts of the story she wishes to tell. The result is an engaging book that presents us with first-hand accounts of significant events in Darwin's history, such as the devastation caused by Cyclone Tracy in 1974, which Tess Lea experienced as a young girl.

Lea acknowledges that there are many Darwin stories omitted from her account, such as the dramatic defection at the height of the Cold War of Evdokia Petrov at Darwin Airport in 1954, and the headline-grabbing trial of Lindy Chamberlain in 1982, where Chamberlain was found guilty of murdering her daughter Azaria. Lea argues, however, that in these cases Darwin was merely a coincidental venue for events that had no connection to the essential character of the place. Lea also admits that she has given little attention to political figures or other prominent local identities. Instead, she says her method has been to highlight Darwin's uniqueness by focusing on individuals whose stories are used to illustrate her themes of 'disasters and reinvention, real and imagined dangers, how the place is lived and where it is going'.

To address these themes Lea's own recollections provide much of the contemporary part of her narrative. Her father, who grew up in post-war Darwin and later became a drover, provides war-time stories about Lea's grandfather and tales of his own life in a frontier town and the outback. In the meantime, Lea's children bear the surname Moo, connecting her to some of the most venerable Darwin Chinese families; today highly respected, but once feared for the threat they posed to White Australia. Lea also made contact with some of Darwin's best known Aboriginal families and adds their stories as well. Beyond this, Lea conducted interviews with people as varied as a barramundi specialist, fishing being of great interest to many Darwinites; an entomologist, to get the story on the mosquitoes that plagued early settlers and still cause concern because of their potential to spread disease; and members of the Australian military, as a major theme of Lea's book is Darwin's role as a garrison town and the apparent media and public indifference to the growing United States military presence.

Lea's training in anthropology no doubt helped her conduct her interviews and gain an understanding of her informants' perspectives. However, her use of some other material and the conclusions she draws from it is not always as convincing. For example, she claims that 'The humble mosquito killed off the first three attempts at northern settlement' (p. 48), but gives no evidence for

this bold statement; mosquito-borne diseases were a feature of most tropical European outposts of the day and would have been endured in the Top End as well if the settlements had been considered worthwhile, but they were not and were abandoned for other reasons. Later, referring to the 1918 Darwin Rebellion, Lea says that 'locals menaced Administrator Gilruth so thoroughly he fled his post' (p. 123), whereas the truth is that Gilruth was too thick-skinned to be intimidated and only left after being recalled by the government in February 1919. Elsewhere, Lea's loose prose could unintentionally lead to misapprehensions, such as the White Australia policy being the result of the threat caused by the 'thrifty and industrious Chinese population' of Port Darwin (p. 54), whereas of course this was a nationwide phenomenon; or the traditional owners of the Darwin region, the Larrakia, being responsible for Aboriginal people being able to 'determine the electoral fate of the Northern Territory government' (p. 55), whereas the Larrakia account for only a portion of the Territory Indigenous vote and Aboriginal members of the local parliament have mainly been non-Larrakia from the regional areas.

These misgivings aside, the book is generally persuasive and those who know Darwin will recognise it through Lea's descriptions. Lea's view of Darwin and her interpretation of 'the Darwin lifestyle' is not one that will be wholly agreed with by all Darwinites and others may have chosen to highlight different aspects of Australia's sole tropical capital city. But in this book Tess Lea has nevertheless provided an overview of Darwin that should intrigue outsiders and provoke introspection in those who live there or have ever lived there.

Steven Farram

Charles Darwin University

Dharmalan Dana: An Australian Aboriginal man's 73-Year Search for the Story of his Aboriginal and Indian Ancestors by George Nelson and Robynne Nelson, 364 pp, ANU Press, Canberra, 2014, ISBN 9781925021493 (pbk), \$45.00.

This book tells how the grandchildren of King Billy, a Waywurru man, and of Samson Peersahib, an Indian Mauritian, crossed paths in Yorta Yorta country and of how their descendants lived as Aboriginal people in modern Australia. The author, George Nelson, a Yorta Yorta and Dja Dja Wurrung man, tells the story of his family to show how his experiences are part of a larger, longer story of Aboriginal perseverance, still unfolding in the lives of family members today. Nelson's research into his family raises questions about 'Grampa James', the Indian (or was he Mauritian?) teacher and preacher Thomas Shadrach James, a man of respect and renown through Aboriginal communities but also a man whose origins remained mysterious, until now. The book is also the story of Nelson's literal lifetime of research, searching for Grampa.

Nelson writes in a more autobiographical than academic style. His tone is warm and familial. Many of his stories are memories passed down by family members. The book is littered with notes from Robynne Nelson, his daughter, as she gives an alternative perspective, revealing her thoughts and frustrations in the research process, providing additional flourishes, detail and nuance. The interplay between the father's and daughter's voices brings a fresh dynamic feel; I felt I could hear them yarning together, interrupting at times, elaborating at others.

It begins with accounts of Nelson's ancestors and their families, complete with stunning photographs. It covers family births, marriages and tragedies until the time of his own boyhood in Mooroopna in the 1930s. The number of names and family connections was somewhat overwhelming as an outsider. I was glad for the various family trees later in the book. Nelson tells stories his father told about his Yorta Yorta ancestors: their hunting and fishing, names and language. He does not shy away from the troubles in his parents' marriage. During the War, his father tried to enlist, but his mother's ill-health prevented him from leaving. Nelson also recalls his memories of Grampa James — his presence, his bush remedies and healing treatments, his writing desk and his Bible — noticing that 'although he was black he was a different "kind" of black to us Aboriginal people'. At age seven, he began his 'little mission' to find out about Grampa.

The second section continues Nelson's autobiography, beginning with his marriage to his sweetheart, Brenda from Cummeragunga. He worked in the flour mill and bought a house in Echuca. The family grew. We learn about Nanny Pris, who taught Nelson what Grampa used to tell her: 'we are as good as white people!' This conviction drives Nelson's athletics career. He becomes a successful runner who then goes on to train Aboriginal runners. Another major

event in Nelson's life is his scholarship to the University of Adelaide in 1988. He discovered archives full of sources on the Maloga mission and began a thesis on Grampa which, though unfinished, grew into this book.

The story then turns to Grampa himself. Nelson tells of how Grampa arrived at Maloga mission in 1881 as an assistant teacher. When the community was moved to Cummeragunga in 1888, Grampa moved too and continued as a school teacher. Grampa was a writer. He was constantly writing to government authorities asking for school equipment. He corresponded with R. H. Mathews, describing the various clan groups and providing a census. In Nelson's words, his strategy was 'to empower Aboriginal people to become great *leaders and writers*'. Grampa was also a preacher, a healer and an advocate. But tensions between Grampa and the station manager led to him being labelled a 'troublemaker'. He was dismissed from the school in 1922. Despite his role as educator of a generation of Aboriginal leaders, Nelson found, puzzlingly, his family knew little about Grampa's origins. Some said he was Indian, others Sri Lankan, still others said he came from Mauritius.

The next section opens up a larger story about networks of migration and cultural exchanges across the British Empire. Nelson goes with his daughter to Mauritius to uncover the truth about Grampa. The story is told from their perspective as their research unfolds such that the reader experiences the suspense and excitement. Unfortunately, this also meant including the dead ends of research which, at times, made for confusion as a reader. The detailed timeline in the appendices proved useful at this point. They eventually discover the story of James Peersahib, Grampa's father. Peersahib grew up in Madras. His parents diligently taught him the Quran, though he attended a Christian school. In 1854, he travelled to Mauritius as an indentured labourer where he converted to Christianity through association with the Church Missionary Society (CMS). Grampa was born in 1859 and educated by his father in the CMS School where he too became a teacher. But when Grampa's mother died, he fled, leaving for Australia in 1878. Shortly after arriving he began teaching at Maloga mission.

Finally, the book turns to Grampa's legacy. Participants in the Cummeragunga Walk Off, the Day of Mourning and authors of the 1935 petition to the King were Grampa's students. Nelson attributes Grampa's concern for Aboriginal people and brilliant teaching to his Islamic heritage, his knowledge of global racial inequalities, his awareness of international struggles against colonial oppression, his mission education and the model of his father, also an educator. I found here I wanted to know more. What did Grampa write about politics, faith, race or Empire? Though the book points to the significance of Grampa's transnational experience for his teaching and advocacy, there is scope for this to be explored in greater depth. The book closes with stories and photographs of Grampa's descendants, giving a sense of living history, still unfolding even now.

Though the book is primarily a family history, I commend it to those interested in histories of Aboriginal politics and Empire. Grampa's story is compelling and, importantly, sheds light on the ways Aboriginal communities have long been

BOOK REVIEWS

connected to global politics. The book will be essential reading for researchers of Cummeragunga or Maloga. It should also be of encouragement and interest to Aboriginal educators. The warmth with which its stories are told gives great insight into the personal experiences of those concerned. George Nelson's lifetime of research into Grampa reveals Grampa to be a towering figure in Aboriginal history. The book is a great achievement.

Laura Rademaker

The Australian National University

Dwoort Baal Kaat an old story retold by Kim Scott, Russell Nelly and the Wirlomin Noongar Language and Stories Project, with artwork by Helen (Ing) Hall. Inspired by the story Bob Roberts told Gerhardt Laves in 1931 at Albany in Western Australia, 36 pp, UWA Publishing, Crawley, 2013, ISBN 9781742585116 (pbk), \$24.99.

Yira Boornak Nyininy an old story retold by Kim Scott, Hazel Brown, Roma Winmar and the Wirlomin Noongar Language and Stories Project, with artwork by Anthony (Troy) Roberts. Inspired by the story Bob Roberts told Gerhardt Laves in 1931 at Albany in Western Australia, 36 pp, UWA Publishing, Crawley, 2013, ISBN 9781742585123 (pbk), \$24.99.

The two illustrated bilingual booklets, *Dwoort Baal Kaat* and *Yira Boornak Nyininy*, are narrated through the Noongar and English languages. They are part of an ongoing series inspired by stories told by Aboriginal men in Albany, south-western Western Australia, to a visiting American linguist, Gerhardt Laves, in the early 1930s. This series is being generated by the Wirlomin Noongar Stories and Language Project, an initiative which grew out of consultations about returning Laves' 1931 Noongar field notes to the descendents of the original Noongar storytellers (Scott et al 2006). Through the project, Noongar community members, including Kim Scott, the award-winning author and Professor of Writing at Curtin University, contribute to retelling these stories.

The booklets are beautifully produced with striking and stylish white-on-black covers. The artwork accompanying the stories not only looks great but it also illustrates the details of the storylines and enhances their readability for children. But although one readership is certain to be school-aged children, these booklets will be of note to many others, including those with an interest in histories, languages and cultures of and by Aboriginal peoples. *Dwoort Baal Kaat* and *Yira Boornak Nyininy* — along with the other booklets in the series — provide a particular example of community participation in reclaiming, reinvigorating and enriching returned historical materials. The story of the Wirlomin Noongar Stories and Language Project which is producing these bilingual booklets is fascinating in itself and deserves to be widely known for the processes and the choices behind the publication of each 'old story retold' by the project team.

Dwoort Baal Kaat (glossed as 'Dog his head') tells of a Noongar hunter who goes out hunting with a pack of dogs. However, these dogs keep eating all the prey, be it *yongka* 'kangaroo', *kwoora* 'wallaby', *wetj* 'emu' or *kwoka* 'quokka', leaving nothing for the hunter who becomes hungrier and hungrier. He eventually sets a circle of fire around these dogs, but they manage to break through the fire, and leap into the ocean to quench the flames. They swim east along the coast where the hunter's brother sees that they have become seals, dogs of the ocean.

In *Yira Boornak Nyininy* (glossed as 'High tree of sitting'), a woman tricks her husband into climbing up into a tall tree on a makeshift ladder to catch a possum for her. She then tells him she has fallen in love with a younger man and removes

the ladder so he is trapped up there for days, until he is rescued by a farmer. Together with the farmer, he tracks the woman down. When they find her he can see that she is happy. He decides to leave her to her new life, while he and the farmer recognise their friendship and call each other brother.

The Noongar narratives are glossed word by word in plain English. The English glosses are accessible to non-specialist readers because unfamiliar grammatical terminology is eschewed, plus there is a useful glossary at the back, along with a brief explanation of the origin of the orthography employed. To assist with pronunciation, a reading of the Noongar narrative is available for download from the website of the Wirlomin Noongar Stories and Language Project. The English 'through story' which accompanies the Noongar tale renders the Noongar story with the sparkle of good story telling. An engagingly told tale in English — which follows the original Noongar narrative, but not so slavishly as to be stilted — is an excellent decision, in my opinion, as it showcases the story-telling gifts of present-day Wirlomin Noongar story tellers too.

Introductory notes to each of these texts acknowledge which Noongar narrators were originally involved in telling the story to Gerhardt Laves when he was in Albany: *Yira Boornak Nyininy* was told by Bob Roberts and *Dwoort Baal Kaat* by George Nelly and Bob Roberts. These notes also explain how some of the original narrators' present-day descendants participated in the community workshops run by the Wirlomin Noongar Stories and Language Project that developed these booklets.

Laves, whose transcriptions, translations and notes provide the material for these texts, came to Australia on the recommendation of Edward Sapir, the renowned American linguist, to carry out fieldwork on Aboriginal languages from 1929–31. This fieldwork had been requested by A. R. Radcliffe-Brown, the then Professor of Anthropology at the University of Sydney. Laves who had trained at the University of Chicago under Sapir in modern linguistic analysis and fieldwork methods undertook intensive study of six languages around Australia, from the north coast of New South Wales, the Daly River in the Northern Territory, around Broome in northern Western Australia, as well as the southern coast of Western Australia. The rich documentation carried out by Laves — on which *Dwoort Baal Kaat* and *Yira Boornak Nyininy* are based — was returned to Australia when Marc Francillon, an anthropology student from the University of Chicago learnt of Laves' time in Australia and made contact with him in the early 1980s and arranged to have material copied and deposited at the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) (Nash 1993: 101–102).

At the back of *Dwoort Baal Kaat* and *Yira Boornak Nyininy*, there is an essay giving voice to the participants in the Wirlomin Noongar Stories and Language Project who explain how they aim 'not only to return archival material to its home community but also how, beginning with a relatively small group, we progressively share our work by means of ever-widening, concentric circles' (*Yira Boornak Nyininy*, p. 33). This essay explains how a group of project participants conducted school visits in a number of south-western towns, discussing the

Noongar language, performing songs and stories, and explaining how the project aimed to share stories to their home communities first. A number of the performers are quoted about their on-tour experiences, and their pride and exhilaration is manifest. Sharing the project further afield has had similar effects: 'It's quite rare for a group of Noongar people to have that feeling in Noongar country, to feel that pride and power' (*Yira Boornak Nyininy*, p. 34). Readers who are interested in in-depth information about the content and processes of project workshops could consult the essays at the back of the texts from earlier in the series, *Mamang* (Scott, Woods et al 2011: 31–35) and *Noongar Mambara Bakitj* (Scott, Roberts et al 2011: 35–41).

It is refreshing that these texts do not avoid all mention of the tensions that inevitably and necessarily exist in complex undertakings, such as here: revitalising stories and languages from historical records through processes that develop confidence and expertise amongst modern-day Wirloman Noongar people. There are the relationships between traditional owners, the legal copyright holders of the Laves family, AIATSIS and holders of specialist skills such as linguists. There are the inevitable differences between modern lived culture and reintroduced elements of the past. Most obvious, in terms of the production of these bilingual texts, is the present-day knowledge of Noongar language versus the past uses of this language and its associated varieties. Throughout, the track trodden by the Wirlomin Noongar Stories and Language Project has been one of passionate community ownership and development:

We'd argue that context of our unjust shared history, and a relatively rapid movement from denigration to something more like interest, surely demands that such a heritage is firstly consolidated in, and shared from, a home community descended from its original speakers (*Yira Boornak Nyininy*, p. 34).

There are multiple purposes for which these bilingual booklets could be useful for Aboriginal language programs in schools. Not only would they be a boon for Noongar language programs, they provide an example for consideration by other groups who are interested in how they might best represent their own stories. The development of the texts through intensive language workshopping is a model for rendering a traditional language story accessible to community members and school students alike. For Aboriginal language programs in revival contexts, there would also be interest in the ways in which (partial) speakers have increased their confidence with their language heritage.

The new national curriculum has included 'Aboriginal and Torres Strait Islander histories and cultures' as one of its three cross-curriculum priorities, with the stated intention of encouraging a deep understanding of the histories and cultures of Aboriginal and Torres Strait Islander peoples. Compared to the silence in Australian schools of last century this has to be seen as a step in the right direction. However, the current Aboriginal and Torres Strait Islander content of the national curriculum has been critiqued because it is not seen to be cognitively demanding for students, nor does it involve working with complex and contentious social and political issues (Lowe and Yunkaporta 2013: 7–10).

In this milieu, these booklets also have a contribution to make. Their value lies in their authenticity. They transparently acknowledge the source of each story's content – traditional and modern, their production processes and choices, their political aims of community ownership and development. As such they represent rich and multi-layered resources, which offer readers material worthy of consideration on many levels.

References

Australian Curriculum, Assessment and Reporting Authority (ACARA) [nd], 'Aboriginal & Torres Strait Islander histories and cultures', <http://www.australiancurriculum.edu.au/CrossCurriculumPriorities/Aboriginal-and-Torres-Strait-Islander-histories-and-cultures>.

Grunseit, P 2011, 'Stories from the elders', *Inside History*, Nov-Dec 2011: 64–66.

Lowe, K and T Yunkaporta 2013, 'The inclusion of Aboriginal and Torres Strait Islander content in the Australian National Curriculum: A cultural, cognitive and socio-political evaluation', *Curriculum Perspectives* 33(1): 1–14.

Nash, D 1993, Gerhardt Laves 15/7/1906–14/3/1993 [Obituary]. *Australian Aboriginal Studies* 1/1993: 101–102.

Scott, K, L Roberts and the Wirlomin Noongar Language and Stories Project 2011, *Nongar Mambara Bakitj*, UWA Publishing, Perth.

Scott, K, D Smith-Ali, H McGlade and J Henderson 2006, 'A protocol for Laves' 1931 Noongar Field Notes', http://www.wirlomin.com.au/pdf/Protocol_for_Laves_1931_Noongar_Field_Notes.pdf.

Scott, K, I Woods and the Wirlomin Noongar Language and Stories Project 2011, *Mamang*, UWA Publishing, Perth.

Denise Angelo

The Australian National University

Law's Anthropology: From Ethnography to Expert Testimony in Native Title by Paul Burke, x + 326 pp, ANU E Press, Canberra, 2011, ISBN 9781921862427 (pbk), \$28.00.

This book began life as the author's PhD thesis. It is an ambitious project structured around three main case studies of contested native title hearings: the groundbreaking *Mabo* matter in the Torres Strait Islands, the *Rubibi* case of the Broome area in Western Australia, and the *De Rose Hill* claim in the Western Desert part of South Australia. Each case study consists of a detailed discussion of the ethno-historical record for the area, which is then followed by a careful analysis of how this record was approached and strategically deployed by anthropologists and lawyers in the legal hearing. An additional chapter is devoted, I think as a kind of addendum to the original thesis, to the *Yulara* case, another significant Western Desert matter, this time relating to the area around Uluru/ Ayers Rock. These case studies are bookended on either side by theoretical considerations regarding the relationship between anthropology and the law.

Burke, who is both a lawyer and an anthropologist, set out to achieve two aims: to examine the two disciplines from a critical distance to expose their internal workings, and to examine their interaction both at the level of their different forms of practice and at that of individual agents in particular matters. I found him to be generally successful on both counts as he explores numerous issues that arise in this inter-disciplinary interface, a few of which I will outline here.

One of the issues explored is the tension that can arise when the legal process weighs up the evidence given by the expert anthropologist with long-term fieldwork experience in a given community on the one hand, and the anthropologist who is experienced within the profession but not the particular community of the native title claim. This issue receives particular attention in the context of the *Rubibi* case, where the anthropologist engaged by the claimants had the benefit of many years researching in the area, while the anthropologist engaged by the state government supported his claim to expertise through, what Burke calls, his 'academic capital' rather than on-ground experience among the community. The judge in that matter seemed happy to accept the expertise of both and adopted a mediating approach to their diverging ethnographic accounts, ultimately using aspects of both in forming his own views. The issue reemerges in *De Rose Hill* where the same dynamic between 'claimant' and 'State' anthropologist is mirrored, and in the *Yulara* case where the contrast is between two anthropologists engaged by the claimants. On the one hand there was Jon Willis, who had long-term and intimate involvement with the Western Desert people, on the other Peter Sutton, who is considered one of Australia's most experienced anthropologists in matters of Aboriginal land tenure and social organisation. To the alarm of the anthropological community, or at least that part engaged in native title, the judge formed the view that Sutton was not qualified to be an expert in this matter because he had not conducted long-term fieldwork among Western Desert people. From the judge's point of view, expertise

derived from independent academic research that is then brought to bear in the native title context, as in Jon Willis' case, was superior to research conducted specifically for a native title claim, which risked enmeshing the anthropologist in the self-interested agendas of the claimants. Surprisingly, on the basis of this one decision Burke raises the possibility that the courts might generally dismiss anthropological expertise. In fact, I am not aware of any other matter in which the anthropological expertise is not accepted. If the *Yulara* approach were applied universally, the native title system would grind to a halt for want of suitably qualified anthropologists. In practical terms, a large proportion of native title work is conducted by consultants who are not regional specialists in all the areas where they work. In my view, a reference to this systemic feature could have provided a useful contrast to the idiosyncratic nature of the *Yulara* decision.

Another issue Burke explores is the relationship between the legal team and their expert anthropologist. Was the anthropologist involved in formulating the case? Did he (all the experts considered in this book are male) give advice on ideal witnesses or lines of questioning? What emerges are four quite distinct scenarios. In the *Mabo* case, Jeremy Beckett was at a clear remove from the legal team, both in terms of his evidence, which did not entirely support their case, and interpersonally. In *Rubibi*, Patrick Sullivan had firm views on how the case should have been formulated at a more inclusive level to encompass the entirety of the local Aboriginal factions, but these views were not adopted by the legal team, causing him significant frustration. The research Craig Elliot conducted in preparation for *De Rose Hill*, would be the envy of many a consultant anthropologist who are commonly engaged on a 75-day contract to prepare a connection report: 110 days of fieldwork and 150 days of archival research. Yet he was not involved in developing the manner in which the claim would be advanced and was only ever intended as a junior player until he suddenly found himself thrust into the spotlight by the sudden ill-health of the main expert. At that stage his appreciation of the ethnographic reality was secondary to the brief he was given, which was determined by the legal focus of the claimants' lawyers at that advanced stage of the hearing.

Finally, Peter Sutton substantially assisted the legal team in developing pleadings, questions for claimants and the presentation of the ethnographic evidence. This approach was entirely consistent with long-held practices in the context of Northern Territory Land Rights claims, but the Federal Court judge took a dim view of it, interpreting it as causing a conflict with Sutton's role as unbiased court expert.

The charge of advocacy was leveled at both Elliot and Sutton and naturally Burke made it a focus of his analysis. The tension between the independence expected of a court expert and the advocacy of the legal team that engage the expert is ubiquitous in legal matters regardless of the expert's discipline. It is standard practice for the advocate acting for one party to seek to impugn the independence of the expert engaged by the other. Even where the expert is completely unbiased in their analytical approach, defensive responses to hostile cross-examination can still project an air of bias, which the cross-examining

party may well seek to exploit. According to Burke, this was the fate of Craig Elliott while in Sutton's case the problem arose, in addition to his involvement in developing the case, from the fact that the judge did not appreciate the way in which he dismissed aspects of the ethno-historic record, despite Sutton backing it up with extensive data.

In his concluding discussion, Burke expresses the view that the pressure towards advocacy on expert anthropologists by the legal team that engages them is relentless. He refers to a 'senior anthropologist' who suggested that there was pressure towards advocacy at every step of the process, and Burke himself agrees from his own experience. My own experience, however, is quite different. In my engagement by both state governments and Native Title Representative Bodies I found the lawyers to be exemplary in seeking to ensure my independence and keeping me at arm's length from their case development. So while the underlying tension between independence and advocacy is a structural feature of the adversarial (and often deeply cynical) legal process, particular pressure by the engaging party on the expert does not seem to be structural or universal. An inquiry focused on the individual agency of the lawyers and anthropologists in topic might have been an interesting approach in refining this analysis.

Overall this is a well-written and engaging book. The ethnographic summaries in themselves provide a useful starting point for anyone looking for an introduction to Australianist anthropology generally or an overview of the particular areas in question. Burke deliberately does not recap the old Radcliff-Brown/Hiatt/Stanner debate on local organisation, but nonetheless provides a thorough summary of the intellectual development of Australian Aboriginal land tenure models in the three regions discussed. There are without doubt other angles that could have been pursued in the analysis of the process by which the law subsequently 'digested' this ethnographic information, but the accounts as they stand are comprehensive and insightful. As I was personally involved in the *De Rose Hill* matter (as an in-house anthropologist engaged by the state) I can confirm that the significant level of detail into which Burke goes is largely correct, with minor exceptions being the misspelling of the name of one of the barristers and the mixing up of the names of the two pastoralists involved.

The weakest point for me was perhaps its opening chapter. I was surprised by the reference to US law on experts rather than the Australian Federal Court's Practice Direction for Expert Witnesses and noticed that some of the references to general anthropological debates, that surely must be ongoing, were confined to the 1980s and 1990s. Burke asks a rhetorical question, 'Will anthropological research for claims be rejected as "junk" anthropology?', which is a theme that is again picked up in the Yulara case study. As I alluded to above, there does not seem to be any basis to this fear beyond isolated incidents and as an analytical starting point it did not seem overly meaningful.

I did, however, appreciate the fundamental imagery of 'digestion' of anthropology by the law. All other aspects of the process may vary: the anthropologist's expertise or independence may be challenged or not; the process may involve gruelling

and aggressive cross-examination, or it may involve a more recent Federal Court practice, which sees the judge asking most of the questions of all experts simultaneously. But whatever the details, the anthropologists and their 'expert opinions' are only there as instruments to the lawyers and judge, as sources of 'raw data'. This raw data can then be digested together with all the other facts presented to the court and moulded to fit the needs of the legal process. In matters before the court the law always has the final say, thus the transformation of anthropology as an independent agent into 'law's anthropology' is inevitable.

Over the years, various anthropologists have been shocked by this harsh reality of the legal process and baulked at it, at times decrying the lawyer's lack of understanding of their discipline. This, however, misses the point that lawyers tend to only be interested in understanding to the extent that it suits their client's case. This is not ignorance, but a fulfillment of their professional duty. Perhaps it is his own legal training, but Burke does not seem to share that shock. This means he is able to provide a level-headed and forensic perspective on an area that is often clouded by emotions and vested interests. As such this is a valuable resource for lawyers and anthropologists involved in any stage of the native title process and more broadly for those wishing to understand the relationship between anthropology and the law in the fraught but socially fascinating recognition space that is the native title jurisdiction.

Kim McCaul
Adelaide

Our Stories Are Our Survival by Lawrence Bamblett, 206 pp, Aboriginal Studies Press, Canberra, 2013, ISBN 9781922059222 (pbk), \$34.95.

Lawrence Bamblett was one of 'the kids' when I started my fieldwork on Erambie Mission in Cowra. I barely knew him but I knew the people who constituted his world and many of their personal as well as their collective histories. It was a world of stories, and in taking this as his theme, Bamblett has captured what relatedness has meant for the people of Erambie. This is an important book. It should be read by anyone seeking insight into what it has meant to be a Wiradjuri person through the twentieth century and to today.

Bamblett has captured the warmth, laughter and intimacy of his Wiradjuri world. It transports me back into 'the mission' and the world that opened up for me but which few non-Wiradjuri residents of Cowra – past or present – could possibly imagine. It is a world informed by a different way of being in relationship, a different way of learning.

Bamblett presents us with a history of Erambie people's engagement in sport but this book is much more than that. As he crafts a history drawn from Erambie stories as well as local newspapers and other written accounts, he also opens up the dynamics of a racialised world, showing how Aboriginal prowess was explained away, demeaned even as it was recognised. His insights into the workings of racism are well-informed by an equal immersion into the world of which he writes, as well as the critical social science scholarship within which he positions himself. In doing so, he takes his account out of the personal and biographical and jolts his reader into thinking hard about the significance of what he is recounting.

It is also a world that is taking a huge battering, as are Aboriginal communities throughout Australia. But the people of Erambie have a long history of battering: as Bamblett says, 'our stories are our survival'. These are not fluffy words – this book is able to convey what stories are all about and what survival is about. He is referring to the experience of cultural distinctiveness, the value of one's own ways of understanding the world, of wanting to compete alongside whitefellas but not become whitefellas: the people Bamblett writes about like being who they were and are. Their experiences of themselves are framed by an oppositional, racialised environment but Bamblett makes very clear that they cannot be reduced to this.

In the 1960s Roland Robinson, in his collections of Aboriginal sacred stories, contrasted clever-fellers (*bugeen*, *doowan*, *wee-un*, etc) with characters he noticed in New South Wales stories, referred to as *Buloogan* (*birrogan*, *bulagaam*; fem. *gaungan*). These were the old men and women, wise and strong, recognised for their depth of knowledge, people upon whom a whole community could depend. Such Buloogan emerge in Bamblett's stories: the man he calls The Storyteller, who inspired Bamblett himself and from whom he learnt about the power of stories, and men of earlier generations such as Harry Murray. A generation older

than Bamblett, I heard many stories about the men and women one might call the Buloogan and Gaungan of earlier days on Erambie: the people who held the stories, and who lived and taught the values. They were the personification of the cultural strength of the community. They were simply called 'the old people'. The meaning conveyed was not like the way 'elder' is used today for people of senior years. It meant those with wisdom, those who should be listened to, learnt from. A person's 'old people' were almost always kin, so each person's memories of influential people in the community and in their personal lives differed. In time, I gained my own Gaungan, who shared their stories with me, some of whom are mentioned by Bamblett. The demeaning of the authority of these Buloogan and Gaungan over recent decades, to be replaced by external forms of governance and supposed expertise, is compounding the difficulties of identity and meaning which confront many young people in communities such as Erambie.

Stories are ways of transmitting experience and knowledge that are not always taken seriously enough in a world that values knowledge packaged in different, formal, objectified ways. Yet stories are the lifeblood of personal, social and cultural identities and could — perhaps should — be the lifeblood of historians and anthropologists. In a world in which reported events are focused on trauma or corruption, contrasted with flippancies of social media, stories still retain their power to transcend the present moment, to take our imaginations into worlds of experience we could not otherwise be a part of. Bamblett's accessible but provocative style means this is a book to be read by academics as well as a general readership. It should be mandatory reading in high school. However you come to it, do not think that Bamblett's book will let you off lightly.

Gaynor Macdonald
University of Sydney

Protest, Land Rights and Riots: Postcolonial Struggles in Australia in the 1980s by Barry Morris, 204 pp, Aboriginal Studies Press, Canberra, 2013, ISBN 9781922059345 (pbk), \$39.95.

The events discussed by Morris in this book centre on the funeral and subsequent riot in Brewarrina, 15 August 1987. An angry confrontation between relatives and friends of the recently, and controversially, deceased Lloyd Boney, was filmed by an ABC team. The 'riot' ended in the arrest of 17 Indigenous people and two trials. Morris conducts a close examination of the trials in which Sonny Bates and Arthur Murray were found guilty and sentenced to 18 months of imprisonment. Six years later as a result of six successful appeals for a retrial Murray and Bates were granted a permanent stay of proceedings. Of these events, the author notices three different kinds of analyses, of which the first was the media's search for social causes and effects. The second was the criminal trials focusing on individual actions, and thirdly, the Royal Commission into Aboriginal Deaths in Custody seeking to understand relationships between police and Aborigines. These are useful distinctions. Students of Judicial Enquiries, Truth and Justice Commissions and forensic investigations of state violence have lamented how often these seem to miss the point in focusing on individual state agents rather than the historical circumstances that seem to have led those agents in predictable directions.

Being the careful and respected academic that he is, Morris is drawn to analyse the larger societal influences affecting Brewarrina, especially the shift in the 1980s from state welfare to state neoliberalism. It is a refreshing change to see Aboriginal history under this lens. It helps the reader to move away from Marxist, colonialist, and post-colonialist narratives so familiar to us. A key factor in his analysis is a rural economic decline, resulting from the collapse of the pastoral industry generally. Here it is good to be reminded that the white citizens of Brewarrina carried an equivalent inferior status in relation to mainstream society as the town Aborigines — that is, ignorant, backward and irrational. Morris points to the pervasive intertwining of neoliberal economics and conservative thought in Anglo-American countries which, becoming the new economic orthodoxy, significantly changed the contours of state power. In this way some recently established measures of Indigenous governance, such as the Aboriginal legal and health services, came very rapidly to be seen as problematic. Neoliberalism champions a form of egalitarianism, Morris reminds us, that confers on all citizens the same moral status and moral worth. Hence specific socio-cultural identifications like Aboriginality are rendered secondary and even irrational. In the grip of neoliberalism, Premier Greiner abolished the NSW Public Service Board, gave the Premier's Department an expanded and centralised role to coordinate the public service, and tried to abolish the *Aboriginal Land Rights Act 1983* (NSW).

This analysis is enlightening even if one does not necessarily agree. After all, the Land Rights Act was passed barely five years before amidst much rejoicing

that the Aboriginal dispossession had at last been recognised. Had support for state welfare evaporated so quickly? To be fair, Morris sees neoliberalism more as a factor to reckon with rather than a key to the mystery, and he is careful not to overstress the consequences of this shift. He is wise to do this, not least because very similar phenomena can be seen at all times in our history when neoliberal economics were unknown. The Brewarrina police were apt to interpret the Aboriginal presence as evidence of incipient revolt; but so did the NSW missionary Ernest Gribble in the 1880s, and so did Cecil Cook in the Northern Territory in the 1930s. The Coniston massacre was precipitated by an equally exaggerated alarm spread amongst those who should have known better. In chapter 3 Morris develops an account of the relationship between social exclusion and crime as an analogous punitive shift that occurred when welfare policy was applied to criminal justice. He sees the primary role of market forces in regulating the economy acting equally to regulate and guarantee the security of its citizens. That happened in London, too, from the 1830s when the newly defined crime against private property handily answered a need to populate the empire with Anglo Saxon youth. More an imperial economy than a neoliberal one.

I recommend this thoughtful book. I do not see much evidence of Morris's deployment of the 'incisive tools of anthropology', as noted by Gill Cowlishaw on the back cover. I would call it just good history.

Peter Read

The Australian National University

Representing Humanity in the Age of Enlightenment edited by Alexander Cook, Ned Curthoys and Shino Konishi, 237 pp, Pickering and Chatto, London, 2013, ISBN 9781848933736 (pbk), 9781781440155 (e-book), £60.00.

My interest in this collection springs from inquisitiveness more than specialist notice. I offer this disclaimer to the editors and contributors in advance should I squib on a more disciplined evaluation, for I am not an eighteenth-century scholar, but a visual historian interested in prefigured conventions of representation, and how they may have shifted under the asperities of industrialised, colonial modernity. A neophyte, however, can provide a view from the outer filaments of the disciplinary clusters and this collection richly rewards the curious and wide-ranging, as it will those working more closely on the Enlightenment philosophico-scientific and political project.

‘Humanity’ was at the centre of eighteenth-century thought. The epistemological revolutions in natural science, philosophy, proto-anthropology, morality and human rights that informed the sweeping revolutions in Europe and the Americas, are shown to have mandated conditions across a range of social fields for conflicting and ‘competing visions of human life’ (p. 3). Horizons expanded exponentially through commerce, conquest and exploration, and human difference leavened debate about human essence and nature, with implications for political organising in the marshalling of new forms of citizenship, habitation, occupation, education, communication, remembering, conversing, composing and painting. To take one instance of how this collection recites intriguing expressions of these changes, in Vanessa Agnew’s essay musical difference figures national cultures in the deployment of the periphery in theorising social development. Yet all the while the Gora instrument of Khoikhoi evinced ‘musical polygenesis’ by ‘straddling two separate organological branches’ (p. 93). A transnational Enlightenment unfolds through the essays, one in which periphery perspectives assail the established norms and parochial conventions in thinking of human identity and relations.

The two meanings of the word ‘represent’ – to depict, and to speak for, transmute under new visions, vantages, places, frameworks and lenses. In another fascinating contribution in which the tension between these two meanings pull taut, Kate Fullagar shows how the neoclassical ideals of virtue and unity as cultivated by art clashed with the market for portraits and were ultimately undone by Reynold’s portraits of the Polynesian Mai, and the Cherokee Ostenaco. Aesthetic ideals of humanity were pursued in theories of taste by Reynolds, but his own ambivalent interest in the exotic threatened his aesthetic politics appealing as it did to a universal human character while depicting the essence of the New World savage.

In another of Shino Konishi’s studies of François Péron (zoologist and anthropologist of the French Baudin expedition of 1800–1804), his response to tombs on Maria Island and ruminations on the custom of cremation contrasts

with instructions for the disinterring and repatriating of savage remains by Cuvier. Péron however, followed the more typically enlightenment directive of Degérando, who placed more emphasis on 'deathways' or the treatment, rituals and scenes of the dead, and how these became a 'marker of humanity' (p. 112). Having posed a 'thought experiment' Péron was reacquainted with his initial impressions of the 'happiness and simplicity of the natural state' (p. 121). Nicole Starbuck takes up Baudin's expedition at Port Jackson where the encounter with the savage was now refracted through 15 years of colonialism. Ideas of pristine ethnographic subjects were counterposed by a strong sense of European corruption— at least by the 'lower orders'. Starbuck contextualises new disciplinary specialisation, in attempts to account for the liminality of the partially 'civilised' savage, within Revolutionary naturalist notions of human similarity— itself the basis for political organisation of equality within the nation. Efforts to represent Aborigines as unaffected by European contact were overshadowed by their agency in adapting, and the manifest deterioration of their health and wellbeing through contact. In Starbuck's incisive analysis, this apparent failure to achieve equality under European influence threatened the 'Republic's demographic venture' (p. 113). One wonders whether the French dispelled these doubts by figuring the English as lesser exemplars of civilisation.

Yet new notions of human rights spurred the civilising projects of colonial expansion. Alexander Cook examines French revolutionary semiotics in the positing of man as the bearer of rights within the political concept of the citizen in 'demarkating sovereignty'. Notorious Revolutionary philosopher Volney conferred a certain intelligibility to Humanity, in positing a common nature in the quest for emancipation as it was shared transnationally. As with a number of essays Cook examines the cosmopolitan impetus in the period's philosophical speculation. Volney perforated the 'barriers' by which Europe distinguished itself from the surrounding world, and countered the prevailing prejudices that the peoples of Africa and the Middle-East were 'universally fit for despotism'.

The New World and the 'Orient' spurred interest and supplied new arenas of philosophical speculation which took self-conscious forms such as the emphasis on 'conversation' discussed by Jon Mee, as new patterns of communication were enabled by urban gathering and, of course, print. Exchange and commerce propelled interest in the circulation of ideas while it conversely inculcated an ethos of politeness and dispensed a new role of women in 'literary sociability'. This segues neatly into Ned Curthoy's essay on German-Jewish *Bildung* and the 'quest for self-creation' (p. 65) marked by auto-critique through interlocutory performance. This idealised ethical comportment and aesthetic exercise was democratised. Curthoy's facility for language is itself an excursion into an idealised ethical comportment and aesthetic exercise making his essay both a trove for the word packrat, and a salute to the committed reader.

Mary Spongberg's study of Mary Hay's female biography in theories of woman, examines the influence of rational dissent in the 'sympathetic history that evolved as a feminized genre' (p. 28). As a category for analysis in Enlightenment historiography, the functionality of woman 'as a measure of civilisation' was

countered by Wollstonecraft. The rise of companionate marriage and the ideal of monogamy situated female chasteness as a civilising force, yet women's infidelity constituted a property infringement. Spongberg at times assumes knowledge in the reader, but again, perhaps only the uninitiated reader, on the scandal following Wollstonecraft's death, on Godwin's publication of her memoirs and the nature of her relationship with Imlay.

Gender is indissociable from the Enlightenment scope of human referentiality. Hsu-Ming Teo's careful reading of Montesquieu's *Persian Letters* reveals Enlightenment ideals were undone by gender inequity and domestic politics as it conflicted with ideals of democratic sociability. Montesquieu's Orientalism referenced Persian gender despotism to advance a 'proto-feminist' (p. 136) argument that European men were undemocratic in the private sphere. In an acute, ex-centric analysis of the medieval Arab world John Docker pivots forward into genocide studies and backwards to the Crusades to disorient the 'Western-centric narrative of secularization' that manifests from a 'totalizing Eurocentric historical framework' (p. 41). Docker creatively examines the appraisal of the Crusades by Hume, Robertson and Gibbon and the influences of stadial theory from the Scottish Enlightenment to pose a question increasingly urgent for our own times, 'how in history does change from one kind of society to another occur' (p. 43). He reveals the vagaries of history in the farcical and unintended outcomes of feudal lords waging a dishonourable, vicious war, such as the dawning of property rights in their vassals. The Crusades, Docker warns, presaged the repeated scourge of European genocide.

The productive tension that arises from the catachresis inhering in the meaning of representation appears again in perhaps the hub essay of the collection—Jonathan Lamb's essay which assiduously pursues Enlightenment elaborations of the category 'human' in political philosophy to then relate it to 'fictional constructs of the person' (p. 150) in Epicurean and dissident materialist thinking. Sensation, mediated matter, affect and social personality are mapped against fiction as an 'effort of mind absolutely necessary for a citizen fully active in the work of social representation'. Supernatural figures—such as the sylph—in the French libertine fairytale paradoxically—within the rationalist vocabulary of the time—engage in a 'wordly conversation with the human' in Peter Cryle's enchanting contribution. Henry Martyn Lloyd finds Sade's refusal 'to elevate the human within the realm of nature' (p. 173) precipitates the 'polymorphous nature of Enlightenment humanism' (p. 173). Moral sense as innate comes under attack by Sade who counters with a radical egoism, yet he argues against humans separating themselves from nature. Sade was in 'magnificently violation' of classical liberalism as it would adhere to utilitarianism later under Mill. Lloyd's essay is able to draw to a conclusion the twin uses of 'humanism' cohering the volume—'the ethical-political sense linked to the contemporary term "humanitarian" and the philosophical-anthropological sense, the science of the human' (p. 174).

As a conference proceeding, the collection remains cogent, yet its remit is hardly exclusive. It negotiates the twin impulses of the period towards humanisation

and individual political 'natural' rights. Encounters with diverse peoples as trade and exploratory routes took hold positioned the 'native' and 'noble savage' as paradoxically transnational types, whose telescoping variance prompted the taxonomies adapted from zoology to ethnology in the disciplinary carve up shaped by specialisation and attempts to manage the influx of unwieldy masses of new data. Indeed the coincidence of this typological impulse with developments in the technology from which it drew its lexicon — print, instituted an observational ethos in attempts to decipher a universalising character of man that informed political theorising, which might have lent more material to the collection. This republic of letters was international in scope, propelling a transnational public sphere that in fact harboured an interlocutory scene of plural publics, such as ecclesiastical as it vied against secularisation, guild as it responded to nascent industrialisation, scientific as its disciplines specialised, each entering into the social contract as it formalised and legislated property relations. The 'conceits' of revolutionary culture surely intersected with colonialism leaving this reader pondering how settlement echoed and foundered on these brightly suspended notions of sovereignty, citizenship, rights and emancipation for a humanity divided and fragmented. The manifold way 'man' was invoked and put to work, by what description and techniques, is the constellation of the collection — it warrants a wide currency.

Liz Conor
Melbourne

The Aboriginal Story of Burke and Wills: Forgotten Narratives edited by Ian D Clark and Fred Cahir, 314 pp, CSIRO Publishing, Collingwood, 2013, ISBN 9780643108080 (hbk), \$59.95.

2011 marked the sesquicentenary of the Victorian Exploration Expedition (VEE), more frequently referred to as the 'Burke and Wills' expedition after the leaders Robert O'Hara Burke and William John Wills. Academics, creative and performance artists and scientists have been looking back on this expedition, assessing its legacy and attempting to re-adjust forgotten or underplayed aspects of the persisting narratives. The expedition, sponsored by the Royal Society of Victoria in 1861 has been mythologised over the last 150 years in a variety of ways: an embarrassing failure; a tragic tale of ego over sensibility; or a tale of warning against the deadly effects of Australia's harsh and intractable environment.

Burke and Wills led an expedition of 19 men with the goal of crossing Australia from south to north. They arrived in the Gulf of Carpentaria, but both leaders died on the return journey. By the end of the expedition, seven men had lost their lives and only one man, John King, crossed the continent with the expedition and survived.

The Aboriginal Story of Burke and Wills: Forgotten Narratives is an edited collection which stems from a conference held at the University of Ballarat in 2011. The title of the book promises to reveal forgotten Aboriginal narratives of the VEE and adds to other academic interest in viewing the legacy of the expedition in new ways. It could also be viewed as a companion text to *Burke and Wills: The Scientific Legacy of the Victorian Exploring Expedition* (eds) EB Joyce and DA McCann (CSIRO, 2011), which turned on its head the long-held myth that the VEE was not a scientific expedition, highlighting the expedition's scientific achievements rather than its 'tragedy and failure' narrative. *The Aboriginal Story* also comes after creative responses to the complicated events of the expedition. A mock coronial inquest in the Legislative Assembly of Victoria was performed in July 2011 to investigate the factors which may have contributed to the deaths of Burke, Wills and Gray. The coroner found that Burke's appointment was a 'fundamental mistake' which related to the deaths of Wills and Gray and that all three men died from beriberi, starvation, dehydration and thiamine deficiency. The coroner also argued 'One of the most fundamental errors made by the expedition was the decision not to utilise Aboriginal guides (either from the very start of the expedition or during the expedition) in any systematic way.' However, as this volume reveals in detail, Aboriginal guides, stewards and messengers were heavily utilised in the expedition and relief parties. Chapters by Cahir and Jeffries in particular, highlight the Aboriginal experiences of guiding, hosting and meeting with members of the VEE. The failure to profit from Aboriginal expertise remains the expedition's moral tale which the contributions in this book help to cement.

This volume begins with a contemporary Yandruwandha perspective, given by Aaron Paterson, straight away emphasising the book's attention to Aboriginal stories, past and present. Paterson gives a Yandruwandha perspective of the legacy of the VEE, quite different to the non-Indigenous legacies. Paterson offers a family history describing how the lone survivor of the expedition, John King, had sexual relations with a Yandruwandha woman, and Paterson goes through the subsequent King-Yandruwandha genealogy. He examines historical sources, interpreting from his specific cultural perspective, a compelling method and a good way to begin this volume which claims to tell the Aboriginal story of Burke and Wills.

Following Paterson's personal story another contemporary perspective, given by Richie Howitt, a descendent of A. W. Howitt who commanded one of the relief parties, is included. Richie's story reminds us of the way in which Aboriginal narratives have been forgotten and, therefore, is equally important to this volume, revealing how his childhood view of the VEE saga was completely devoid of Aboriginal people or history: 'There were glimpses, to be sure, of unknown others in the background.' He also observes that 'Yandruwandha hospitality to King has echoed in the everyday histories and geographies of Yandruwandha people' as Paterson's personal story attests. These individual perspectives from both sides differ from the other contributions that make up the rest of the volume, and introduce the book in a captivating way.

In the editors' introduction, Clark and Cahir borrow W. E. H. Stanner's phrase to describe how the exclusion of Aboriginal perspectives on the VEE has been a 'structural matter'. Their expulsion from the legacy of the expedition has been synonymous with the description of the landscape in Central Australia, as a 'ghastly blank', being located within a landscape which was conceived as being 'empty and primordial', where, 'European exploration brought the land into existence and formed a starting point for Australian history'. While Clark and Cahir explain how Aboriginal stories have been 'hidden' from western historical narratives more generally, it might have been useful to map the way Aboriginal experiences of European exploration have missed out on the revisionary scholarship led by Henry Reynolds in the 1980s who framed explorers' Aboriginal aides as 'Black pioneers'. The response from other historians has been slow.

Indigenous presence in expedition narratives of the VEE have not always been hidden. Between 1861-1901 they were part of historical accounts, following the pattern of Australian historiography more generally, they only became forgotten in the early 20th century. When Aboriginal people have been included in histories of the VEE they have been framed as treacherous, hostile and savage, untrustworthy — aligning with the belief that they did not help Burke and Wills.

This volume does not just add Aboriginal people to the Burke and Wills story, it firmly places the expedition in the cultural and historical setting of Aboriginal country, reminding us that it has always been more than just a failed race

between colonial rivals to get to the north. This is evident in the chapter by Luise Hercus on the linguistic creativity of the Aboriginal people of Cooper Creek, which helps to firmly place this story in Aboriginal country.

Harry Allen, who, like Hercus, has spent many years undertaking field work in this central region, focuses on Aborigines of the 'corner country', exploring the encounters between VEE members and Aboriginal people via a longitudinal study of earlier cross-cultural interactions, reminding us that in 1861 these encounters were not first contact scenarios for either the VEE or the Aboriginal people. This aspect is enhanced by Ian Clark's chapter which also shows that rather than being unsuited to the task of this expedition, many members of the party had previous bush experience and first-hand experience of dealings with Aboriginal people. His chapter unpacks the persistent, old myths surrounding the expedition. Allen studies the legacy of the expedition in real ways too, presenting a history of missions in the Lake Eyre Basin from 1866-1915 that were established as a result of the humanity shown by the Yandruwandha to John King; and the increasing scientific interest in the Yandruwandha following Howitt's ethnographic observations during his relief expedition.

David Dodd explores the Aboriginal contribution to the expedition through the texts of the four German expedition members — Becker, Beckler, Brahe and Neumayer — revising the widely held view that the VEE failed to utilise Aboriginal guides, emphasising the roles played by Dick and Peter in guiding Beckler's party and saving trooper Lyons and McPherson. These spotlights remind us that the Burke and Wills expedition was about more than just two men. There were many people involved in both the expedition and the various relief parties, and a focus on other characters offers important perspectives. Dodd's chapter frames the VEE and the experiences of the German members of the party in the context of nineteenth-century natural science and Humboldtian practice — meticulous observation and recording of the natural environment. Despite the lack of directives to observe and record information about Aboriginal people in the official Royal Society of Victoria instructions, the German naturalists did record a large amount of ethnographic information.

Chapters by Fred Cahir, Darryl Lewis and Peta Jeffries scrutinise Aboriginal testimony as a legitimate historical source to unearth Aboriginal perspectives of the expedition. Jeffries also undertakes a close reading of Becker's artwork, arguing that unlike other colonial illustrators, he tried to find a connection to the country and its original inhabitants. Jeffries' second chapter is in line with recent local and international scholarship on exploration and reveals that the presence of Aboriginal guides frequently created a co-production of knowledge, emphasising the collaborative, rather than lone work of exploration.

While this book incorporates Indigenous participation into the well-known expedition narrative, it does not draw out Indigenous agency. Some of the chapters are more concerned with documenting the removal of Aboriginal people from later narratives and the disappearance of them from representations in visual art, than putting their experiences back into the story, or re-framing the story

with Aboriginal centrality. Tracing the 'Australian silence' though, is important, as Leigh Boucher points out: 'to consider the political implications these different remembering's' and forgetting's 'might have for notions of territorial entitlement'. The presence of Aboriginal people 'within, alongside, against and around the exploration parties might have made for uncertain mythological terrain'. Boucher's exploration of Howitt's texts are the most revealing of the transformative powers of exploration in this period. Howitt's dawning sense of the complexity of Aboriginal geographies, cultures and histories is revealing of this. Boucher writes: 'the European category of 'blackfellow', which was applied to Aboriginal people across the continent, ignored their nuanced systems of identity, language and spatial proprietorship. Howitt's diaries revealed a party always struggling to figure out who belonged where.'

Several chapters describe the different types of Aboriginal engagement with or work for the VEE and relief parties, such as Aboriginal guides or message carriers. Aboriginal people were crucial in assisting the rescue expedition led by John McKinlay, which was despatched from Adelaide. Fred Cahir gives interesting insight into the function these news carriers performed, but also the mechanisms by which stories from the Aboriginal world were filtered and circulated by newspapers. However, his analysis is a little under-played. While his focus on messengers shifts the narrative away from 'treacherous natives' to the utility of Aboriginal people, and the veracity of information about the fate of the expedition that they brought to concerned rescuers, he only briefly suggests how stories were interpreted and manipulated by Aboriginal messengers for their own purposes — I would have liked to read more about those strategies.

More editorial work to curb repetitions in chapters may have made the book more readable, however, this is a very important inclusion to the history of the VEE and to the renewed focus on exploration history more generally. Creative responses to the expedition narrative, such as Paul Lambeth's art work and poetry, and Peta Jeffries' focus on art make this volume inter-disciplinary and therefore, this book offers an interesting variety of approaches and methods to interpreting this famous episode in Australian AND Aboriginal history.

Tiffany Shellam
Deakin University

The Last Man: A British Genocide in Tasmania by Tom Lawson, 263 pp, I B Tauris, London, England, 2014, ISBN 9781780766263 (hbk), \$49.95.

Tom Lawson's specific field of research expertise is genocide. Based in England where he is a Professor in History at Northumbria University, Lawson is best known as the author of several monographs on the Holocaust, including one in which he investigated the Church of England's attitudes and responses towards that momentous mid-twentieth-century event. *The Last Man: A British Genocide in Tasmania* follows a similar vein, but focuses on a different time and place, nineteenth century Van Diemen's Land (Tasmania). More specifically he addresses Britain's role in what he has termed the ethnic cleansing of Van Diemen's Land, in the context of Lieutenant Governor George Arthur's declaration of martial law in the colony. He examines the Black Line operation against the island's rapidly declining Aboriginal population, the Black War, and George Augustus Robinson's conciliatory 'friendly mission' as well as its aftermath.

Lawson's express purpose in *The Last Man* was not to write a Tasmanian history per se, but to actively intervene into contemporary British culture (which, he contended, has grown somewhat smug after having been able to point the finger at Germany in the wake of World War Two) through reinscribing some of the atrocities committed by the former British Empire as it extended its global reach. While his Tasmanian case study was initially intended to form part a wide-ranging study of a global history of British involvement in genocide, Lawson found 'that the interactions between genocide in Tasmania and British history were so intricate, multi-layered and long-standing that that case alone demanded a specific book' (p. xviii).

The 'last man' from whom Lawson's book takes its title was William Lanne, also known as 'King Billy', who, when he died in 1869, was widely lamented as having been the last male Tasmanian Aboriginal person and whose remains were infamously desecrated within hours of his passing. While allegedly carried out by a colonial surgeon, the theft of Lanne's cranium took place because of the perceived value of the illicitly acquired material to scientists of race (specifically Edinburgh-based phrenologists), thus explicitly linking the colonial medico's actions with his British homeland. This infamous episode functions metonymically for Lawson's construction of the relationship between Britain and its island colony. He convincingly argues that it was the British colonisation of Van Diemen's Land, and the enactment of British policy in the Australian colonies, that resulted in the near extinction of Van Diemen's Land's Aboriginal population.

As John Connor noted in his endorsement of the book (printed on the rear of the dust jacket), *The Last Man*, while 'clearly written, accessible and strongly argued', is also 'obviously controversial'. Indeed, in the first of his six chapters Lawson devotes considerable attention to defining his use of terminology, including the word 'genocide', claiming that he is far from being the first historian to apply

this concept in the Tasmanian context. The author has traced the emergence of discourses of 'extermination' and 'extirpation' back to the early years of the colony, with published histories printed as early as Hobart-based newspaperman Henry Melville's 1835 *History of the Island of Van Diemen's Land* highlighting the devastating consequences of colonisation for the island's Aboriginal inhabitants (p. 8). After World War Two, according to Lawson, the 'author of the idea of genocide, Raphael Lemkin ... included the Tasmanian case study in his projected history of the concept'. Lemkin, Lawson has contended, drew heavily on James Bonwick's *The Last of the Tasmanians*, published in London in 1870, in framing this concept (p. 9). It is largely on this basis that Lawson has confidently applied the contested term to his depiction of events in Van Diemen's Land.

In critiquing the contemporary historiography of Tasmania, Lawson has suggested that these more recent histories in their detailed focus on the local, while valuable, have inadvertently written out the metropolitan centre. In the chapters that follow, he writes London back into the equation with some aplomb. His second chapter titled 'Genocide in Van Diemen's Land' reconsiders the event at Risdon Cove in 1804 (known as the Risdon Cove massacre) and critiques the retrospective significance placed on this as the seminal event that seemingly locked the 'indigenous Tasmanians ... in a spiral of vengeance' following which warfare and the resultant near annihilation of the indigenes became inevitable (p. 29). Lawson also engages with the Line and the Black War in this chapter, during the course of which he takes particular issue with Henry Reynolds' interpretation of Britain's role in this devastating conflict.

In his third chapter, Lawson recasts Conciliator George Augustus Robinson's 'Friendly Mission' and the consequent series of removals of the majority of the remaining Tasmanian Aboriginal people to smaller, offshore islands as an episode of 'ethnic cleansing'. In so doing, he states his disagreement with James Boyce who recently constructed the deportation as representing 'a breach with Downing Street' (p. 70). Instead, for Lawson, the removals represented a continuum of policies agreed between London and Hobart in the 1820s, and were a mechanism for furthering the British mission to colonise and civilise the original inhabitants of Van Diemen's Land. He elaborates this argument at greater length in his fourth chapter, which is devoted to the Flinders Island settlement to which the exiles were ultimately sent, and the ways in which 'fears of their imminent demise haunted British politics in the mid 1830s' (p. 91), particularly contributing to the establishment between 1835 and 1837 of a select committee in the British House of Commons that considered the impacts of British settlement on aboriginal peoples across the Empire.

The final two chapters of *The Last Man* see a shift in geographical focus away from Van Diemen's Land back to Britain in the nineteenth and twentieth centuries. Lawson uses these chapters to 'challenge this assumed separation of a destructive, indeed genocidal, Empire from its British home' (p. 127). He does so through first considering the extensive rendering through art and prose in Britain of the extermination in Van Diemen's Land, then through turning

to recent negotiations over the return of Indigenous people's remains from British museums and other collecting institutions to present-day Aboriginal communities.

While Lawson has not delved into the everyday minutiae of life in colonial Tasmania, it was not his intention to do so. Instead, he has engaged with Vandemonian history only in so far as was necessary to support his overarching aim of writing London back into the colonial context of death and destruction at the far reaches of Empire. In considering Vandemonian history at the macro-level of British policy and practice, and in the context of the historic and contemporary reverberations of the Tasmanian past in present-day Britain, Lawson has made a valuable contribution to the historiography. *The Last Man* complements and, more controversially, contests aspects of, the locally produced canon and will be of interest to anyone engaging with histories of colonial Australia and/or with an interest in the British Empire, its legacies, and Britons' present-day understandings and conceptualisations of these.

Kristyn Harman
University of Tasmania

Book Note

Treasured Possessions: Indigenous Interventions into Cultural and Intellectual Property by Haidy Geismar, 313 pp, Duke University Press, Durham and London, 2013, ISBN 9780822354277 (pbk), \$49.99.

Treasured Possessions is a multi-disciplinary work located at the conjunction of ethnography, legal anthropology, cultural studies and museum studies. It compares the approaches of ni-Vanuatu and Māori to cultural and intellectual property rights in both national and international contexts, with particular attention to the differences between Vanuatu as a former colony with an indigenous majority and Aotearoa New Zealand as a settler nation where Māori are a minority. Geismar draws on her experience in both countries as an anthropologist and working with museums to negotiate complex relationships of indigenous and non-indigenous people to objects held in museum collections. The work is both theoretical and descriptive, exploring particular indigenous claims and interventions in respect of cultural and intellectual property. It includes references to efforts of Indigenous Australians (as well as North American native peoples) to negotiate similar issues in both national and international contexts. Haidy Geismar is Lecturer in Digital Anthropology and Material Culture at University College London, and Associate Professor of Anthropology and Museum Studies at New York University.

Tikka Wilson
AIATSIS, Canberra

Contributors

Clint Bracknell is a Senior Lecturer for the Division of Architecture and Creative Arts, based at the Sydney Conservatorium of Music and the Arts Music Unit, University of Sydney. His research focuses on Aboriginal Australian languages and music, exploring the links between emerging technologies and Indigenous creative futures. A musician and educator, he was nominated for 'Best Original Score' in the 2012 Helpmann Awards and received the Department of Education WA 'Barry Hayward Outstanding Aboriginal Educator Award' in 2010. His Aboriginal cultural Elders from the south-east coast of Western Australia use the term 'Wirlomin Noongar' to refer to their clan.

Nicholas Dean Brodie is a historian and archaeologist who currently lives and works in Tasmania. He is a graduate of The Australian National University, Flinders University, and the University of Tasmania. He has taught in the tertiary education sector since 2006, regularly undertakes consulting work, and is increasingly focusing on bringing history to the public through popular media. His doctorate was awarded for a study of late medieval and early modern English vagrancy law, and he has published in a range of cognate fields spanning his twin disciplines. He has developed an interest in applying the techniques of medieval manuscript analysis to colonial historiographies, and in Australian history generally, of which the contribution to this volume is an example. He is currently working on his second monograph, due for release in 2015.

Toby Martin is an historian based at New York University (Sydney). His research is concerned with popular culture, music, tourism and Aboriginal history. He has recently completed a David Scott Mitchell Fellowship at the State Library of NSW looking at tourism to Aboriginal communities. He is currently working on a documentary and tribute album about the musician Dougie Young. His writing has appeared in several journals, including *History Australia* and *Australian Feminist Studies*. His first monograph *Yodelling Boundary Riders: country music in Australia since the 1920s* is due for publication at the end of 2014 through Lyrebird Press (University of Melbourne).

Craig Muller is an Australian-based postdoctoral researcher with the Centre for GeoGenetics at the University of Copenhagen. He spent many years until mid-2013 as historian and then Research Manager at the Goldfields Land and Sea Council in Western Australia, researching native title claims. Before this, he was employed by the Department of Indigenous Affairs in Perth. Craig has a PhD in history from the University of Western Australia and has recently broadened his professional fields, obtaining a postgraduate diploma in archaeology. His publications include being a co-author of the *Report of the Land Tenure History of Former Aboriginal Reserve Land in Western Australia*, the local history of the Leonora area, 110 degrees in the Waterbag and (among many) the October 2011 *Science* article on the sequencing of the first Aboriginal genome.

Amanda Nettelbeck is a Professor in the School of Humanities at the University of Adelaide. Her co-authored books with Robert Foster include *Out of the Silence:*

The History and Memory of South Australia's Frontier Wars (2012) and *In the Name of the Law: William Willshire and the Policing of the Australian Frontier* (2007). Her most recent project, funded by an ARC Discovery grant, deals with how policies of Australian protection in colonial Australia intersected in practice with Aboriginal punishment under the law.

Noah Riseman is a Senior Lecturer in History at Australian Catholic University. He specialises in the history of marginalised social groups in the Australian armed forces and is the author of *Defending Whose Country? Indigenous Soldiers in the Pacific War*. This research has been funded by the ARC Linkage project "Serving Our Country: A History of Aboriginal and Torres Strait Islander People in the Defence of Australia".

Anne Scrimgeour completed a doctorate in 2007 on the history of South Australia's early 'civilising mission'. She has worked with Pilbara Aboriginal people to record, transcribe and translate oral history, and worked with Monty Hale to prepare his bilingual autobiography for publication (*Kurlumarniny: We come from the Desert*, Aboriginal Studies Press, 2012). She is currently consolidating her oral history and biographical work through archival research into the history of the 1946 Pilbara pastoral workers' strike and subsequent cooperative movement.

Marguerita Stephens has a Ph.D from the University of Melbourne. From 2007-10 she held a fellowship in the School of History at the University of Melbourne under which she began the compilation and transcription of the *Journal of Protector & Guardian, William Thomas*. In 2010 she linked up with the Victorian Aboriginal Corporation for Languages (VACL) to complete and publish *The Journal of William Thomas 1839-67* in 4 volumes, including a volume of Kulin language (VACL 2014). In 2013, she was awarded the Redmond Barry Fellowship, a joint fellowship of the University of Melbourne and the State Library of Victoria.

Information for authors

Articles up to 7,000 words in length are preferred. Please submit both a hard copy and an electronic version of the paper (in .doc or .rtf file types). Footnotes should be brief and numbered consecutively throughout the paper. References should be arranged in alphabetical order by author's last name and include full publication details as given on the title page of the work. Arrange works by the same author in chronological order. Web citations should include full address (URL) and the date accessed. Only original photographs, maps or other illustrations will be accepted. Do not send scans or photocopies taken from books or other publications. If you provide electronic scans of illustrations, photos or maps, these must be separate high resolution (300 dpi) .tif files. Do not paste scans into your text document. If accepted for publication, authors are responsible for obtaining copyright clearance for any figures and photographic images that are reproduced. Authors should follow the usage of *The Style Manual for Authors, Editors and Printers*, 6th edition, John Wiley and Sons, Canberra, 2002.

Footnote style

1. Rowley 1971: 107. See also Barwick 1981.
2. Fisher to Hassall, 20 July 1824.
3. Fison and Howitt 1880: 96-108.
4. *Evening Mail*, 12 March 1869.
5. Solly to Stokell, 4 March 1869, AOTCSD 7/23/127.

Footnote numbers are placed after punctuation marks in the text. Please do not use *ibid.* or similar abbreviations, but repeat the short citation.

References

- Anderson, Hugh 1995, 'Lost in the streets: a gumleaf requiem for Bill Bull', *Journal of Australian Studies* 44: 22-37.
- Beckett, Jeremy 1964, 'Aborigines, alcohol and assimilation', in *Aborigines Now: New Perspectives in the Study of Aboriginal Communities*, Marie Reay (ed), Angus and Robertson, Sydney: 32-47.
- Cowlshaw, Gillian 1999, *Rednecks, Eggheads and Blackfellas: A Study of Racial Power and Intimacy in Australia*, Allen & Unwin, St Leonards, NSW.
- Hardy, Jane, JVS Megaw and M Ruth Megaw (eds) 1992, *The Heritage of Namatjira: The Watercolourists of Central Australia*, William Heinemann, Port Melbourne.

ABORIGINAL HISTORY 2014 VOL 38

Trangamar, ER 1960, 'Stories of the past: Mulga Fred', reprinted in *Coleraine Albion*, 4 and 11 February.

Aboriginal History Monograph Series

2015 (forthcoming)

Settler Governance in Nineteenth Century Victoria

Edited by Leigh Boucher and Lynette Russell

2014

In the Eye of the Beholder: What Six Nineteenth-Century Women Tell Us About Indigenous Authority and Identity

Barbara Dawson

2014

Dharmalan Dana: An Australian Aboriginal man's 73-year search for the story of his Aboriginal and Indian ancestors

George Nelson and Robynne Nelson

2014

Indigenous and Minority Placenames: Australian and International Perspectives

Edited by Ian D. Clark, Luise Hercus and Laura Kostanski

Monograph 27, 2013

Making Change Happen: Black and White Activists talk to Kevin Cook about Aboriginal, Union and Liberation Politics

Kevin Cook and Heather Goodall

Monograph 26, 2013

Edward M. Curr and the Tide of History

Samuel Furphy

Monograph 25, 2012

Black Gold: Aboriginal People on the Goldfields of Victoria, 1850-1870

Fred Cahir

Monograph 24, 2012

Country, Native Title and Ecology

Edited by Jessica K Weir

Monograph 23, 2011

In Good Faith? Governing Indigenous Australia through God, Charity and Empire, 1825-1855

Jessie Mitchell

Monograph 22, 2011

'I Succeeded Once' – The Aboriginal Protectorate on the Mornington Peninsula, 1839-1840

Marie Hansen Fels

Monograph 21, 2010

Passionate Histories: Myth, Memory and Indigenous Australia

Edited by Frances Peters-Little, Ann Curthoys and John Docker

ABORIGINAL HISTORY 2014 VOL 38

Monograph 20, 2010

Racial Folly: A Twentieth-Century Aboriginal Family

Gordon Briscoe

Monograph 19, 2009

Aboriginal Placenames: Naming and Re-naming the Australian Landscape

Edited by Harold Koch and Luise Hercus

Monograph 18, 2009

The Two Rainbow Serpents Travelling: Mura Track Narratives from the 'Corner Country'

Jeremy Beckett and Luise Hercus

Monograph 17, 2008

Indigenous Biography and Autobiography

Edited by Peter Read, Frances Peters-Little and Anna Haebich

Monograph 16, 2008

Transgressions: Critical Australian Indigenous Histories

Edited by Ingereth Macfarlane and Mark Hannah

Monograph 15, 2007

Culture in Translation: The Anthropological Legacy of RH Mathews

Edited by Martin Thomas

Monograph 14, 2007

'The Axe Had Never Sounded': Place, People and Heritage of Recherche Bay, Tasmania

John Mulvaney

Monograph 13, 2006

What Good Condition?: Reflections on an Australian Aboriginal Treaty 1986–2006

Edited by Peter Read

Monograph 12, 2005

Peopling the Cleland Hills: Aboriginal History in Western Central Australia, 1850–1980

MA Smith

Monograph 11, 2005

Many Exchanges: Archaeology, History, Community and the Work of Isabel McBryde

Edited by Ingereth Macfarlane

Monograph 10, 2002

The Aboriginal Population Revisited: 70 000 Years to the Present

Edited by Gordon Briscoe & Len Smith

Monograph 9, 2002

The Pajong and Wallabalooa: A History of Aboriginal Farming Families at Blakney and Pudman Creeks

Ann Jackson-Nakano

ABORIGINAL HISTORY MONOGRAPH SERIES

Monograph 8, 2002

The Kamberri: A History of Aboriginal Families in the ACT and Surrounds

Ann Jackson-Nakano

Monograph 7, 2001

Repossession of Our Spirit: Traditional Owners of Northern Sydney

Dennis Foley & Ricky Maynard

Monograph 6, 1998

History in Portraits: Biographies of Nineteenth Century South Australian Aboriginal People

Jane Simpson & Luise Hercus

Monograph 5, 1998

Rebellion at Coranderrk

Diane Barwick

Monograph 4, 1997

In the Best Interest of the Child? Stolen Children: Aboriginal Pain/White Shame

Link-Up (NSW) and Tikka Wilson

Monograph 3, 1996

Country: Aboriginal Boundaries and Land Ownership in Australia

Peter Sutton

Sale and orders

Thelma Sims, email: Thelma.Sims@anu.edu.au, tel or fax: +61 2 6125 3269, www.aboriginalhistory.org

