

Aboriginal History

Volume 31 2007

Aboriginal History Incorporated

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Subjects include recorded oral traditions and biographies, narratives in local languages with translations, previously unpublished manuscript accounts, archival and bibliographic articles, and book reviews.

Aboriginal History 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.

The Committee of Management and the Editorial Board

Peter Read (Chair), Rob Paton (Treasurer/Public Officer), Ingereth Macfarlane (Secretary/Managing Editor), Richard Baker, Gordon Briscoe, Ann Curthoys, Brian Egloff, Geoff Gray, Niel Gunson, Christine Hansen, Luise Hercus, David Johnston, Steven Kinnane, Harold Koch, Isabel McBryde, Ann McGrath, Frances Peters-Little, Kaye Price, Deborah Bird Rose, Peter Radoll, Tiffany Shellam.

Editors 2007

Managing Editor Ingereth Macfarlane; Volume Editor Kitty Eggerking; Book Review Editor Luise Hercus; Review Editor Ann McGrath; Copy Editor Geoff Hunt

Contacting Aboriginal History

All correspondence should be addressed to Aboriginal History, Box 2837 GPO Canberra, 2601, Australia. Sales and orders for journals and monographs, and journal subscriptions: T Boekel, email: sales@aboriginalhistory.org, tel or fax: +61 2 6230 7054, www.aboriginalhistory.org

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 History Program, RASS and the National Centre for Indigenous Studies, Australian National University.

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

© 2007 Aboriginal History Inc, Canberra, Australia. Apart for any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, no part of this publication may be reproduced by any process whatsoever without the written permission of the publisher.

Typesetting: Tikka Wilson

Cover design: Dick Barwick

Printed in Australia by ANU Printing, Canberra

ISSN 0314-8769

Cover image courtesy of Australian Institute of Aboriginal and Torres Strait Islander Studies, Mickey of Ulladulla collection (image number 105856), 'River with boat, fish, kangaroos and sawmill', detail.

Aboriginal History

Volume 31 2007



Kitty Eggerking	Preface	v
Rebe Taylor	The polemics of eating fish in Tasmania: the historical evidence revisited	1
David Trudinger	The language(s) of Love: JRB Love and contesting tongues at Ernabella Mission Station, 1940–46	27
Joanne Scott and Ross Laurie	Colonialism on display: Indigenous people and artefacts at an Australian agricultural show	45
Anna Haebich and Jodie Taylor	Modern primitives leaping and stomping the earth: from ballet to bush doofs	63
Michael Bennett	The economics of fishing: sustainable living in colonial New South Wales	85
Judith Littleton	Time and memory: historic accounts of Aboriginal burials in south-eastern Australia	103
Kelly K Chaves	'A solemn judicial farce, the mere mockery of a trial': the acquittal of Lieutenant Lowe, 1827	122
	Notes and documents	
Darrell Lewis	Death on the Cooper: King's secret?	141
Chris Warren	Could First Fleet smallpox infect Aborigines? – a note	152
Anne Brewster	'That child is my hero': an interview with Alf Taylor	165
Hilary Charlesworth	<i>What Good Condition? Reflections on an Australian Aboriginal Treaty 1986-2006</i> – Launch speech	178
	Indigenous history research resources online at AIATSIS	181
	The Sally White / Diane Barwick Award for 2008	181
	Reviews	
Ann Curthoys	<i>A Frontier Conversation</i> , produced by Wonderland Productions for the Australian Centre for Indigenous History	182
Margaret Jacobs	A response to <i>A Frontier Conversation</i>	183

Book reviews

Kim McCaul	<i>First peoples, indigenous cultures and their future</i> by Jeffrey Sissons	188
Paul Black	<i>The non-Pama-Nyungan languages of northern Australia: comparative studies of the continent's most linguistically complex region</i> edited by Nicholas Evans	190
Stuart Cooke	<i>Piercing the Ground: Balgo women's image making and relationship to country</i> by Christine Watson	193
Niel Gunson	<i>Eye Contact: Photographing Indigenous Australians</i> by Jane Lydon	195
Lawrence Niewójt	<i>Campfires at the Cross: an account of the Bunting Dale Aboriginal Mission at Birregurra, near Colac, Victoria 1839-1851</i> by Heather Le Griffon	199
Nicholas Brown	<i>Rob Riley: An Aboriginal Leader's Quest for Justice</i> by Quentin Beresford	202
Thalia Anthony	<i>Black Glass, Western Australian Courts of Native Affairs 1936-54</i> by Kate Auty	203
Kim McCaul	<i>Unfinished Constitutional Business? Rethinking Indigenous Self-determination</i> edited by Barbara A Hocking	205
Sharon Sullivan	<i>Appropriated Pasts: Indigenous peoples and the colonial culture of archaeology</i> by Ian McNiven and Lynette Russel	208
Dick Kimber	<i>God, guns and government on the Central Australian Frontier</i> by Peter Vallee	210
	Contributors	215

Preface

Commemorations, myths and new histories

Could it possibly be that in the year marking the 40th anniversary of the 1967 Referendum we are witnessing the symbolic eclipse of that referendum? Once it was widely held that the referendum made Indigenous people Australian citizens by giving them the vote or by counting them in the national census or by somehow bestowing (unspecified) citizenship rights. It was also believed that the referendum gave the Commonwealth the power to control Aboriginal affairs, a prerogative, which, if true, the federal government has been reluctant to exercise. If, as Reconciliation Australia now says,¹ the referendum conferred neither citizenship nor Commonwealth power, its remaining significance can only be attributed to the fact that over 90 per cent of the Australian electorate voted in favour of ridding the Australian Constitution of two discriminatory clauses. And this, of course, is sufficient reason for the referendum to be remembered in its own right, though Reconciliation Australia chooses to interpret it 'as the first stage of the reconciliation movement in Australia'.²

The 1967 Referendum illustrates the processes typically involved in commemoration: events can always be fashioned and refashioned to suit current sensibilities and purposes. When certain stories – such as the association between the referendum and citizenship – become outmoded or are found not to stand up to close scrutiny, new stories and new ideas can be attached to the event.

Thus, it was on 27 May 1997, the 30th anniversary of the referendum, that the Council for Aboriginal Reconciliation³ deliberately connected the referendum with reconciliation by hosting the Australian Reconciliation Convention. And it was not by chance that the Human Rights and Equal Opportunity Commission chose to launch its *Bringing them home* report just ahead of the convention, thereby linking the referendum to the issue of the Stolen Generations as well. And it was through his refusal to offer an apology to those generations and their families at the convention that the then Prime Minister, John Howard, inadvertently cemented the association between the referendum, reconciliation and the Stolen Generations.

If the deeds of the Federal Parliament are anything to go by, the 1967 referendum may soon be supplanted entirely in the Australian collective memory by the issue of

1. Reconciliation Australia 2007, 'Fact Sheet: The 1967 Referendum: Important Facts and Interesting Pieces of Information'.

2. Available at www.reconciliation.org.au/i-cms.jsp (accessed 17/12/2007).

3. The Council was established by federal legislation in 1991 for a period of ten years. Reconciliation Australia was set up to continue the work of the council with funding from the federal government, but is not an agency of the federal government.

saying sorry. In 1997 the parliament marked the 30th anniversary of the referendum by debating the meanings of both the referendum and 'practical reconciliation', while this year it chose instead to observe the 10th anniversary of the *Bringing them home* report by debating the merits of making an apology. Reconciliation Australia chose to celebrate all those who made the outcome of the referendum possible in a weekend of festivities with the theme of 'Their Spirit Still Shines', at Old Parliament House: by all accounts, a splendid (though none too political) time was had by all.

We end 2007 with the prospect of an apology to the Stolen Generations; we can look forward as well to some amelioration of the Howard Government's intervention in the Northern Territory and to some new Indigenous consultative body that may give the Rudd Government some independent, timely and sage advice.

Each of the articles in this volume sheds light on a range of subjects that have hitherto received little attention. In a finely researched and argued piece, 'The polemics of fishing', **Rebe Taylor** revisits a long-debated issue, concerning the history of fish eating by Tasmania's Indigenous people. She considers whether, in coming to his interpretation of the archaeological evidence, Rhys Jones did not include oral evidence of eating fish contained in the Westlake Papers.

Reading the historical record in the way **Michael Bennett** has done for his article in this issue leaves no doubt about the long-standing and continuing importance of fish in the east-coast Aboriginal diet. He shows in 'The economics of fishing' that while many things changed in the lives of Aborigines on the south coast of New South Wales over the course of the 19th century – even the means for catching fish – fishing remains a constant.

Joanne Scott and **Ross Laurie** consider the (reluctant) participation of Aboriginal residents of Queensland missions in the annual agricultural shows of the early 20th century. To what degree were the artefacts they produced a marker of their assimilation into settler society? In their paper on dance, **Anna Haebich** and **Jodie Taylor** seem to be asking almost the opposite of this question: what motivates white dancers to imitate the moves of corroborees? Are these gestures towards inter-cultural goodwill or markers of an impoverished dominant culture? **Kelly Chaves** revisits an important but neglected case from early Australian legal history, *R v. Lowe*, which, as she says, 'helped to define the legal status of the Aborigines and raised questions about the extent of British sovereignty'. **Judith Littleton** reviews the historical record to unearth details of Indigenous burial practices.

David Trudinger examines the language of instruction for Indigenous children at Ernabella in the 1940s, where JRB Love, the superintendent, advocated English, while the teacher, Trudinger's father, championed Pitjantjatjara, at least for the first years at school. It proved to be a drawn-out and rather unholy contest with a number of unexpected twists and reversals.

Kitty Eggerking
December 2007

The polemics of eating fish in Tasmania: the historical evidence revisited

Rebe Taylor

Introduction: the Westlake Papers

The Westlake Papers form a rich but almost untapped source for Tasmanian Aboriginal history, culture and language. Now housed in the Pitt Rivers Museum in Oxford, they were created by amateur scientist Ernest Westlake during his journey to Tasmania in 1908–1910 to collect Aboriginal stone artefacts. Central to the collection are the notes Westlake made in interviews with 95 Tasmanians – both Aboriginal and non-Aboriginal – about the lives of the traditional indigenes.

This paper examines two persistent assertions made by Westlake's interviewees: in this first part, that the traditional Tasmanian Aboriginal people did eat fish with scales and, in the second part, that they could make fire. Both these assertions have been strongly and repeatedly contested by scholars since the late 19th century.

The Westlake testimonies that traditional Tasmanians ate scale-fish directly contradicts not only historical evidence, but also unrefuted archaeological evidence of the non-presence of fish bones in shell middens across Tasmania from about 3000 BP on. While archaeologists remain divided as to the reason, they concur that modern Tasmanians stopped eating scale-fish at about this time. This article raises questions about the certainty of this conclusion by taking into account early historical sources that document scale-fish eating and that corroborate both the Westlake Papers and contemporary Aboriginal testimonies.

This evidence in the Westlake Papers was not used by archaeologist Rhys Jones, who first demonstrated a non-presence of fish bones in excavated shell middens, or later by NJB Plomley, editor of *The Westlake Papers* (1991), because Westlake's informants were considered to be too distanced by time and change to be reliable witnesses to pre-settlement Aboriginal culture. This article reassesses this evidence in the light of more recent historiographical shifts, in which Tasmanian Aboriginal people are acknowledged as a living community rather than as an extinct race. In so doing, the opinions of Tasmanian Aboriginal people on fish eating are included for the first time in this long debate.

Further, this article suggests several possible explanations for the continuation of fish eating without bones being deposited in excavated middens: that after about 3000 BP Tasmanian Aborigines began to deposit their waste bones differently, in a way

that left no trace, and/or ate fish only in certain parts of the island and/or ate less scale-fish. There is no conclusive evidence for any of these possibilities, and so the question of fish eating in traditional Tasmania must remain open. Certainly, Tasmanian Aboriginal people ate fish from about the late 1830s. If this was a newly adopted practice, then it needs to be recognised as an important addition to the many adaptations made to their traditional culture in response to colonisation.

I begin with an introduction to Ernest Westlake and his visit to Tasmania, before describing his Tasmanian papers and discussing their value as a source for traditional Tasmanian Aboriginal culture.

Who was Ernest Westlake?

Ernest Westlake was born in Hampshire, England in 1855 to evangelical Quaker parents. In contrast to these origins, he became a scientist dedicated to advancing the theories of Darwinian evolution. Studying at University College London from 1873–1875, he was awarded certificates in geology and mathematics, and later joined the Geologists' Association and the Geological Society of London.¹ Westlake became a skilled geologist, whose work included the prehistory of Hampshire and the chalk beds of southern England. He did not join the academy and published little. Many of his projects were less than orthodox, including attempts to prove the phenomena of ghosts and dream predictions. Indeed, Westlake was considered an eccentric in his time: a vegetarian who often travelled by bicycle and who, on his return from Tasmania, successfully established an alternative boy scouts' movement called the Order of Woodcraft Chivalry. The Order still exists today, and it is in fact for this achievement that Westlake is best remembered.²

It was Westlake's geological interests, however, that inspired his journey to Tasmania in 1908. Four years earlier he had taken a cycling holiday in the Cantal region of France and stayed for two years, excavating 100,000 geological specimens, 4000 of which he brought back to England.³ Westlake considered these French specimens to be the work of human ancestors dating from the Miocene Epoch, two million years ago. He was one of a number of scientists who, from the mid-19th century, were convinced by the artificial manufacture of 'Eolithic' stone artefacts which were found in a wide range of early Quaternary and Tertiary sites across Europe. Others were sceptical, arguing that 'eoliths' were rocks broken by natural processes, which is the general consensus today. The eolith debate was, however, a fundamental one in shaping the discipline of archaeology at the time.⁴

After returning from France, Westlake saw a display of Tasmanian Aboriginal stone artefacts at the British Museum and was so struck by a perceived similarity to his

1. Delair 1981: 133; 'Ernest Westlake's application form to join the Geological Society of London', 10 March 1879, Geological Society, London; WJS 1923: lxii.

2. Edgell 1992.

3. Westlake 1982: 20; Westlake 2000: 18–19. Aubrey Westlake states the holiday occurred in 1904, while Edgell (1992: 8) gives the year as 1906. See also Westlake 1956: 3–15, 4; Delair 1981: 141. Aubrey Westlake writes that his father was told by the French Government that 'he was removing the soil of France' (Westlake 1956: 4); Westlake, 2000: 19; Westlake 1982: 28. Edgell states that Westlake chose 4000 stones to take home (Edgell 1992: 11–12).

4. For excellent summaries of the eolith debate, see Grayson 1986: 77–133 and Roe 1981: 214–220.

eoliths that he immediately decided to travel to Tasmania to form his own collection of stone artefacts.⁵ Westlake assumed he was comparing the products of two extinct races at the same stage of evolutionary development, but separated by millions of years and thousands of miles. Westlake was neither the first nor only eolithologist to detect similarities between European eoliths and Tasmanian stone implements,⁶ but he was the first to go to Tasmania to form his own collection, and it remains the largest single collection of Tasmanian stone artefacts – a total of 13,033.⁷

Rhys Jones, who examined Westlake's Tasmanian artefacts in the 1960s, concluded that Westlake helped lay 'the foundations for Tasmanian field archaeology'.⁸ Westlake never published his Tasmanian or French findings, but, after his death in 1922, WJ Sollas, J Reid Moir and Donald Baden-Powell examined his eoliths and each was convinced of their artificial manufacture.⁹ From 1923 Henry Balfour, Curator of the Pitt Rivers Museum, made a long study of the Tasmanian artefacts and concluded that 'the so-called "Eolithic Tasmanian" is a pure myth' and that the Tasmanians had reached the Middle to Upper Palaeolithic level of human evolution.¹⁰

Reading the Westlake Papers

During the two years he spent in Tasmania, Westlake sought not only thousands of stones, but also anthropological information about the people who made them. He read an enormous number of historical records in the Hobart Archives office, filling 20 exercise books with dense notes. But it is Westlake's interviews with 95 Tasmanians that form the core of the Westlake Papers and make it a unique and rich collection. Westlake did not write down his questions, but, gauging from the answers, he was consistent in what he wanted to know: how did the Aborigines make fire? Did they eat fish with scales? How did they cook, climb trees, make stone implements? What language did they speak?

5. Westlake wrote in a letter to Margaret and Aubrey Westlake, 4 January 1909: 'I knew the moment I saw the few Tasmanian things in the British Museum that my proper course was to come here and all has turned out as I expected.' See also Westlake 2000: 20; Westlake 1976: 27–29. Edgell 1992: 9.

6. General-Lieutenant Pitt Rivers wrote to Edward B Tylor on 7 August 1898 that his 'Tasmanian flints' were 'exactly' like eoliths found by Benjamin Harrison (Tylor Papers, Pitt Rivers Museum, hereafter PRM). Aimé Rutot (1908: 104–109; 1907: 3–46) asserted in a vehement debate with sceptics that if his eoliths needed further proof then it could clearly be found 'in the Tasmanians, whose stone artefacts were perfectly eolithic in form'; Grayson 1986: 101, 131; Daniel 1952: 230–231. Fritz Noetling, amateur Tasmanian collector, concluded that the Tasmanians used 'Eolithes', which he defined as naturally broken stones used as tools (Noetling 1907: 2, 5). Noetling made Westlake aware of Rutot's and Max Verworn's comparative work with Tasmanian and European artefacts in a letter (18/11/1908, Westlake Collection [hereafter WC], Pitt Rivers Museum).

7. The Westlake Collection of Tasmanian artefacts was first catalogued by Pitt Rivers Museum Curator Henry Balfour in the 1930s from which an electronic database was created in 2001. Notes relating to the stones' original localities must have been made by Westlake as they were collected in the field, and some of this information must have accompanied the stones when they were transferred to the Pitt Rivers Museum in 1923. However, these notes have not been relocated.

8. Jones 1971: 39.

Westlake spoke to three groups of Tasmanians: the white settlers and their descendants, the children of Aboriginal woman Fanny Cochrane Smith around the D'Entrecasteaux Channel and the descendants of Aboriginal women and their sealer partners on the Bass Strait Islands. The first group makes up the largest number of Westlake's interviewees. They come from all over the state and from all walks of life: publicans, politicians, farmers, storekeepers, clergymen and their wives. The elderly share personal memories of settlement, while the others pass on stories they have heard. While there are variations in detail, the informants are apparently knowledgeable about Aboriginal culture, as Westlake generally spoke to people recommended for their reputed knowledge. They were often people who had lived near, or with Aboriginal people, such as on the early frontier or near the last government mission for Aborigines at Oyster Cove.

Around the D'Entrecasteaux Channel Westlake interviewed seven of Fanny Cochrane Smith's 11 children – Frederick, Joseph, Tasman, William, Sarah Miller, Mary Miller and Flora Stanton and also Fanny's grandson, Augustus Smith. The Smith descendants gave Westlake much information about traditional foods, hunting, traditional words and fire making, but in less detail than the Bass Strait Islanders. However, they did tell him, at length, about traditional forms of communication using spirits and intuition to learn about sickness, death and danger.¹¹

In the Bass Strait Westlake took notes from seven 'half castes': Henry Beeton, Philip Thomas, his sister Nancy Mansell, John Maynard, a 'Miss Maynard', and Harry Armstrong and his wife Ida – Henry Beeton's daughter.¹² With the exception of the latter three, who were third generation Islanders, these Aboriginal Islanders were born in the 1830s to Tasmanian Aboriginal women and white ex-sealers. These interviews with the Islanders offer the most detailed, and arguably the most important, evidence in the Westlake Papers for scale-fish eating and fire making.

These interview notes have long been overlooked. Rhys Jones studied Westlake's collection of stone tools in Oxford and read his notebooks long before Plomley edited them, as demonstrated by his reconstruction of Westlake's interview questions in his 1971 PhD thesis: 'Did the Tasmanians know how to make fire, did they have edge ground axes'.¹³ Since Westlake did not write down his questions, Jones must have deduced them from the answers given. In those responses Jones would have found evidence to directly challenge his assertions that modern Tasmanian Aborigines neither

9. WJ Sollas, who had been sceptical of eoliths wrote, in the third edition of his book *Ancient Hunters*, that Westlake's eoliths 'are the work of an intelligent being' (1924: 98). J Reid Moir, President of the Museum of Natural History in Ipswich studied the Westlake eoliths from 1937 and wrote an extensive, but unpublished paper; correspondence between Aubrey Westlake and Moir, 1937–1939 (WC, OUMNH). Donald Baden-Powell of Oxford University studied the collection from 1953 and also wrote a detailed unpublished paper (correspondence between Aubrey Westlake and Baden-Powell, 1937–1969, WC, OUMNH).

10. Balfour judged that the Tasmanians were more closely correlated to the 'post-Mousterian culture-phase, to wit the *Aurignacian*' (1925: 3–14). By 1939 Henry Balfour had drawn 12,000 of the Westlake artefacts, with 5000 sketches in fine detail. He had also completed an extensive paper, 'Stone Implements of the Natives of Tasmania', but died that year and, due to the war, the paper was never published.

11. Westlake, 'Notebook 6': 56–58, 62–63, 71, 74–75, 80–81, 119.

ate scale-fish nor made fire. However, Jones remained confident of his thesis and did not include these contrary sources. This is probably because he did not consider the informants to be reliable witnesses of traditional Tasmanian culture, having been interviewed more than a century after first settlement.

NJB Plomley, the editor of the 1991 *The Westlake Papers*, held this opinion. He concluded that Westlake's interviews with the 'half castes', as he persisted in calling them, demonstrate that they 'knew nothing of the way of life of their Aboriginal mothers ... the Aboriginal language has clearly been lost, as well as almost everything else'.¹⁴ Plomley considered too that Fanny Cochrane Smith 'knew nothing of the Aboriginal way of life and clearly had no wish to learn anything ... this is clear from Westlake's enquiries'.¹⁵ This harsh and arguably inaccurate position is adopted with an eye only to what has been lost from traditional Aboriginal culture, rather than as evidence of its continuity. The recent colonial past had undoubtedly influenced Westlake's interviewees: the settler descendants often spoke of the Aborigines in ways that attempted to justify or silence the colonial past; the Aboriginal descendants, on the other hand, display detailed knowledge about their traditional culture, while acknowledging their way of living had undergone substantial changes as a result of colonisation. Westlake was acutely aware of the cultural changes and was angered by the lack of interest in Aboriginal history by many white settlers.¹⁶ Westlake did not deem the 'half castes' he spoke to be 'natives'; these he considered to be extinct. 'They are dead and their knowledge has died with them', he wrote to his son, and their loss was, Westlake believed, a great blow to science. 'The destruction of the Tasmanians was the most serious and irreparable loss that anthropology had ever sustained'.¹⁷

12. No first name was given for 'Miss Maynard', but Plomley suggests she is 'probably one of John Maynard's daughters' (Plomley 1991: 38–43). If Plomley is correct, then it was possibly Miss Eva Jane Maynard. While John Maynard had several daughters, according to Tindale (1953: 47, 50), only Eva, who was 23 in 1909, was still an unmarried 'Miss' when Westlake arrived. Plomley excludes Ida and Harry Armstrong from his list of 'half castes' in *The Westlake Papers*. It seems that Plomley finds nothing in Westlake's notes that he considers attributable to Mrs Armstrong. While Westlake does not always indicate exactly whether it is Mr or Mrs Armstrong who is talking to him, some notes in which she is referred to indicate she was participating in the discussion, for example, Westlake, 'Notebook 4': 13–14. However, this does not explain why Plomley excludes Harry Armstrong. While Westlake describes Harry as a 'Half Caste 50–60' (years of age), Plomley indistinguishably lists him among the white Flinders Islanders Westlake spoke to as a 'farmer' (Plomley 1991: 38); Westlake, 'Notebook 4': 88. Tindale listed Armstrong as a 'quarter-caste', explaining that his mother, Jane Foster, was a 'half-caste' born in 1815 to a white father and that her mother was a 'full blood' Australian (mainland) Aboriginal woman whom he doesn't name (Tindale 1953:27, 38). Perhaps Plomley excluded Armstrong because he was not of Tasmanian Aboriginal descent?

13. Jones 1971: 36.

14. Plomley 1991: 8.

15. Plomley 1991: 8.

16. Westlake wrote: 'It apparently never entered into any white mans [sic] head that the few Blacks in Tasmania were more important to human progress than the whole white population ... because they had *not* progressed. So this incomparable opportunity of studying this stage of human progress arrested a hundred thousand years ago was lost' (Notebook 4: 120).

17. Letter to Margaret and Aubrey Westlake, 12 December 1908, WC, PRM: f. 51.

Westlake showed his anthropological findings to Baldwin Spencer in Melbourne, on his way back to England. He was surprised when Spencer told him that the Royal Anthropological Institute should be 'glad' to publish his Tasmanian findings,¹⁸ though he himself 'felt some doubt whether he would approve the publication of such sweepings'.¹⁹ Westlake regarded the information he gathered as 'sweepings' because they were not observations of an undisturbed Aboriginal culture, as the anthropological thinking of his time demanded. Despite such reservations, it is unlikely that Westlake would have entirely agreed with all of Plomley's criticisms of his interviews. He wrote, for example, of the late Fanny Cochrane Smith in this way to his children:

I should like to have known her ... besides for what she could have told me about the stone implements, about which she seems to have known as much or nearly as much as the natives.²⁰

Having been warned by a fellow collector that the 'half castes' knew nothing of stone tools and by several north coast locals that they were a 'shy' people who would tell him little, Westlake nevertheless went to the Bass Strait expecting very little.²¹ Westlake was, however, surprised by the wealth of detailed information he was given about the preparation and consumption of traditional foods, the making of stone tools and of fire, as well as lists of traditional words.²² He wrote to his children from Cape Barren Island:

I am very well satisfied to have come here, and it shows ... that there is much more to be found out than one expects to be found out if one makes the effort to get things at first hand.²³

By contrast, when ethnologist Norman Tindale visited Cape Barren Island in 1939, 20 years after Westlake, he initially concluded 'that not one word of native origin ... survives from the past', but a few days later, when Cliff Everett gave him the words of the traditional Wallaby Song, Tindale corrected his original note.²⁴ Ten years later, Everett explained to Tindale, again on Cape Barren Island, why his people had kept their traditional culture silent: 'under the influence' of Philip Thomas (whom Westlake had interviewed), who was 'bitter about the treatment meted out to his mother's people, not one word of the Tasmanian languages was given to whites although much was known'. Thus the 'secret side of their life' was never revealed.²⁵ Everett told Tindale of how in 1908 – a year before Westlake arrived – a party of researchers had offered

18. Letter to Margaret and Aubrey Westlake, 27 February 1909, WC, PRM: f. 69v.

19. Letter to Margaret and Aubrey Westlake, 16 June 1910, WC, PRM: f. 258.

20. Letter to Margaret and Aubrey Westlake, 22 May 1910, WC, PRM: f.240v. Westlake assumed Fanny Cochrane Smith was a 'halfcaste', as Roth had declared her to be on the basis of her hair type and facial features. But, born in 1831 or 1832 to Tanganutura and Nicermenic on Flinders Island, Fanny defended her 'full blood' status until her death (Pybus 1991: 184).

21. Collector JV Cooke had met a 'half caste' – most probably Henry Beeton – who told him that he had 'never seen flints' (Westlake, 'Notebook 3': 43). The references to 'shy' Islanders can be found at Westlake, 'Notebook 3': 63–70.

22. For a compiled transcription of Westlake's interview notes with the Aboriginal Islanders see Taylor 2004, Appendix 2: 363–388.

23. Letter to Margaret and Aubrey Westlake, no day given, February 1909, WC, PRM: f. 67v.

24. Tindale, 1936–1965: 95. Tindale's research resulted in his 1953 publication.

25. Tindale, 1936–1965: 117.

Islanders five shillings a word, but they would not yield any language. Tindale supposed that expedition had been led by ornithologist Arthur HE Mattingley.²⁶

How was it, then, that Westlake was able to record so much information and language, including Aboriginal words from Philip Thomas himself, only a year after Mattingley's visit? Cape Barren Islander Buck (Brendan) Brown suggested to me in 2003 it was simply 'his personality', and fellow Islander Jim Everett agreed.²⁷ Did Westlake's eccentric nature inspire trustworthiness among Cape Barren Island society? Was it the time he took to talk to the Islanders in lengthy interviews? Whatever the reason, Westlake gathered more information about traditional Aboriginal culture from the Islanders than any researcher of his time.

I argue that Westlake's Aboriginal interviewees should be considered not as mere 'half castes' able to offer only a few 'sweepings' from their ancestors' times, with an emphasis on loss, but as complex and intriguing informants in their own right. Their testimonies demonstrate not only the adaptability of Tasmanian Aboriginal people, but also the endurance of their traditions through time and space. The difference between how I read the Westlake papers and how Plomley and Jones previously read them is due to a historiographical shift that occurred in the late 1970s. Since the shift, which stems largely from the work of Lyndall Ryan, it is now widely accepted within the Australian academic community, at least, that Tasmanian Aborigines have a valid and authoritative right to tell their own history and interpret their own culture.²⁸ This historiographical shift was concurrent with, and indeed enmeshed in, the archaeological debate about why Tasmanian Aboriginal people dropped scale-fish from their diet in the late Holocene. In its first blush the 'fish' debate was easily simplified into one of Tasmanian Aboriginal cultural regression versus progression, and in turn into one of Aboriginal near-extinction versus survival. More recently, archaeologists Tim Murray and Christine Williamson have reflected that linear models of regression or progression do not necessarily explain the cultural dynamism of Tasmanian Aboriginal society in the late Holocene.²⁹ To extend this perspective into the post-colonial era, Tasmanian Aboriginal culture has neither wholly disappeared nor has it merely 'survived'. The story is made far richer and more complex by concentrating on those things that have continued – genealogies and traditions like hunting, mutton birding, language and shell-necklace making – and on those things that transcend time and history – land and spirit.³⁰

Nowhere in the archaeological debate on scale-fish eating have the testimonies of post-colonial Tasmanian Aborigines – whether Westlake's interviewees or living peoples – been considered. This article examines this evidence in the context of other available sources on fish eating.

26. Tindale, 1936–1965: 121.

27. Taylor, 2003 'Notebook 3, Tasmania': 45–46; 2003 'Notebook 4, Tasmania': 4, 6.

28. *The Aboriginal Tasmanians* (Ryan 1981, 1996) was the first history of colonial Tasmania that ended with recognition of the Aborigines' survival.

29. Murray and Williamson 2003: 319.

30. Greg Lehman writes that 'our true culture is where we stand – on our land' (Lehman 1994: 89). Jim Everett writes that Tasmanian Aboriginality can be seen as a 'philosophical set of rules that are manifested in customary cultural practices, set in a belief of the Great Spirit which compromises our Spiritual All' (Everett 2000: 2).

Eating fish

The archaeological debate

When Rhys Jones began his fieldwork at Rocky Cape in 1963 he was the first professional archaeologist to carry out research in Tasmania. His findings of a non-presence of scale-fish refuse in middens from about 3000 BP onwards were soon corroborated by later excavations. Archaeologists were quick to concur that the Tasmanian Aborigines stopped eating scale-fish from this time, but the question of why they stopped became a long and significant debate within Australian archaeology.³¹ Jones' reasoning was perhaps the most provocative. Seeing no ecological reason – the fish had not disappeared from the sea – Jones concluded that the people had chosen a 'grossly maladaptive strategy' as a result of being a small population isolated from new ideas for millennia. The benefits and skills of catching fish were, therefore, 'forgotten' within a few generations.³²

Jones found from his sequencing at Rocky Cape and other sites that bone-awl making had also ceased. Seeing no logical connection between the bone tool and not catching fish, Jones went on to propose, without any supporting archaeological evidence, that the Tasmanians had also lost the ability to make fire and had ceased to use boomerangs, hafted and ground-edge axes and barbed spears as part of their tool-kit. These tools had been used in southern mainland Australia before the end of the Pleistocene, but they did not appear to be manufactured in Tasmania at the time of colonisation. 'The world's longest isolation', he concluded, had created 'the world's simplest technology'. How long could this small population have survived? He asks:

Even if Abel Tasman had not sailed the winds of the Roaring Forties in 1642, were they in fact doomed – doomed to a slow strangulation of the mind?³³

These famous words have haunted Jones' career, although it is often forgotten that it was a question that he was posing.³⁴ But it was perhaps their resonance with the film *The Last Tasmanian* that made them so controversial. Tom Haydon's 1978 docu-film featured Jones as narrator telling a story of the Tasmanian Aborigines beginning with the idea of cultural regression and ending, after a bloody chapter of colonial genocide, with their total extinction.³⁵ Movie-goers concluded that the Aborigines 'were going to die out anyway'. Tasmanian Aborigines, whose political struggle for recognition was just beginning, were outraged. Within the academic community, Jones found confirmed opponents.

31. Jones 1971, 1978; Bowdler 1977, 1979, 1980; Lourandos 1968; Horton and Vanderwal 1984. Colley and Jones write (1987: 67–71) that 'it is a striking fact that no Tasmanian site post-dating 3500 BP has produced any fish remains beyond the odd individual bone' and cite the following references: Ranson 1980; Geering 1982; Bowdler 1984 [1979].

32. Jones 1978: 44–46; Jones 1987: 38; Jones 1977: 196; Jones 1977b: 343.

33. Jones 1977: 196–197, 202–203.

34. Taylor 2004: 297, 298–299.

35. *The Last Tasmanian* (Haydon 1978) was directed and produced by Tom Haydon who conceived the film with Jones in 1976. Haydon purposefully presented the film as his interpretation of Jones' 'view of Aboriginal Tasmanian archaeology, anthropology and history'. It was sub-titled, 'A search by Dr Rhys Jones' (Haydon 1979: 12–14).

Archaeological responses to Jones' work were often entangled within the contemporary politics of Tasmanian Aboriginal survival. Archaeologist Sandra Bowdler put forward a case that, during the late Holocene, far from having regressed, the Tasmanian Aborigines had progressed, going so far as to state that in time they 'would not have strangled at all, but recolonized the mainland ... and defied those who would put them at the bottom of the ladder'. Ryan repeated Bowdler's words in *The Aboriginal Tasmanians*, placing the idea of Aboriginal progression in late Holocene Tasmania within a thesis of post-colonial Aboriginal survival.³⁶ Ryan also reflected – in an oblique reference to Jones – that the older, pseudo-Darwinian idea that the Tasmanian Aborigines had been 'too low on the scale of humanity' to survive invasion was recently 'enlarged to the belief that ... the Tasmanians ... would have died out anyway'.³⁷ Bowdler accused Jones of having a theory of Tasmanian pre-history that 'derives from 19th century social Darwinism and 20th century biogeography'.³⁸

Neither reading of Jones' work was wholly accurate. To men such as John Lubbock, EB Tylor and WJ Sollas, whose ideas were commensurate with Darwinian models of human evolution of the latter half of the 19th century, the Tasmanians represented one of the lowest levels of human development.³⁹ While Jones did not challenge this notion entirely, he did, however, argue that it had not always been so. 'Here, for the first time, was archaeological evidence not only of primitiveness, but of the probability of degeneration', as Tim Murray puts it.⁴⁰

Jones' theory of regression did have strong echoes with early Darwinians, such as Francis Galton and Cesare Lombroso, who argued that certain environments can cause regressive characteristics among humans.⁴¹ For most evolutionist anthropologists of the 19th and early 20th centuries, however, the Tasmanians either were locked in an Eolithic or Palaeolithic stasis or were potentially on the verge of progress. The idea of regression was for them, as Murray notes, 'a much harder idea to historicize on the world scale'. However, Murray sees an inherent contradiction in Jones' argument: if the Tasmanian Aborigines regressed because of isolation, could they also be in stasis

36. Bowdler 1980: 339; Bowdler 1979: 451; Ryan 1996: 44.

37. Ryan 1996: 2.

38. Bowdler, 1980: 335. In her critique of Jones' 1978 chapter, Bowdler suggests that Jones was sympathetic to scholars who were commensurate with Darwinian theories of evolution (Bowdler 1980: 336). Jones was, however, critical of one such scholar – WJ Sollas – and his explanation of why the Tasmanian Aborigines did not eat fish (Jones 1978: 21; Sollas 1911: 76).

39. This assessment was not only made by study of the Tasmanians' material culture. Their geographic position also played a role. With the Tierra del Fuegians, the Tasmanians occupied the most southerly regions in the late Pleistocene, considered by colonising Europeans to be the 'ends of the earth'. When early evolutionists concluded that humans first populated the world in a state of primitive savagery, the Tasmanians were logically considered to be of the oldest and thus simplest people, having been neither replaced by more modern people nor having managed to find an environment in which they would have become more sophisticated. See also Gamble 1992: 712–720.

40. Murray 1992: 730–743.

41. Turnbull 2000. Seeing echoes of early Darwinian theories of migratory patterns in Jones' work, Clive Gamble asks 'what more likely than the difficulty of a group at the uttermost ends of the earth to keep in its collective consciousness the ideas for survival?' (Gamble 1992: 717).

because of isolation? Murray thus concludes that in effect Jones is perpetuating 19th-century ideas.⁴²

More broadly, archaeologists sought positive and strategic reasons for the cessation of scale-fish from the Tasmanian diet. Bowdler suggested that fish had never been a central part of the wider Tasmanian Aboriginal diet since it was only the Rocky Cape and Sister's Creek sites that had revealed significant numbers of fish bones before 3000 BP.⁴³ With Harry Lourandos, Bowdler also considered that Aborigines had used bone awls to make fish nets, so that dropping them along with fish was a natural consequence, not indicative of a broader degeneration.⁴⁴ Harry Allen proposed that giving up fish may have been sensible, since the cooler climate from about 5000 BP may have given Aboriginal hunters cause to 'concentrate their energies on more profitable foods'.⁴⁵ Ron Vanderwal's Louisa Bay research supported this, indicating that after 3000 BP Aborigines were using, for the first time, watercraft to access nearby Maatsuyker Island to hunt fatty seals, muttonbirds and protein-rich shellfish.⁴⁶ For David Horton this indicated a possible seasonal pattern, with the coast providing rich winter food and the inland, leaner summer food. Since a club and watercraft were only needed to hunt seal or muttonbirds, and since boomerangs would have been of little use to hunt wallabies or possums in a dense Tasmanian forest, Horton argued that the 'simplest tool kit in the world' was a 'result of refining that tool kit to meet the needs of the Tasmanian environment'.⁴⁷

In the decades following Jones' work, archaeological research has revealed a Tasmania during the late Holocene that was, in Steve Brown's words, 'increasingly dynamic, innovative and ... varied'.⁴⁸ Aboriginal people were seen to be expanding into previously unused or abandoned parts of Tasmania including Freycinet Peninsula, the central highlands, the west coast and, after 2500 BP, Hunter Island, off the north coast of Tasmania.⁴⁹ Brown suggested that they had developed new trade networks, involving stone and possibly ochre and shell, and constructed varied stone arrangements. He found that they introduced rock engraving across the newly settled north-west and mid-west coast, with designs of circles, ovals, dots, straight and curved lines.⁵⁰ Jones' own work revealed that Aboriginal people made increasing use of firing practices to open up and manage inland vegetation, and, as Murray and Williamson point out, even he acknowledged that after 2500 BP the Tasmanians 'expanded their social and cultural universe'.⁵¹

This picture of a dynamic Aboriginal culture in late Holocene Tasmania appears to be confirmed in pictures of early colonial Aboriginal life. It is well documented how

42. Murray 1992: 738.

43. Murray and Williamson 2003: 317.

44. Bowdler and Lourandos 1982: 124–125; Murray and Williamson 2003: 317.

45. Allen 1979: 4.

46. Vanderwal 1978: 107–126. The evidence of this hypothesis was presented in more detail in Vanderwal and Horton 1984.

47. Horton 1979: 33.

48. Brown 1991: 98.

49. Brown 1991; Bowdler 1979, 1984.

50. Brown 1991: 98, 103.

51. Jones 1969; Murray and Williamson 2003: 319.

Aboriginal people quickly made use of dogs in their traditional hunting practices, learned how to handle and maintain guns, made clothes using European cloth and needles, used glass and ceramic to make traditional implements, and rust in lieu of ochre for their painting.⁵² Julia Clark, reading the journals of GA Robinson, portrays a rich and creative Tasmanian culture in which they choreographed dances and composed songs about encounters to make sense of their changing world.⁵³ They took up several new food sources: flour, tea, sugar, tobacco, potatoes and hitherto little-eaten freshwater mussels.⁵⁴ Is it possible that scale-fish was another of these new foods? Or was it, as Aboriginal people maintain (and as will be outlined below), an older continuing tradition?

'we never saw any fish bones'

In *The Aborigines of Tasmania* Henry Ling Roth concludes that 'the Tasmanians did not eat fish'.⁵⁵ They speared fish for sport, and ate shellfish in abundant quantities, but they never ate fish with scales. Roth quotes George Lloyd who apparently 'hunted' with the Aborigines in the 1820s and wrote: 'I never saw them capture an edible fish excepting of the shelly species.' Roth also refers to James Erskine Calder who, in describing the mission settlement at Flinders Island (in operation from 1832–1847), wrote: 'No other fish would any native of Tasmania ever touch ... they would rather starve'.⁵⁶

Among the journals of French and English explorers of Tasmania from 1772–1802 are earlier references that may point to a lack of fish in the Aboriginal diet. Captain William Bligh wrote in 1792 of finding abandoned campsites with heaped remains of mussels, oysters and crayfish, but 'we never saw any fish bones'. Echoing Bligh, Rossel, a member of D'Entrecasteaux's expedition, wrote in 1793 that 'we perceived ... no debris of fishes'.⁵⁷ During Captain James Cook's 1777 voyage, crew member W Anderson wrote at Bruny Island that the Aborigines 'refus'd some Elephant fish which were offer'd them with a sort of horror as if they never did or were afraid to eat them'.⁵⁸ Cook himself wrote after offers of scale-fish netted by his men at Adventure Bay were refused:

we cannot suppose but that people who inhabit a Sea Coast must have ways and means to catch fish altho we did not see it ... Either fish is plenty with them, or they did not eat it, for they absolutely rejected all we offered them; but I think the first the most probable.⁵⁹

Similarly, during Captain Nicholas Baudin's voyage along Tasmania's south coast in 1802, the Aborigines refused offers of scale-fish. Baudin wrote that the people 'made signs that they did not eat fish, but only shell-fish or crustacea'. The French considered the Aborigines 'amazed to see people eating fish'.⁶⁰

52. Reynolds 1995: 39–46; Murray and Williamson 2003: 320–322.

53. Clark 1987: 67.

54. Reynolds 1995: 46–47; Murray and Williamson 2003: 322.

55. Roth 1899: 101.

56. Roth 1899: 88.

57. Rhys Jones studied these early explorers' journals closely (Jones 1978: 15–16, 18). Bligh's quotation inspired the title for this section partly because it was a subtitle in Jones 1978: 18.

58. Jones 1978: 16, 17–18; Roth 1899: 88.

59. Jones 1978: 17.

These journal entries support the archaeological consensus on fish eating, but they are not without their ambiguities. Jones, however, is bold and confident in his reading. He concludes that 'the absence of fish from a diet of a coastal people staggered Cook, who could scarcely believe the evidence'.⁶¹ But was Cook 'staggered'? It seems the captain was not entirely convinced by the absence of evidence. Jones concludes, from Baudin's expedition, that the Aborigines considered fish 'not classified as food for humans'. How is Jones so sure that this was what the Aborigines were thinking? Indeed, how sure could Baudin be about the 'signs' Aboriginal people made or why they seemed 'amazed'?

The refusal by Aborigines of scale-fish offered by white explorers is not definitive evidence that they never ate them. In his 1793 journal *La Billardière*, who accompanied the D'Entrecasteaux expedition, describes how his party had invited some Aboriginal people to eat some oysters and lobsters they had just cooked on a fire:

but they all refused, one excepted ... At first we imagined that it was yet too early for their meal-time; but in this we were mistaken, for it was not long before they took their repast.⁶²

La Billardière explains that the Aborigines then sat down to eat the same kinds of shellfish, but that their food was 'much more roasted than what we had offered them'. Is it possible that the fish offered by Cook and Baudin were refused for reasons other than that they never ate scale-fish?

Beyond the early exploration sources, there are also several significant references to fishing in the journals of GA Robinson. Robinson recorded many instances of the Aborigines eating 'fish', but the journal's editor, Plomley, is confident that when Robinson uses the word 'fish' he always means shellfish. Plomley cites one instance in Robinson's journal that supports this presumption: camping one night at Wanderer River in 1833, Robinson describes how the Aboriginal women he was travelling with made fishhooks of bent pins, then attached lines of thread, dug up worms as bait and caught trout from the river. 'This was a fine amusement for them', he wrote, 'although they do not eat this kind of fish'. Robinson and his son, however, enjoyed the trout as well as a large 'lobster' caught for them, of which he wrote, 'the natives are fond of this fish'.⁶³

In 1968 Betty Hiatt (now Meehan) wrote a substantial two-part article, 'The food quest and the economy of the Tasmanian Aborigines', in which she states that 'this is perhaps the clearest statement in Robinson's journals that the natives did not eat bony fish'.⁶⁴ Hiatt's conclusion is seemingly confirmed by an earlier entry in Robinson's diary from 1829, where, having cooked himself some perch and rock cod for breakfast on Bruny Island, Robinson notes: 'With great difficulty persuaded the natives to partake of some'.⁶⁵ Is it possible, however, that, like the Aboriginal people who refused the

^{60.} Jones 1978: 17.

^{61.} Jones 1978: 17.

^{62.} *La Billardière* 1800: 306.

^{63.} Plomley 1966: 719.

^{64.} Hiatt 1968: 113. Jones also refers to this episode as further evidence that the Aborigines did not traditionally eat fish (1978: 19).

^{65.} Plomley 1966: 58.

shellfish from La Billardiére, that they did not particularly like freshwater trout, nor liked the way Robinson had cooked his fish?

There is a third direct reference to scale-fish in Robinson, in which he was being chased by a group of 'wild blacks' whom he had enraged by convincing four of their young women to join him on his mission. The pursuit took him over a river, which he managed to cross, leaving the 'wild blacks' on the other side. The father of one of the young women raged and brandished his spears and waddies. His people called out that they would give Robinson dogs in return for the women so they could 'get plenty of kangaroo and wallaby'. They then told Robinson 'when I got those people to the island I should feed them on fish, and mimicked the pulling up of the fish with a line'.⁶⁶ Jones concludes from this scene that the Aboriginal people 'who had ... entered the Government settlements had become "fish eaters" – a term of abuse'.⁶⁷ The term 'fish eaters' is Jones' own invention, and his interpretation is interesting, but it is not exactly clear what the gesture of fishing meant. Were they mocking the eating of fish, as inferior to kangaroo and wallaby, or were they mocking the catching of it with a line, rather than a spear, as a peculiar European trait?

Jones reflects that from the 'more than half a million words' that make up Robinson's field diaries, with 'hundreds of descriptions of hunting and gathering episodes, documenting scores of different vegetable and animal foods, there is not a single description of fish being eaten in the bush'.⁶⁸ Hiatt also argues that:

There is not one observation in the Tasmanian literature describing an Aboriginal man, woman or child preparing, cooking or eating scale-fish; nor to scale-fish remains in or near hearths, houses or dilly bags; nor to specialized fishing equipment of any kind.⁶⁹

This 'absence of evidence', writes Hiatt, 'fits in well' with Jones' discoveries of a sequential absence of fish bones at Rocky Cape.⁷⁰ Jones concurred: 'while negative evidence is always dangerous, I consider this silence to be highly significant'.⁷¹

'we had seen them procure fish'

The early Tasmanian historical record is not, however, entirely negative or silent on the question of scale-fish in the traditional Aboriginal diet. There are several early sources that do suggest the traditional Tasmanian Aborigines ate fish with scales. During his 1802 exploration of Tasmania, Baudin reported how on a calm night one of his boats had gone fishing. The men returned and reported seeing 'several natives a little way off on the shore. They also were fishing with torches'.⁷²

⁶⁶. Plomley 1966: 36, 791, 653.

⁶⁷. Plomley 1966: 653; Jones 1987.

⁶⁸. Jones 1978: 18.

⁶⁹. Hiatt 1968: 113.

⁷⁰. Hiatt 1968: 114.

⁷¹. Jones 1978: 15–16.

⁷². Considering that a gift offered by Commander Hamelin of stingray was seemingly accepted by Aborigines while other gifts of scale-fish were not, Plomley wonders if the Aborigines were fishing for stingray by torch light (McFarlane 2002: 13; Plomley 1983: 206).

Early explorers often used the term 'fishing' when they were referring to Tasmanian Aboriginal women diving for shellfish. But, as Ian McFarlane observes in his PhD on north-western Tasmanian Aboriginal society, in the case of the night fishing, 'there is little doubt' that the Aboriginal people Baudin's men saw, 'abroad at night with torches, were fishing for scale-fish and not involved in any underwater activity'.⁷³ It is unlikely they would dive for lobster and abalone in the dark. Since the Aborigines were 'also' fishing using light, it suggests they were catching fish using a similar technique.

The Aborigines may have speared the scale-fish they had lured to the shore, a skill it appears they certainly possessed.⁷⁴ Roth noted that the Aboriginal people had speared fish 'for sport'. Jones agrees that they used spears to catch stingrays (skates) and possibly eels. He cites an entry in Robinson's journal in which the Aborigines looked to the clear night sky and told him how 'they call the black spot in the Milky Way or Orion's belt a stingaree and say the blackfellows are spearing it'. Jones also points out another entry in which Robinson writes of 'walking along a sandy ocean beach' when one of his travelling party 'speared what was probably an eel'. Jones concludes that 'Tasmanian Aborigines both knew about and were capable of spearing eels and rays, but again there is no mention that these formed part of their diet'.⁷⁵ However, Emmanuel Hamelin, Commander of the *Naturaliste*, one of the two ships in the Baudin expedition, offered Aborigines a stingray and found 'it seemed to please them'. The following day, Hamelin found the stingray on the same beach with its liver removed. Hamelin remembered how he had seen stingrays with their livers removed at Shark Bay, on the western coast of Australia.⁷⁶

A second reference in the French records to fishing is in the 1793 journal of La Billardi re. Walking through the Tasmanian bush, La Billardi re reached an inland lake and,

perceived through the trees a number of natives most of whom appeared to be fishing on the borders of the lake ... The men and youths were ranging in front nearly in a semi circle: the women, children and girls were a few paces behind.⁷⁷

A few days later, during a fire-side meeting, the French offered Aboriginal people a range of gifts. Among them were fishhooks. La Billardi re wrote 'from the manner in which we had seen them procure fish, we had reason to presume that they had no fish hooks'.⁷⁸ The French hoped the gift would alleviate the need for the women to dive for

⁷³. McFarlane 2002: 13.

⁷⁴. James Holman writes, in his 1834–35 *Voyage Around the World*, that 'at one period the Tasmanian Aborigines repair to the coast, and trust for their subsistence to their expertness in spearing the finny tribe'. However, Hiatt discounts Holman as a 'gossip reference' from a 'general work with no direct observations' (Hiatt 1968: 113–114). The lack of 'direct observations' might be explained by the fact that Holman was blind. Roth too dismisses Holman's description in light of other contrary references, although he states in his bibliography that Holman's 'information is considered reliable (Roth 1899: 88, xciv).

⁷⁵. Jones 1978: 19. George Lloyd (1862) describes a stingray hunt carried out in Tasmania for 'sport', using 'barbed spears' and 'tomahawks'. Jones, who states that neither tools were used by the Tasmanians, assesses that Lloyd had 'confused or embellished his memory' (Jones 1978: 19–20).

⁷⁶. McFarlane 2002: 12–13; Plomley 1983: 205–206.

⁷⁷. La Billardi re 1800: 295; Jones 1978: 16.

shellfish and abalone. Was La Billardière assuming that they dived because they did not know how to catch scale-fish, or because of the way he had seen them catch fish in the lake? Jones considers it is the latter, concluding that La Billardière's notes are 'sufficient evidence that some shoal, brackish, or freshwater fish were indeed part of the diet of these southeastern Tasmanians'.⁷⁹ It is an admission that directly contradicts his assertion, made in the same article, that there was 'not a single unambiguous reference to fish or to any technology associated with fishing' in the sources of Tasmania's early explorers.⁸⁰

'mistake that Blacks did not like scale-fish'

Westlake had read Roth's *The Aborigines of Tasmania* before going to Tasmania and was aware of his conclusion that the Tasmanians never ate scale-fish.⁸¹ But when he posed this idea to several of his interviewees, almost all disagreed. In 1909, Charles Smith of Launceston, said it was '*altogether wrong* to say that [they] never eat fish with scales'. His wife recounted how her father-in-law had seen Aborigines catch fish in the 'rivers which were alive with fish'. Mrs Smith also thought 'they would get these scaley fish all along the sea coast'. Mr Smith added: 'I've heard my dad say many a time how he has seen them covered in scales.'⁸² Also in Launceston, former school teacher on Cape Barren Island, Edward Stevens, who said he had spent time 'with the blacks' when he was a child, told Westlake it was a '*mistake that Blacks did not like scale-fish*' [emphasis in original].

In January 1910, in the D'Entrecasteaux Channel, Westlake met Robert Harvey, the storekeeper at Lovett, who thought fish was 'one great food' for the Aborigines, and adding he 'would have heard if [they] didn't eat scale-fish'.⁸³ However, Hobart Police Magistrate Bernard Shaw told Westlake what the late Charles Meredith had told him: 'that on the east coast natives never ate scale-fish tho' they were very abundant there.' Shaw qualified that Meredith 'had noticed this himself at a whaling station where he was stationed'. But some time after returning from Bass Strait, Westlake met Shaw again, who admitted that 'Meredith on the avoidance of scale-fish is all right for what its worth – he was a highly intelligent man – but *possibly* due to fish being offered by a white' [emphasis in original].⁸⁴

Edward Stevens also told Westlake that 'the Blacks [as regards refusing to eat fish] refused to eat anything offered them fearing that because a white man killed it there might be danger in eating it'.⁸⁵ If this was so, could it explain why Aboriginal people

78. La Billardière 1800: 313.

79. Jones 1978: 16.

80. Jones 1978: 15. At one point Roth questions his own conclusion on fish eating, but not convincingly. In response to John West's account in his 1852 *History of Tasmania* of Aboriginal people warning settlers that the toad fish was poisonous, Roth ponders 'but can such a warning imply that they did eat scaled fish?' (Roth 1899: 88).

81. Edgell claims that Westlake had read the 1890 edition of Roth's *The Aborigines of Tasmania* 'even before touching foot on Tasmanian soil' (Edgell 1992: 10).

82. Westlake, 'Notebook 4': 101.

83. Westlake, 'Notebook 6': 97.

84. Westlake, 'Notebook 2': 9; 'Notebook 4': 116.

85. Westlake, 'Notebook 3': 63–65.

did not accept fish from Cook or Baudin's men? Was it a fear of explorers, rather than a loathing of their gift, the reason the scale-fish were refused?

Fish traps

The Westlake papers also point to the possibility that Tasmanian Aborigines caught fish using fish traps and spears. Mrs Holmes told Westlake that Aborigines caught scale-fish with spears after making 'a small enclosure where fish would come in near shore [and they] drive stakes in [and] interlace boughs, [and] when the tide went out fish would be stranded'.⁸⁶ This is the only reference in Westlake's notes to a fish trap, and a wooden one at that. There are, however, other sources to suggest that Tasmanian Aborigines traditionally used stone fish traps.

McFarlane examined several stone fish traps that were possibly built and used by Aborigines on the north coast. Jim Stockton, in a 1982 paper, lists the places on the north coast where fish traps have been located: Rocky Cape, Sisters Beach, Boat Harbour, Summerset, Cooee, Burnie, Penguin, Hawley Beach and Low Head, as well as Cooks Beach on the Freycinet Peninsula on the east coast.⁸⁷ The traps are all of a simple design, consisting of a wall of boulders which is flooded at high tide leaving the fish stranded at low tide. Stockton, however, considers the traps to be European in origin: he cites a letter from Edward Bennett of the north coast in 1878, in which he discusses two traps recently built and used by settlers near Leith, and his own correspondence with a local, Mr G Paine, who claimed to have built several traps near Burnie in the 1950s.⁸⁸ McFarlane points out that, when Jones first examined the Rocky Cape trap in 1963, he initially considered it may have been Aboriginal, but soon concluded it was of European design after establishing the sequential absence of fish bones in the nearby middens and after being told locals had rebuilt the trap walls.⁸⁹ However, further osteological studies of Jones' Rocky Cape data have revealed a greater number of fish species than he had first realised, including types that, according to Jones, could not have been speared. He considers that these fish might have been caught using 'baited-box' or 'tidal' fish traps.⁹⁰

Moreover, McFarlane points to the fact that settlers at Sisters Beach were adamant that the nearby trap was built prior to their arrival. McFarlane is also the first to document a large fish trap at Table Cape, which he notes is a long way from the nearest early settlements and situated next to middens and an Aboriginal walking track. Retired farmer, Mr A Percy, told McFarlane how he remembered seeing his father turn the middens over with a horse and plough when he was a child. Would excavations of the Table Cape middens expose fish bones?

^{86.} Westlake, 'Notebook 5': 8.

^{87.} McFarlane 2002: 13–14; Stockton 1982.

^{88.} Stockton 1982: 107–109. The letter Stockton is referring to can be found in Bennet 1980: 119–216.

^{89.} McFarlane 2002: 14–15.

^{90.} Jones 1995: 427–428; Colley and Jones 1988: 336–436. Note that Jones does not reconsider the contemporary Rocky Cape fish trap he had dismissed in 1963 nor does he consider that the Aboriginal people may have used fish nets at Rocky Cape, as suggested by Bowdler and Lourandos (1982: 124–125).

'fire fetches up all the fish'

While more than a century had passed between the observations made by the early French explorers and the interviews Westlake recorded with Tasmanian Aboriginal people in the Bass Strait, there are some clear consistencies between the two sets of records.

On Cape Barren Island, in February 1909, Philip Thomas told Westlake that he remembered, 'as a child', accompanying his mother at Cape Portland, and seeing the fires lit on the sea shores to attract the fish so they could spear them. Afterwards they would rake the fire down, roast the fish upon it and, when they were cooked, lay them upon the grass, peel off the skin and lift the flesh from the entrails and bones. Westlake spoke to Thomas again on his second day on Cape Barren Island, and Thomas again remembered the fires on the beaches from his childhood, 'fire fetches up all the fish', quoted Westlake, 'like birds come to light'. Thomas also remembered that they not only speared the fish, but also knocked them out of the water with waddies, or 'nellies'. Two days later, on 21 February, Westlake again spoke with Thomas, and this time he explained which fish they caught – 'brim' from the sea and black fish from the river, for he said they also made the fires along riverbanks. Thomas told Westlake that his mother's people ate 'fish with large [and] small scales; but did *not* eat fish *without* scales (barring eels) as they were considered poisonous' [emphasis in original].⁹¹

Thomas's testimony appears to echo what Baudin's men reported in 1802: that Aboriginal people were using 'torches' to catch fish on the beach. It also remembers a traditional way of cooking food on open fires, reaffirming the possibility that, once roasted, the fish remains were burnt, and/or washed away by the next tide. This cooking method was also confirmed by Mrs Holmes of Launceston, whose grandfather had lived in Tasmania since 1808, mostly on the north coast. She told Westlake she had been told how the Aborigines speared fish, and that 'all fish, [and] shell fish too, [were] roasted'.⁹² Mr Davis, in the D'Entrecasteaux Channel, also told Westlake that the Aborigines cooked their fish on a flat stone, kept hot by a fire burning underneath it.⁹³

Other Aboriginal Bass Strait Islanders confirmed much of what Thomas told Westlake. Henry Beeton said: 'I've *seen* them eat fish with scales ... blue head and parrot fish wouldn't eat fish with no scales (except eels). Not eat the goana fish – eat king fish (few scales) like barracuta'.⁹⁴ This mention of eels corroborates the account of one of Robinson's party spearing an eel. Harry Armstrong said that the Aborigines 'speared black fish ... eels ... brim', in the rivers. In the sea, they speared 'flat head, flounder, blue head, parrot fish ... sharks' and 'stinging rays' – the latter echoing Hamelin's account. While Armstrong did not think that fish swam *towards* light, he did find it 'paralyzes fish' such as 'cod, barracootas, garfish, mullet', and had 'seen cod picked out of the water'. He agreed a torch could have been used to spear fish, since he would hold a flash lantern with one hand and pick out the fish with another when in his boat. Armstrong added with emphasis: 'on the islands they *ate* fish with scales'.⁹⁵ John Maynard

91. Westlake, 'Notebook 3': 70, 73, 77, 87.

92. Westlake, 'Notebook 5': 8.

93. Westlake, 'Notebook 6': 28.

94. Westlake, 'Notebook 3': 86.

95. Westlake, 'Notebook 4': 12.

told Westlake that the Aborigines 'used to wade and spear fish, as Flinders [sic], when tide was out'.⁹⁶ Henry Beeton told Westlake how Aboriginal people, 'caught with the line after [they] got with the white people'.⁹⁷ In 1939 Tindale noted from Cliff Everett on Cape Barren Island that 'fish were speared in shallow water and eaten'. Everett added that he 'knew that white men believed the Tasmanians did not eat fish', indicating that, despite this belief, they in fact did.⁹⁸

The Aboriginal Islanders whom Westlake interviewed, like Everett 20 years later, insisted that fish were a part of the traditional Aboriginal diet. Beeton's statement suggests that Aboriginal people had eaten fish before 'got with the white people'; they only changed how they caught fish after they arrived. This appears to confirm the reason La Billardi re gave Aboriginal people fishhooks. It also reaffirms the ambiguity of the story in Robinson's journal in which the angry Aboriginal men were mimicking catching fish with lines.

There appears to be little doubt that the Aborigines ate fish after the establishment of the Flinders Island mission in 1832. In addition to the statements made by Westlake's informants, Roth notes that GA Robinson's nephew, James Young, whom Westlake met on Green Island, told James Backhouse Walker that the Aborigines ate parrot fish and blue fish when they lived on the settlement.⁹⁹ Roth also notes how the early Tasmanian historian, James Bonwick, claimed the Tasmanian Aborigines had fishhooks made from shells, but assumes that Bonwick must have been referring to the 'Flinders Island period'.¹⁰⁰

There remains the possibility that the Tasmanian Aborigines learnt to eat fish from sealers, who were working Bass Strait from the early 19th century, and/or by Victorian Aboriginal women, such as Harry Armstrong's mother, who were brought to the Bass Strait by the sealers.¹⁰¹

With such a fusion of cultures on the islands of the Bass Strait from about the 1810s, it might appear that Tasmanian historical material post-1840s can yield little reliable information about pre-contact Aboriginal culture. Hiatt writes that she 'used little of the material' regarding Aborigines on the islands for her article since by then their culture 'must have been disrupted' and 'disintegrated'.¹⁰² The memories of Philip Tho-

^{96.} Westlake, 'Notebook 3': 74.

^{97.} Westlake, 'Notebook 3': 86. Fanny Cochrane Smith's children and acquaintances told Westlake how she caught fresh water trout by 'tickling' the fish, although they wondered if this was a traditional Tasmanian Aboriginal method or rather one learned from her husband who was from Kent, England, where the practice was used. See interviews with Tasman Smith, Westlake, 'Notebook 6': 56; Mrs Sarah Miller, Westlake, 'Notebook 6': 122-123; and Mr Davis, Westlake, 'Notebook 6': 31.

^{98.} Tindale 1936-1965: 119.

^{99.} Roth 1899: 101; Westlake, Ernest, Letter to Margaret and Aubrey Westlake, 23 February 1909, Box 2, Folder 2a, ff. 68-68v, WC, PRM.

^{100.} Roth 1899: 101.

^{101.} In his introduction to *The Westlake Papers*, Plomley writes: 'One large cause of error and confusion is the description of Australian Aboriginal customs and artefacts as Tasmanian. With the mixed-blood community of the Furneaux Islands this is understandable because some of the original women allied to the sealers were mainland Aborigines' (Plomley 1991: 7). Plomley also believes that white Tasmanians confused mainland and Tasmanian Aboriginal customs in Westlake's interviews.

mas, however, date to a time and place of less disruption. He was a child at Cape Portland in the 1830s, where his mother, Nimarana, was born around the turn of the 19th century.¹⁰³ His account is consistent with the observations of fishing with torches by the Baudin's crew members in 1802, which, like La Billardi re's observation of the family group fishing by the lake, predate English colonisation. These consistencies are echoed by contemporary Tasmanian Aborigines a century later.

'I grew up eating scale-fish'

In *Crossing the Strait*, the catalogue of the 1999 exhibition of Aboriginal art and artefacts at the Wollongong City Gallery, Aboriginal Cape Barren Islander 'Buck' Brendan Brown writes:

In respect of Tasmanian men's fishing activities ... there is actually an archaeological argument that Tasmanian Aboriginal peoples did not eat fish, which is hog-wash ... I grew up eating scale-fish as a large part of my diet all my life. There are fish traps throughout Tasmania ... This evidence is ignored by archaeologists.¹⁰⁴

When I went to Cape Barren Island in April 2003, Islander Chris Mansell also told me that he thought the Tasmanian Aborigines traditionally used fish traps.¹⁰⁵ Buck Brown told me that he and his father often made spears from branches to harpoon fish, sometimes scorching the timber with fire to harden it.¹⁰⁶ Another Islander, Morton Summers, also told me that he fished with spears made from sticks found in the bush.¹⁰⁷ Chris Mansell said three-pronged metal spears were popular for catching flounder today.¹⁰⁸ One elderly Islander said it was common to 'sharpen up a stick' or to make a metal spear with 'a couple of bits of wire', adding that his brother had once made a floundering spear from a hayfork.¹⁰⁹ The same man said that lamps made from tins of fat were used to attract the fish when he was younger, while Chris Mansell said that he was told how fires were once used for that purpose, but not any more.¹¹⁰ Is it possible that Islanders' recent recollections remember a method of catching scale-fish observed by Baudin's men almost two centuries before?

Conclusion

There are several possibilities that may explain the non-presence of fish bones in excavated middens from about 3000 BP. The first is that during the dynamism of the late Holocene, Tasmanian Aboriginal people changed where they ate fish and/or how they cooked it, with the result that fish were cooked on beaches and riverbanks where the bones were potentially all burned and/or washed away. McFarlane considers the possi-

¹⁰². Hiatt 1968: 101.

¹⁰³. Tindale 1953: 55.

¹⁰⁴. Brown 2003: 31.

¹⁰⁵. Taylor 2003 'Notebook 4, Tasmania': 4.

¹⁰⁶. Taylor 2003 'Notebook 3, Tasmania': 48.

¹⁰⁷. Taylor 2003 'Notebook 4, Tasmania': 7.

¹⁰⁸. Taylor 2003 'Notebook 4, Tasmania': 4.

¹⁰⁹. Taylor 2003 'Notebook 4, Tasmania': 50–50v.

¹¹⁰. Taylor 2003 'Notebook 4, Tasmania': 50, 4. McFarlane (2002: 13) also writes that 'fishing with the use of torch light and spears is still a common method of catching fish such as flounder in Tasmania today'.

bility that fish bones may have been foraged by sea birds and land animals such as Tasmanian devils.¹¹¹

Another possibility is that Tasmanian Aboriginal people ate less scale-fish after 3000 BP, leaving far fewer fish bones and an increased chance that those remains left would not be found. McFarlane also suggests that midden sites may have changed their purpose over time: Rocky Cape may have become, after 3000 BP, a transit stop where Aborigines chose to catch only seals, abalone and crayfish 'during their temporary stay'.¹¹² It is, however, noteworthy that the West Cape, and other 'donut middens' that have been excavated are evidently more than mere transit camps but have revealed no fish bones. Yet another possibility is that regional cultural differences across Tasmania may have meant that fish were eaten only in some places by certain groups rather than the cessation of fish eating across the whole island.

Jones describes the Tasmanian Aboriginal people as belonging to 'the same culture', despite having five languages, nine tribes and many more 'bands' and 'hearth groups'.¹¹³ A thesis arguing for the negative impact of long-term isolation must necessarily imagine the Tasmanian Aborigines as a mono-cultural population. Such is the case when arguing for Tasmanian Aboriginal stasis or progression. But how accurate is this presumption? If, as Murray and Williamson suggest, the dynamic changes of late Holocene Tasmania were not necessarily bound to any linear model, is it also possible that these changes were not simultaneous and uniform across the island? Jones has also noted regional differences in hunting and diet: the north-western Aboriginal people did not use any watercraft, but knew of their use from the people of the south-east coast. The east coast Tasmanians did not eat penguins but south coast Tasmanians did. Within groups, individuals did not eat certain foods for various reasons. It was from this regional and personal 'prohibition and sanction' Jones found the 'explanation as to why the Tasmanians stopped eating fish'.¹¹⁴ But why should regional or personal differences explain a single island-wide phenomenon?

Jones concluded from La Billardi re's account of Aborigines fishing at a lake, that those south-eastern people probably included some freshwater scale-fish in their diet. Did other Tasmanian Aboriginal peoples also include some scale-fish in their diets? Has the sampling of archaeological sites been wide enough? Archaeologists have concurred that they have: excavations revealing a non-presence of fish bones have been conducted in a satisfactory number of different places and thus the cessation was island-wide. But could further excavations – such as near the fish trap at Table Cape, noted by McFarlane – expose fish bones?

This argument for a dynamic and diverse Aboriginal Tasmania, like the mono-cultural model, offers little positive evidence. It is a problem generic to studies of pre-contact Tasmania. As Murray and Williamson note, this has made it 'relatively easy for historians, anthropologists, even archaeologists to construe Aboriginal Tasmania to suit

¹¹¹. McFarlane 2002: 15.

¹¹². McFarlane 2002: 15.

¹¹³. Jones 1974: 330.

¹¹⁴. Jones' references for other Tasmanian Aboriginal prohibitions are: watercraft unknown in northwest (Plomley 1966: 399); penguins not eaten on east coast (Plomley 1966: 267); a woman who would not eat wombat (Plomley 1966: 899); Jones 1978: 44–45.

their needs' – needs that have included a wide range of academic theses and political ends.¹¹⁵ It is important, therefore, to consider that no definite conclusions about the millennia Aborigines lived in Tasmania before colonisation can easily be drawn using sources dating from, or being interpreted within, the last two centuries. But do Aboriginal testimonies offer a potentially longer view of the past? Colonisation brought about rapid and devastating change for Tasmanian Aboriginal people, but aspects of their traditional culture have remained. For historians, archaeologists and anthropologists hoping to paint an accurate picture of pre-contact Tasmanian Aboriginal life, the lack of certainty about these continuing traditions, and whether they might have been adapted since colonisation, makes dealing with sources such as the Westlake Papers problematic.

When scholars such as Hiatt, Jones and Plomley were working on Aboriginal Tasmania in the 1960s and 70s, they theoretically solved this problem by drawing a chronological line across the Tasmanian historical record: sources dating from after the 1840s, when the Tasmanian Aborigines were living either on the Government mission or in the sealing communities in the Bass Strait, were deemed unreliable and predominantly excluded.¹¹⁶ Robinson's field journals of 1829–1834, however, were interpreted by these scholars as a 'reliable' first-hand witness account.¹¹⁷

When Hiatt, Jones and Plomley began their ground-breaking work on Tasmanian Aborigines, it was a given, as it had been since the late 19th century, that those people were extinct.¹¹⁸ But these scholars were working on eve of a major shift away from the idea of extinction to that of a living Tasmanian Aboriginal community. For this reason it is arguably no longer plausible to exclude all Tasmanian historical sources post-1840s, in particular those sources that include the voices of Tasmanian Aboriginal people. While, there may be no assurance that these people are 'right' in their assertions of continuing traditional practices, there is equally no guarantee that they are 'wrong'.

Moreover, the belief that a pre-contact Aboriginal culture can be discovered and known from early historical sources is theoretically problematic. No historical record can provide an unfiltered window onto the past. As Greg Denning observes, the moment 'at which cultures were purely native, unchanged by intrusion' is a moment 'that *historically* has never existed'. Tasmanian Aborigines entered the written record post-contact. Everything about them is bound up 'with the historical reality of the intruders who saw them, changed them, destroyed them'.¹¹⁹ The explorers' journals tell us as much about the authors as they do about what they saw. Robinson's journals, while an unequalled source on Tasmanian Aboriginal society, show us that world through the eyes of one man. How we read these sources is also historical; the conclusions we draw from them exist within a historiographical context.

These limitations are not unique to the written record. The excavations that revealed missing fish bones, like the stone artefacts that Westlake collected, live within the interpretive constraints of the archaeological discipline of the time. Presumed to be

¹¹⁵. Murray and Williamson 2003: 329.

¹¹⁶. Jones 1974: 319–321; Plomley 1966: 35; Hiatt 1968: 101.

¹¹⁷. Hiatt 1968: 100; Plomley 1966: 35; Jones 1974: 320–321.

¹¹⁸. Jones 1974: 318–319; Plomley 1966: 11.

¹¹⁹. Denning 1980: 37–42.

another vantage point on pre-contact times, archaeological evidence is no less historical.

Tasmanian Aboriginal people may not be restricted by such boundaries. There has been no one or set point at which they have stopped being Aboriginal. Colonisation did not create an entirely impenetrable boundary to traditional life; their cultural memory, direct or inherited, has the potential to span to the time before colonial disruption. Tasmanian Aboriginal people may offer a unique vantage point to their past; it is a possibility that should not be ignored.

It is not only scholarly to include Tasmanian Aboriginal testimonies about their traditional culture, it is also respectful. To exclude them for their possible unreliability is to potentially deem these modern Aborigines inauthentic and to effectively silence them. Once the Aboriginal testimonies in the Westlake Papers and the contemporary accounts are included in the long 'fish' debate, doubt is cast on the archaeological consensus on a total cessation of scale-fish eating in Tasmania. I am not suggesting that these oral accounts precede the substantial contrary historical or archaeological evidence, only that no conclusive answer be given to the question of traditional scale-fish eating in Tasmania. Further, that if scale-fish eating is a traditional practice that has continued into modern times, then it must be acknowledged as an important example of Tasmanian Aboriginal cultural endurance. If, however, scale-fishing was adopted after settlement, then it must be recognised as another adaptive response to colonisation.

While it is possible that the traditional Tasmanian Aboriginal people ate fish with scales, I argue, in the second part of this paper, that there is little doubt that they could make fire.¹²⁰

References

Primary sources

- Balfour, Henry 1939, 'Stone implements of the natives of Tasmania', manuscript, Pitt Rivers Museum, University of Oxford, UK.
- Geological Society of London 10 March 1879, 'Ernest Westlake's application form to join the Geological Society of London', London, UK.
- Gott, Beth 17 July 2001, Email to Rebe Taylor, Australian National University, Canberra.
- Pitt Rivers, General-Lieutenant 7 August 1898, Letter to EB Tylor, Tylor Papers, Pitt Rivers Museum, University of Oxford.
- Taylor, Rebe, 2003, Notebook 1–5 Tasmania, History Program, Research School of Social Sciences, Australian National University, Canberra.
- Tindale, Norman, 1936–1965, 'Tasmania and the part Aborigines of the Bass Strait and Kangaroo Island, 1936–65', Tindale Collection, South Australian Museum, Adelaide.
- Westlake, Aubrey 1937–1939, correspondence with J Reid Moir, Westlake Collection, University of Oxford Museum of Natural History.

¹²⁰. To be published in Volume 32, *Aboriginal History*, 2008.

Westlake, Aubrey 1937–1969, correspondence with Donald Baden-Powell, Westlake Collection, University of Oxford Museum of Natural History.

Westlake, Aubrey 13 August 1976, 'Biographical Notes on Ernest Westlake', Box 1, Folder 2b, ff 27–29, Westlake Collection, Pitt Rivers Museum, University of Oxford.

Westlake, Ernest 1908–1910, Correspondence to Margaret and Aubrey Westlake, Box 2, Folders 1a, 2a, 3a, 4a and 5a, ff 1–271, Westlake Collection, Pitt Rivers Museum, University of Oxford.

Westlake, Ernest, Notebooks 1–6, Box 1, Westlake Collection, Pitt Rivers Museum, University of Oxford.

Secondary sources

Allen, Harry 1979, 'Left out in the cold: why the Tasmanians stopped eating fish', *The Artefact* 4: 1–10.

Balfour, Henry 1925, 'The status of the Tasmanians among the Stone-Age peoples', *Proceedings of the Prehistoric Society of East Anglia* 5(1): 1–15.

La Billardi re, Jacques-Julien Houtou de 1800, *Voyage in search of La Perouse, performed by order of the Constituent Assembly, during the years 1791, 1792, 1793, and 1794*, printed for John Stockdale, London.

Bennet, S 1980, 'A home in the Colonies: Edward Braddon's Letters to India from North-west Tasmania, 1878', *Tasmanian Historical Research Association Papers and Proceedings* 27: 119–216.

Bowdler, Sandra 1977, 'The coastal colonisation of Australia' in *Sunda and Sahul*, J Allen, J Golson and R Jones (eds), Academic Press, London, New York, San Francisco: 205–246.

— 1979, 'Hunter Hill, Hunter Island', PhD Thesis, Australian National University.

— 1980, 'Fish and culture: a Tasmanian polemic', *Mankind* 12(4): 334–340.

Bowdler, Sandra and Lourandos, Harry 1982, 'Both sides of Bass Strait', *Coastal Archaeology in eastern Australia*, 1980 Valla Conference of Australian Archaeology, Department of Prehistory, Research School of Pacific and Asian Studies, The Australian National University: 121–132.

— 1984, *Hunter Hill, Hunter Island*, Terra Australis 8, Department of Prehistory, Research School of Pacific and Asian Studies, The Australian National University, Canberra.

Brown, Brendan 2003, 'Some old people taught me', in *Crossing the Strait: Tasmania to the south coast*, The catalogue from exhibition of the same title held at the Wollongong City Gallery in February 1999, K Wells (ed), Continental Shift Association Inc and Identity and Research Group, University of Wollongong, Orford, Tasmania and Wollongong, New South Wales: 31.

Brown, Steve 1991, 'Art and Tasmanian prehistory: evidence for changing cultural traditions in a changing environment' in *Rock art and prehistory: papers presented to Symposium G, the AURA Congress, Darwin 1988*, P Bahn and A Rosenfeld (eds), Oxbow, Oxford: 96–108.

Clark, Julia 1987, 'Devils and horses: religious and creative life in Tasmanian Aboriginal society' in *The flow of culture: Tasmanian studies*, M Roe (ed), Australian Academy of the Humanities, Canberra: 50–72.

- Colley, Sarah and Jones, Rhys 1987, 'New fish bone data from Rocky Cape, north west Tasmania', *Archaeology in Oceania* 22(2): 67–71.
- 1988, 'Rocky Cape Revisited – new light on prehistoric Tasmanian fishing' in *The walking larder*, J Clutton-Brock (ed), Allen & Unwin, London: 336–346.
- Daniel Glyn 1952, *A hundred years of archaeology*, Gerald Duckworth, London.
- Delair, Justin 1981, 'Ernest Westlake (1855–1922), geologist and prehistorian with a synopsis of his field notebooks', *The Geological Curator* 13(2 & 3): 133–152.
- Dening, Greg 1980, *Islands and beaches: discourse on a silent land, Marquesas, 1774–1880*, Melbourne University Press, Melbourne.
- Edgell, Derek 1992, *The Order of Woodcraft Chivalry, 1916–1949, as a New Age alternative to the Boy Scouts*, The Edwin Mellen Press, Lewiston, New York.
- Everett, Jim 2000, 'Aboriginality in Tasmania', *Siglo* 12: 2–6.
- Gamble, Clive 1992, 'Archaeology, history and the uttermost ends of the earth – Tasmania, Tierra del Fuego and the Cape', *Antiquity* 66: 712–720.
- Geering, K 1982, 'An attempt to establish the seasonality of occupation of the Stockyard site, Hunter Island' in *Coastal archaeology in eastern Australia*, S Bowdler (ed), Department of Prehistory, Research School of Pacific and Asian Studies, The Australian National University, Canberra: 141–147.
- Grayson, Donald K 1986, 'Eoliths, archaeological ambiguity, and the generation of "middle-range" research' in *American Archaeology Past and Future*, DJ Meltzer, DD Fowler and JA Sabloff (eds), published for the Society of American Archaeology by the Smithsonian Institution Press, Washington: 77–133.
- Haydon, Tom 1978, *The last Tasmanian*, Artis Film Productions.
- 1979, 'A witness to history', *Filmnews* (April): 12–14.
- Hiatt, Betty 1968, 'Food quest and economy of the Tasmanian Aborigines', *Oceania*, 38(1 & 2): 99–133, 190–219.
- Holman, James 1834–1835, *A voyage round the world: including travels in Africa, Asia, Australasia, America, etc.*, Smith, Elder, London.
- Horton, David 1979, 'Tasmanian adaptation', *Mankind* 12(1): 28–34.
- 2000, *The pure state of nature*, Allen & Unwin, St Leonards.
- Jones, Rhys 1969, 'Firestick farming', *Australian Natural History*, 16(7): 224–228.
- 1971, 'Rocky Cape and the Problem of the Tasmanians', PhD Thesis, University of Sydney.
- 1974 'Appendix: Tasmanian tribes' in *Aboriginal tribes of Australia*, Norman Tindale, University of California Press, London: 319–354.
- 1977a, 'The Tasmanian paradox' in *Stone tools as cultural markers*, RVS Wright (ed), Australian Institute for Aboriginal Studies, Canberra: 189–204.
- 1977b, 'Man as an element of a continental fauna: the case of the sundering of the Bassian Bridge' in *Sunda and Sahul: prehistoric studies in Southeast Asia, Melanesia and Australia*, J Allen, J Golson and R Jones (eds), Academic Press, London: 317–386.
- 1978, 'Why did the Tasmanians stop eating fish?' in *Explorations in ethnoarchaeology*, RA Gould (ed), University of New Mexico Press, Albuquerque: 11–47.

- 1987, 'Hunting forebears' in *The flow of culture: Tasmanian studies*, M Roe (ed), Australian Academy of the Humanities, Canberra: 12–49.
- 1995, 'Tasmanian archaeology: establishing the sequences', *Annual Review of Anthropology* 24: 423–446.
- Lehman, Greg 1994, 'Being Black' in *Traditional peoples today*, University of Queensland Press, St Lucia, Queensland: 89.
- Lloyd, George 1862, *Thirty-three years in Tasmania and Victoria: being the actual experience of the author interspersed with historic jottings, narratives, and counsel to emigrants*, Houlston & Wright, London.
- Lourandos, H 1968, 'Dispersal of activities: the east Tasmanian sites', *Papers and Proceedings of the Royal Society of Tasmania*, 102(2): 41–46.
- McFarlane, Ian 2002, 'Aboriginal society in north west Tasmania: dispossession and genocide', PhD Thesis, University of Tasmania.
- Murray, Tim 1992, 'Tasmania and the constitution of "the dawn of humanity"', *Antiquity* 66: 730–743.
- Murray, Tim and Williamson, Christine 2003, 'Archaeology and history' in *Whitewash: on Keith Windschuttle's fabrication of Aboriginal history*, R Manne (ed), Black Inc Agenda, Melbourne: 311–333.
- Noetling, Fritz 1907, 'Notes on the Tasmanian amorpholithes', *Papers and Proceedings of the Royal Society of Tasmania*: 1–37.
- Plomley, NJB 1966, *Friendly mission: the Tasmanian journals and papers of George Augustus Robinson, 1829–1832*, Tasmanian Historical Research Association, Hobart.
- 1983, *The Baudin Expedition and the Tasmanian Aborigines 1802*, Blubber Head Press, Hobart.
- 1991, *The Westlake Papers, records of interviews in Tasmania, 1908–1910*, Occasional Paper No. 4, Queen Victoria Museum and Art Gallery, Launceston.
- Plomley, NJB and J Piard-Bernier 1993, *The General: the visits of the expedition led by Bruny d'Entrecasteaux to Tasmanian waters in 1792 and 1793*, Queen Victoria Museum, Launceston.
- Pybus, Cassandra 1991, *Community of thieves*, Heinemann, Melbourne.
- Rae-Ellis, Vivienne 1981, *Trucanini: Queen or traitor?*, Australian Institute for Aboriginal Studies, Canberra.
- Ranson, Don 1980, 'Open area excavation in Australia: a plea for bigger holes' in *Holier than thou*, I Johnson (ed), Research School of Pacific and Asian Studies, The Australian National University, Canberra.
- Reynolds, Henry 1995, *Fate of a free people*, Penguin, Melbourne.
- Roe, Derek 1981, 'Amateurs and archaeologists: some early contributions to British Palaeolithic studies' in *Antiquity and man, essays in honour of Glyn Daniels*, JD Evans, B Cunliffe and C Renfrew (eds), Thames & Hudson, London: 214–220.
- Roth, Henry Ling 1899, *The Aborigines of Tasmania*, F King & Sons, Halifax, England.
- Rutot, Aimé 1907, 'Un grave probleme une industrie humaine detant de l'epoque oligocene compariaison des outlis avec des Tasmaniens actuels', *Extrait du Bulletin de la Societe Belge de Geologie de Paleontologie et D'hydrologie (Bruxelles)* XXI: 3–46.

- 1908, 'La fin de la question des eolithes', *Bulletin de la Societe Belge de Geolohydrologie (Proces-Verbaux)* 21: 104–109.
- Ryan, Lyndall 1981, *The Aboriginal Tasmanians*, Allen & Unwin, Sydney, republished 1996.
- Sollas, WJ 1911, *Ancient hunters and their modern representatives*, Macmillan & Co, London, republished in 1924.
- Stockton, Jim 1982, 'Stone wall fish-traps in Tasmania', *Australian Archaeology* 14: 107–114.
- 1982b, 'Fires by the seaside: historic vegetation changes in northwestern Tasmania', *Papers and Proceedings Royal Society of Tasmania* 116: 53–66.
- Taylor, Rebe 2004, 'Island echoes: two Tasmanian Aboriginal histories', PhD Thesis, Australian National University, Canberra.
- Tindale, Norman 1953, *Growth of a people: formation and development of a hybrid Aboriginal and White stock on the Islands of Bass Strait Tasmania 1815–1949*, Records of the Queen Victoria Museum, Launceston.
- Turnbull, Paul, 2000, 'Pictures of health: health of the body politic', Pandora Web Archive, National Library of Australia, <http://pandora.nla.gov.au/nph-arch/2000/S2000-May-10/http://www.tsd.jcu.edu.au/hist/stats/index.htm>, accessed 31 October 2007.
- Vanderwal, Ron, 1978, 'Adaptive technology in southwest Tasmania', *Australian Archaeology* 8: 107–126.
- Vanderwal, Ron and David Horton 1984, *Coastal southwest Tasmania: the prehistory of Louisa Bay and Maatsuyker Island*, Terra Australis 9, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra.
- WJS 1923, 'Obituary for Ernest Westlake', *Quarterly Journal of the Geological Society* 79: lxii.
- Westlake, Aubrey 1956, 'A centenary tribute to Ernest Westlake, an educational pioneer', *The Woodcraft Way Series* 24: 3–15.
- Westlake, Jean 1982, *Gipsy Caravan: a 100-years' story*, Sandy Balls Press, Godshill, Fordingbridge, Hampshire.
- 2000, *70 years a-growing*, Hawthorn Press, Stroud, Gloucestershire.
- Windschuttle, Keith 2002, *The fabrication of Aboriginal history, volume one, Van Dieman's Land 1803–1847*, Macleay Press, Sydney.

The language(s) of Love: JRB Love and contesting tongues at Ernabella Mission Station, 1940–46

David Trudinger

In a recent collection of essays, Umberto Eco, the well-known author and professor of semiotics, suggests the idea of translation as a complex process of negotiation, between texts, authors, readers, languages and cultural frameworks, with the translator as negotiator.¹ Extending this already expansive and productive notion to translation as any interaction between two languages, and translator as anyone involved intimately in that process, I want to examine the role of missionaries – in particular that of the Reverend JRB Love² – in ‘negotiating’ the relative place of the colonising language, English, and an Indigenous language, Pitjantjatjara, in the life of an Aboriginal mission station, Ernabella, in Central Australia in the early 1940s.³ Lest there be any confusion, Love was also a ‘translator’ in the narrower sense, being involved at the mission in the conversion of part of the biblical text to the Indigenous language. This is an instructive story in itself that this article can only touch on, but I am more interested here in examining his role in, and his rationale for, advocating and attempting to negotiate a bilingual language policy at the mission site against an opposing vernacular-only policy.

The maintenance of indigenous languages in the face of powerful onslaughts from dominant culture languages has been a part of the narratives of both colonialism and postcolonialism.⁴ In Australia, debates have continued on the advisability or otherwise of the retention of Indigenous languages, given the dominance of English, with arguments often moving on to intricate questions of the survival and autonomy of minority cultures.⁵ An earlier form of these debates occurred at Ernabella, which had been established in 1937 along what has been seen by historians as liberal and progressive lines.⁶ The mission was founded by Dr Charles Duguid, a leading Adelaide surgeon, Presby-

1. Eco 2003: 6, 34.

2. James Robert Beattie Love, 1889–1947.

3. Pitjantjatjara was regarded by the early missionaries at Ernabella as the main local variant or dialect of what has become known as the Western Desert Language. Yankunytjatjara, a related dialect, would also have been spoken by some Indigenous people at the mission.

4. See, for example, Phillipson 1992; Young 2001; Coates 2004.

5. See, for example, Harker and McConnochie 1985; Gale 1992; McKay 1996; Report of the Select Committee 2004.

6. Broome 1994: 117–118; Harris 1990: 856–857; Hilliard 1976.

terian elder and activist for the Aboriginal cause.⁷ An underlying rationale for the welfare, biomedical and educative 'model' of the new mission was the well-documented failure in Australia of many 19th-century mission ventures which had 'imposed Christ', and European civilisation, on 'the natives'.⁸ Missionaries at Ernabella were now to try to 'understand the culture' and respect it: a policy of relative non-interference with Indigenous culture and customs was envisaged. The local language, Pitjantjatjara, thus became a core part of Duguid's program for Ernabella: the missionaries were to learn to speak it as the means to a sympathetic, respectful perspective on Indigenous culture; it was to be the *lingua franca* on the mission site; and, importantly, schooling was to be conducted in Pitjantjatjara, not English.

How did this Duguidian vision transfer to the complex 'contact zone' of the mission?⁹ We begin with the lie of the land. Ernabella Creek, a *karu*, ran between the mission compound and the Indigenous camps. In an earlier work, I envisaged the *karu* as a metaphor for the liminal space where the encounter between Pitjantjatjara and European took place.¹⁰ Here, the metaphor merges real and symbolic, as the creek bed was in fact the locale for the 'first' school class at Ernabella, in February 1940. There is a photograph of this event. A dozen naked black children sit attentively in two rows at rough-hewn desks. They are facing a small blackboard perched on a large rectangular wooden structure, attended by what looks like a small boy. The far side of the *karu* is lined with spindly trees. The young white schoolteacher, RM Trudinger, my father, is not in the picture.¹¹ Probably he is taking the photograph. Later, after the school becomes seen in missionary circles as the jewel in the Ernabella crown, this representation of the meeting in the *karu* takes on the status of an originary event: the first halting words of the 'long conversation' between the Pitjantjatjara and these European intruders.¹²

Well, perhaps not quite 'the first words'. In 1937, prior to the establishment of the mission, the Presbyterian missionary, the Reverend JRB Love, then superintendent of the Western Australian mission at Kunmunya, had conducted two preparatory visits to Ernabella, during which he sketched out a rudimentary grammar and vocabulary. Love had a high reputation in his church as a linguist, anthropologist and scholar: an exemplary missionary. He had translated part of the Bible into the Worora language of the Kimberley, completed a MA in linguistics at Adelaide University and had written a book which articulated a new, progressive missiology of 'enlightened gradualism', 'grafting' Christianity onto affinitive spiritual beliefs and customs of 'stone-age savages'.¹³ Love had also developed an intricate theory of duty owed to the Indigenous

7. Charles Duguid, 1884–1986.

8. Duguid 1936: 98–105. While Ernabella never became the medical mission (with a resident doctor) Duguid had originally envisaged and promoted, from early on it had a nursing presence and a hospital-dispensary.

9. Pratt 1992: 6–7.

10. Trudinger 2004.

11. Ronald Martin Trudinger, 1918–2002.

12. In fact, small classes had been held at Ernabella before the teacher's arrival but these were conducted in English by the first superintendent's wife, and have been largely ignored in the Ernabella iconography. For 'the long conversation', see Comaroff and Comaroff 1991 for their use of this notion in representing the encounter of European missionaries and the Tswana in Southern Africa.

13. Love 1936. See also Biskup 1973: 127.

people of Australia. Dispossession ('we are living on their land'), although followed by many 'wrongs', had been justified since Aborigines had not developed the land. But this right to take the land, since exercised without payment, was conditional on an obligation to take responsibility for the dispossessed, as a partial act or gesture of recompense and reparation.¹⁴

So Love, a man imbued with a heavy sense of duty, offered his services while on furlough from Kunmunya in 1937 to assist Duguid and the Presbyterian Board of Missions with setting up the mission at Ernabella. The Ernabella that met Love then was a lonely white outpost in the far north-west of South Australia, with a few sheep, goats, horses and camels. It had been a base for 'doggers' selling dingo scalps, procured on the cheap from Aborigines, to the Government.¹⁵ Love had told HC Matthews, the Secretary of the Board of Missions, that he wished 'to do something useful with this year ... put the grammar of the local people on a written basis, for the use of future missionaries'.¹⁶ He worked hard to grasp the language, with the help of the local inhabitants: leaving Ernabella on a camel trip, 'three little boys ran alongside us, pointing out objects to us, and naming them till late afternoon'.¹⁷ He reported to Matthews regularly: 'Making tolerable progress with the language – the men are interested and eager to help me.'¹⁸ Love kept his notebook at the ready but it was not easy: at a camp he 'tried for more words, but there was so much chattering that I did not make much headway'.¹⁹ Slowly things improved, 'wider connections' were made, and Love was able to leave the first superintendent 'some notes on the native language'.²⁰

The new Mission began in November 1937, with Rev. Harry Taylor as its head. For our purposes, the next two significant events in its narrative were the arrival of the first teacher in early 1940, and the return of Love himself as superintendent in March 1941. We have already glimpsed the 'first class' in the *karu*. Trudinger quickly picked up the language. By April 1940, he was revising and adding to Love's grammar 'notes'. Already there was an edge to the critique of the older man's work: 'it seems the syntax forms are more complicated than [Love] imagined.'²¹ He described to Duguid the first classes in the creek, with 'desks made out of old kerosene boxes' and the children 'practicing letters with charcoal on their tummies'. Then a crucial claim: 'I conduct school in their language.'²² The policy of teaching in Pitjantjatjara was to be adhered to fiercely by the teacher, supported by Duguid and the Board. But there were early signs of problems after Love had arrived as superintendent in 1941. The teacher wrote confidentially to the Board advising that as Love had not requested a report on the school for the Annual Report he would to send it directly to the Board. He also argued vehemently for closure of the school during a period of his possible absence: any 'imposition' of English while

14. Love 1922.

15. Hilliard 1976: 81–83.

16. Love to Matthews, 16 July 1937, Presbyterian Church of Australia (hereafter PCA), ML MSS 1893/Folder 4/1937.

17. 5 June 1937, Series 21, Papers of JRB Love.

18. Love to Matthews, 24 August 1937, PCA, ML MSS 1893/4/1937.

19. 30 August 1937, Series 21, Papers of JRB Love.

20. Love to Matthews, 13 November 1937, PCA, ML MSS 1893/4/1937.

21. Trudinger to Matthews, 30 April 1940, PCA, ML MSS 1893/1/1939–46.

22. Trudinger to Duguid, 5 April 1940, PCA, ML MSS 1893/1/1939–46.

he was away, he feared, would be 'definitely harmful' and create 'tragic confusion'. He argued that the whole basis of the 'gradual introduction' of the native children to 'our culture' was that it was being done with 'the vernacular as the medium'.²³

Was this policy a vernacular-only one? Duguid himself suggested much later that it had been the plan to introduce English 'as a foreign language' after three years, but there is little evidence that this was the understanding of the missionaries at Ernabella in the early 1940s.²⁴ Historically, missionaries in Australia had worked, in the main unsuccessfully, along the more traditional missiological lines of seeking spiritual conversions among 'natives', often to the exclusion of any serious interaction with Indigenous culture and language.²⁵ At Ernabella, the evangelical Trudinger had become convinced that the conversion project was best facilitated by a translation of Christian concepts, doctrine, narrative into Indigenous forms, whether text, songs (hymns), or art. His primary object at Ernabella was eventually to have translations of the Bible – initially a Gospel or two – available for each family, in which there was at least one person educated to read in Pitjantjatjara.²⁶ On the other hand, neither Duguid nor Love could be said to reside in the evangelical wing of the Presbyterian Church.²⁷

Duguid's primary and immediate motivation at Ernabella was humanitarian and biomedical, to save bodies, rather than souls. He also saw a link between saving the Indigenous language and preserving the Indigenous culture. Indigenous retention of language would build pride in culture. On language, then, his position aligned with Trudinger's, although their motivations and rationales were different. Love's position on language and culture was more complex. He had been a notable pioneer of Australian efforts to translate oral Indigenous languages to a written form and the colonial Biblical text into an Indigenous one.²⁸ He also believed strongly that indigenes should hear and read the Word of God in their own language. But Love was also a proponent of the view that Aborigines needed to be provided with English as an essential tool to negotiate the inevitable culture clash between what he saw as a 'primitive' people against a more advanced civilisation. JRB Love had always seen the destinies of white and black in Australia as being inextricably entwined. Almost 30 years before, he had written to his friend John Flynn: 'The question of white and black are wholly bound up in each other. We cannot deal with one apart from the other.'²⁹ And so he began to

23. Trudinger to Matthews, 10 August 1941, PCA, ML MSS 1893/1/1939–46.

24. Duguid 1978: 27.

25. Broome 1994: 101–119. See also Harris 1990 who gives credit to some of the honourable exceptions to this generalisation: Lancelot Threlkeld, Carl Strehlow, JG Reuther, and Love himself, at Kunmunya.

26. Matthews to Love, 25 Sep 1943, PCA, ML MSS 1893/4/1943, with Matthews putting Trudinger's position as one with which the Board was in 'general agreement'.

27. Duguid's autobiography, as well as his papers and correspondence, show little evidence of a strong *evangelical* faith, that is, a strong personal belief in conversion, godliness, and mission: see Carey 1996: 10–19. There is very little mention of God, let alone Christ (Duguid 1972). Love, as a practising missionary, ostensibly 'preaching Christ to the savages', as he put it, is a little harder to place. He may have considered himself evangelical in a broad sense. I place him in a more progressive, moderate wing of his church as he does not appear to display the rather single-minded concentration on the conversion project, the task of saving souls above all else, which tends to identify the 'true' evangelical (see Trudinger 2004).

28. Harris 1990: 836–838.

resist, slowly, subtly, and stubbornly, the vernacular-only language policies dictated by Duguid's vision and implemented, equally stubbornly, on the mission site by the young schoolteacher.

Education was the principal arena where this conflict was played out. The schooling of native children had always been an important priority for missions, and particularly Presbyterian missions which, historically, had placed education on an equal level with evangelisation as missionary objectives.³⁰ The Board and Duguid saw the Ernabella School even from its early days as the crowning achievement of the Mission.³¹ The reasons for this are clear: the methodologies of education at the school aligned perfectly with the broad policies of the Duguidian enterprise: all the teaching, and learning, was in the local language, the children were encouraged to remain unclothed, live with their families and participate in the cultural life of the tribe, including walkabout and initiation. In the schoolteacher's words:

They speak and are taught little or no English; all instruction is given in their own language and subjects are correlated as far as possible with native and natural life. They are encouraged to go away daily and hunt in the bush, that is, to be fully learned in their natural school with vital subjects as bush lore, keenness of observation, swiftness of limb.³²

This view of the school was reinforced by the South Australian Education Department, which subsidised the salary of the teacher and attested to the school's 'unique and exceptional' qualities.³³ The praise that was constantly lavished on the school did not sit easily with Love. He saw the schooling at Ernabella as not dissimilar to the methods used at Kunmunya, with the difference that in the Kimberley mission, attention was also paid to teaching English. His first comment upon the school on arrival as superintendent in 1941 perhaps reflected his ambivalence: 'The little school is away over beyond the goat and ram yards, and is rather out of the life of the mission. This is a defect, but has its good points, when a lot of children are shouting.'³⁴

It appears that part of the context of the language policy divisions on the Ernabella mission site were differences over the relative significance of the conversion project. To Trudinger, raised in an intensely evangelical and missionary-minded family,³⁵ 'our chief aim' was, as he noted to Matthews, for the children 'to know of a God and Saviour and then know Him for their own'.³⁶ In a talk reprinted in the mission newsletter in 1943, the school teacher gave an explicitly evangelical justification for the native language policy: 'we aim to make these uncivilized nomadic people as universally literate

²⁹. Love to Flynn, 9 February 1914, Flynn Papers, National Library of Australia (hereafter NLA), MS 3288, Box 3, Folder 2.

³⁰. Stanley 2001.

³¹. See, for example, Matthews to Trudinger, 18 June 1941, PCA, ML MSS 1893/1/1939-46; Duguid to Matthews (copy), 23 July 1941, Papers of Charles Duguid.

³². Ernabella newsletter, with article by Dr C Fenner, Director of SA Education Department, quoting RM Trudinger, State Records of South Australian (hereafter SRSA), GRG 52/1/1941/22.

³³. Fenner, quoting RM Trudinger, SRSA, GRG 52/1/1941/22.

³⁴. Love to Matthews, 13 March 1941, PCA, ML MSS 1893/4/1941.

³⁵. His father (my grandfather), a medical missionary with the Sudan Inland Mission in Africa, was one of 13 siblings in a family of German origin. All except one became missionaries.

³⁶. Trudinger to Matthews, 17 July 1942, PCA, ML MSS 1893/1/1939-46.

as possible [so] that when the scriptures are translated and can be circulated amongst them, they will be able to use them to the fullest advantage ... [even] on their Walk-Abouts.'³⁷ Earlier he had expressed the same thought when advising Matthews in March 1943 that there were now about 40 children who could read and write in their own language: 'soon every family can have at least one member who can read and write against the time when the Scriptures are circulated'.³⁸

Nonetheless, like Duguid and Love, the evangelical schoolteacher at Ernabella was also thinking of the integrity of the 'tribe', the Pitjantjatjara: 'We simply must find a way by which we can bring these people ... Christ's message of life, and at the same time maintain the physical and social and tribal life of the tribe.' Trudinger added, in a newsletter of 1943: 'To us it seems wrong and un-Christlike that missionaries should purport to bring the so-called life more abundant, and be the conscious or unconscious perpetrators of physical death.'³⁹ So the evangelical was also concerned about physical 'salvation', of the body as well as the soul. But 'sin' seemed always at the heart of the evangelical discourse: 'the great need', he noted in a private circular to 'the friends of Ernabella', 'is a Holy Spirit conviction of sin'. While devoted to the children, he lamented that, with them, 'there is no consciousness of doing wrong, no sense of falling short of God's glory. No conscience seems to exist with regard to lying and thieving.'⁴⁰ Salvation from sin, Christian redemption was always the principal priority, the fundamental need.

Love rarely wrote privately or publicly in such terms. The first sentence of his 1944 'Policy for Ernabella' read: 'Our Scriptural Commission is to heal the sick and preach the Gospel.'⁴¹ Even here, the priority was given to the physical over the spiritual salvation. His second sentence was also characteristic: 'To this has been added the special duty of trying to preserve the race from extinction.' It was in the pursuance of this 'special duty' that he saw the importance of English – the language of the dominant and superior culture as he saw it – for the Aborigines. He also took an elevated view of 'time' in relation to the conversion project, in contrast to the evangelical urgency of saving souls. In 1944, in commenting on the time away from the mission for Aboriginal boys under initiation, Love remarked that:

their years of adolescence are under the charge of their tribal elders rather than of the missionaries. I think we must acquiesce, for some years to come, at least, and never seek to break the authority of their elders: but in due time to win the elders, too, to the way of Christ. I think I could work up enthusiasm and have a large number of men and women baptised soon. And what would be the good of that?⁴²

JRB Love believed that premature conversion to Christianity, unconnected to elements in Indigenous spiritual life, might hold unforeseeable and troubling conse-

³⁷. Ernabella Newsletter, December 1943, citing Trudinger, SRSA, GRG 52/1/1943/16.

³⁸. Trudinger to Matthews, 3 March 1943, PCA, ML MSS 1893/1/1939–46.

³⁹. Ernabella Newsletter, December 1943, citing Trudinger, SRSA, GRG 52/1/1943/19.

⁴⁰. Trudinger to 'Friends', April 1942, PCA, ML MSS 1893/1/1939–46.

⁴¹. The Policy of Ernabella (Love 1944), PCA, ML MSS 1893/2/Reports and Policy Statements 1938–45.

⁴². The Policy of Ernabella (Love 1944), PCA, ML MSS 1893/2/Reports and Policy Statements 1938–45.

quences for Indigenous identity and culture. In his book about the Worora, he had put forward the thesis that it was not only possible to 'graft' Christianity onto Aboriginal spirituality but that this was the only way for the European religion to take effective hold in Indigenous life.⁴³ At Ernabella, Love seemed resigned to the view that the fruits of the mission's labours lay well into the future, that the 'long conversation' would continue to take place for generations to come, and in fact would only continue to take place if the present generation was given a future into which to survive. The differences at Ernabella were often a matter of degree. An early missionary from Hermannsburg had once described the Lutheran mission's objective as the 'salvation' of the Aborigine 'in time and in eternity'.⁴⁴ In the case of Ernabella, it was the moderate Love who tended to put a pragmatic missiological emphasis on 'salvation in time' ('to preserve the race from extinction'), while Trudinger emphasised 'eternity', spiritual salvation ('to know a God and a Saviour'). Neither would have disavowed the alternative or opposite objective, but their priorities seemed reflected in their differing emphases on English and the Indigenous language.

In September of 1943, at his request, the Board met with Trudinger in Melbourne to discuss language policy. Subsequently, while reassuring Love somewhat naively that the discussions were conducted 'in complete loyalty to yourself and with a recognition constantly expressed that yours was the final authority on the Mission Station', Matthews advised the superintendent that the Board was in 'general agreement' with the native language policy of the schoolteacher.⁴⁵ This policy was that 'the people be literate in their own language, until such time as a real need is seen to introduce the systematic teaching of English'. The justification of the policy was its trajectory: that at least one person in each family could read in Pitjantjatjara, pending the translation of the scriptures.⁴⁶ The volume of praise being bestowed upon the school and the teacher by the metropolitan audience was clearly irritating Love at this time. He objected to

43. Love 1936.

44. Louis Schulze, cited in Radford 1992: 68.

45. Matthews to Love, 24 September 1943, PCA, ML MSS 1893/4/1943. The question of 'loyalty' was becoming a sensitive one. While Love was concerned in 1943 with 'lack of loyalty' on the part of some (unnecessarily unnamed) staff who may not have 'relished my taking over command', Matthews assured him, somewhat naively, that 'there has never been the slightest evidence of disloyalty'. I use 'naively' advisedly as my close reading of the Trudinger correspondence with Matthews and the Board of Missions suggests a careful but determined and constant critique of Love's superintendency. It should be noted that Trudinger had asked to meet the Board 'privately', asking that 'no other missionaries [be] present', to put his case for the language policy: Trudinger to Matthews, 29 July 1943, PCA, ML MSS 1893/1/1939-46. Was this 'undermining' the superintendent by going behind his back or was it legitimately 'defending' the Duguidian language policy of the mission? Whichever it was, it was apparently done, Matthews observed, with a 'constantly expressed recognition' of loyalty to Love and his authority on the mission site. It must be admitted that this so-called 'loyalty' is not evident at all in the correspondence. Trudinger continued to express, privately to Matthews, his dissatisfaction with the administration of the mission and what he characterised as the 'autocratic control' exercised by Love over other missionaries on the mission site. While he disingenuously continued to acknowledge formally his 'fealty' to the superintendent, he made clear privately that his prior loyalties were due 'to God and then to the natives and their cause': see for example Trudinger to Matthews, 1 Mar 1944 and 21 March 1944, PCA, ML MSS 1893/1/1939-46.

46. Matthews to Love, 25 September 1943, PCA ML MSS 1893/4/1943.

what he knew was a false claim in an Ernabella newsletter that by teaching native children to write in their own language, the pupils were achieving 'something aboriginals have never done before in any part of Australia'. At Kunmunya, Love asserted to Matthews, 'scholars learned to write in English and Worora'.⁴⁷

For his part, the young school teacher privately complained to Matthews that he had become weary of 'reporting' his achievements to Love: 'I'm tired of writing [about] myself on a project of which I am the initiator ... [Love's] annual report has much on sheep yards and dog scalps and makes no mention of the translation work (his or mine) or the issuing of a Hymn Book of thirty Pitjantjatjara hymns, and little reference to the school work.' To Trudinger, the fact that 'seventy children could now read and write in their own tongue' was seen by Love as 'not significant' whereas the superintendent found it important to note that their advancement in English was 'disappointing'.⁴⁸ If it could be said that 'a politics of hospitality' was operating in the larger mission site, it was being displaced by the politics of hostility in the staff room.⁴⁹

Love's response to being told peremptorily of the 'policy of the school' was to pen his own version, 'Ernabella: The Policy of the School'.⁵⁰ It was a powerful defence of his position on language at the mission site. He began by saying that after the war, there would be an inevitable increase in the number of white contacts with Ernabella people: 'civilization has come to the people frequenting Ernabella'. Love put the question of language policy firmly in terms of assisting the Pitjantjatjara 'meet the impact of civilization' and the 'land hunger' after the war:

I fear that we may have to fight hard to retain the use of the Musgrave Ranges for the aborigines. Already jealous murmurs are heard, asking why blacks should have this good land. The aborigines will have to prove that they are fit to retain their own land. If we can help them to prove it we shall do them a service.⁵¹

Love was adamant that Indigenous Australians would have to 'earn' their place in the new post-war society, even to keep 'their own land'. Nothing was ever given or taken for free in Love's moral economy. He conceded the value of the vernacular: 'We are all agreed that it is a very valuable thing to teach the children to read and write in their own language; they must have the story of Christ in their own tongue, that they

47. Love to Matthews, 5 October 1943, PCA ML MSS 1893/4/1943.

48. Trudinger to Matthews, 8 August 1944, PCA, ML MSS 1893/1/1939-46.

49. I argue in Trudinger 2004 that, following Levinas and Derrida, a complex politics of hospitality operated on the mission site at Ernabella: the Indigenous people, as hosts of the land, welcomed the missionaries to their land; while missionaries, as hosts of the mission, welcomed the Indigenous people across the *karu* into the mission compound. However, one is sometimes surprised by the atmosphere of hostility engendered in Christian contact zones, where relationships with the Other in Indigenous form are often appreciably more 'hospitable' than those with the Other in missionary and colleague form! These problems were not new at Ernabella. Before Love arrived at the mission, Walter MacDougall, acting superintendent in 1940, advised Matthews that his suggestion of prayer meetings and Bible study for feuding missionaries was not working as they could not agree on what form the meetings should take! MacDougall concluded: 'I think the best way for the present is to keep them as far away from each other as possible': MacDougall to Matthews, 19 June 1940, PCA, ML MSS 1893/5/1940-46.

50. Love to Matthews, 6 October 1943, PCA, ML MSS 1893/4/1943.

51. Love to Matthews, 6 October 1943, PCA, ML MSS 1893/4/1943.

can repeat and love to recapitulate'. He paid tribute to the work of Trudinger in the school. Yet, to survive, the natives needed more:

without English, I cannot see that the school is justified ... To me it is depressing to see the children of Ernabella so backward in comparison to the children of our other missions.⁵²

Love argued that what was needed was the sort of education that would enable the brightest of the 'bright boys here' to 'stand up and personify the best qualities of their race, and to prove by their own example that the aborigine has a right to a place in this land'. However, the superintendent indicated that he did not want to 'enforce my views on this so important matter' and promised Trudinger 'every cordial encouragement from me to continue it the way he has been doing in the school'.⁵³ Love was attempting to negotiate a bi-lingual policy by offering a large stick of criticism and a small carrot of conciliation.

Love's stern judgment of the school and its native language policy must have cut deeply with his critics, who remained silent for the moment. Matthews, on behalf of the Board, was, however, as diplomatic as ever towards Love, the exemplary missionary, writing to him that his statement had been 'greatly appreciated' by the Board: all, he said, were agreed on 'the aim of our policy, namely, to enable the natives to meet the impact of our civilization which after the war is bound to be more insistent and difficult'. On the matter of language policy, Matthews asked Love to work with Trudinger on determining the 'balance' in the school between the two languages at issue.⁵⁴ Such a 'balance', however, was apparently difficult to achieve, not only on the blackboard, but from the pulpit. Although not (yet) an ordained minister, Trudinger in the early 1940s was preaching to the 'congregation' on one Sunday evening a month in the vernacular. Love, however, was apparently still predominantly preaching in English in July 1942. Trudinger was contemptuous of this. He wrote to Matthews in a thinly veiled criticism of Love: 'we are told the Australian Aborigine is a born linguist and understands more of our language than we think [but] not one of these [children] speaks English and few if any could understand an English sentence or sequence which does not involve either actions making its meaning clear or words which the native has borrowed from us.'⁵⁵ Love's response to this was that the children would not speak English if they were not taught it. Trudinger continued to express his frustration at Sunday morning prayers and services being in English, with only the evening service conducted in Pitjantjatjara. 'Even when we have language fluency [in the vernacular] it is difficult to express some Gospel truths ... but now they are glibly expressed in English ... utterly unintelligible to anyone.' Love's rejoinder that 'they understand a lot more than we think they do' infuriated the young teacher: 'it is torture to sit through ... I cannot attend another one'.⁵⁶ He was not alone in his agony. One visitor to the mission, a friend of

⁵². Love to Matthews, 6 October 1943, PCA, ML MSS 1893/4/1943.

⁵³. Love to Matthews, 6 October 1943, PCA, ML MSS 1893/4/1943. These last statements from Love, given his own stubborn resistance to the language policies of Duguid and Trudinger, were also somewhat disingenuous: see footnote 45.

⁵⁴. Matthews to Love, 25 October 1943, PCA, ML MSS 1893/4/1943.

⁵⁵. Trudinger to Matthews, 17 July 1942, PCA ML MSS 1893/1/1939-46.

⁵⁶. Trudinger to Matthews, 1 March 1944, PCA ML MSS 1893/1/1939-1946.

Trudinger's, was also mystified by Love's 'obstinate refusal' to conduct morning prayers in Pitjantjatjara: 'How can converts be won if there is no understanding?'⁵⁷

Although he never explained himself, it is probable that Love's preaching in English was a deliberate strategy on his part to conduct the sort of 'education in English' that he thought was lacking in the school curriculum. We know that Love was well versed in the local language at least by August 1942.⁵⁸ We also know from the evidence of a visitor in 1943 that Love was explaining Scripture in the native tongue in one-to-one situations with the Pitjantjatjara.⁵⁹ So it was not from lack of fluency in or knowledge of the local language that Love continued to refuse to use it at service. It is possible that Love may have felt intimidated by Trudinger's much remarked facility with the native language (Matthews wrote of the teacher's 'genius for language'⁶⁰) and at least initially was reluctant to preach in Pitjantjatjara. But it is also likely that Love, a determined and stubborn man, continued to adopt a tactic that accorded with his strategy of preparing the 'savage' for the impact of modernity.

The superintendent and the teacher also clashed (as well as occasionally cooperating) on translation work. Love was reluctant to give the younger man the time he wanted to devote to translation, insisting that Trudinger also assist in more general mission work 'to do justice to the rest of the staff'.⁶¹ This brought the response from the ambitious young evangelical that Love's attitude 'implied' that translation work was 'on a par with the breaking in of horses, or mending gates, or cleaning out the goat yards'. How could this be as important as 'research into the mysteries of the language and its texts and chants for an effectual understanding of the people's heart and mind? Could not this matter be made definitely clear [to Love]?', mused Trudinger to the Board.⁶² Frustration was clearly building on the mission site. Trudinger was privately contemptuous of Love's efforts at translation: 'his "draft" [of the Gospel of St Mark] is a travesty of Pitjantjatjara ... in parts unintelligible to natives.' While Love was keen to complete the translation, Trudinger was sure that it would take longer than Love thought, telling Matthews it would be preferable to produce something more 'elementary and more immediately useful to the natives' such as a Primer Reader of Bible stories, a small Catechism, and an expanded Hymnal.⁶³ Cooperation on the joint translation was clearly difficult. In 1945, Trudinger complained of a 'false impression' given in the Presbyterian Church newspaper, *The Messenger*, that Love's earlier translation of St Mark was being 'revised' by Love and Trudinger. The teacher asserted that the result of their joint venture was in fact not 'a mere revision' but 'an entirely new translation':

Mr. Love and I have got on amazingly well in our translation but on the understanding, voiced at the outset, that generally he is the authority on the meaning of

57. Wilson to Matthews, 24 March 1944, PCA ML MSS 1893/1/1939-1946.

58. See the evidence of Pastor FW Albrecht of Hermannsburg: 'Journey North', Burns-Albrecht Collection 1942, AA662, South Australian Museum Archives, Adelaide.

59. Owen 1943.

60. Matthews to SA Education Department, 4 June 1943, PCA ML MSS 1893/1/1939-46.

61. Love to Matthews, 6 October 1943, PCA ML MSS 1893/4/1943.

62. Trudinger to Matthews, 1 March 1944, PCA ML MSS 1893/1/1939-46.

63. Trudinger to Matthews, 14 December 1944, PCA ML MSS 1893/1/1939-46.

the text to be translated, and I have the better knowledge of the language we are translating into.⁶⁴

He conceded that both men had been 'complementary' to each other in this work, and that 'one without the other could not have produced a translation worthy of being printed'. In the event, one might say that it was perhaps a miracle of sorts that a translation by Love and Trudinger of the Gospel of St Mark into Pitjantjatjara was completed in the year of their Lord 1945.⁶⁵

The Board of Missions was eventually forced to accommodate the strongly expressed views of its superintendent on language policy. A compromise was reached. While the native language was to retain its priority, the Board was now convinced that 'we must do more to prepare these children for the inevitable conflicts with the white population' and directed that English be taught as a 'secondary' language. The Board also suggested that at the English Sunday services, at least a prayer should be offered 'in the vernacular', and that, pending the translated book or books of the New Testament, that translations of 'familiar Bible stories' be made available for 'the natives'.⁶⁶

Yet just as this compromise was being constructed, the controversy was revived by an intervention by the *eminence grise* of Ernabella, Duguid, towards the end of 1944. Up until then, Duguid had been ominously silent on the matter of the language policy contestations on the mission site. As we have seen, Duguid's privileging of the Indigenous language had a cultural, rather than an evangelical, motive. Nevertheless, Love's comment in a 1944 Ernabella Report that he was 'not satisfied with the progress in the use of English by the native people' was apparently the trigger for Duguid's reaction.⁶⁷ Duguid, after all, was the father of the native language policy and of the Mission itself and it was probably inevitable that he would enter the lists against his superintendent on this issue. He went about it in a curiously indirect way.⁶⁸ He asked the Board of Missions to get answers from Love to four questions.⁶⁹ So Matthews was given the unenviable task of being the intermediary between these former allies in the imagining and establishment of the mission station. Duguid first asked: 'as the natives at Ernabella have not been taught English, what does Mr Love wish to convey by writing: "I am not satisfied with the progress in the use of English by the native people"?' Love, in

64. Trudinger to Matthews, 7 July 1945, PCA ML MSS 1893/1/1939-46. 'Getting on amazingly well' again was probably disingenuous. Roland Boer notes in his perceptive examination of early attempts to translate the Bible into Pitjantjatjara that 'Bob Love and Ronald Trudinger seem to have fought bitterly over most of their time together in the 1940s': Boer 2001: 173-179. It should be said, in fairness to Love, that Trudinger's generous acknowledgement to Matthews of Love's part in their collaboration in the translation of Mark into Pitjantjatjara was rarely repeated. Love seems subsequently and unfairly not to have received due credit for his collaborative work in the translation.

65. In fact, this first translation into Pitjantjatjara was not published until four years later, after Love's death.

66. Matthews to Trudinger, 9 June 1944, PCA ML MSS 1893/1/1939-46.

67. Ernabella Mission Report for Year Ending 30 June 1944, PCA ML MSS 1893/2/1938-46.

68. Most of the 'negotiations' on the mission appear to have been conducted in curiously indirect ways. Most of Love's and Trudinger's claims and counter-claims were lodged with and through a third party, the Board of Missions, specifically Matthews. Negotiation among these Presbyterian missionary colleagues was not a well practised art.

69. Matthews to Love, 25 September 1944, PCA ML MSS 1893/4/1944.

response, reiterated his view that 'knowledge of English is essential for [the native people's] progress, in meeting the new conditions of life and contacts with white civilization outside the Mission'. Again, he reflected on his experience at Kunmunya where he claimed that children learnt English easily and quickly:

Yet, after 3 years here, I found almost no progress in this direction, on the part of the children. The young men and women have had to acquire their English as they worked with the rest of the staff, after leaving school. There is a fault somewhere. The average intelligence of the children seems to be equal to that of the tropical tribes. Where is, or was, the fault? I was not satisfied that the children had been getting the right opportunity to acquire a working knowledge of English.⁷⁰

Duguid then wanted to know how many children on the mission site could read and write in the native tongue. Love's response, again, was pointed and powerful:

All the children who attend school are gradually learning to do so. This is excellent. To ask two further questions, 'What can they read?' and, 'To whom can they write?' is to reveal the fact that the gate of knowledge remains closed to the schoolchildren of Ernabella, does it not? This is not to disparage the valuable work done. It is to point out that the children have a right to more.⁷¹

The last two questions related to the use of the native language at services: 'How often is a service conducted wholly in the native tongue?', to which Love answered, curtly: 'One Sunday afternoon per month, by Mr. Trudinger.' And to the query: 'In what way and in what degree are regular services conducted in the native tongue?'. Love explained:

The remaining Sundays, New Testament lesson and address in the native tongue, by me; singing of one of Mr. Trudinger's hymns in the native tongue; a reading and psalm in English also. Daily morning prayers: a short prayer in the native tongue, followed by the Lord's Prayer in English.⁷²

Love added, in wry acknowledgement of the difficulties in translating work between the superintendent and the teacher: 'the Lord's Prayer in the native tongue will be spoken when Mr. Trudinger and I can arrive at a rendering that will satisfy us both'.⁷³

In a 'review' of five years of school work in June 1945, Trudinger expressed satisfaction that the 'original policy' to 'introduce the Christian Gospel ... as quickly and as thoroughly as possible' without interfering with 'the tribal habit and habitat of life' had been adhered to 'despite considerable opposition'. The teacher directed another pointed reference at his superintendent's attitudes when he listed the achievements of the school over the period: over 200 attendees, 80 with some literacy in their language, no deaths or serious illnesses: these results were, he claimed defensively, 'far from disappointing'. He anticipated that by 1947 'every family would have a copy of a Gospel and a member able to read it'. He defended the use of the native tongue as the medium for conversion:

70. Love to Matthews, 2 November 1944, PCA, ML MSS 1893/4/1944.

71. Love to Matthews, 2 November 1944, PCA, ML MSS 1893/4/1944.

72. Love to Matthews, 2 November 1944, PCA, ML MSS 1893/4/1944.

73. Love to Matthews, 2 November 1944, PCA, ML MSS 1893/4/1944.

whatever the advisability of English instruction in other realms, the spiritual, being a deep, sacred matter of the inner mind and soul, is only apprehended through the native's habitual thought medium. There is no Divine premium on English.⁷⁴

To the young evangelical, the primary purpose of the education of 'natives' was to bring forth 'the first fruits of the Gospel teaching here'. It was not 'the making of semi-civilized sophisticates'. Despite the compromise of 1944, the battle lines on the mission site remained drawn.

In the context of discussions Matthews had been having with Love on the prospects for employment of the young people at the mission, the Board wanted to know in 1944 what Love's 'model' was for the future of Ernabella. In answer, Love penned his 'Policy of Ernabella'.⁷⁵ Prefacing his remarks with the observation we have already noted that the missionary had a 'special duty' to save the race 'from extinction', he put forward a complicated vision that held two seemingly incompatible goals together in what he hoped was a sort of creative tension. He wished to retain the traditional nomadic life for the native at Ernabella: 'All people at Ernabella are nomadic. None stay here for a long time. Let them continue to be nomadic.' He wished to continue the feeding regime extant at Ernabella; rations to the needy, food and goods exchanged for scalps, reliance on bush tucker when available, and mission assistance during drought and famine. At the mission and in the hills of the Reserve, they would be protected from the corrosive effects of white civilisation. As regards employment, he did not think that Ernabella would be able to employ permanently more than a comparatively small proportion of the people:

They do not want to be permanently employed. Let them go off to the bush again, and give them opportunities to take their share of the work done for the good of each. My present system is 3 months work, then off bush.⁷⁶

The other side of Love's vision, balancing the idealism of his 'nomadic' and sheltered future for the Aborigines of the Musgrave Ranges, was a tough-minded view that the Indigenous people there had to develop the means to withstand what Love saw as the potentially fatal impacts of the encroaching European civilisation. One means lay in learning English. Another lay in making sufficient use of their land in order to 'earn the right' to retain it against what Love knew to be a voracious and ruthless civilisation. It was in this context that Love came to believe that the development of a sheep industry was the appropriate economic model for the mission, but always subordinate to, while complementing, the hunter-gatherer economy of the Aborigines.⁷⁷ Love's 'model' for

⁷⁴. Report on the Ernabella Mission School, June 1945, PCA, ML MSS 1893/2/1938-45.

⁷⁵. Love, The Policy of Ernabella 1944, PCA, ML MSS 1893/2/1938-45.

⁷⁶. Love, The Policy of Ernabella 1944, PCA, ML MSS 1893/2/1938-45.

⁷⁷. Love eventually advised the Board that Ernabella should carry about 5000 sheep. He also thought blocks between Ernabella and the Great Australian Reserve to its west should be stocked and worked from the mission station, solely for the 'future living of Aborigines', with profits retained within the mission for its improvement. Love encouraged the Board to continue to make every endeavour 'to settle this question of the three blocks - and to have them held in perpetuity for the Aborigines'. He saw the sheep industry as being 'the salvation of the people from an industrial point of view': Love to Matthews, 14 February 1946, PCA, ML MSS 1893/4/1946.

Ernabella was for the retention of the traditional economy only as far as possible and only for as long as possible. He had always conceded that the impact of white civilisation was inevitable and that 'the black man' would need to adapt to that impact if he was to survive.⁷⁸

Survival was now, however, a question for Love himself. The contradictions and complexities within the discourses on Aborigines that flowed between the metropolitan centres and the isolated mission station and its different missionaries were beginning to take their toll. A moderate-evangelical divide seemed to have developed at Ernabella mission, and what had in reality been a power struggle between Love and Trudinger, almost from the first, had come to a head. In this struggle, the schoolteacher's superior command of the local language had been a considerable weapon. By 1945, the evangelicals were strengthening their forces behind Trudinger. Despite his relative youth, the Board had positioned him as the successor to Love and even the exemplary missionary himself, tired and disillusioned, seemed so resigned to the fact that he had suggested the teacher to the Board as 'the man for the position'.⁷⁹

Matters now quickly resolved themselves. Duguid had not been satisfied at Love's responses to his 'four questions'. The Adelaide Committee, charged by the church with an overview role on the mission, and chaired by Duguid, had asked to meet with the Board, and Matthews and two other Board members had flown to Adelaide. Matthews communicated the Committee's concerns to Love. The most sensitive issue raised was the language policy. Concerns had again been raised about the use of English at services. The Board had even been asked if it was prepared to order the discontinuance of daily services in English. It refused to do so. However, Matthews indicated that the Board had re-affirmed its policy that as the missionaries at Ernabella became more proficient in the native language the daily services should be increasingly in the native language. He explained it awkwardly to Love in these terms: 'That is how the Board interpreted its discussions with you during your furlough.'⁸⁰ Love immediately levelled his weapons at the Committee and accused it of having gone outside its 'proper function of auxiliary to the Board of Missions'. He then proceeded to answer the queries put to him, and elaborated, again, on the matter of the use of English at services:

Here I think we come to the chief difference between me and some others. We're back where we were last year when I met the Board ... I repeat: The people must have the Gospel in their own tongue. They are getting it. English is indispensable. Without English the school would be futile. I repeat: this is not to decry good work done, but to insist on its inadequacy.⁸¹

Love now fired off a last plea to the Board of Missions: 'Now, brethren, will you decide by whose experience, knowledge and judgement you shall be guided in the management of Ernabella?'⁸² 'Translation' by negotiation was an exhausting business.

⁷⁸. Love to Matthews, 14 February 1946, PCA, ML MSS 1893/4/1946.

⁷⁹. Matthews to Wright, 3 December 1945, PCA, ML MSS 1893/4/1945. In the event, Rev. C Wright succeeded Love in an acting capacity while Trudinger completed his divinity studies. After his ordination, he became superintendent of Ernabella Mission in 1949.

⁸⁰. Matthews to Love, 8 March 1945, PCA, ML MSS 1893/4/1945.

⁸¹. Love to Matthews, 28 March 1945, PCA, ML MSS 1893/4/1945.

Love's attempts at negotiating a bi-lingual policy had largely failed, it seemed to him, and he was resorting at the last to relying on his reputation as the exemplary missionary and on seniority. But in fact he had had enough. Soon after penning these words, Love decided to retire from the mission field. While initially citing ill-health as a reason for resignation, Love eventually acknowledged, in response to prompting from Matthews, that 'the immediate cause' was his 'inability to win the complete confidence and full cooperation of two men'.⁸³ The two men were not named but we may reasonably assume that they were Charles Duguid and RM Trudinger. There was a complex coterie of reasons for the disagreements between Love and the 'two men', some of which have been noted above. Duguid's role in the Adelaide Committee, along with his status as the founder of the Mission, put him in a potentially adversarial position *vis-à-vis* Love. Duguid had needed Love's prestige within the church to enable him to establish the mission but once the enterprise was operating, the partnership had begun to fracture under pressure. Given Duguid's very combative nature and Love's inclination to do things his way as superintendent, this situation was bound to lead to conflict.⁸⁴

With Trudinger, it was another knot of reasons. The younger man had arrived at the mission before Love, and had picked up the language, as we have seen, with greater facility than Love while developing the school. Duguid, the Board of Missions and many in missionary circles saw the work of the school and its teacher as the most important achievement of the Mission. At times, it was almost characterised as its only achievement. It is probable that Trudinger, consciously or unconsciously, conveyed this impression to Love.⁸⁵ Love's dream had been to build a 'Kunmunya in the desert': to Trudinger, and others, Ernabella was unique. Add to this a generation gap felt keenly by the older man, the somewhat arrogant reluctance on Trudinger's part to accept Love's leadership fully and it was inevitable that points of conflict with Love emerged. It also appears that Love attempted to advise Trudinger to exercise more discretion in his dealings with Aboriginal females and that this advice was brushed aside, which irritated and concerned the older and more experienced missionary.⁸⁶ Later events confirmed Love's wisdom in this matter. Despite the fraught relationship between the two, they cooperated occasionally, working together on the translation of the Bible, the design of the new school, and there was the odd pleasantries: Love, having published in *Oceania* himself and knowing AP Elkin the editor, assisted Trudinger in getting an article published in the already prestigious anthropological journal in 1943, and later lent the young man some texts on Hebrew and Greek when he went to Melbourne to study for the ministry.⁸⁷ Finally then, differences both personal and ideological with Duguid and Trudinger, par-

82. Love to Matthews, 28 March 1945, PCA, ML MSS 1893/4/1945.

83. Love to Matthews, 10 August, 1945, PCA, ML MSS 1893/4/1945.

84. AP Elkin, the well-known anthropologist, who had had dealings with Love in Western Australia, had warned Duguid in 1940 that Love disliked interference in his missions: Elkin to Duguid, 27 December 1940, Papers of Charles Duguid. But (it should be conceded) Duguid, direct, dogmatic and determined (Dr Do-Good, some said) was not an easy man to get on with!

85. Perhaps it was this sort of attitude that prompted Love, in May 1944, to note regarding Trudinger: 'You will see that he is going from strength to strength in his wilful and selfish way': Love to Matthews, 31 May 1944, PCA, ML MSS 1893/4/1944.

86. Matthews to Trudinger, 9 June 1944, PCA, ML MSS 1893/1/1939-46.

87. Trudinger 1943; Trudinger to Matthews, 5 September 1944, PCA, ML MSS 1893/1/1939-46.

ticularly over language policy, appear to have added just sufficient negative weight to have broken the fragile working relationship between the three men. Love notified Matthews and Duguid that he would make this term his last. He calculated that he had done 'about 30 years of work for the Aborigines'. The time had come 'to hand on the burden to another man'. He was giving long notice so 'the work of Ernabella may go on without any break in continuity'.⁸⁸ His tour of duty was done.⁸⁹

The 'work of Ernabella' would go on, attempting to find ways of achieving the difficult and precarious balance Love as superintendent had been seeking, between protecting the Aborigines from the usurping white world while preparing them for entry into it. The sheep industry would come and go. The mission itself would also go, under policies of autonomy and self-determination for the Indigenous people. Land rights would come in 1981. The Anangu Pitjantjatjara Yankunytjatjara Lands would return to their original custodians. With this event came optimism and hope. But this, too, was to go, or at least fade, amid worsening social and economic problems. Despair and hopelessness came to Ernabella – Pukatja as it was now also called – or at least to white commentators watching from a distance. Through it all, the delicate work of 'translation', of finding a balance between the dominant national language and the local language has persisted, oscillating to some extent between the extremes of English-only and vernacular-only. When official policies move towards one or other end of the spectrum, adherents of the opposite side raise voices in alarm. A bilingual policy of sorts, of which Love would probably have approved, currently holds sway on the Lands. English is the primary language of instruction in the schools, but the Indigenous language and culture can be, and is at Ernabella, included in the curriculum.⁹⁰ Pitjantjatjara as a language has survived, especially in emerging genres of reportage and advocacy.⁹¹ It cannot yet claim to have generated a genre of literature. However, one of the world's pre-eminent texts, the Bible, through a complex process of negotiations between English and Indigenous translators, continues to seek dynamic equivalence in the Pitjantjatjara language.⁹² This process was initiated at Ernabella by RM Trudinger and by JRB Love himself. Perhaps both men, if they could survey the aftermath of their originary negotiation of the work of 'translation' at Ernabella, may feel more vindicated than aggrieved. And yet does Charles Duguid, who was buried at his beloved Ernabella in 1986, now rest easily in his grave?

88. Love to Matthews 25 April 1945, PCA, ML MSS 1893/4/1945.

89. Love retired from the mission in 1946 and was elected Moderator of the General Assembly of the Presbyterian Church of South Australia, a tribute to his service to the church and to Aboriginal people. However, he died of kidney disease early in 1947. Trudinger became superintendent of Ernabella in 1949 and continued the work of translating parts of the Bible into the Pitjantjatjara language with the assistance of Aboriginal co-translators.

90. Report of the Select Committee 2004: 45.

91. Goddard 1990.

92. See, for example, the *Pitjantjatjara Shorter Bible* 2006. The reference to dynamic equivalence recalls the part played in biblical translation, in Australia as well as worldwide, by the work and methodology of Eugene Nida.

References

Primary sources

- Papers of Pastor FW Albrecht, Burns-Albrecht Collection, AA662, South Australian Museum Archives, Adelaide.
- Papers of Charles Duguid, MS 5068, Series 1, general correspondence, 1918–1974, National Library of Australia.
- Papers of John Flynn, MS 3288, National Library of Australia.
- Papers of JRB Love, PRG 214, State Library of South Australia, Mortlock Collection.
- Series 21, PRG 214, Diary of a Visit to Ernabella to establish a Presbyterian Mission, 24 May–24 October 1937, 102pp.
- Presbyterian Church of Australia, ML MSS 1893, Mitchell Library, Sydney.
- Report of the Select Committee on Pitjantjatjara Land Rights, Parliament of South Australia, 2 June 2004.
- State Records of South Australia, Aboriginal Affairs Department, Aboriginal Protection Board, Correspondence Files, GRG 52/1, Adelaide.

Secondary sources

- Biskup, Peter 1973, *Not slaves not citizens: the Aboriginal Problem in Western Australia, 1898–1954*, University of Queensland Press, St Lucia.
- Boer, Roland 2001, *Last stop before Antarctica: the Bible and postcolonialism in Australia*, Sheffield Academic Press, Sheffield.
- Broome, Richard 1994, *Aboriginal Australians: black responses to white dominance 1788–1994*, 2nd ed, Allen & Unwin, St Leonards, New South Wales.
- Carey, Hilary M 1996, *Believing in Australia: a cultural history of religions*, Allen & Unwin, St Leonards, New South Wales.
- Coates, Ken S 2004, *A global history of indigenous peoples: struggle and survival*, Palgrave Macmillan, New York.
- Comaroff, Jean and John L Comaroff 1991, *Of revelation and revolution: Christianity, colonialism and consciousness in South Africa*, vol 1, University of Chicago Press, Chicago.
- Duguid, Charles 1936, 'The Australian Aborigines', statement included in Presbyterian Church of Australia, Minutes of Proceedings of the General Assembly of the Presbyterian Church of Australia, September 1936, Sydney.
- 1972, *Doctor and the Aborigines*, Rigby, Adelaide.
- 1978, 'Tribal nomadic people', *Australasian Nurses Journal* 7(12): 27.
- Eco, Umberto 2003, *Mouse or rat? Translation as negotiation*, Weidenfeld & Nicolson, London.
- Gale, Mary-Anne 1992, 'Publish or perish?: Observations on the reasons for writing in Aboriginal languages', *Australian Aboriginal Studies* 2: 42–48.
- Goddard, Cliff 1990, 'Emergent genres of reportage and advocacy in the Pitjantjatjara print media', *Australian Aboriginal Studies* 2: 27–47.
- Harker, RK and KR McConnochie 1985, *Education as cultural artifact: studies in Maori and Aboriginal education*, Dunmore Press, Palmerston North.

- Harris, John 1990, *One Blood: 200 years of Aboriginal encounter with Christianity: a story of hope*, Albatross, Sydney.
- Hilliard, Winifred 1976, *The people in between: the Pitjantjatjara of Ernabella*, Seal Books, Adelaide.
- Love, JRB 1922, *Our Australian blacks*, Brown, Prior Co Pty Ltd, Melbourne.
- 1936, *Stone-age bushmen of today: life and adventure among a tribe of savages in north-western Australia*, Blackie and Son Ltd, London and Glasgow.
- McKay, Graham 1996, *The land still speaks: review of Aboriginal and Torres Strait Islander language maintenance and development needs and activities*, AGPS, Canberra.
- Owen, Eric 1943, *A visitor's diary: Ernabella Patrol 1943*, Presbyterian Church of Australia, Board of Missions, Melbourne.
- Phillipson, R 1992, *Linguistic Imperialism*, Oxford University Press, Oxford.
- Pitjantjatjara Bible Translation Project 2006, *Pitjantjatjara Shorter Bible*, Bible Society in Australia, Sydney.
- Pratt, Mary Louise 1992, *Imperial eyes: travel writing and transculturation*, Routledge, London.
- Radford, Robyn 1992, 'Aspects of the social history of Hermannsburg' in *The heritage of Namatjira: the watercolourists of Central Australia*, Jane Hardy, JVS Megaw and M Ruth Megaw (eds), William Heinemann Australia, Melbourne: 63–96.
- Stanley, Brian (ed) 2001, *Christian missions and the Enlightenment*, Curzon Press, Richmond.
- Trudinger, David 2004, 'Converting salvation: Protestant missionaries in Central Australia, 1930s–1940s', PhD thesis, Australian National University, Canberra.
- Trudinger Ronald M 1943, 'Grammar of the Pitjantjatjara dialect, Central Australia', *Oceania* 13(3): 205–223.
- Young, Robert JC 2001, *Postcolonialism: an historical introduction*, Blackwell, Oxford.

Colonialism on display: Indigenous people and artefacts at an Australian agricultural show

Joanne Scott and Ross Laurie

There was a continual swarm of interested visitors to the aboriginal court, which certainly formed one of the most interesting features of the exhibits within the pavilion. Many and genuine were the expressions of surprise and appreciation of the quality and range of the work.

Week, 22 August 1913

Recent scholarship, both within Australia and internationally, has explored the representation of Indigenous peoples through the international expositions and travelling circuses of the 19th and early 20th centuries. Those events highlighted the artefacts of subordinated cultures and showcased the 'exotic', revealing a transnational fascination with displaying Indigenous people and their material culture.¹ Curiously and by contrast, a more localised site for such representations in Australia, the annual agricultural show, has rarely attracted the attention of historians of race relations.² Yet as a key site for white settler society, with its celebration of economic and cultural advances and its commitment to the ideology of progress, the annual show repays closer investigation. In contrast to the international events at which nations and colonies sought to show off their wares to their global competitors and markets, the agricultural shows in Australia primarily targeted local audiences. They offer insights into the values of white settler communities, and provide opportunities to reflect on local knowledge of and awareness of Aborigines. They also prompt, although do not necessarily answer, questions about the Indigenous people who created items for and appeared as exhibits at annual agricultural shows. Whereas historians have identified an emphasis at international expositions on a narrative of progress in which indigenous peoples represented the 'primitive' and Western cultures the 'advanced', the organisers of Aboriginal displays at local shows were more likely to offer a story of Indigenous people's progress from a state of 'barbarism' to economic usefulness.³ Like their international counterparts,

1. For example, Bank 2002; McKay 2004; Poignant 2004. Earlier studies include Greenhalgh 1988 and Rydell 1984 and 1993.

2. The main exception is Broome 1996 and 1998, whose studies of sideshow alley and tent boxing shows in Australia examine the experiences of Aboriginal boxers.

however, local shows also relied on the appeal of the 'exotic' in their presentation of Indigenous peoples and artefacts to a non-Indigenous audience.

This article offers a case study of the Brisbane Exhibition from its inception in 1876 through to the 1910s when its Aboriginal courts⁴ were among the event's major attractions. One of the largest agricultural shows in Australia and one of the oldest annual events in post-contact Queensland, the Brisbane show has been a central feature of the community's social life and has consistently attracted huge crowds. The choice of time period, which spans the late frontier and the early post-frontier eras, emphasises the importance of identifying absences as well as inclusions in tracing a history of Indigenous participation in and representation at agricultural shows. It facilitates an assessment of the significance of Aboriginal displays and performances to the Queensland government authorities who organised them and the predominantly white audiences who flocked to the exhibits. In the 1910s, Brisbane's annual show was the most important medium through which those authorities sought to convey to the general public a vision of Indigenous people as a compliant group who could be trained to be useful workers, were subject to segregative practices, but were reassuringly inculcated with aspects of the broader community's value system. Accounts of visitors' reactions to the Aboriginal exhibits suggest, however, that they may have been more interested in those items deemed 'exotic' and 'authentically Aboriginal' than those objects which represented the achievements of the reserve and mission system. How the Indigenous creators and participants who provided the content of the displays viewed their role at the Exhibition remains frustratingly elusive.

Initial appearances

Exhibits of Aboriginal people and objects did not become a significant feature of the Brisbane Exhibition until the 1910s. Nonetheless, it is possible to trace an Aboriginal presence from the first show, held in 1876. Attracting more than 34,000 visitors, the inaugural Brisbane Exhibition celebrated Queensland's material and social progress as a young, self-governing colony within the British Empire. By then, race relations in south-east Queensland had entered into a post-frontier milieu. Frontier conflict would continue in the west and north of the colony, however, into the early years of the 20th century.

The 1876 Exhibition, with its focus on the achievements and aspirations of white colonial society, almost entirely ignored the existence of Indigenous people. From more than 1700 exhibits, there was just one display crafted by Indigenous Australians. Class 540 'Furniture, Upholstery' included an entry by the Governor of Sydney Gaol, JC Read, of 'Mats and matting made by aborigines in Darlinghurst Gaol'. The National Agricultural and Industrial Association of Queensland (NAIAQ), which hosted the show, awarded Read a first prize for his exhibit.⁵ Aboriginal people also appeared as the subjects of white settler art. In 1876 the fine arts section included 'Guère pictures,

^{3.} This distinction between international and local shows is not absolute, but our findings and those of Heaman 1999, who has explored local shows in Canada as well as Canadian participation in international expositions, suggest that it is a pattern.

^{4.} 'Court' was the term given to a section of an exhibition.

^{5.} *Queenslander*, 26 August 1876: 11.

Australian bush characters and Aborigines'.⁶ A showcase in the annexe which displayed items sent from New South Wales included 'an exceedingly handsome flower stand of oxydised silver representing a blackfellow sitting under a fern tree, with a dead kangaroo lying at his feet'.⁷ On their own, these items do not represent a sufficient basis for any conclusive analysis. It is tempting to emphasise the fact that neither the mats nor the flower stand originated in Queensland, instead deriving from a colony where frontier conflict had already subsided. Such an analysis, though, with its putative link between frontier violence and the lack of local Aboriginal representation at a major public forum, disrupts a pattern based on other popular practices and events in Queensland.

In general, it was the absence rather than the presence of exhibits relating to Indigenous Australians that was noteworthy at Brisbane's annual agricultural shows of the 19th century. That absence is initially unexpected, given exhibitionary practices in the last decades of the 19th century. The frontiers of Queensland had become 'a hunting ground for collectors of exhibits for circuses, exhibitions and museums'.⁸ Queensland contributed photographs of and objects from Aboriginal people to international exhibitions from as early as the 1870s. In 1880 Colonial Secretary AH Palmer loaned two mummified figures from Stephen Island in the Torres Strait to Queensland's court at the Sydney International Exhibition of 1879–1880 and the Melbourne International Exhibition of 1880–1881.⁹ Public displays of Indigenous people became a feature of entertainment in the colony from the 1890s, with Brisbane citizens attending the 'Wild Australia' Show, which included Aboriginal people performing corroborees and throwing boomerangs and spears. In 1897 locals visited the Queensland International Exhibition, held on the same site as the annual Brisbane show, and examined the native weapons stored in the Bush House. They could also observe the 'Thirty Chosen Warriors', Aboriginal men from, ironically, the newly established Fraser Island Reserve, an experiment in segregation. The Aboriginal participants demonstrated boomerang and spear throwing, performed corroborees, staged mock battles, and played football.¹⁰

Private collectors, entrepreneurs and government officials in Queensland thus participated in an international phenomenon that Penelope Edmonds has summarised as 'globalised, social-Darwinian and anthropological discourses on modernity, progress and empire, where "primitive" people on display came to represent traces of the early stages of a highly organised evolutionary sequence'.¹¹ On occasion, individuals operated in all three capacities. Archibald Meston, for example, the colony's self-proclaimed Aboriginal 'expert', collected Aboriginal artefacts and people. As a commercial operator he toured his 'Wild Australia' shows, featuring those artefacts and individuals (with disastrous results for some of the performers), before acting as an adviser to the Queensland government on how to deal with the Aboriginal 'problem' in the mid-1890s. He was the architect of the 1897 *Aboriginals Protection and Restriction of*

6. Queensland Intercolonial Exhibition 1876 Catalogue, Class 524.

7. *Queenslander*, 2 September 1876: 11.

8. McKay 1998: 234.

9. McKay 2004: 35. A third figure was sent to the Queensland court from the private collector, pastoralist and banker, Ferdinand Sachs of Townsville.

10. Rutledge 1897: 193; McKay 1998: 243.

11. Edmonds 2006: 135–136. See also Poignant 2004.

the Sale of Opium Act and accepted the post of Queensland's Southern Protector of Aborigines in 1898. In this latter position, Meston arranged for 25 Aboriginal Queenslanders to participate in the 1901 re-enactment of Captain Cook's landing at Botany Bay, as well as organising an 'Aboriginal arch' for the federation celebrations in Brisbane; the arch featured Indigenous men, women and children, with weapons and other artefacts, among grass-trees, staghorns and ferns.¹²

Amidst this mixture of privately-organised and state-endorsed displays of Aboriginal people and artefacts, the near absence of Aboriginal people at the local Brisbane Exhibition requires analysis. No direct evidence has been found, but the likeliest explanation derives from a combination of factors. The local show was primarily intended to promote and present the best outputs of Queensland's pastoral, mining, agricultural and secondary industries as well as showcasing new developments that could further advance the colony. It also provided opportunities to reflect on and judge social and cultural progress, with sections devoted to schoolwork, fine arts and domestic crafts. It seems doubtful that the organisers of the 19th-century Brisbane Exhibitions would ever have conceived of a role for Aboriginal Queenslanders within such a framework. Kay Anderson has noted that 'the genre of the agricultural show enacts in thoroughly ritualistic fashion a triumphal narrative of human ingenuity over the nonhuman world'.¹³ In Queensland, such human ingenuity was presumed to be the domain of the colonists, not the colonised. In addition, the annual Brisbane show targeted a local audience that, in the 19th century, could be assumed to have some degree of familiarity with the presence of Aboriginal people, in contrast to the overseas expositions at which images and artefacts of Australian Indigenous people could be presented as items of curiosity. A complaint from Meston to the colony's Home Secretary on the occasion of the Queensland International Exhibition in 1897 also suggests a degree of repugnance by local citizens to visible evidence of Aboriginal people in the city. According to Meston, 'it seems specially undesirable for aboriginals – men and women – to be rambling about Brisbane in the vicinity of the Exhibition in a more or less demoralised condition while the metropolis is full of visitors'.¹⁴

The ongoing violence between Indigenous and non-Indigenous people on Queensland's frontiers as well as the idea of Queensland as an uneasy or nervous outpost of Empire also contribute to an explanation for the near complete absence of Aboriginal people from the local show. In his path-breaking study of race relations in colonial Queensland, Raymond Evans declared that 'the initial settlement of almost every district in Queensland was accompanied by a period of violence, sometimes short and decisive, sometimes extending over many years, but always more or less severe'.¹⁵ By the 1870s the frontier had contracted to the northern and western parts of Queensland. In 1876, the year of Brisbane's inaugural show, politician John Macrossan declared in the colony's Legislative Assembly that 'the system of continual war ... was being carried on at the present time to utter extermination'.¹⁶ The particular discourse

12. Evans 2001: 76–77.

13. Anderson 2003: 423.

14. Cited in Blake 1987: 50.

15. Evans et al 1993: 38.

16. Evans et al 1993: 53.

of civilisation, settlement and improvement which dominated the formal elements of agricultural shows could not accommodate 'unsettled' narratives of frontier conflict, dispossession and destruction. The unease associated with white colonists' occupation of the land was well outside the frameworks of the Brisbane Exhibition, as represented in the show's carefully constructed schedules, catalogues and displays.

While there seemed to be no place for an Aboriginal presence in the formal, regulated sections of the Brisbane Exhibition, except in colonists' artistic depictions, the unruly space that would become sideshow alley eventually included Aboriginal people, most obviously in the boxing tents. We have been unable, however, to discern any comparable Aboriginal presence in the 19th century. Presumably, the local entrepreneurs such as Meston who sought commercial success through the display of Aboriginal people on the international circus and exhibition circuits did not regard the local show as financially attractive. As noted above, it is unlikely that the NAIAQ ever contemplated the need for Aboriginal exhibits but in any case the organising committee tended to rely on exhibitors to generate the content of the show, rather than initiating or actively seeking specific exhibits.¹⁷

Aboriginal courts in the 1910s

The deliberate, state-endorsed and organised display of Indigenous people and their products at the Brisbane Exhibition did not begin until 1909. By then, the impact of the *Aboriginals Protection and Restriction of the Sale of Opium Act* of 1897, legislation which came to control almost every aspect of the lives of those Aboriginal people who fell under its aegis, was well established. The frontier era was over and the removal of Aboriginal people to reserves and missions, which had begun in Queensland in the late 19th century, was part of the pattern of post-frontier race relations. Comparatively few white citizens in Brisbane were in direct contact with Aboriginal people. In his annual report for 1910, the Chief Protector of Aboriginals referred to 'the new regulations prohibiting any further engagement of girls within [Brisbane] city boundaries ... being steadily and firmly carried out'.¹⁸ According to the Chief Protector, there were just 38 Aboriginal girls and women in domestic service in Brisbane in 1911.¹⁹

Across the decade of the 1910s, the displays of Aboriginal people and goods at the Brisbane Exhibition were the primary source of information for most local citizens about Indigenous Queenslanders. The only other site in the city which offered regular access to aspects of Aboriginal society was the Queensland Museum; its annual attendance figures were approximately one-half of the attendance figures for each Exhibition. The Museum's holdings of objects relating to Aboriginal Australia, however, were significantly larger, increasing from some 3000 items to almost 6000 items between 1910 and 1917, with a small number of the acquisitions sourced from the Brisbane Exhibition. During the 1910s, the Museum also initiated a popular science lecture series which included presentations on Aboriginal Australia.²⁰ With the exception of reports on the

17. There were, of course, exceptions to this tendency and the NAIAQ certainly influenced potential exhibitors through its choice of competition categories, prizes, and rules and regulations.

18. *Annual Report of the Chief Protector of Aboriginals for the year 1910*, Queensland Parliamentary Papers (hereafter QPP) 1911–12, 3: 11.

19. Blake 1987: 56.

displays at the Brisbane Exhibition, local newspapers rarely featured stories about Aboriginal people in this era. The one account of Aboriginal culture available to a substantial audience was an article in the *Queensland School Reader* for Grade 5 children, first issued in 1913 and widely available from 1915. This short article, 'Aboriginal rock pictures', informed children that 'on the walls of caves and on the smooth surfaces of rocks in various parts of Australia are found rude pictures, drawn doubtless by the aboriginal inhabitants. Rough though the work may be, it shows that the "blackfellows" were not altogether without appreciation of the beauties of art.'²¹ During the 1910s, for most inhabitants of Brisbane and the surrounding districts, the annual show was probably their most memorable interaction with Indigenous people. The Aboriginal courts, which became one of the most popular features of the Brisbane Exhibition, presented a reassuringly anodyne and highly censored view of Queensland race relations and the institutionalisation of Indigenous people, enlivened by references to a 'colourful' past. The stunning contrast between the benign images offered for public consumption at the annual show during this decade and the contemporary realities of forced removals; the establishment of punishment centres such as Palm Island; shocking mortality rates on reserves and missions whose inhabitants were ravaged by epidemics; substandard educational, health and welfare provisions; and the extent of official surveillance and control over Indigenous people is breathtaking in its audacity.

From 1909, Aboriginal people became substantially more visible at the Brisbane Exhibition when Bertram Lipscombe, the Superintendent at Barambah Aboriginal Settlement, near Murgon in south-east Queensland, sent a non-competitive display to the show 'in order to exhibit and encourage the work of the children'.²² The display included sewing samplers, garments and copybooks, mimicking the categories in the schoolwork section of the Exhibition which catered for (non-Indigenous) children enrolled in public, private and Catholic schools. Writing half a century after the event, JW Bleakley, amateur ethnographer and the Chief Protector of Aboriginals from 1914 to 1942, claimed that the impetus for the initial display came from Aboriginal children who, 'having seen the white schools exhibit at the Brisbane Exhibition, expressed a desire to exhibit some of their own work'.²³ This claim raises questions about whether and how often reserves and missions in south-east Queensland organised trips to the Exhibition, questions that surviving records at Queensland State Archives do not appear to answer. Again according to Bleakley, the first display in 1909 was classed as 'non-competitive' because of the assumption by government officials that Indigenous exhibitors would suffer a 'handicap' if they competed openly with white exhibitors.²⁴ Barambah's Superintendent expressed disappointment that, although the show's organisers had promised 'special awards where merit justified it', no prizes were distributed despite the fact that 'many people capable of judging considered they were quite equal to many of the other successful exhibits'.²⁵ The following year, the

20. Mather 1986: 206–11.

21. *Queensland School Readers*, Book V, Brisbane, Department of the Public Instruction, 1913: 142. According to educational historian Greg Logan, the Readers 'remained basically the same until they were phased out in the 1970s' (Logan 1989: 7).

22. *Annual Report of the Chief Protector of Aboriginals for the year 1909*, QPP 1910, 3: 21.

23. Bleakley 1961: 190.

24. Bleakley 1961: 190.

Superintendent was able to announce that the children had secured prizes for their work at both the Brisbane and Gympie shows and in 1911 children's work from Barambah was on display at the Brisbane, Brookfield, Wondai and other local shows. Other reserves and missions also began to prepare items for display at the Brisbane Exhibition.



Fig 1. 'Aboriginal court', Brisbane Exhibition, 1914, from the *Annual Report of the Chief Protector of Aborigines for the year 1914*, Queensland Parliamentary Papers 3, 1915–16.

The 'Coronation Show' of 1911 included the first major 'Aboriginal court' at the metropolitan exhibition. The *Queenslander* recorded that the display of work by Aborigines and Torres Strait Islanders from government reserves and church missions was 'one of the most popular features' of the Exhibition.²⁶ Conducted under the auspices of Bleakley, then Deputy Chief Protector of Aborigines, the court's primary purpose was to advertise the efforts of the government and missions to, supposedly, uplift Indigenous Queenslanders, an orientation made clear in departmental memoranda. Bleakley wrote to the Superintendents of Missions that 'exhibits of work of all descriptions done by natives old or young is desired and especially such as may illustrate the development of the institution and the education of the natives'.²⁷ Contemporary newspaper stories similarly highlighted the role of reserve and mission training: 'On the whole the aboriginal

²⁵. *Annual Report of the Chief Protector of Aborigines for the year 1909*, QPP 1910, 3: 21–22. Certificates of merit were awarded in later years.

²⁶. *Queenslander*, 19 August 1911: 39.

²⁷. Memorandum from Deputy Chief Protector of Aborigines, 1 July 1911, Queensland State Archives (QSA) A/58808.

exhibit was a proof of the good work now being done amongst the descendants of the original possessors of this fair land, and of their dexterity and appreciation of detail.²⁸ As an exercise in public relations, the court also signalled the state's success in distancing itself from earlier controversies and failures relating to the reserve and mission system.

The list of exhibits from the Salvation Army-run Deebling Creek Aboriginal Home, near Ipswich in south-east Queensland, reflected a theme of evolution from the primitive and picturesque to the tame and pragmatic with display items ranging from 'one shield and four nullas' to examples of practical sewing and fine needlework. With the exception of the shield and nulla, an axe, and perhaps the amalgam of old and new contained in a 'silk thread dilly bag', the more than 40 items sent from the Home were the result of training imparted at the mission to its inmates. A display of 'pannicum seed, corn seed, pumpkins and melons' represented agricultural training. Formal schooling of children was reflected in the copybooks and drawing books. There were more than a dozen examples of garments, made by girls and women at the Home, ranging from utilitarian items such as a boy's flannel shirt to more decorative but still useful pieces including a 'muslin & embroidery bonnet' and two muslin slip bodices 'trimmed with lace & embroidery'. Three chair cushions, a model hut and a model hay shed completed the display.²⁹

The popularity of the first Aboriginal court led to its inclusion in successive years. During the 1910s the court occupied an area of approximately 12 by 20 metres 'in one of the best positions in the main pavilion'.³⁰ It consisted of up to 15 stalls and an area for special displays. A list of items for 1912 included:

Schoolwork – writing, drawing, printing etc.,

Sewing – samples, garments, table-linnen [sic],

Fancywork – knitting, beadwork, crochetwork,

Cooking – cakes, scones, bread etc.,

Carving – woodwork, implements, emu eggs,

Curios – weapons, model canoes and huts, ornaments, intensils [sic],
implements, dancing masks,

Plaiting – cocoanuts [sic] and grass hats, bags, baskets, dresses, girdles etc.³¹

There were also photographs featuring activities at the reserves and missions. Each institution had its own section, staffed by officials and non-Indigenous 'friends'. A small number of Aboriginal people were also in attendance; the Indigenous women on duty at the stalls were clad in the uniform of domestic servants. Bleakley recalls that 'a number of uniformed native police were on duty to keep order. They created a favourable

28. *Queenslander*, 19 August 1911: 39.

29. Deebling Creek Aboriginal Home List of Exhibits, July 1911, QSA A/58808.

30. Bleakley 1961: 190.

31. Letter from Deputy Chief Protector of Aboriginals to the Secretary, National Agricultural Association, 8 July 1912, QSA A/58677.

impression with their courtesy and smartness.³² The special displays offered visitors an opportunity to observe Aboriginal people engaged in allegedly traditional activities against a backdrop intended to evoke a pre-colonial past, although the colonial reality was ever present and reflected, for example, in an identified need to ensure appropriate modesty of dress. Planning documents for the 1912 Exhibition referred to 'aboriginals who will provide in a true native gunyah, a separate show in themselves. They will comprise a fullblooded warrior in native costume (respectable) and his gin and piccaninny, also an old woman making baskets and an old man carving Emu Eggs.'³³



Fig 2. Native Camp – Aboriginal Section, Brisbane Exhibition, 1912, from the *Annual Report of the Chief Protector of Aboriginals for the year 1912*, Queensland Parliamentary Papers 3, 1913.

The *Week* referred to the 1912 court as 'the pre-eminent attraction in the annexes' and continued with high praise for the skills and craftsmanship visible in the various exhibits.³⁴ As with the arrangement of the previous year, the 1912 displays offered a juxtaposition of the old and the new. Yarrabah Mission in northern Queensland, for example, featured three shelves and a long table of artefacts and items that showed an

³². Bleakley 1961: 190–191.

³³. Letter from Deputy Chief Protector of Aboriginals to the Secretary, National Agricultural Association, 8 July 1912, QSA A/58677.

³⁴. *Week*, 23 August 1912: 12.

apparent evolution from the old ways to the new. The top shelf contained shields; the second boomerangs and small dilly bags; the third larger bags; and the table was occupied by modern clothing made by mission girls.³⁵ At first glance this display seems counter-intuitive given that the 'primitive' items were arrayed on the top shelf while the newest and most 'civilised' items were placed on the lowest shelf.³⁶ It seems likely that this presentation reflected the organisers' belief that the items which drew the eye of most visitors were the older, exotic items that hinted at more picturesque and violent times. Further, it seems reasonable to assume that, having gained the viewers' attention, the organisers hoped that the results of training and education would also be noticed and appreciated. Such an analysis, however, rests on limited evidence. No written rationales for the particular arrangements of items within the Aboriginal stalls have been located. It is clear, though, that the Chief Protector of Aboriginals Office regarded the annual exhibition as an opportunity to show off the achievements of the Queensland reserve and mission system.³⁷

Three gunyahs formed the centrepiece of the 1912 court and other ostensibly authentic artefacts such as boomerangs, baskets and spears were also featured. This substantial foregrounding of the 'primitive' material culture again suggests the tactics of advertisement, with the use of exotic artefacts to attract initial attention. The crux of the displays, from the point of view of the organisers, consisted of objects which prefigured the results of reserve and mission-sponsored training. For male Aborigines, sisal rope making, matting and gardening were among the economically useful skills and items displayed. For girls and women, the domestic sciences, especially needlework, were emphasised. 'Mrs. Beeson, one of the government aboriginal protectresses, drew together from her protégés [sic] from all over the State specimens of needlework, and a careful examination of the work showed the wonderful skill and patience of the girls, who are all in domestic employ.'³⁸ As an employment broker through the system of Aboriginal employment permits and as the body that controlled the wages accrued under that system, the state had a vested interest in advertising the employability of Indigenous people.

The demonstrated impact of education and training was an important aspect of the Aboriginal court displays. Newspaper coverage drew attention to the successful education of Indigenous children with the *Week* referring to 'examples of schoolwork which compared more than favourably with the average capabilities of European children of similar age'. While this statement praised Aboriginal students, most kudos was reserved for the white educators: 'the exhibit was a remarkably telling testimony to the efficacy of Queensland methods, both State and missionary, in connection with the treatment and training of the comparatively few remaining descendants of the original

35. *Annual Report of the Chief Protector of Aboriginals for the year 1912*, QPP 1913, 3: 11.

36. They may also have been the oldest items, although no direct information on the age of the artefacts has been located.

37. Part of the impetus may have derived from occasional calls for the Commonwealth to assume responsibility for Aborigines. See for example, Australian Association for the Advancement of Science, 'The Future of the Australian Aborigines', March 1913, a circular sent with a letter from the Chief Protector of Aboriginals to the Under Secretary, Home Department, 26 March 1913, QSA A/58808, which is also relevant.

38. *Queenslander*, 24 August 1912: 39.

possessors of the soil'.³⁹ The *Queenslander*, which noted the encouraging work of mission and reserve training, nevertheless highlighted the distance between the races stating that 'the most interesting feature was undoubtedly the advance shown by the natives in the difficult process of emerging from their state of primitive barbarism into a condition approaching semi-civilisation'.⁴⁰ Based on newspaper reports, the Aboriginal courts successfully focused attention on the outputs of the reserve and mission system; the conditions of daily life within the institutions were not acknowledged.

Doubtless the Chief Protector of Aboriginals would have been gratified with this endorsement in the popular press of his department's educative efforts. The coverage reinforced his own message to parliament about government reserves and the training they offered, as demonstrated in the Exhibition displays:

Our own settlement at Barambah had some fine specimens of carved whip-handles and walking-sticks, home-made branding irons, wood-shaving dinner table mats, all of which showed evidence of patient and careful training on the part of the staff of the various institutions.⁴¹

The annual show had always promoted the economic utility of primary and secondary industries and the emphasis in the Aboriginal displays on the utilitarian aspects of education and training conforms to this focus. For the official Protectors of Aboriginal and Torres Strait Islander people, the Exhibition presented an ideal venue to display to the public the results of their efforts. The estimated attendance for show week in 1912, for example, was 163,000; Brisbane's population was then approximately 70,000. By contrast the Queensland Museum attracted a maximum of 75,000 visitors per year.⁴² Additionally, the show provided an opportunity for the reserve and mission staff to demonstrate their achievements to the Chief Protector's Office and, in turn, for the Chief Protector's Office to demonstrate its achievements to its political masters.

The motif of the triumph of civilisation over primitivism was an important part of the Aboriginal courts and the purpose-built gunyahs, together with boomerangs, spears and other weapons arrayed alongside schoolwork and needlework, allowed the public to compare the old and the new, the archaic and the modern. Significantly, this artefact driven display of the 'evolution' of Aboriginal people from primitives to useful and productive workers signalled a departure from the Social Darwinist ideology of inevitable demise. This change in thinking was also visible in the annual reports of the Chief Protector of Aboriginals from this period, with the Aboriginal courts providing government officials with a medium through which they could communicate their new theory.⁴³ Despite this change in thinking in some quarters, however, in general the Queensland public, its parliamentarians and its media remained wedded to their belief in the 'dying race' theory. The *Week* proclaimed in 1916 that 'One always looks upon the schoolwork

39. *Week*, 22 August 1913: 10.

40. *Queenslander*, 23 August 1913: 39.

41. *Annual Report of the Chief Protector of Aboriginals for the year 1913*, QPP 1914, 3: 4.

42. *Queenslander*, 24 August 1912: 20; Mather 1986: 105. Of course, the attendance figures do not reveal how many individuals visited the Aboriginal courts at the Exhibition or the Aboriginal displays at the Museum.

43. As early as 1910, the Chief Protector commented that, 'it is at least possible those persons are mistaken who regard the extinction of aborigines as a painful certainty'. *Annual Report of the Chief Protector of Aboriginals for the year 1910*, QPP 1911-12, 3: 10.

and handiwork of our black population with a sense of respect for the intelligence that is so tardily being developed now that the race is passing away'.⁴⁴ As occurred at other types of exhibitions, the intended message was not always embraced by the audience. Ewan Johnston comments in his study of the presentation of Fiji at international and intercolonial expositions that, 'despite the best efforts of display organisers, ... visitors – as always – saw what they wanted to'.⁴⁵

The state sought a careful balance between segregation and assimilation: while the reserves and missions operated to separate white and black society, the settlers could be reassured that Indigenous Queenslanders were sufficiently integrated into the values of white society to support patriotic endeavours. After the 1915 Exhibition, the Chief Protector wrote that 'it is pleasing to record that some fine models of native outrigger canoes were afterwards sold by auction, at the request of the makers, for the benefit of the Belgian Fund'.⁴⁶ The following year, in the wake of the first anniversary of the Gallipoli landings, the patriotic nature of the Aboriginal displays at the Brisbane Exhibition mirrored that of the broader society, with the Chief Protector noting in particular in that year's court, 'a very fine recruiting poster in the shape of a crayon map of the Dardanelles, decorated with patriotic emblems and portraits of the leading generals'.⁴⁷

Despite the avowedly high-minded motivation of the Aboriginal courts, a voyeuristic outlook, usually associated with the 'delights' of sideshow alley, informed the relationship between audience and displays. Bleakley noted that the 1912 display, which featured an Aboriginal mother and child sitting in front of a gunyah, prompted a great response from visitors: 'So many pennies and small coins were showered upon it that a box had to be provided, and it will be interesting to hear that the little mite left the show with over £12 in the bank, richer than its [sic] parents have ever been.'⁴⁸ The presentation of live 'exhibits' directly contrasted with the more prosaic Aboriginal campsite diorama that opened at the Queensland Museum in 1914 and featured models of an Indigenous family.

The display of Aboriginal people at the Exhibition offered a peculiar combination of elements of traditional life – a gunyah – with a sanitised version of life on reserves and missions, represented by the mother's clothing. She was very modestly dressed, clad in a full-length skirt, long-sleeved blouse, stockings and closed-in shoes. The display was repeated in the following year and again received strong interest, with the *Queenslander* noting that it:

attracted a large number of visitors throughout the week and many of them showed their appreciation by presenting small coins to the black gin and pickaninny who established their quarters in the native gunyah at the back of the court. Altogether a sum of nearly £10 in coppers was handed to the ebon-faced, ever smiling pickaninny, who had become quite a favourite with visitors.⁴⁹

^{44.} *Week*, 18 August 1916: 16.

^{45.} Johnston 2005: 24.

^{46.} *Annual Report of the Chief Protector of Aborigines for the year 1915*, QPP 1916, 3: 3.

^{47.} *Annual Report of the Chief Protector of Aborigines for the year 1916*, QPP 1917, 3: 3. The report also notes instances where prizes were donated to patriotic funds and that Mission children made bandages for the war effort.

^{48.} *Annual Report of the Chief Protector of Aborigines for the year 1913*, QPP 1914, 3: 4.

^{49.} *Queenslander*, 23 August 1913: 39.

Exactly why this display provoked such a strong response is difficult to ascertain. Certainly by the 1910s Aboriginal people were infrequently encountered by the citizens of Brisbane and may have been viewed as somewhat exotic. Bleakley's recollections confirm this possibility: 'This exhibit itself attracted crowds of curious sightseers, to many of whom the bonny velvet-skinned baby was a real novelty.'⁵⁰ That 'novelty' may explain the spontaneous donations of coins, with visitors to the annual show accustomed to paying sideshow proprietors, to see oddities including 'freaks' of nature and talents such as snake charming. The appeal of a reworking of the classical image of mother and child may also have influenced the crowds.

The Aboriginal courts were an annual feature from 1911 until 1917 when they were discontinued, officially 'because of the need for stringent war-time economies', although the timing is coincident with the state Labor government's determination to minimise 'race mixing' by reducing Aboriginal employment outside the reserves and missions.⁵¹ Bleakley expressed regret at the cancellation of the courts, but later declared that they had achieved their aims. In his 1961 volume, he stated: 'To their inestimable value as a means of enlightening the public on the capacity of the aboriginal race for upliftment and education, can be attributed the greater understanding and sympathy that, from then on, ensured the much needed practical encouragement in the work for their preservation.'⁵² The Aboriginal presence at the Exhibition during this period acted principally as an advertisement for the missions and reserves. The juxtaposition in the presentation of the old – gunyahs, spears and boomerangs – with the new – schoolwork, needlework and small-scale manufacturing and farming, let the public gain an insight into the vision for Indigenous Queenslanders promoted by Bleakley and his supporters: namely, that they could be trained to be useful to the broader society and economy of the post-frontier era. Ironically, it was probably the 'exotic' – the displays of weapons and traditional artefacts as well as the living exhibits – that most appealed to the sightseers, rather than the sewing samplers, copybooks and other items that the organisers hoped would leave the greatest impression. Certainly, the reported response to the Aboriginal mother and child seems to confirm this suspicion.

Even with the inclusion of live exhibits, the Aboriginal courts were notable for being relatively static and passive. The two examples of items being created as the audience watched – basketmaking and emu egg carving – did not require the creators to move around the site. From as early as 1876, the Exhibition always featured a combination of moving and static displays. Many of the active elements of the 19th and early 20th century shows, such as woodchopping and horse riding competitions, were closely connected to the successful colonisation and exploitation of the land. The contained and controlled nature of the Aboriginal exhibits of the 1910s, including the people displayed, reflected the official protectors' view of Indigenous people as a non-threatening source of domestic and rural labour.

The state organisation of these displays distinguishes them from what Michael Parsons has identified as public, cultural performances by Aboriginal people that constituted 'a significant and successful attempt to use symbolic goods to engage in the

50. Bleakley 1961: 191.

51. Bleakley 1961: 191.

52. Bleakley 1961: 191.

settler economy'.⁵³ While an Aboriginal theatrical company, which performed in the Brisbane suburb of Coorparoo in 1896 and may have been organised by Indigenous people, does fit with and is included in Parson's analysis, the formal inclusion of Indigenous people at the Exhibition in the 1910s does not. The sale of goods at the Exhibition produced by Indigenous Queenslanders represented engagement in the settler economy but that engagement was directed by and ultimately for the benefit of the state apparatus that controlled and exploited Aboriginal people.

The courts promoted the role of government and churches in the management and education of Aboriginal people. Apart from the appearance in sideshow alley of the tent boxing shows, with their Aboriginal fighters, the role of the private sector in matters pertaining to Aboriginal people was only indirectly on display at the Brisbane Exhibition. While the labour of Aboriginal employees on pastoral properties and farms contributed significantly to the production of some of the livestock and agricultural outputs at the annual show and while the work of some Aboriginal domestic servants undoubtedly freed up the time of their white mistresses, allowing them to create entries for the Exhibition, that labour was not usually visible at the show itself.⁵⁴ The single exception to this pattern in the period under examination occurred in 1916 when a farmer based outside Townsville in northern Queensland, Joseph Campbell, presented his 'Aboriginal curio and economic exhibit' in the Textile Fibres court of the Exhibition. While the primary purpose of the display was to alert Queenslanders to the potential of locally grown 'textile plants' that could be converted into fibre and paper, a photograph of the display reveals a bizarre array of human skulls, other bones, Aboriginal weapons, baskets, cloth, paper and rope, with two signs drawing attention to 'fibres, oils, gums, varnishes and foodstuffs'. Elements of the display thus shared common features with the ethnographic displays of the 19th century and the sideshows of the early 20th century. Many, perhaps all, of the manufactured items, had been made by Aboriginal workers, and the inspiration for the use of the textile plants came from one of Campbell's Aboriginal servants. According to Campbell:

While working at the pineapple, my aboriginal servant Sam said: 'Boss, that one wild pineapple, that grow along swamp where cut firewood all same as this. He make him paper too.' 'Well done, Sam,' said I, 'go and get some at once.' He did so, and in six hours it was converted into the sample of paper exhibited.⁵⁵

The report of this episode notes that Sam received two shillings for his discovery and while this does mark some engagement with the settler economy it says more about the exploitation of Indigenous knowledge for profit than it does about individual agency. With the exception of this single exhibit, the representation of Indigenous people in the formal displays at the Brisbane show in the 1910s was controlled by the state which offered a version of race relations in which Indigenous people could be useful

53. Parsons 1997: 48.

54. The relative lack of attention paid to the labour that contributed to the exhibits was not restricted to Indigenous workers; with some exceptions, such as prizes for craftsmanship, the Brisbane Exhibition focused on outputs and the technology that facilitated those outputs, rather than the workers involved in the processes.

55. *Queensland Agricultural Journal*, October 1916: 237.

and pliant adjuncts to the enterprise of white progress and civilisation, while affording entertainment for the crowds who attended the Exhibition each year.

Surviving records about the Aboriginal courts enable a textual analysis of the intentions of government and mission officials and provide some insight into the responses of the white audiences who flocked to the exhibits, purchased mementos and tossed coins to the live exhibits. The Indigenous creators of the items on display, however, are represented only through the items themselves and their names in the prizewinners' lists, published in the local newspapers.⁵⁶ The thoughts of the family group displayed for the edification and entertainment of the crowds are unknown. Available accounts do not enable us to determine whether individual Aboriginal exhibitors derived pleasure, satisfaction or even pride in the display of their products. We do not know whether the individuals 'on display' enjoyed or detested the experience, regarded the sightseers with contempt or curiosity, welcomed or shunned the chance to leave their institution during Exhibition week. This inconclusive analysis directly contrasts with Jane Lydon's confident argument in her study of Coranderrk's Aboriginal people in Victoria: 'by the end of the 19th century there was a ready acceptance by black and white of the deployment of stereotypical, artificial representations of Aboriginal people as a means of cultural communication within the colonial relationship'.⁵⁷ There is insufficient evidence in relation to the Brisbane Exhibition to offer such a definitive conclusion. The reactions of Aboriginal visitors to the show remain almost entirely in the realm of speculation. Whereas some cautious conclusions can be reached about the responses of white visitors, no references to Aboriginal people as part of the Exhibition audience in this era have been located, beyond the indications that reserves and missions arranged 'outings' to the annual agricultural show.

Given the scope of control exercised by the missions and reserves over their charges under Queensland regulations, it seems unlikely that the Aboriginal participants had much, if any, control over the content or style of the displays, beyond their power to determine the quality of individual items. Even this element of autonomy was constrained by the issue of access to materials. The correspondence between the Deputy Chief Protector and the mission and reserve superintendents indicates that the planning, content and structure of the displays were the domain of officials. This deployment of power does not eliminate the possibility of pride amongst the creators of the displayed items. Yet any positive impact on those individuals that did occur was an accidental by-product of the state's plan to train Indigenous Queenslanders to be economically useful and pliant, and the eagerness of officials to publicise the achievements of their institutions.

Conclusion

The Aboriginal presence at the Exhibition did not end with the cancellation of the courts after 1917. The tent boxing shows in sideshow alley marked an ongoing Indige-

⁵⁶. Apart from a few exceptions where the reserves and missions failed to provide the names of the residents who created the items, the newspapers listed Aboriginal prizewinners by either their full names or their first names. The lists were organised by reserve and mission name, followed by prize category and then creators' names, giving primacy to the institution, rather than the individual. See for example *Week*, 22 August 1913: 10.

⁵⁷. Lydon 2005: 203–04.

nous role at the annual agricultural show, and in later decades, the Chief Protector's Office renewed its engagement with the Exhibition as a site at which it could promote itself and its values. The 1910s, however, marked the heyday of an Aboriginal presence in the formal, regulated and respectable section of the most significant annual event in Brisbane. The extent and popularity of the courts in this decade offer a dramatic contrast to the near absence of Indigenous people, as represented through items by or about them, during the early years of the show. That absence derived from an amalgam of features ranging from the aims of and intended audience for the Exhibition to the ongoing conflict between colonists and Indigenous people in the far reaches of Queensland, and existed in counterpoint to the simultaneous incorporation of Indigenous people and artefacts into international expositions and circuses.

In an era of segregation, the Aboriginal courts of the 1910s constituted the pre-eminent, if fleeting, encounter with Aboriginal culture for most members of the general public. Under Bleakley's direction, government and church officials sought to present a sanitised view of Aboriginal life on reserves and missions, and began the process of converting the widespread belief in Queensland in the 'dying race' ideology to a commitment to a permanent but segregated Indigenous presence. Examples of agricultural outputs from the institutions, schoolwork, carefully worked garments, and photographs emphasised the self-proclaimed achievements of the reserves and missions, particularly in relation to the production of a compliant and useful workforce through training. For the white sightseers who made the Aboriginal courts one of the most popular elements of the Exhibition, however, it was the presence of living exhibits and perhaps the exotic items, such as traditional weapons, that aroused excitement. The transmission of the Chief Protector's Office's intended message to the public was not always successful. Within the unequal power relations that characterised white-black interaction in Queensland and were replicated at Brisbane's annual agricultural show, the difficulty of offering any conclusive description, let alone analysis, of the reactions of those Indigenous Queenslanders who participated directly or indirectly in the Exhibition, itself provides a stark example of the power of colonialism.

References

Primary sources

Australian Association for the Advancement of Science, 'The Future of the Australian Aborigines', March 1913.

Deebing Creek Aboriginal Home List of Exhibits, July 1911, Queensland State Archives (QSA) A/58808.

Letter from the Chief Protector of Aborigines to the Under Secretary, Home Department, 26 March 1913, QSA A/58808.

Letter from Deputy Chief Protector of Aborigines to the Secretary, National Agricultural Association, 8 July 1912, QSA A/58677.

Memorandum from Deputy Chief Protector of Aborigines, 1 July 1911, QSA A/58808. Queensland Intercolonial Exhibition 1876 Catalogue.

Newspapers

Queensland Agricultural Journal

Queenslander

Week

Secondary sources

Anderson, Kay 2003, 'White natures: Sydney's Royal Agricultural Show in post-humanist perspective', *Transactions of the Institute of British Geographers* 28: 422–441.

Annual Report of the Chief Protector of Aborigines for the year [1909, 1910, 1912, 1913, 1915, 1916], Queensland Parliamentary Papers (QPP).

Bank, Rosemarie 2002, 'Representing history: performing the Columbian Exposition', *Theatre Journal* 54(4): 589–606.

Blake, Thom 1987, 'Excluded, exploited, exhibited: Aborigines in Brisbane 1897–1910' in *Brisbane: Aboriginal, alien, ethnic*, Brisbane History Group Papers 5: 48–58.

Bleakley, JW 1961, *The Aborigines of Australia*, Jacaranda Press, Brisbane.

Broome, Richard 1996, 'Theatres of power: tent boxing circa 1910–1970', *Aboriginal History* 20: 1–23.

Broome, Richard with Alick Jackomos 1998, *Sideshow Alley*, Allen & Unwin, St Leonards.

Department of the Public Instruction 1913, *Queensland School Readers*, Book V, Department of the Public Instruction, Brisbane.

Edmonds, Penelope 2006, 'The Le Souef Box: reflections on imperial nostalgia, material culture and exhibitionary practice in colonial Victoria', *Australian Historical Studies* 127: 117–39.

Evans, Raymond 2001, 'Brisbane at Federation: 1899–1902', in *Our Federation: Brisbane: patriotism, passion and protest 1901*, Barry Shaw (ed), Brisbane History Group Papers 18: 69–79.

Evans, Raymond, Kay Saunders and Kathryn Cronin 1993, *Race relations in colonial Queensland: a history of exclusion, exploitation and extermination*, 3rd edn, University of Queensland Press, St Lucia.

Greenhalgh, Paul 1988, *Ephemeral vistas: the expositions universelles, great exhibitions and world fairs, 1851–1939*, Manchester University Press, Manchester.

Heaman, EA 1999, *The inglorious arts of peace: exhibitions in Canadian society during the 19th century*, University of Toronto Press, Toronto.

Johnston, Ewan 2005, 'Re-inventing Fiji at 19th-century and early 20th-century exhibitions', *The Journal of Pacific History* 40(1): 23–44.

Logan, Greg 1989, 'Irish, royal and red: The story of Queensland's School Readers', *Educational Historian* 2(3): 1–7.

Lydon, Jane 2005, *Eye contact: photographing Indigenous Australians*, Duke University Press, Durham.

Mather, Patricia 1986, *A time for a museum: the history of the Queensland Museum 1862–1986*, Queensland Museum, South Brisbane.

McKay, Judith 1998, 'A good show: colonial Queensland at international exhibitions', *Memoirs of the Queensland Museum: Cultural Heritage Series* 1(2): 175–343.

- 2004, *Showing off: Queensland at world expositions 1862–1988*, Central Queensland University Press, Rockhampton.
- Parsons, Michael 1997, 'The tourist corroboree in South Australia to 1911', *Aboriginal History* 21: 46–69.
- Poignant, Roslyn 2004, *Professional savages: captive lives and western spectacle*, Yale University Press, New Haven.
- Rutledge, Charles 1897, *Guide to Queensland and the International Exhibition, 1897*, Australian Publishing and Advertising, Brisbane.
- Rydell, Robert 1984, *All the world's a fair*, University of Chicago Press, Chicago.
- 1993, *World of fairs*, University of Chicago Press, Chicago.

Modern primitives leaping and stomping the earth: from ballet to bush doofs

Anna Haebich and Jodie Taylor

In the colonial history of black and white Australia, there are few recorded instances of public performances that draw together the traditions of Aboriginal and settler dance cultures to create mutually constitutive corporeal dialogues. Aboriginal academic Marcia Langton argues in an oft-quoted observation that settler experiences of Aboriginal culture have remained over time primarily visual and distant, both spatially and culturally, rather than embodied and contingent.¹ It is not surprising, then, that settler encounters with Aboriginal performance have manifested primarily in spectatorship rather than interaction. In this paper, we explore two uncommon examples of embodied performance by non-Indigenous dancers directly inspired by white imaginings of Aboriginal culture. Exercising concern regarding the motivations and political implications of performance, we first examine the modernist ballet *Corroboree* (1954) and subsequently the neo-corroborees of contemporary 'bush doof' culture.²

The study of such hybrid performances is relatively new to Australian history so a significant 'knowable past' has been obscured from the historical agenda.³ While anthropologists studied the rich variety of traditional Aboriginal ceremony, the hybrid forms were neglected and settler Australians' enduring fascination with Aboriginal performance – albeit often patronising and grounded in racism – was largely forgotten. The absence of studies of Aboriginal hybrid performances produced for the entertainment of settler audiences is now being redressed in articles and compilations.⁴ In 2002, Michael Parsons published a history of the prototype public Aboriginal performances referred to generically as 'corroborees' that white audiences have avidly watched from early colonial times to the tourist productions of the present.⁵ Created within limits set

1. Langton 1993: 93.

2. An earlier version of *Corroboree* based on John Antill's score and choreographed by Rex Reid was performed in Sydney in 1950.

3. Parsons 2002: 16.

4. Kleinert and Neal 2000; Henry et al 2000; Magowan and Neuenfeldt 2005; Kleinert, 2006.

5. Parsons 2002. 'Corroboree' is an Aboriginal word appropriated from the Darug language of the Sydney region and is defined as 'a group of ceremonies, including public performances of songs and dances, covering the whole of social, economic, legal, political, religious and cultural life of the Darug people. All Aboriginal clans had similar highly developed ceremonial arrangement to allow their societies to operate in a complete way.' (Van de Van 2004).

by Aboriginal dispossession and pauperisation, these corroborees mixed traditional and introduced elements to meet changing white audience expectations. Anita Callaway calls such corroborees 'a fitting metaphor for the way in which Aboriginal Australians – indeed all colonised people – must constantly 'perform' for their daily survival'.⁶

Less attention has been devoted to settler-created Aboriginal-inspired hybrid performances. This partly reflects their comparative rarity. Australian spectators differ from their North American counterparts who, over the centuries, dressed themselves up to 'play Indian' – from the crude dress-up of colonists who staged the Boston Tea Party to the high-culture creations of the modern dance movement, the thousands of costumed hobbyists dancing at weekend pow-wows in the 1950s and 1960s, the hippies of the following decade and finally the New Age consumers of today.⁷ Rare Australian exceptions were daring fancy dress costumes worn at colonial balls,⁸ blackened film actors playing Aboriginal roles and the painted dancers of the settler-created hybrid performances that are the subject of this paper.⁹ While there are studies of examples of earlier creative works like *Corroboree* and a growing body of research on contemporary bush doof culture is emerging, the forms and the contexts of their production have not previously been brought together for comparative discussion.¹⁰

Both are the products of uneasy cultural encounters involving settler appropriation of Aboriginal cultural forms. Nicholas Thomas explains that, in the 'interplay of dispossession and repossession that defines the history of settler societies', there is an ongoing uneasy dynamic that bestows on settler acts of cultural appropriation a character of dual instability that combines in some proportion, 'taking and acknowledgement, appropriation and homage, a critique of colonial exclusions, and collusion in an imbalanced exchange'.¹¹ As Thomas explains, this sets up a complex ambivalence that resonates through the responses and works of creative artists and others who have genuinely attempted to engage with Aboriginal cultures:

Captivated by indigenous objects and performances, [they] sought to communicate their visual drama, even if they lacked understanding of their ritual significance. Encounters were marked by moments of awe, respect and partial understanding as well as misrecognition and hostility. It is this uncertain combination of acknowledgement and denial that has characterised the settler-indigenous relation in general.¹²

6. Callaway 2000: 117.

7. Deloria 1998.

8. Callaway 2000: 90–93.

9. The best-known example from ballet is the darkened dancer representing Aboriginal Australia in *Terra Australis* (1946). Performed by the Borovansky Ballet and based on a story by Tom Rothfield with music by Esther Rofe, the ballet represented the coming of Europeans to the continent. A less well-known example from opera is the balletic corroboree in Varney Monk's opera *Collitt's Inn* (Garling 1950s nd: 21, 31–32). An example of individual performance is ethnographic filmmaker Sandra Le Brun Holmes, who performed interpretations of Aboriginal dance and myth for audiences at the University of Western Australia in the 1950s clad in 'black tights and a laughing female mask' (Le Brun Holmes 1999: 53).

10. See, for example, Vignando 2000: 218; Potter 2004: 1.

11. Thomas 1999: 12.

The consequence of this process of cultural colonisation, as Andrew Lattas has argued, was that Aboriginal cultural elements were imbued with 'meanings [they] never had' and made to speak the 'cultural truths' of others.¹³ Added to this were the imaginings about Aboriginal culture that proliferated unchecked by genuine dialogue and that masked and perpetuated Aboriginal oppression, despite the stated best intentions of the parties involved. There was also an element in these uneasy cultural encounters of what Clement Greenberg has called the 'precondition for kitsch' as artists borrowed cultural traditions for their 'own ends and discarded the rest'.¹⁴ According to Roger Scruton kitsch has been the scourge brought by modernism to 'pre-modern people': 'A century ago, no African art was kitsch. Now kitsch is on sale in every African airport.'¹⁵

The 1954 ballet *Corroboree* was the product of a time when public performance and consumption of Aboriginal culture was a white-dominated enterprise, whether in performance, exhibitions, scholarly and popular publications, or films. In the context of the powerful postwar drive to create a new modern nation and to brand its distinctive qualities, Aboriginal culture represented a potent 'mark of identification', symbolising Australia's unique identity, along with its distinctive landscape and flora and fauna.¹⁶ Discrete elements of Aboriginal art were commodified into a public storehouse of ideas, symbols and motifs to be exploited for hybrid works combining Aboriginal and modernist forms for use in government promotion, commercial design and the visual and performing arts.¹⁷ As Ann Maree Willis points out, Aboriginal cultures became 'part of the nation's cultural capital, part of its heritage, a past living on in the present, a resource located somewhere between the nation's natural features and cultural landmarks'.¹⁸ Yet, in what we now see as an act of extraordinary cultural arrogance, Aboriginal artists and custodians were left out of the loop. Ironically, the resulting new profile for Aboriginal culture suggested a 'liberal social and political climate' at the very time that governments were insisting that Aboriginal people abandon their cultural practices and assimilate into the Australian way of life.¹⁹ These circumstances prompted a Melbourne book reviewer to comment at the time that, 'by some strange paradox, as the Aborigine becomes less a primitive man and his way of life recedes into the past, his culture becomes more and more a part of the Australian heritage'.²⁰

Today this uncritical acceptance of modernism's creative inspiration in 'primitive' art has been replaced by critique and contention over settler appropriation of Aboriginal culture.²¹ Edward Said's influential analysis of links between imperialism and high culture contributed to the critical reassessment of modernist practice as a process of cul-

12. Thomas 1999: 11.

13. Lattas 1989: 24.

14. Greenberg 1939.

15. Scruton 1999.

16. Langton 1996: 21.

17. For contemporary comment on these hybrid artistic and commercial works, see Black 1964. For more recent analysis, see Thomas 1999.

18. Willis 1993: 110.

19. Langton 1996: 21.

20. Dugan 1968.

21. Thomas 1999: 7.

tural colonisation;²² but, as Maria Torgovnick explains, Western audiences are still drawn to 'the general idea of the primitive [which] becomes a place to project feelings about the present and to draw blueprints of the future'.²³

The West seems to need the primitive as a precondition and a supplement to its sense of self: it always creates heightened versions of the primitive as nightmare or pleasant dream. The question of whether that need must or will always take fearful or exploitative forms remains pressing.²⁴

This is the case for the New Age phenomenon of individuals seeking personal meaning, spirituality and a sense of belonging in romanticised imaginings about Aboriginal culture.²⁵ In contemporary Australian youth sub-cultural collectives, dance music enthusiasts known as 'bush doofers' have questionably proclaimed a new-found connectedness with land and culture.²⁶ Since the early 1990s, young Australians have begun organising dance parties in outback and rural areas, and these events have focused significantly on achieving post-industrial, ecologically focused spirituality fostered through dance. Participants in these events are thought to be seeking what Susan Luckman refers to as:

escape ... to somewhere better, more in tune with nature and idealised, often pre-modern, community. Therefore an explicit connection between dancing outdoors and Australian indigenous and other 'traditional' communities and spiritual practices, notably Celtic and South East Asian, is a recurrent discursive trope in doof culture.²⁷

While this claim is valid and will later be examined in regards to the highly modified culture of the Rainbow Serpent festival, it does not wholly describe the motivations of all doof organisers and participants. During the last decade, a new breed of doof organisers and participants have begun to exhibit a serious commitment to social activism. Indigenous land rights, social justice issues and anti-mining campaigns have become the driving force behind their desire to dance and their desire to escape the homogenisation of global culture in a search for ritual and belonging, which will be discussed at length later in this article.

Beth Dean's *Corroboree*: ballerina of the outback

The ballet *Corroboree* premiered in 1954 at a Royal Gala Performance in Sydney to celebrate the visit of the newly crowned Queen Elizabeth II.²⁸ In creating and performing *Corroboree*, composer John Antill, choreographer/dancer Beth Dean and writer/producer Victor Carell followed modernist creative practices by exploiting so-called primitive forms in their search for innovative synergies, forms and languages of moder-

22. Lattas 1989: 24.

23. Torgovnick, 1990: 244.

24. Torgovnick 1990: 245–246.

25. Terry Goldie refers to settler colonists' quest to belong and understand as 'Indigenization' (Gibbons 2002: 8).

26. For extensive discussions, see Luckman 2003; St John 2001c; Tramacchi 2000.

27. Luckman 2003: 322.

28. This section is based on published sources written by Beth Dean and Victor Carrel: see Dean 1966; Dean and Carrel 1983, 1955, 1987; and Papers of Victor Carell and Beth Dean, New South Wales State Library.

nity. In this, they followed the example of artists from Picasso to Jackson Pollock who found in the primitive the languages to create their quintessentially modern works of art.²⁹ Antill's orchestral suite suggests the influence of Russian composer Stravinsky, notably the score for the ballet *Rite of Spring* (1913), inspired by Stravinsky's memories of Russian peasant life.³⁰ Antill was also influenced by his own observations of the Aboriginal 'Other' as witnessed in early tourist corroborees in Sydney and through his study of anthropological texts, including the writings of Baldwin Spencer and FJ Gillen, in creating over a 30-year period the defining composition of his musical career and of Australia's mid-20th century orchestral repertoire. Beth Dean's choreography and performance were similarly grounded in these modernist practices.

This significant hybrid creation celebrated the modern Australian nation using dance forms and mythology from Aboriginal performance combined with Western conventions to express Australia's unique identity. The ballet was conceived in the crosscurrents of awe, respect, partial understanding and misrecognition of Aboriginal culture identified by Nicholas Thomas. It was also shaped by the institutional constraints of nation, race and representation operating in Australia at the time, as well as the disciplinary requirements of Dean's artistic training. This made for an uneasy cultural encounter. While choreographing the ballet, Dean observed that 'steps devoid of mood, devoid of the aboriginal belief and atmosphere lose their potency and of themselves seem unusual and weird'.³¹ This point is central. The mix of disparate elements from distinctive aesthetic and mythological traditions produced a ballet that failed to achieve heights of creative expression in either. Its production fulfilled Greenberg's 'precondition for kitsch', and no doubt its performance evoked for some the emotional and visceral responses aroused by kitsch. How else can one explain the initial acclaim at its premiere and its subsequent rapid slide from the cultural agenda?³²

American-born Dean and her Italo-Australian husband, Carell,³³ were inspired to leave New York in the late 1940s to study Aboriginal dance in Australia by anthropologist Charles Mountford's vision of the:

centre of a continent where, surrounded by empty silence, an old man, with bearded face and jutting eyebrows, sat chanting. The shadows about him were

29. Rubin 1984.

30. Berg 1988.

31. Dean and Carell 1955: 209.

32. Dean's *Corroboree* was performed in 1970 for the Captain Cook Bicentenary with African American dancer Ronne Arnold as principal dancer. Dean lobbied unsuccessfully for it to be added to the national ballet's repertoire and to be included in Australia's 1988 Bicentenary celebrations. In 1994, a notated record of the ballet was prepared, and the following year Stanton Welch created a third version of *Corroboree* to celebrate the 50th anniversary of the United Nations charter using contemporary dance forms to express a 'generalised ritual' (Potter 2004).

33. Beth Dean was born in 1918 in Denver, Colorado. She studied ballet there and in Paris, and performed in Europe and the United States. In the early 1940s, Dean worked in Hollywood where she met her future husband while performing as prima ballerina in the film *The Waltz King*, the story of the life of Johan Strauss (Dean and Carell 1983: 2). Victor Carell was born in Australia to an Italian migrant family. He trained as an opera singer in Sydney, London, Chicago and in Canada (Dean and Carell 1983: 2).

peopled with leaping, virile young men, their dark glistening bodies ochre-daubed and decorated in fantastic designs of feather down.³⁴

Dean's fascination for Aboriginal dance also derived from her interest in American modern dance which, despite her training in classical ballet, provided the inspiration for her life's work. The influence of dance pioneers Ruth St Denis, Ted Shawn and Martha Graham permeated Dean's creative work and writings. For them, primitive dance expression and movements, themes, rhythm, instruments and dance steps held powerful synergies with the potential to create profound experiences for performers and audiences. Jaded with the formalism of classical ballet, they created new modern dance languages and idioms from primitive, ethnic and folk forms.³⁵ From these elements, they shaped composite dance dramas with sets and costumes designed by contemporary artists and musical scores written by leading modern composers. Martha Graham also sought profound transformative encounters that would energise repressed emotions and surrender to what Marina Torgovnick calls the oceanic dimensions of human experience.³⁶ To this end she undertook first-hand study of indigenous dance and attended religious ceremonies and shamanic rituals in the American Southwest.³⁷ When Ted Shawn toured in Australia in 1947, he explained his quest to view Aboriginal dancers as follows:

Theatrical dancing is liable to become anaemic and to begin to die of dry rot unless now and then, the dancer can sink his roots down into primitive dance ... [The primitive dancer] dances because dancing is, to him, a magic formula. It is to him the finest expression of his religious consciousness.³⁸

Shawn described the performances he saw in the Northern Territory as being 'so outstanding that I was knocked off my feet' and singled out for particular praise the legendary Wagaitj dancer Mosec Manpurr whom he claimed would be 'a sensation in London or New York'.³⁹

The modern dance movement brought a new respect and willingness to add selected primitive sacred dances to the canons of classical dance in recognition of their 'great age, exactness of preservation, economy of movement, specialised technique and symbolic stylisation'.⁴⁰ There was also a new impetus to salvage, preserve and resurrect lost or disappearing styles, techniques and forms. This brought the movement into contact with anthropologists and their fieldwork methods of studying dance and their fixation on salvaging dying cultural practices.⁴¹ These were positive steps, but in retrospect it is obvious that the connections between the modern and the primitive were intrinsically unequal and inevitably exploitative. The dancers' modernist reworkings and transformations reflected their own artistic, commercial and political interests. In

34. Dean and Carell 1955: 2.

35. Dean 1966: 101.

36. Torgovnick 1996: 8.

37. Berg 1988: 142.

38. Australian News and Information Bureau 1947: 70.

39. Mosec was living at the Delissaville Settlement (now Belyuen) on the Cox Peninsula west of Darwin when Shawn saw him dancing. Mosec died in 1950.

40. Dean 1966: 64.

41. Dean 1966: 157.

the creative process, the original meanings, purposes and histories of the appropriated primitivist elements, the identities and lives of their original creators, and the cultural conventions that guided their practice were overlooked and forgotten.⁴² The style and forms of what Michael North calls the resulting 'modern-created-primitive-dialects' were the property of alien artists, anthropologists, critics and audiences, who shaped public imaginings and expectations of the primitive and of the authenticity of works by primitive artists seeking to establish their own creative identities.⁴³

Dean's respect for Aboriginal dance is expressed in her book *The many worlds of dance*, where she writes that 'the poetic language of hours of chanting, the décor, and long disciplined ritual, the performance as total, or lyric theatre, is indeed classic'.⁴⁴ In her quest to understand primitive dance, Dean studied anthropological texts and during her concert tour of New Zealand was instructed in traditional dance by Maori women. This embodied experience of learning together with the paucity of available anthropological studies of Aboriginal dance must have influenced her determination to observe authentic Aboriginal performances first-hand in remote Australia. In 1952, Dean argued the need for this study in a letter to Sir Paul Hasluck, the federal minister responsible for Aboriginal affairs. She stated that:

Since Dance is intimately bound up with the whole psychology of Aboriginal social, economic and religious life – I believe that its study has a value far beyond even its high artistic merits. Among primitive groups one sees the true soul of a people through their deepest thoughts hopes and desires often expressed as Dance Drama. It seems that this is particularly true of the Australian Aborigines.⁴⁵

Dean's invitation from Dorothy Helmrich of the Arts Council of Australia in 1953 to choreograph *Corroboree* was the catalyst for Dean and Carell to set off on an eight-month, 10,000 mile trip through Northern and Central Australia to observe, record and film Aboriginal dance and ceremonies. In doing so, they stepped out of the artistic comfort zone where primitive art could be encountered visually and from a distance through texts and artefacts. Their journey was ambitious in time spent and distance travelled, as well as the range of meetings with Aboriginal people and of performances observed. In the segregated world of 1950s outback Australia, the couple experienced the usual barriers to interaction with Aboriginal people – language, culture, race and social pressures to mix with white residents and conform to their ways. However, their interest in dance led to invitations from Aboriginal groups to travel with them into the desert to attend initiation ceremonies.

Dean and Carell recorded their journey in the book *Dust for dancers*, published two years after the trip. The account is a case study in the discourse of cultural extinction, which permeates the book despite the couple's own eyewitness accounts of vital per-

42. This argument follows critiques of modernist artists' exploitation of primitivism following the 1984 exhibition at the Museum of Modern Arts, *Primitivism in 20th century art: affinity of the tribal and the modern*. See McEvilley 1996; Clifford 2003.

43. North 1994.

44. Dean 1966: 64.

45. Note on letter between Dean and Carl Strehlow, 24 September 1952, Papers of Victor Carell and Beth Dean, New South Wales State Library.

formances by strong community groups. Influenced by anthropology's paradigms of cultural rescue and salvage, they wrote that:

most experts agree that the Australian Aborigines are no longer a dying race, for their numbers are increasing. But their culture – their age old beliefs and customs – their dances as part of a living, vital link with their religion, history and country – their totemic stories – their unique drawings and the spirit behind them – all these are dying.⁴⁶

The mechanisms of cultural extinction were the demoralising effects of 'civilisation' on Aboriginal people and the tensions generated when assimilation trapped 'Stone Age man' between two worlds. Then there was the perceived cultural breakdown when, as 'young Aboriginal men come more and more into our "white fellow" ways, they are spending less and less time with the old men of the tribe learning the traditional dances songs and stories that have been handed down through untold generations as the tribes wandered their long walkabouts over Australia'.⁴⁷ At one point in the book, the couple argues that total Aboriginal segregation is the only solution. Yet this contradicts their endorsement elsewhere of the assimilation of Aboriginal people into modern Australian life. Paramount for Dean and Carell was their perceived duty as artists to 'rescue Aboriginal culture from entire oblivion'.⁴⁸ Their clearly stated intention was to promote public respect for the theatre and virtuosity of Aboriginal performance with its creative use of staging, props, lighting, music, dance, body adornment, the compelling atmosphere of dust, smoke and fires and enthusiastic audience participation. They were united in their intention to, as Dean put it, 'call out to a blind and thoughtless world that these Aboriginal dancers and musicians are truly great artists'.⁴⁹

The couple had the opportunity to observe many of the forms of traditional Aboriginal dance in the Northern Territory. At Manbulloo Station near Katherine, 'house girls' performed *djarada* ('women's business' dances) and the young dancer and didgeridoo player Gilligan from the same Wagaitj tribe as Mosec thrilled them with his virtuosic performances of the short theatrical *wongga* dance style. They observed that his brilliance marked him as 'a great artist among his people ... he was a young god ... he held us spellbound'.⁵⁰ From there the couple travelled east into Arnhem Land to Beswick Compound – now Beswick (Wugularr) Community – where they watched a series of 'play about dances' and performances for the *Warrangan* ceremony. This impressed on them the power of the men's

violent stamping, digging deep and hard into the earth, making it fly up about them, so that they are right in the centre of an eddying dust cloud. They do this because they believe that they are gathering strength from the earth; they feel a joy springing right up from the soil, through their pounding legs into their bodies. And they dance about everything in their life, for, to them. To dance is a joy and a duty. It gives them a sense of fulfilment.⁵¹

46. Dean and Carell 1955: ix.

47. Dean and Carell 1955: ix.

48. Dean and Carell 1955: ix.

49. Dean and Carell 1955: 210.

50. Dean and Carell 1955: 26.

51. Dean and Carell 1955: 41.

They then travelled further into Arnhem Land to Mainoru homestead, where Remberanga people performed 'highly exciting' *warma* dances for them 'that tremble the knees or dip and rise like Russian Cossacks'.⁵² In Darwin, they saw Tiwi dancers from Bathurst and Melville Islands perform over 16 different dances in an afternoon, culminating in part of the Pukamuni Burial Ceremony. The couple then drove out to the Daly River where they camped near the police station and observed large gatherings performing ritual dances for a young girl's initiation.

From Alice Springs, they travelled to Yuendumu settlement where they recorded sacred men's and women's dances and noted the strict separation of their performances. Here they met Djungartu (Nosepeg), a Pintubi man who invited them to go bush to observe the preparations and performances of dance and chanting for one stage of a boy's initiation ceremony that went on each night over a couple of weeks. For Dean and Carell, this proved a dramatic experience with extremes of noise and excitement, women's wailing, daily preparation for dancing, separation of men and women and then gatherings for communal performances. The description of a particular climactic moment in the cycle of the ceremony stands in contrast to the more factual tone of the book, and no doubt influenced the couple's reinterpretation of the seven stages of *Corroboree* as a ritual of initiation:

The chanting and dancing went on for a long time, till suddenly, the men made a fierce concerted rush towards the women, screaming at them and threatening them in rough, hoarse tones. For a moment, an atmosphere of all-hell-let-loose prevailed ... It was so savage ... so complete ... so sudden ... In the dark the women were all running madly back toward the camp ... As they ran, the aboriginal women were screaming and calling out, some of their cries having an edge of real panic. As the women dashed past her, Beth felt a spasm of fear at her heels, and went with them ... About her the women were all screaming with an incredible volume of sound.⁵³

The remainder of the trip seemed anti-climactic as they travelled to Ayers Rock then to Ernabella and on to Adelaide, where they met up with 'Monty' (Charles Mountford) at the South Australian Museum. They then returned home to Sydney where they threw themselves immediately into the task of creating the ballet within a period of a few weeks.

Corroboree was the first of several major artistic collaborations between Antill, Dean and Carell. They were united in their intention to 'pay tribute through contemporary music and dance ... to the great poetry, discipline and the very spirit of [Aborigines'] many faceted arts'.⁵⁴ Despite their direct experiences of Aboriginal performance, they saw no dilemma in appropriating Aboriginal dance forms to achieve this goal.

Dean decided to take the lead role of the male initiate in contradiction to the many examples she had observed of the strict gender divisions and prohibitions that characterised Aboriginal performance. This decision was crucial in transforming the narrative

⁵². Dean and Carell 1955: 64.

⁵³. Dean and Carell 1955: 173.

⁵⁴. Dean to Director of the Australian Ballet 9 April 1979, Papers of Victor Carell and Beth Dean, New South Wales State Library.

of a primitive Aboriginal male ceremony into a civilised, feminised performance suitable for the young Queen Elizabeth and cultured Sydney audiences. At the same time, as Catrina Vignando points out, by including other women dancers Dean was challenging public assumptions that denied the role of women in Aboriginal sacred life and ceremony.⁵⁵ Conditions of production inevitably continued the creation of a Westernised dance performance for a civilised space and audience. The team had to work within the constraints of the orchestral score, staging requirements, skills of the dancers, audience expectations and their own artistic expectations. There were also the considerations of royal convention, one being that the Royal Gala was a variety performance so that it was not possible to perform the ballet in its entirety.

Carell adapted the stages of an Aboriginal boy's initiation to the seven sections of the *Corroboree* orchestral suite to create a modernist narrative expressing the universality of the human condition 'based on the age-old theme of initiation, which is discipline learned through trial by ordeal'. Dean later wrote that while she drew on Aboriginal movement and steps she was not recreating a corroboree but a 'contemporary ballet set to sophisticated symphonic music'.⁵⁶ Male and female dancers were selected for their familiarity with classical and modern dance movements and their willingness to work with Dean to extend to Australia the 'style called "modern" or "contemporary dance" ... [and to create] true theatre – a translation in dance-language from one culture to another'.⁵⁷ Dean conducted classes for all dancers in Aboriginal dance movements and perspectives in order to:

instil the depth and potent emotional beauty of aboriginal dance into people who had never seen an aborigine; to try to enthuse their will to picture in the mirror of their minds the excitement of an aboriginal ceremony which they had never known even existed. They had, we believed, to learn to feel the dance quality as we had felt it, and by doing so, to infect each audience with the beauty and thrill of this pristine ideal of the aboriginal mind – to carry the continuous line direct from the aborigines in Central Australia to a city audience in Sydney.⁵⁸

No Aboriginal dancers were included in the performance. Instead the all-white cast had their skin blackened and wore dark woollen body tights. Body markings were depicted by chenille and fur trims.

Dean later wrote that she worked on the choreography 'in days and weeks alone with the music'.⁵⁹ Technically and conceptually, the forms were contrastive – even the male virtuosic performances. Djon Mundine writes that most Aboriginal dance is very grounded and low to the earth:

'Foot to the earth' as the famous Aboriginal choreographer Stephen Page described it. It's about physical memory – to be able to tell the story by putting yourself into the movement. Women move in a kind of minimalist shuffle (not really a step) with the feet always in the sand; a quiver of the thighs – a skip perhaps ... A type of

55. Vignando 2000: 219.

56. Dean 1966: 11–12.

57. Dean and Carell 1983: 146.

58. Dean and Carell 1955: 169.

59. Dean 1966: 11–12.

'dance fractal' ... interestingly the performer may actually spend a longer time painting up than actually dancing.⁶⁰

The assumption that Dean and her dancers could readily make the transition from the practices of classical ballet inscribed in their bodies to the complexities of Aboriginal performance suggests the sense of cultural superiority operating even in the sympathetic approach of Beth Dean to her subject.

Today a production that so clearly breached Aboriginal cultural protocols and rules regarding cultural appropriation would never be presented in an Australian theatre. Yet in 1954 audiences steeped in imaginings and preconceptions about Aboriginal culture and the primitive deemed the ballet world class and the highlight of the Royal Gala performance. Critics lauded Dean's success in creating from the 'elementally Australian [a ballet that] ... transcends mere local interest and belongs to the world'.⁶¹ Others lauded the achievement of 'an American who shows, as even our best writers have not been able to do, what is basically Australian'.⁶² One critic wrote that Dean had 'crept inside the skin of our aborigines: she knows his mind, his spirit, his beliefs, his customs and his art of dancing', suggesting a new perceived authority for the creative artist to bestow authenticity on works based on Aboriginal culture.⁶³ Dean has always maintained that her intention was to encourage respect for Aboriginal performance by creating a 'proudly dignified yet severely humble offering of the fruits of years of earnest endeavour to understand the activating spirit of aboriginal lore and to translate it into live theatre for all to share'.⁶⁴ Ironically, the effect of her good



Fig 1. Beth Dean in *Corroboree*. Royce Rees collection of Sydney theatre photonegatives, 1946-1967, PXA 739, Mitchell Library.

60. Mundine 2003: 68.

61. *Sunday Telegraph*, newspaper reviews, typescript, February 1954, Papers of Victor Carell and Beth Dean, New South Wales State Library.

62. Editorial, *Daily Examiner*, typescript, February 1954, Papers of Victor Carell and Beth Dean, New South Wales State Library.

63. Columnist Eunice Gardner; *Mirror*, newspaper reviews, typescript, February 1954, Papers of Victor Carell and Beth Dean, New South Wales State Library.

64. Dean and Carell 1955: 211.

intentions was to strengthen official resolve to assimilate Aboriginal people. The appropriation of Aboriginal forms to represent the modern condition and nationhood and the all-white performance reinforced the impression that Aboriginal culture was indeed dying, and that assimilation was the only way forward. As such, Dean's creative work was firmly embedded in ongoing colonial relations of domination and power.

For the new wave of Aboriginal performers seeking public recognition from the 1960s, these hybrid creations proved to be major obstacles. They had to battle widespread acceptance of cultural appropriation without acknowledgment or compensation to traditional custodians and performers, and their fragmented, misinterpreted and misrepresented versions of Aboriginal culture. Aboriginal performers had to compete with non-Aboriginal artists like Dean, Antill and Carell, who continued to receive commissions to create Aboriginal-derived performances into the early 1970s. They also had to prove to white audiences their ability and authority to perform and the authenticity of their work in the face of modernist interpretations that branded them as Stone Age and exotic. On their side was the vitality of their performances compared with these hybrid creations. The new political contexts of Aboriginal protest and campaigns for social justice and land rights also demanded a move away from exploitative practices and required the creation of a new Aboriginal imagery in the public sphere. This found expression in the surge of Aboriginal artists, performers and writers in the national and international arenas from the 1970s to the present. Aboriginal artists also began to lobby politically and through the courts for copyright protection for their works and formal acknowledgment of the special features of Aboriginal cultural rights and obligations and their connections with country, spirit and well-being.

We now turn our attention to a seemingly disparate form of modern dance emerging almost half a century after Dean's balletic attempt at dancing a white corroboree. Bush doofs – a derivative of rave culture – share little commonality with ballet, aside from the obvious physical expression of dance. The bush doof is an autonomous communal event; dancers who gather at a bush doof are generally not professional dancers, but rather people who congregate in a designated location for the purpose of socialising, self-expression, personal enjoyment and communal connectivity which they achieve through music and dance. The following investigation will briefly outline the general ethos of bush doofing in Australia and address the bush-doof phenomenon in the context of the uniquely Australian FreeNRG culture, focusing specifically on its commitment to Aboriginal causes and its attempts at creating intercultural alignments between black and white Australians via outback dance parties. It will make special reference to the bush doof event known as Earthdream and the Rainbow Serpent Festival in an attempt to locate genuine examples of FreeNRG cultural participation, which is situated in contrast to commodified cultural experiences.

Bush doofs, neo-corroborees and postcolonial dance activism

I think there's a sense of the spirit of the land. This land we now call Australia has a real spirit to being stomped. And if you've ever watched Aboriginal dance, it's very much about stomping the earth ... if you watch techno ... it's very much about stomping the earth ... [it] brings energy into the body, Earth energy into the body.⁶⁵

Like the Western dance traditions of classical and modern ballet, rave culture is largely a European and North American import. Our contemporary understanding of the term 'rave' is located within the 1960s psychedelic hippie culture, but more recently has become synonymous with urban youth subculture, large-scale dance parties, electronic dance music and illicit drug use. While this remains indicative of mainstream raving practices, we find evidence of a counter-cultural phenomenon dwelling in the fringes of the Australian rave scene. Graham St John, a leading Australian cultural studies scholar on this topic, refers to this evolving post-rave scene as the FreeNRG movement. FreeNRG is radically postmodern and extremely neologistic, conjuring up rich imaginings of futuristic dance spaces in juxtaposition with the Australian outback by employing colourful language such as 'eco-rapture', 'technotribalism', 'future-primitives', 'neo-corroboree' and 'psycorroboree' to describe a post-rave dance experience that promotes awareness of social justice issues facing Indigenous Australians. In the forward to St John's book, *FreeNRG: notes from the edge of the dance floor*, Ken Gelder suggests that post-rave FreeNRG culture has invoked an 'Aboriginal aura', arguing that:

FreeNRG stands at the front line of reconciliation, making contact and forging intercultural alignments and affiliations: working always in sympathy, even empathy, with Aboriginal and ecological paradigms ... FreeNRG is all about the ritualistic production of an ethically correct sense of settler occupation of this country.⁶⁶

In this context, the term 'FreeNRG' is drawn from the title of St John's book and is not a solidified cultural movement as such. However, it is an idea and an ethos underpinning some of the post-rave dance parties that occur in the Australian outback and will be used throughout this discussion to represent moments of post-rave culture that attempt to forge intercultural affiliations between Indigenous and non-Indigenous Australians. For FreeNRG culture to be seen as a successful advocate for social change, it must not simply – as Antill, Dean and Carell attempted – pay tribute to Aboriginal culture through contemporary music and dance or save what they paternalistically saw as a 'dying culture'. Rather, it must attempt to create a new dialogue – one that is mindful of the oppression perpetuated by those like Antill, Dean and Carell, who in the past danced with the best intentions but failed to acknowledge their assimilatory methods and colonial discourse. Turning now to the bush doof scene from which FreeNRG culture has emerged, we begin to see a new generation of white Australians leaving the urban landscapes and entering the Australian outback in a way not dissimilar to that of Dean and Carell 50 years earlier.

Dance parties and collective gatherings associated with rave culture were once contained within metropolitan areas. In many instances, the location of a rave will be regulated and legally scheduled while at other times they involve the hijacking of urban spaces in an attempt to create 'temporary autonomous zones' in which dancing becomes a performance of oppositional politics.⁶⁷ While the majority of dance parties across the country are still city-bound, there is a growing feeling among Australian post-ravers that urban rave culture has become tainted by commercialism and middle-

65. DJ Krusty quoted in St John 2001a: 29.

66. Gelder 2001: xvi–xvii.

67. Gibson 1999: 19–33.

class consumption. Those who seek a more spiritual experience are now promoting and participating in psychedelic dance parties in the Australian bush known colloquially as the bush doof.

The bush doof is a unique product of post-rave culture and is particularly suited to the expansive Australian landscape. The term itself is an onomatopoeic suggestion of sonically reinforced drum and bass music echoing through the Australian bush. The remote location of the bush doof provides a space free from noise regulations, city pollution and urbanised architecture. These locations are preferred by participants for the additional stimulation provided by nature, such as the rising and setting sun, a more visibly pronounced lunar course, and the superior clarity of evening stars, which many metropolitan dwellers rarely experience without a looming industrial backdrop. Des Tramacchi advocates that ecological surroundings 'link the doof community to the landscape and allows the occurrence of spontaneous mystical bonds with nature'.⁶⁸ The cathartic and radical ideology of the bush doof corresponds with Hakim Bey's original notion of temporary autonomous zones in which doofers seek an alternative form of community.⁶⁹ In contrast to many of the metropolitan raves and dance parties, the doof is conceived as a greater spiritual, and almost sacred, experience. Doofers seek a tribal encounter and boast a communal enlightenment, which often extends beyond the use of illicit drugs prevalent within urbanised raver practices.⁷⁰ In fact, the official Earthdream website for 2006 suggests to participants that 'if you choose to be off your face you may well miss the point, surely it has reached the time to evolve past these induced states? Be clear and clean enough to induce your own natural blisses'.⁷¹ While the use of these substances and other chemical psychedelics is by no means absent from bush doofs, it is suggested that they are secondary to the connectedness and communal enlightenment achieved by eco-rapture – that is, the feeling one gets from dancing and stomping upon the earth.

Traditionally, doofers congregate to dance. Their style is not choreographed, but rather a free form of dance, an impulsive reaction to the pounding repetitive beats of electronic musical accompaniment. Bush doof participant Kathleen Williamson notes that 'when dance, vibration and movement are introduced, we are suddenly communicating with ourselves in very challenging ways, as well as with an infinite myriad of other energies, entities, ideas and emotions'.⁷² Here, Williamson emphasises the importance of dance to the doof experience, highlighting its ability to communicate and channel energy and emotion from within the self and between others. The spiritual capacity of the dance seems to be a concurrent thread attracting and connecting doofers across the country; but dance serves multiple purposes spanning the pleasurable, spiritual and political. Doofs are often imagined as inter-tribal collaborations, usually

^{68.} Tramacchi 2000: 208.

^{69.} Bey 1991.

^{70.} Drugs commonly used by ravers include the psychoactive drug known commonly as ecstasy (MDMA) and the stimulant known as speed (amphetamine). These drugs are consumed to heighten one's enjoyment and provide the consumer with an artificial increase in energy levels to assist with dancing for extended periods of time.

^{71.} The Official Earthdream Homepage, <http://www.angelfire.com/mt/earthdream2000/itinerary> (accessed 24/3/2006).

^{72.} Williamson 1999.

organised by various technotribes from around Australia. In this instance, the doof is sometimes referred to as a corroboree:

Consistent with 'neotribalism', technotribes are interconnected in a network each node representing a possible site of belonging for contemporary nomads, achieving their fullest (sometimes only) expression in the party, the festival, the TAZ [Temporary Autonomous Zone], the direct action, the doof, or, as it is often designated, the 'corroboree'.⁷³

Evocatively naming themselves in a fashion that indicated technological and primitive hybridity, certain technotribes such as Vibe Tribe, Ohms Not Bombs and Labrats have been gathering annually since 1999 in merriment, in protest and to experience a new age tribal spirituality at a global neo-corroboree called Earthdream:

Transpiring over several days and nights, participants at 'techno-corroborees' ... are more *inhabitants* than 'punters' ... The new 'corroborees' are sites where ultimate concerns are celebrated, dramatised or demonstrated.⁷⁴

Many of these collectives have been taking their unique form of doof protesting around the country since the late 1990s, and during that time Aboriginal and non-Aboriginal dancers have united to dance on the land and celebrate difference while raising awareness of, and attempting to combat, social, ecological and political issues such as the mining of uranium on Aboriginal land, the teenage petrol-sniffing epidemic and repressive colonial governance.⁷⁵ Doof participant and author Peter Strong recalls a moment from Vibe Tribe's voyage in 1996 when they set out through central Australia making their way to Darwin:

We approached the Bagot Aboriginal settlement about doing an interactive event there. When we got there to set up, the elder who had said 'yeah, bring your disco here', had gone home to fish and no one knew anything about it. Anyway, we put the word out and as we arrived and were unloading the system from the trailer, a mob of kids came to assist us to put up the décor. They were laughing and interested in every aspect of the equipment as the first track [song] was dropped [played]. Projections shone and Aboriginal and non-Aboriginal danced for hours until midnight.⁷⁶

In 1998, Ohms Not Bombs began a desert tour in protest of the Jabiluka mines, hosting multiple doofs in Uluru-Kata Tjuta National Park and Darwin. The following year Ohms Not Bombs became involved in numerous protest parties in a range of locations such as Lake Eyre in northern South Australia and Wooyong in northern New South Wales. During the parties at Lake Eyre and Roxby Downs, technotribal activists forged a connection with Arabunna elder Kevin Buzzacott. Kevin was battling against the Roxby Downs uranium mine which was threatening both the ecosystem and Arabunna culture.⁷⁷ Doof participant in Earthdream 1999, Rufus, recalls his experience with Kevin:

⁷³. St John 2001a: 21.

⁷⁴. St John 2001a: 25.

⁷⁵. St John 2005b: 14–16.

⁷⁶. Strong 2001: 81–82.

⁷⁷. Strong 2001: 87.

Every day we would sit around the fire and Uncle Kev would describe his vision of the future, or what he thinks are the steps we need to take to create the future that we want to live in. His ideas were progressive in the sense that anyone who comes out here to this bit of land and feels the spirit of the old lake and dances on the land, they're welcome. And you feel the call to defend it. And that's what Uncle Kev's all about. He keeps on talking about finding a way home, or finding a way forward, and his idea is that we have to do it together. Aboriginal culture and white culture. We sort of have to work together in spite of all our historical conflicts.⁷⁸

Earthdream is potentially the most significant FreeNRG doof, encapsulating a sincere sense of dance activism and social protest. Earthdream was the brainchild of the Mutoid Waste Company based in London (1988), but this powerful form of hegemonic resistance soon travelled around the world, forming in other countries and taking up cultural and ecological issues of colonised societies. According to the Australian website of Earthdream 2006, the organisers 'are attempting to find a balance between full on rave, workshops addressing land rights, water and uranium issues, and finally corroboree sharing with local Aboriginal groups'.⁷⁹ Organisers of and participants in Earthdream gatherings insist that they are directly 'responding to requests from various Aboriginal communities (including the Mirra, Adnyamathanya and Arabunna) who are seeking support for their campaigns to defend country, particularly in opposition to uranium miners'.⁸⁰

Earthdream is a highly successful doof that has a history of working in solidarity with local Aboriginal communities, suggesting that it actively seeks a genuine intercultural dialogue between Aboriginal and non-Aboriginal Australians. It provides Aboriginal and non-Aboriginal participants with a common project and, through the execution of this project and by dancing and performing together, it fosters acceptance and encourages cultural sharing. Moreover, it is a means for urban dwellers to get closer to country and, in doing so, enrich their knowledge and gain new perspectives on landscape. According to St John, 'dancing is an embodied participation in landscape, an intentional means of connecting with place'.⁸¹ Since 1999, Earthdream participants have returned annually to the southern point of Lake Eyre to reconnect with the spirit of the land and its people. In all documented instances, Earthdream organisers have legitimately gained the permission of traditional land owners to host their events and in one notable instance 200 Kooris participated in what was described as a 'non-violent dance-scape ... proving again that dancing can free your mind'.⁸² On the dusty dance grounds of this site, Earthdreamers have sought an embodied participation in reconciliation and the ethos of FreeNRG culture (as previously suggested by Gelder) is activated via dance.

Earthdream is not the only large-scale bush doof in the country; in fact, numerous other events take place in rural locations which similarly attract dance enthusiasts to

78. Rufus quoted in St John 2001b: 121.

79. The Official Earthdream Homepage, <http://www.angelfire.com/mt/earthdream2000/> (accessed 24/3/2006).

80. St John 2005a: 322.

81. St John 2005a: 331.

82. Karl Fitzgerald quoted in St John 2001: 26.

congregate and stomp upon the earth. But do all bush doof events claim to engage in a legitimate form of ethically correct dance activism, inspiring engagement with Aboriginal culture? Or are some bush doofs guilty of inadvertently perpetuating Aboriginal oppression via the commodification and consumption of Aboriginal culture? To answer this question, another event called the Rainbow Serpent Festival is briefly addressed.

The growing popularity of the doof experience has encouraged a sort of metropolitan cultural diaspora, scattering sound systems, pyrotechnics, laser light displays and swarms of disheartened post-ravers across the country. Many of these people are searching for a momentary experience of 'Otherness' via far-fetched imaginings of Aboriginal culture and (to recapitulate on Luckman's earlier suggestion) an escape to a romanticised pre-modern community. The bush doof known as the Rainbow Serpent Festival has been running annually since 1997 outside the township of Beaufort, western Victoria. The Rainbow Serpent Festival is organised by Green Ant Productions, a 'collective tribe ... [of self proclaimed] technoshamanistic DJ's, musicians, artists, producers and promoters each with a vision of how to create spiritually empowering rituals that awaken the spirit, mind and body'.⁸³ Via literal references to the Dreaming spirits, Rainbow Serpent and the Great Green Ant, and through appropriation of Indigenous iconography in many of its poster designs, this festival exploitatively embeds its public image with Aboriginal signifiers in an attempt to create an exotic and primitivist facade.⁸⁴ According to festival organisers (who boldly suggest this without any supporting evidence of Aboriginal consultation or citation):

While dancing their Dreamings, aborigines spiritually connect themselves to the land and to the Dreamtime. The drumming of feet during the dance draws the earth into dialogue with the dancers, allowing the ceremony to bring the power of the Dreaming to life.⁸⁵

The Rainbow Serpent Festival is held annually on the Australia Day weekend in January, which in itself suggests a lack of empathy towards Aboriginal consciousness. A festival is typically a celebratory cultural gathering, thus by staging a festival on (or as close as possible to) the day which nationally commemorates the arrival of the First Fleet in Sydney Cove, the Rainbow Serpent Festival is inadvertently celebrating the devastating effects this historic event had on Aboriginal culture. Celebrating on this day seems incongruous with the ethos of harmony, healing, spirituality and connectivity expressed by Green Ant Productions. Moreover, the available archive of Rainbow Serpent Festival flyers and web text consistently refers to this day as 'Australia Day' without acknowledging the significance of the invasion, or the fight for survival that is also marked by this day. While it is clearly not the intention of festival organisers to be blatantly distasteful in their promotional text, advertisements or scheduling, this festival presents yet another example of the paradox of white Australia's consumption and imaginings of Aboriginal culture.

83. The Official Green Ant Homepage, 'Background', <http://www.greenant.com/index1.htm> (accessed 22/6/2007).

84. See example of appropriated iconography in the Rainbow Serpent poster archives at the official Rainbow Serpent website: <http://www.greenant.com/oldsite/rainbow2000.html>.

85. The Official Rainbow Serpent Homepage, 'Philosophy', www.rainbowserpent.net/background/philosophy (accessed 24/3/2006).

The Rainbow Serpent Festival is an example of white Australians seeking association with the 'Other'. The 'Other' is what mystifies them, drawing them away from their weekly structural matrix towards weekend flirtations with imagined primitives. The evocative use of the Dreaming ideology coupled with decorative Aboriginal iconography, a welcome-to-country ceremony and what is listed on the program as a 'spiritual blessing for inner peace with Aboriginal elder and reigning Miss Rainbow Auntie Mona Wilson' gives the vague appearance that festival attendees are engaging with Aboriginal culture; but there is no evidence that any long-term or beneficial dialogue is produced in this instance.⁸⁶ In fact, coming together to dance in this case exhibits limited empathy or even understanding of the issues facing Aborigines, and instead represents individualistic attempts at self-fulfilment via pseudo-Aboriginal imaginings of dancing upon the earth. To support this argument, Jane Mulcock reminds us that practices of cultural borrowing and fusion of Aboriginal and European traditions are highly contentious and ethically ambiguous. The phenomenon of cultural borrowing is clearly apparent in this case and can be noticed just as easily in North American rave culture's appropriation of Shamanic mysticism in its (re)creation of the 'technoshaman'.⁸⁷ Indigenous cultural symbols and spirituality have become part of a 'global cultural supermarket'. Mulcock suggests that 'in the aisles of the cultural supermarket all images and ideas have the potential to become freely available, depoliticized, resources easily available to all producers and consumers of postmodern popular culture'.⁸⁸ In the case of the Rainbow Serpent Festival, the commodification of New Age spirituality and primitive imaginings is reflected in the escalating ticket price (directly in contrast to Earthdream, which is free). In 1999, ticket prices were \$32 presale and in 2007 they had climbed to \$135 presale – thus making dalliance with 'Otherness' only available to those who can afford the luxury.

When assessing Earthdream and the Rainbow Serpent Festival comparatively, we clearly see two different logics of dance emerging. Despite their best intentions, not all bush doofs or neo-tribal communities provide an example of ethically correct engagement with Indigenous cultures. In the case of Earthdream, dance is brought into play as a dynamic political praxis. Participants in FreeNRG culture and neo-corroborees such as Earthdream are aware of their 'unsettled settledness', their awkwardness with the state of Australian national identity resting on the distinctions made between the coloniser and the colonised.⁸⁹ Neo-corroborees of this nature potentially provide an opportunity for the coming together for black and white, urban and rural Australians to dance on Aboriginal land and fully acknowledge the traditional ownership of the land upon which they dance. Dance in this instance, typified by Earthdream, presents an active and participatory form of engagement with Aboriginal people and provides a space – both physically (via dance) and virtually (via internet dialogue) – where protest is staged and difference is celebrated. Thus dance, in some instances, provides Australian youth with a means of performing social protest in a pleasurable manner,

86. The Official Rainbow Serpent Homepage, 'Event', <http://www.rainbowserpent.net/event/lifestyle/> (accessed 28/6/2007).

87. Hutson 1999: 53–77.

88. Mulcock 2001: 181.

89. Gelder and Jacobs 1998; St John 2005a: 323.

hopefully encouraging more young Australians to actively engage with issues facing Aboriginal people and Australian ecology.

Dynamics of the dance

The performers in and creators of *Corroboree*, and participants in and organisers of FreeNRG neo-corroborees were/are undoubtedly responding to a genuine interest and respect for Aboriginal culture, and in both instances have been inspired to communicate these feelings and concerns via dance. Dance is free from the restrictions of spoken language. Its multi-sensorial and kinaesthetic powers allow for a communicative freedom that a verbal exchange of ideas cannot provide. Nevertheless, it is imperative to acknowledge that universality does not exist amongst dancers, nor does dance have any greater freedom than literal forms of communication to appropriate cultural products without regard of cultural ownership.⁹⁰ The tradition of ballet suggests rigidity of performance, and the formulaic methodology of its creation insists that dominant performance aesthetics are maintained. Ballet, even in the modern stylings of Beth Dean's *Corroboree*, is merely ornamented or embellished by what it borrows from other cultural traditions, thus rendering it almost impossible for dance of this kind to allow genuine intercultural engagement.

FreeNRG culture is not bound by strict or limiting performance traditions, thus organisers are able to stage their performances in a multiplicity of ways that respond directly to the creative desire and political motivations of participants. While the social and political consciousness of FreeNRG culture does not guarantee ethical engagement, it does suggest that FreeNRG culture is more aware of the legacies of colonialism and, as such, more likely to achieve genuine dialogue. For doofers, 'the dance space becomes a portal, a dreaming, a coming together on many different levels as the zone provides a point of personal and community transformation'.⁹¹ The zone created by and around the dance space is where participants action their challenge to conservative ideologies and social injustice by uniting in a celebration of difference and reconnecting with the ground under their feet. And it is the collective efforts required in creating these zones of protest that generate a space where engagement, dialogue and understanding can potentially evolve.

Yet, like Dean's *Corroboree* 50 years earlier, these performances – despite their best intentions – may still be interpreted by some as uneasy cultural encounters, where cultural appropriation/sharing takes settler performers to that same uncomfortable space; a space identified by Nicholas Thomas where awe, respect, partial understanding, acknowledgment, misrecognition, hostility, exploitation and denial co-mingle.⁹² It seems that this will be an irresolvable component of settler/Indigenous cultural relations in settler societies like Australia in the present and in the future. If this is so, then we might well consider why it is that these conflicted states are absent from the internationally acclaimed performances by Aboriginal choreographers and dancers from the Bangarra Dance Theatre? Potentially this is because Bangarra, as Dennis Foley suggests, is not attempting to recreate culture but rather continue it. 'They are not reinventing

90. Kaepler 2001; Stock 2001.

91. Williamson 2001: 49.

92. Thomas 1999.

culture, they are continuing culture, and they are interpreting culture, and also incorporating other aspects of other cultures into their dance.'⁹³ While the same could be claimed at a superficial level for both Dean and the doof culture of Earthdream, there is one unmistakable difference: settler paternalism and appropriation are absent from Bangarra performances.

References

Primary sources

Papers of Victor Carell and Beth Dean, 1904–2001, MLMSS, New South Wales State Library, Sydney.

Secondary sources

Australian News and Information Bureau 1947, 'Australian Aboriginal dances', *The Dancing Times*, November: 70.

Berg, Shelley C 1988, *Le sacre du printemps: seven productions from Nijinsky to Graham*, UMI Research Press, Ann Arbor, Michigan.

Bey, Hakim 1991, *T.A.Z. The Temporary Autonomous Zone: ontological anarchy, poetic terrorism*, Autonomedia, Brooklyn.

Black, Roman 1964, *Old and new Australian Aboriginal art*, Angus & Robertson, Sydney.

Callaway, Anita 2000, *Visual ephemera: theatrical art in nineteenth-century Australia*, University of New South Wales Press, Sydney.

Clifford, James 2003, 'Histories of the tribal and the modern – 1985' in *Primitivism and twentieth-century art: a documentary history*, Jack Flam and Miriam Deutsch (eds), University of California Press, Berkeley: 351–413.

Dean, Beth 1966, *The many worlds of dance*, Murray, Sydney.

Dean, Beth and Victor Carrel 1955, *Dust for the dancers*, Ure Smith, Sydney.

— 1983, *Twin journey: to sing, to dance, to live*, Pacific Publications, Sydney.

— 1987, *Gentle genius: a life of John Antill*, Akron Press, Sydney.

Deloria, Phillip J 1998, *Playing Indian*, Yale University Press, New Haven.

Dugan, Dennis 1968, 'Review', *Sydney Morning Herald*, 20 January.

Garling, Jean 1950s, *Australian notes on the ballet; studies by Daryl Lindsay and William Constable; decorations by Eugénie Crawford*, Legend Press, Sydney.

Gelder, Ken 2001, 'Foreword' in *FreeNRG: notes from the edge of the dance floor*, Graham St John (ed), Common Ground Press, Altona: xvi–xvii.

Gelder, Ken and Jane Jacobs 1998, *Uncanny Australia: sacredness and identity in a postcolonial nation*, University of Melbourne Press, Melbourne.

Gibbons, Peter 2002, 'Cultural colonization and national identity', *New Zealand Journal of History* 36: 5–17.

Gibson, Chris 1999, 'Subversive sites: Rave culture, spatial politics and the internet in Sydney', *Area* 31(1): 19–33.

Greenberg, Clement 1939, 'Avant-garde and kitsch', *Partisan Review* VI(5): 34–49, <http://www.sharecom.ca/greenberg/kitsch.html>

⁹³ Foley quoted in Read (in publication).

- Henry, R, F Magowan and D Murray 2000, 'Introduction', *The politics of dance*, a special issue of *The Australian Journal of Anthropology* 11(3): 253–60.
- Hutson, Scott R 1999, 'Technoshamanism: spiritual healing in the rave subculture', *Popular Music and Society* 23(3): 53–77.
- Kaepler, Adrienne L 2001, 'Dance and the concept of style', *Yearbook for Traditional Music* 33: 49–63.
- Kleinert, Sylvia 2006, 'Aboriginality in the city: re-reading Koorie photographs', *Aboriginal History* 30: 69–94.
- Kleinert, Sylvia, and Margo Neal (eds) 2000, *The Oxford companion to Aboriginal art and culture*, Oxford University Press, Melbourne.
- Langton, Marcia 1993, 'Well I heard it on the radio and I saw it on the television': An essay for the Australian Film Commission on the politics and aesthetics of filmmaking by and about Aboriginal people and things, Australian Film Commission, Sydney.
- 1996, 'What do we mean by wilderness? Wilderness and terra nullius in Australian art', *The Sydney Papers* 8(1): 21.
- Lattas, Andrew 1989, 'Colonising the Other: dreaming, Aboriginal painting and white man's search for a soul', *Olive Pink Society Bulletin* 1/2: 24.
- Le Brun Holmes, Sandra 1999, *Faces in the sun: outback journey*, Penguin, Ringwood.
- Luckman, Susan 2003, 'Going bush and finding one's tribe: raving escape and the bush doof', *Continuum: Journal of Media and Cultural Studies* 17(3): 315–330.
- 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.
- McEvilley, Thomas 1996, 'Doctor, lawyer, Indian chief: "Primitivism" in twentieth-century art at the Museum of Modern Art' in *Capacity: history, the world, and the self in contemporary art and criticism*, Overseas Publishers Association, Amsterdam: 101–118.
- Mulcock, Jane 2001, 'Creativity and politics in the cultural supermarket', *Continuum: Journal of Media and Cultural Studies* 15(2): 169–185.
- Mundine, Djon 2003, 'A dance through the desert' in *Dancing up country: the art of Dorothy Napangardi*, Museum of Contemporary Art, Sydney: 68–71.
- North, Michael 1994, *The dialect of modernism: race, language, and twentieth century literature*, Oxford University Press, Oxford.
- Parsons, Michael 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.
- Potter, Michelle 2004, 'Corroboree', *National Library of Australia News*, XIV(6): 1, <http://www.nla.gov.au/pub/nlanews/2004/mar04/article3.html>
- Read, Peter (in publication), 'Whose landscape? Who's exiled?' in *Landscapes of Exile*, Anna Haebich and Baden Offord (eds), Peter Lang, Oxford.
- Rubin, William 1984, 'Modernist primitivism: an introduction' in *Primitivism in 20th century art: affinity of the tribal and the modern*, William Rubin (ed), Museum of Modern Art, New York: 1–84.

- Scruton, Roger 1999, 'Kitsch and the modern predicament', *City Journal*, Winter: np, http://www.city-journal.org/html/9_1_urbanities_kitsch_and_the.html
- St John, Graham 2001a, 'Doof! Australian post-rave culture' in *FreeNRG: notes from the edge of the dance floor*, Graham St John (ed), Common Ground Press, Altona: 9–36.
- 2001b, 'Techno terra-ism: feral systems and sound futures' in *FreeNRG: notes from the edge of the dance floor*, Graham St John (ed), Common Ground Press, Altona: 109–130.
- (ed) 2001c, *FreeNRG: notes from the edge of the dance floor*, Common Ground Press, Altona.
- 2005a, 'Outback vibes: sound systems on the road to legitimacy', *Postcolonial Studies* 8: 321–336.
- 2005b, 'Off road show: techno, protest and feral theatre', *Continuum: Journal of Media and Cultural Studies* 19(1): 5–20.
- Stock, Cheryl 2001, 'Myth of a universal dance language: tensions between globalisation and cultural difference', *Asia Pacific Dance Bridge: Academic Conference*, World Dance Alliance, Singapore: 246–62.
- Strong, Peter 2001, 'Doofstory: Sydney Park to the desert' in *FreeNRG: notes from the edge of the dance floor*, Graham St John (ed), Common Ground Press, Altona: 71–90.
- Thomas, Nicholas 1999, *Possessions: Indigenous art/colonial culture*, Thames and Hudson, London.
- Torgovnick, Marianna 1990, *Gone primitive: savage intellects, modern lives*, Chicago University Press, Chicago.
- 1996, *Primitive passions: men, women, and the quest for ecstasy*, University of Chicago Press, Chicago.
- Tramacchi, Des 2000, 'Field tripping: psychedelic communities and ritual in the Australian bush', *Journal of Contemporary Religion* 15(2): 201–213.
- Van de Van, Anne-Marie 2004, 'Speaking out: introduction to Indigenous Australian graphic design, 1930s to now', paper presented at DDD (graphic) Gallery, Osaka, 25 November.
- Vignando, Catrina 2000, 'Corroboree: Aboriginal inspiration in contemporary Australian ballet' in *Picturing the 'primitif': images of race in daily life*, Julie Marcus (ed), LHR Press, Canada Bay, New South Wales: 211–222.
- Williamson, Kathleen 1999, 'Trance magick', <http://www.hofmann.org/voices/aussie.html> (accessed 14/4/2006).
- 2001, 'Propagating abominable knowledge' in *Free NRG: Notes from the edge of the dance floor*, Graham St John (ed), Common Ground Press, Altona: 37–56.
- Willis, Anne-Marie 1993, *Illusions of identity: The art of nation*, Hale & Iremonger, Sydney.

The economics of fishing: sustainable living in colonial New South Wales

Michael Bennett

Introduction

James Bell, as part of his analysis of assimilation at La Perouse, presented a historical sketch of Aboriginal society on the south coast of New South Wales,¹ in which he asserted that by the late 1850s, when the full impact of land alienation was being felt, Aboriginal people on the south coast had become fully dependent upon white society.² According to Bell, up until that time, Aboriginal men had found casual work in cedar cutting, grazing and whaling, but by the late 1850s these industries had collapsed. Even though the dairy industry was taking off at this time, it had little need of outside labour. Bell claimed that by the 1860s and 1870s Aborigines had become an 'uprooted people reduced to pauperdom'.³

This article examines evidence of Indigenous fishing in the Illawarra and Shoalhaven regions of the south coast of New South Wales in the 19th century to explore Bell's claim of dependence. Building on the work of Brian Egloff and Scott Cane, the purpose of my study is to examine Indigenous fishing from the pre-colonial period until the end of the 19th century and ascertain if fishing offered a means for Illawarra and Shoalhaven Aboriginal people to partly maintain economic independence in the face of colonisation. The picture that emerges is more complex than Bell envisaged.

The study area

The study area encompasses the Illawarra and Shoalhaven districts of the south coast of New South Wales, including the cities of Wollongong and Nowra. Today, these regions are home to the Dharawal, Wodi Wodi and Jerinja Aboriginal groups. They are represented by different organisations including land councils and tribal elders' groups. According to Howitt, the areas in traditional times were part of a large inter-tribal group called the Murring, whose range extended from Double Bay in Sydney to the Shoalhaven River and inland to the other side of the escarpment.⁴ The Murring were

-
1. La Perouse is found on the northern shores of Botany Bay. From the 19th century, many Aboriginal people moved back and forth between La Perouse and the south coast of New South Wales.
 2. Bell 1959: 84.
 3. Bell 1959: 85.
 4. Howitt 1904.

part of the Dharawal language group, while the language group to the south was the Dhurga. The precise boundary between the Dhurga and the Dharawal is uncertain. Tindale⁵ places the boundary along the Shoalhaven River, while Egloff, Mathews, Morton and Eades⁶ place it further south, adjacent to Jervis Bay. It is likely that both languages were understood in the Shoalhaven and Jervis Bay regions. The Dharawal and Dhurga languages also form part of the Yuin linguistic group that extended southwards from Sydney to the Victorian border.⁷ To avoid confusion, I refer to the Indigenous inhabitants of the study area as the Aboriginal people of the Illawarra and Shoalhaven.

Theory and previous research

Dependence encompasses a variety of economic relationships. Frank, who developed dependency theory in the 1960s, argues that the intersection of capitalist and non-capitalist societies takes place in a process of colonisation. Capitalist forces exploit Indigenous peoples, creating a situation where they become dependent on manufactured goods.⁸ The theory is potentially useful where the colonising peoples make use of Indigenous labour and pay them in goods and rations rather than money. Its drawback is that it tends to underestimate the resistance of non-capitalist economies. It also cannot account for different levels of capitalist intervention and exploitation. Opportunity and response theory provides a better conceptual base for the understanding of resistance to articulation with capitalist economies. The approach is predicated upon the belief that capitalism provides various opportunities to which non-capitalist societies respond in different ways.⁹ As Bird-David has emphasised more recently, 'the articulation of local and world socio-economic systems is *two-sided*' (emphasis in original).¹⁰

Dependence can also refer to a situation where the labour of a non-capitalist society is rarely in demand by the capitalist mainstream. In its extreme form, the lack of work combined with alienation from the land and waters means that members of the non-capitalist society are no longer able to use their labour and skills to maintain subsistence; instead they rely on the distribution of rations from the government or handouts from settlers for survival. This is the sense of dependence that I adopt in this paper to assess the economic status of Aboriginal people in the Illawarra and Shoalhaven. It is also my position – following opportunity and response theory – that Aboriginal people often adapt creatively to colonial pressures by incorporating new technology (such as boats and nets) and articulating with the capitalist economy by selling the products of their own labour (such as fish) for cash, which they then use to purchase goods like flour and tea, etc. Such developments are not necessarily examples of dependence on white society, as Indigenous people are still using their adapted skill and labour in exchange for subsistence.

Research on the far south coast of New South Wales reveals that Aboriginal people remained economically independent in the 19th century. Cameron examined the Aboriginal economy from Batemans Bay to Cape Howe, where he found that Aborigi-

5. Tindale 1940.

6. Egloff 1999; Mathews 1901; Morton 1929; Eades 1976.

7. Egloff 1999: 5.

8. Frank 1969.

9. Epstein and Penny 1973.

10. Bird-David 1992: 21.

nal people 'rapidly came to occupy an important, if undervalued, place in the new local economy both through the exploitation of their traditional skills and by means of their swiftly acquired mastery of new skills' in the fields of agriculture and pastoralism.¹¹ A similar story is told by the research of Wesson who found that '[f]ar south coast Aborigines were employed in seasonal works during the 19th century on whale boats and try works, stripping bark, tussocking, shepherding, droving, tree felling, harvesting and in domestic tasks such as cleaning, cooking and wood chopping'.¹²

Relevant studies of Indigenous fishing have focused on the far south coast of New South Wales. Much of the work of Egloff and Cain was done in the context of preparing a defence in 1992 for seven Aboriginal men charged with breaches of the *NSW Fisheries Act*.¹³ The historical and anthropological evidence compiled for the case shows continuous fishing activity in the 19th and the 20th centuries by numerous families occupying land between Batemans Bay and Eden. The Brierly family of Narooma who fished throughout the 20th century trace their descent to a man who participated in the whaling industry at Eden in the 1840s.¹⁴ Goodall's research suggests Aboriginal groups used reserves declared in the second half of the 19th century as bases for fishing.¹⁵

Egloff's study of fishing at Wreck Bay shows a group of closely related families establishing a community in the late 19th century and continuing to occupy and fish from the area throughout the 20th century. Prominent among the residents were members of the Campbell, Nyberg, Ardler, Bloxsome, Timberly, McLeod and Chapman families. Some came from as far north as Kempsey, but others were originally from the Coolangatta Estate on the Shoalhaven. By the 1950s, up to eight boat crews were operating out of Wreck Bay using nets to haul in their catch, most of which was transported to Sydney for sale.¹⁶ The fishing season lasted from Christmas to Easter. At other times, 'the men went searching for casual work in the timber mills or picking vegetables'.¹⁷

There are no specific studies examining Aboriginal fishing practices in the Illawarra and Shoalhaven districts during the 19th century, although Organ's documentary collections contain numerous references to fishing.¹⁸ Several other historical accounts demonstrate the continuing presence of Aboriginal people in the districts since colonisation. I have previously argued that Aboriginal labourers made important contributions to the local pastoral and agricultural industries in the 19th century, particularly on the Coolangatta Estate, but their remuneration in food, goods and money contributed only a small fraction of their subsistence.¹⁹

11. Cameron 1987: 76.

12. Wesson 2000: 130.

13. Cane 1998; Egloff 2000.

14. Egloff 2000: 204–207.

15. Goodall 1982: 26.

16. Egloff 1990: 25–29.

17. Egloff 1990: 31; the Great Depression of the 1930s severely damaged demand for fish and the Wreck Bay fishermen were denied the dole, as were most Aboriginal people in New South Wales (Goodall 1996: 181–182).

18. Organ 1990, 1993.

19. Bennett 2003, 2005; also see Fox 1978.

Indigenous fishing before 1788

Aboriginal people have lived on the south coast for at least 20,000 years and probably much longer. Their occupation certainly began before the coast settled on its current line at the end of the last ice age about 8000 years ago. Since that time at least, the East Australian Current has flowed along the coast carrying nutrients onto the Australian continental shelf and into the mouth of rivers, producing conditions to support a rich diversity of aquatic life.²⁰

Archaeological research by Attenbrow, Lampert, Poiner and Bowdler shows the importance of aquatic resources to the diet of Aboriginal people in pre-contact times. Fish were particularly abundant in summer but some species were available year-round. The economy, however, was broadly based, and many sites such as Currarong, Burrill Lake and Curracurrang contain the remains of terrestrial mammals as well as fish and shellfish. People stayed on the coast throughout the year, but the population diminished in winter when fewer fish were available. There is also evidence for technological innovation in the last 1000 years with the introduction of the shell fishhook.²¹

Archaeology paints a broad picture of the economy but says little about the social organisation of food-getting. The early observations of Europeans at Sydney Cove provide details of how the Eora structured their daily life of obtaining sustenance. There is consensus that Aboriginal women along the Sydney coast were responsible for catching fish, a major component of the diet, with hook and line.²² The fishhooks were generously curved and made mainly from shell. Fishing line consisted of two strands of bark fibre twisted together although other materials such as animal hair were sometimes used. Women sat in bark canoes and dangled their hook and line overboard. The successful catch was sometimes cooked there and then upon a small fire in the canoe.²³ Men fished with multi-pronged spears called 'fizz gigs' by the British.²⁴ Shafts ranged in length between 3.7m and 6m, and were made from the protruding spiral shoot of the yellow gum tree. Men stood on rock ledges or balanced themselves on bark canoes to launch their darts at the fish below.²⁵ Other aspects of the sexual division of labour are not evident from the records of the officers of the First Fleet. Women were rarely seen and there are no direct observations, as there are from other parts of the country, of them specialising in the gathering of shellfish and plant foods. In fact, only men were observed diving for shellfish. Attenbrow makes a convincing argument that this was due to the conditions of observation: that Aboriginal men, wary of the motives of the mostly male First Fleet members, kept their women away from the colonists.²⁶

AW Howitt related the principles through which south coast Aboriginal people gained rights to country:

20. Bowen 2004: 80.

21. Lampert 1971; Poiner 1976; Attenbrow 1976; Bowdler 1976; Mulvaney & Kamminga 1999: 292.

22. See Attenbrow 2002: 82. For a discussion on the distribution of fishhooks in Australia, see Gerritsen 2001.

23. Attenbrow 2002: 82, 86.

24. A similar division of labour was noted for the Kurnai of coastal Victoria by the Reverend John Bulmer, an informant of Howitt (Howitt 1904: 761).

25. Attenbrow 2002: 87. According to Louisa Atkinson, fishing spears in the Illawarra and Shoalhaven had three prongs (Organ 1993: 128).

26. Attenbrow 2002: 83.

When a child was born among the Yuin, its father pointed out some hills, lakes, or rivers to the men and women there present as being the bounds of his child's country, being that where his father lived, or where he himself was born and had lived. It was just the same with a girl, who had her mother's country, and also that in which she was born. Besides this the father took the country where his child was born, if away from his own locality, and the mother took that where her daughter was born under similar circumstances.²⁷

As an old informant also told Howitt: 'the place where a man is born is his country, and he always has a right to hunt over it'.²⁸ Presumably, this included the right to fish as well.²⁹

RH Mathews also investigated the social structure of south coast society, his account based on interviews with informants from Jervis Bay, the Shoalhaven River and the Illawarra, who told him an individual was assigned the totem of his or her father at birth. Throughout life, the totem forewarned one of danger, deaths in the family and the activities of one's enemies. Totems, of which there were numerous species – including red bream, shark, eel and wallaby – also regulated the marriage system, which, unlike other parts of the continent, was not based on sections. For example, red bream could marry shark, curlew and stumpy lizard, while magpie could marry pheasant and echidna.³⁰

The archaeology, anthropology and early historical observations suggest the following descriptive model of the coastal economy between Wollongong and Eden. Aboriginal people used marine resources extensively but also exploited flora and fauna found on the coastal plain. Rights to country were determined by a person's place of birth and possibly extended if that person's offspring of the same gender was born in a different area. A division of labour operated whereby the men fished with spears while the women, who seem to have done more of the work, fished with line and hook. It can also be confidently stated that Aboriginal people developed or adopted new technology such as the shell fishhook. The economy followed a seasonal pattern, but only to a limited extent as many resources were available year round. Fish stocks were lower (but not unavailable) in the winter, and so land resources increased in importance. People still lived on the coast in winter, but probably in smaller numbers. Overall, the sea and rivers provided an important component to an independent and thriving Aboriginal economy.

The impact of colonisation

What effect did colonisation have on the ability of south coast people to remain economically independent? In particular, did it impede their capacity to sustain themselves by fishing? Colonial settlement of the south coast began in earnest when Governor Macquarie announced the first land grants in the Illawarra in 1816.³¹ Alexan-

^{27.} Howitt 1904: 83.

^{28.} Howitt 1904: 83.

^{29.} Fishing rights along particular sections of the Hopkins River in western Victoria were 'owned' by specific groups and others could only catch fish with permission (McBryde 1996: 47).

^{30.} Mathews 1896.

der Berry and Edward Wollstonecraft took up their 10,000 acre grant on the Shoalhaven River at Coolangatta Mountain in 1822.³² To establish a viable economic existence most colonisers brought sheep and cattle with them.³³ The precise environmental impact of these domesticated animals is unknown, but their presence in other districts is acknowledged to have fouled water supplies, destroyed yam beds and generally reduced the productivity of the land.³⁴ The colonisers of the south coast supplemented their pastoral activity with timber getting, particularly in the first few decades of occupation. The benefits of timber felling to the colonisers were two-fold: it cleared the land for grazing and crops; and the sale of timber in Sydney provided much needed revenue.³⁵

Aside from whaling, commercial fishing did not develop as an industry until the 20th century. Fishing was a popular leisure activity, with expeditions yielding catches of 50 or more fish in a day.³⁶ These events were, however, infrequent and their impact upon fishing stocks negligible.³⁷ The ocean and rivers, unlike the land, remained largely accessible to Aboriginal people as a source of subsistence, and this is reflected in the numerous historical observations of fishing between 1822 and 1850.³⁸ In October 1823, Judge Baron Field observed a group of Aboriginal people at the Coolangatta Estate spear-fishing by torchlight or dextrously catching them by hand and killing them with a sharp bite to the head. Field also noted that many of the usual Indigenous population were absent at the coast, feasting upon a whale.³⁹ Poison from an unnamed type of bark was sometimes used to stun the fish in a coastal lake: Robert Westmacott, then resident in the Illawarra, depicted such a practice in an etching from the late 1830s or early 1840s.⁴⁰ According to Alexander Stewart, the Aboriginal residents of Tom Thumbs Lagoon, Mullet Creek and Lake Illawarra subsisted mostly on fish.⁴¹ In January 1834, Samuel Elyard observed on the Shoalhaven River 'blacks in their bark canoes,

31. Jervis 1942: 78–9; some of the first Europeans to visit the Illawarra and Shoalhaven were timber cutters after the valuable stands of red cedar that grew near the rivers and creeks. It is unlikely they had a negative impact on Indigenous fishing (see Bennett 2003: Chapter 3; Jervis 1939).

32. Berry Papers ML 315/53–54; from hereon I refer to their grant as the Coolangatta Estate. Edward Wollstonecraft died in 1832 leaving control of the estate in the hands of Berry (Stephen 1967: 620).

33. Sheep were kept on the south coast in large numbers until the 1860s when it was realised that the environment was too wet. Scabby disease became prevalent and the flocks were moved to the west and a suitable dry climate. Cattle, and dairy cows in particular, thrived on the green pastures. As Bell noted, dairying became the main primary industry on the south coast after 1870 (Jeans 1972: 252–255, 276).

34. Reynolds 1982: 156–159.

35. See Bennett 2003: Chapter 3 for a detailed discussion on the impact of timber getters on south coast Aboriginal communities.

36. Arthur Elyard of Avondale Farm near Lake Illawarra hauled in 51 small fish from a creek on 6 February 1831, but that was the only occasion he went fishing that year (Elyard Family Papers ML MSS 594).

37. Bowen 2004.

38. Cane also makes a strong case for the continued importance of fishing as an economic base (Cane 1998: 72–73).

39. Organ 1990: 132.

40. Organ 1993: 219–220.

41. Organ 1993: 154.

filling them up [with fish] as fast as they could'.⁴² Reverend Matthew Meares of Wollongong told the 1845 Select Committee into the Condition of the Aborigines that an abundance of fish was available to the local Indigenous residents.⁴³ The names of several inhabitants of the Coolangatta Estate also suggest the importance of fishing: Yiambur Fisherman, a young Aboriginal woman of 24, was living at Broughton Creek in 1840 when her name was recorded on a blanket return; Nunnar Fisherman Tom of Gerringong also came forward in May 1840 to collect a blanket. In all, the names of five individuals featuring variations on a fishing theme were recorded in the Illawarra and Shoalhaven blanket returns between 1834 and 1842.⁴⁴ In the 1830s, Obed West observed the use of weirs, or 'mouls' made of sticks and brushes at Mullet Creek near Lake Illawarra to trap fish for large gatherings.⁴⁵ The large numbers of fish caught at weirs allowed large social gatherings, sometimes exceeding 200 people.⁴⁶

An aspect of the south coast observations noted here is that the gender of the fisher people is not specified. An additional observation suggests at least a partial division of the sexes in labouring duties. In January 1840, Reverend Clarke of the Illawarra asked an Aboriginal man named Frying Pan to obtain, if he could, a portion of prawns; Frying Pan drew himself up angrily and replied that catching prawns was women's work and that men fished only with spears.⁴⁷ This is little to go on, but it does suggest that the divisions noted in Sydney also applied on the south coast.

The majority of historical observations of the south coast Aboriginal economy in the first half of the 19th century relate to fishing. There are observations of hunting and gathering: Hamilton Hume, for example, was provided with several kangaroos by Aboriginal hunters when moving cattle to the Shoalhaven River in the early 1820s. John Harper, a Wesleyan missionary, visited Twofold Bay in October 1826 as part of an expedition to identify a suitable place for an Aboriginal school. He noted in his journal that the 'natives' of that place subsisted mostly on fish, but also relied on seals and 'fruit' from verdant forest lining the shore. Harper made similar observations for Jervis Bay and that aside from fishing, kangaroo and possums were hunted using spears and clubs.⁴⁸ Overall, the references above clearly show that fishing was an important contributor to Aboriginal subsistence from colonisation to 1850. European development of land in the Illawarra and Shoalhaven during the first half of the 1800s did not impede Aboriginal fishing activity to any great extent. There were six Indigenous camps on Berry's Estate in the 1830s and 1840s and all were within easy reach of either the ocean or the Shoalhaven River. The camps at Wollongong were spread around Lake Illawarra or along the creeks and rivers that flowed into it.

⁴². Elyard Family Papers ML MS Q217.

⁴³. NSW Legislative Council 1845: Report from the Select Committee on the Condition of the Aborigines.

⁴⁴. For Organ's transcription of the names on the blanket return, see Organ 1990: 432–460; for mine, see Bennett 2003: Appendix 4. The originals form part of the Colonial Secretaries In-Letters and are held by New South Wales State Records.

⁴⁵. West 1888: 47–51; Lieutenant Robert Johnson found a weir on the Clyde River near Batemans Bay in December 1821 (see Organ 1993: 44).

⁴⁶. Organ 1993: 232. See also the reminiscences of Louisa Atkinson reprinted in Organ 1993: 128.

⁴⁷. Organ 1993: 250.

⁴⁸. Organ 1993: 139–142.

As elsewhere, contact with Europeans allowed Aboriginal people to add foreign technology to the capital of their Indigenous economy.⁴⁹ The most obvious change to their fishing paraphernalia was the introduction of steel fishhooks. James Backhouse, the Quaker missionary, observed in March 1837 in reference to the fishing technology of Aboriginal people on the Shoalhaven River that 'some of their hooks were formed of pieces of shell, but they preferred English ones, of steel'.⁵⁰ Despite the robustness of steel, the traditional form of hook continued well into the second half of the 19th century (see below). Other forms of European fishing technology were also adopted. Billy Mirning and George ('Bangal') McCarty, two employees of the Coolangatta Estate, were given craw pots for catching crayfish in the river in return for their labour in September 1852.⁵¹

Fishing also drew Aboriginal people into the European economy of the south coast. As in other pursuits such as guiding settlers across the landscape, tracking lost cattle through the bush and stripping bark from trees, Aboriginal people possessed a comparative advantage in fishing that few among the recent arrivals could match. Most were ignorant of the cycle of the fishing season and unaware of the best fishing spots. Taking advantage of their superior knowledge, Aboriginal fishermen supplied an unknown number of fish to the Coolangatta Estate in January 1837 for which they received three pounds of flour.⁵² Margaret Menzies commented two years later that Aboriginal men and women often brought in fish and crayfish for the residents of Jambaroo for which they received tea and sugar.⁵³ The rations obtained by Aboriginal people from these instances of exchange provided a substitute for the terrestrial sources of subsistence lost from the colonised lands. The evidence also supports Cane's contention that the 'application of Aboriginal fishing traditions to support the European economy seems to have begun shortly after colonisation'.⁵⁴

Aside from fishing, Aboriginal people supported themselves by labouring for the settlers. They began working for Alexander Berry soon after he settled at Coolangatta in 1822. Initially, Aboriginal people employed their bush skills to guide Berry and his employees to valued stands of red cedar and to track lost cattle. In the 1830s, Aboriginal men in particular began to develop skills in agriculture and animal husbandry. Some helped to harvest the wheat crop in summer while others washed sheep in the spring before shearing. But work patterns were variable and the majority of Aboriginal people did not work at all. Berry hoped that the Indigenous residents of Coolangatta would abandon their 'wandering ways' and settle down to a farming life. When this did not happen, he did not force their removal; rather, he approved of their presence as it gave him an inexpensive supply of labour to call on in times of shortage.⁵⁵

49. See Jones 2007: 28 for a recent analysis of the adoption of European technology, including fishhooks, by the Eora of Sydney.

50. Backhouse 1843: 468.

51. Berry Papers ML MSS 315/62–65.

52. See Bennett 2003: Appendix 3 for details of the transaction.

53. Margaret Menzies diary NLA MS 3261; also see Cane 1998: 73.

54. Cane 1998: 72.

55. See Bennett 2003: Chapters 4–6 for a detailed analysis of Aboriginal labour on the Coolangatta Estate in the middle decades of the 19th century.

A labour crisis developed in early 1852 with the onset of the gold rush: within six months over half of Berry's white workforce had left for the gold fields of New South Wales and Victoria. Being no longer able to rely on convicts to fill the void – their distribution had ceased more than ten years before – Berry looked to the Aboriginal community to work on the estate, but they responded with only a meagre increase in their work rate. Overall, in the 1850s when Berry's demand for Aboriginal labour was at its greatest, less than half of the adult population acceded to his request and worked on the estate, and of those who did, most only worked occasionally. It is clear that farm work was a minor contributor to subsistence and that Aboriginal people looked elsewhere for most of their food, including the sea and rivers.⁵⁶

There is little evidence of economic dependence in the first half of the 19th century. The Indigenous population, whether through fishing, hunting, gathering or farm work, were able to support themselves. As Reverend Meares wrote in his reply to the circular sent by the 1845 Select Committee on Aborigines:

Their means of subsistence are fully adequate to their wants; whether derived from their ordinary pursuits of hunting and fishing, or in exchange for such services as they are able and willing to render the settlers.⁵⁷

The Indigenous population depended on the government for blankets. Traditionally, possum skin rugs were worn to keep out the cold, but timber getting, agriculture and pastoralism cleared the land and made it difficult to catch possums; blankets were thus accepted as an inferior substitute. At St Georges Basin (south of Jervis Bay) in 1837, Alexander Harris noted that possum skin rugs, which took from 30 to 60 skins to make, were a 'rare possession in the bush'.⁵⁸ Blankets, by contrast, were relatively easily obtained – 139 were distributed to the Aboriginal people on the Coolangatta Estate in 1838, while two years later 89 were handed out to the residents of the Illawarra.⁵⁹ Distribution, which began in the Shoalhaven in 1827, continued each year until the early 1840s, when Governor Gipps, on an economising drive, decided that blankets would only be given as a reward for special conduct, such as capturing a bushranger. As Reece notes, 'the reduction in issue caused serious suffering and resentment among the Aborigines of the settled districts'.⁶⁰

Fishing after 1850

Throughout the second half of the 19th century traditional practices continued to be modified with the introduction of new technology, particularly boats. Aside from the distribution of blankets and the dedication of an occasional reserve, the New South Wales Government took little interest in the welfare of Aboriginal people between 1850 and 1882. An exception to this pattern was the distribution of boats to coastal communities, beginning around 1868 when one was given to Aborigines at Jervis Bay. For the remainder of the 19th century, boats and fishing gear, including nets, were regularly

^{56.} Bennett 2005.

^{57.} NSW Legislative Council 1845: Report from the Select Committee on the Condition of the Aborigines.

^{58.} Organ 1990: 219.

^{59.} Organ 1990: 227, 257.

^{60.} Reece 1974: 210; also see Bennett 2003: 77.

supplied to south coast groups and to some on the north coast as well.⁶¹ In 1876, the police submitted a detailed report on the condition of south coast fishing boats, a summary of which is reproduced in the table below.

Table 1: South coast fishing boats, 1876

Place	Name of Aborigine	Purpose	Condition
Wollongong	George Timbery & William Saddler	Fishing	Good
Wollongong	Paddy Bangalong & Mickey Johnson	Fishing	Good
Shoalhaven	Fisherman Johnny	Fishing	Undergoing repair
Ulladulla	Campbell	Fishing	Fair
Ulladulla	Abraham	Fishing	Fair
Nelligen	Abraham Morris	Fishing	Good
Wallaga Lake	Merryman	Fishing	Good (11 oars, 9 feet long)

Source: NSW Police to NSW Colonial Secretary, Box 1/2349, Letter no. 76/8919.

That all the boats were used for fishing is indicative of its continuing importance as a mode of subsistence for south coast Aboriginal people. The owners kept their crafts in fair to good condition and requested repairs and additional equipment from the Aboriginal Protection Board (APB) when needed. Some went to great length to obtain their boats. George Timbery and William Saddler, for example, travelled to Sydney and petitioned the Colonial Secretary in person.⁶² Other communities obtained the support of local white people in their efforts to get a boat: Andrew Mackenzie acted for the Wandandian group in the 1870s while those at Tuross River were represented by R Dansey.⁶³

The use of government boats by Aboriginal people is depicted in the artwork of Mickey of Ulladulla: several show Aboriginal men deep-water line fishing for schnapper off the coast at Ulladulla from government boats. Mickey's water scenes teem with marine life, and convey in a lively manner the importance of aquatic resources to Aboriginal people and the means by which they caught it.⁶⁴

Boats were not used for fishing exclusively. The craft belonging to the community at Bodalla was disabled in 1885 when its crew attempted to rescue some sailors in distress.⁶⁵ Other owners took an entrepreneurial approach to the use of their vessel that is not indicative of dependence. In the late 1880s, for instance, William Saddler employed a local white man to take touring parties out on Lake Illawarra. But when his boat was

^{61.} Over 20 boats were supplied to communities on the south coast in the late 19th century (see Cane 1998: 73). After 1883, distribution was controlled by the Aborigines Protection Board (APB).

^{62.} *Illawarra Mercury*, 23 June 1876.

^{63.} Organ 1993: 138–139.

^{64.} Sayers 1994: 55, 57, Colour Plate 20.

^{65.} Henry Parkes Correspondence ML vol 55 A925, CY Reel 77.

dashed upon rocks in October 1887, through no fault of his own, the APB refused to replace it.⁶⁶ Saddler, displaying the political skills that had gained him the boat in the first place, lobbied long and hard to recover his livelihood. In 1895, he complained to Archibald Campbell, MLA, who asked the APB to provide another boat for Saddler. Again the APB refused and Saddler was informed personally of the decision.⁶⁷ Mrs Lizzie Malone of La Pouse was one of the few Aboriginal women to own a fishing boat, although it seems that she did not fish herself because she suffered from bad knees. In the late 1880s, she let her boat out to other Aboriginal people in return for money or fish. Supplied with rations by the APB in times of hardship, Mrs Malone was also assisted by her daughter who sometimes worked as a domestic servant.⁶⁸ The experience of Mrs Malone shows that dependence was variable and the fortunes of individuals fluctuated. Sometimes rations were required, but at others people were able to support themselves.

Government records also suggest that Aboriginal people regarded themselves as working fishermen. There were two Aboriginal men in Wollongong Gaol in the late 19th century who identified their profession as fishing. Harry Rocking, aged 37, was incarcerated twice in 1883 for minor offences. More information is known about Richard Campbell, who was in gaol in 1896 and who gave Milton as his residence and Moruya as his place of birth. Campbell further identified himself as a 23-year-old fisherman and an adherent of Catholicism who could read and write. He was of slight build but identifiable by scars on his right lower arm, left cheek and forehead.⁶⁹ Perhaps his father or uncle was identified as the Aboriginal boat owner at Ulladulla in 1876 (see Table 1). Campbell's descendants continued to fish at Wreck Bay into the 20th century.⁷⁰

The importance of fishing to Aboriginal men is also suggested by church records. Twice William Lacey gave his occupation as fisherman, including at the baptism of his daughter Elizabeth in 1861 and of his son Lewis in 1865. Both children were born at Nelligen and baptised at Moruya, and William was probably supporting his family by fishing in the Clyde River. Later in the century, Edward Thomas gave fishing as his occupation at the baptism of his son, Edward junior, at Ulladulla in 1893. Some Aboriginal women married into white fishing families. Ellen Lacey, possibly the daughter of William Lacey, married Harold Augusta Nyberg, an able seaman and fisherman, and together they had several children at Ulladulla and Lake Conjola in the late 1800s and early 1900s. Similarly, an Aboriginal woman named Sarah Evans married a white fisherman named John Wilson and they had at least eight children together at Narrawallee Creek, Milton, between 1897 and 1917.⁷¹

As the 19th century proceeded, Aboriginal people increasingly sold fish to local white residents as another means to raise money. Samuel Elyard of Nowra wrote in August 1874 of purchasing 13 fish from local Aboriginal people after returning from a

66. Archibald Campbell to NSW Colonial Secretary, Colonial Secretary In Letters 1/2693, Letter no. 88/3003.

67. APB Minutes 31 January 1895.

68. Colonial Secretary In Letters 1/2687, Letter no. 88/1253.

69. Wollongong Gaol Description Book 5/1513.

70. Egloff 1990: 29.

71. Dunn 2000: 10, 16–17, 23–25.

boating trip on the Shoalhaven River.⁷² The APB annual report for 1890 recorded that the Aboriginal residents of Greenwell Point raised a 'fair' amount of cash by selling fish to local inhabitants. Similar comments were made for the communities further south at Ulladulla, Bega and Eden. The fishermen of La Perouse were so successful that by the late 1890s they complained to the APB of interference from white commercial operators.⁷³ The APB largely came down on the side of the commercial fishermen by saying that Aboriginal people were exempt from licences and therefore should 'take their own turn in due rotation with other fishermen'.⁷⁴

On the whole, Aboriginal people on the south coast did not face significant competition from white fisherman in the second half of the 19th century.⁷⁵ The commercial industry received a boost in the 1860s with the introduction of coastal steamers and the invention of ice-making technology.⁷⁶ Illawarra fishermen in particular made use of these developments and supplied a significant amount of fish to the Sydney market.⁷⁷ The industry, however, failed to expand and in 1899, TA Coghlan, the NSW government statistician, bemoaned the fact the fishing grounds along the entire New South Wales coast had been 'greatly neglected',⁷⁸ despite a trial of deep-sea trawling off the previous year.⁷⁹ Larger scale commercial fishing did not commence until the 1930s with the introduction of truck transportation.⁸⁰ The Nowra District Fishermen's Cooperative was not established until 7 August 1947.⁸¹ Oysters, however, were another matter and the beds on the Shoalhaven River were badly over-exploited by white collectors in the late 19th century to supply the insatiable Sydney market.⁸²

As a consequence of the poorly developed commercial industry, there was an abundance of fish available on the south coast into the late 19th century. Reverend Thomas Sharpe wrote in 1869 that fish were plentiful in Kiama, and his comment is probably true for the entire south coast. He went on to say that 'people are so much taken up with their cows, that fish is only to be had [eaten], now and then. A few fisher-

72. Elyard Family Papers ML MSS 594.

73. APB Minutes 31 March 1898.

74. Some La Perouse fishermen later moved to Wreck Bay to escape competition with their white counterparts (Egloff 1990: 26).

75. Fishing for leisure was a popular activity on the south coast, but it is unlikely that the numbers caught would have threatened the viability of species and the livelihoods of Aboriginal communities (see Comyns 1915: 32, for a description of Jervis Bay as one of the most popular 'piscatorial resorts' in Australia for the leisured catching of snapper and bream).

76. Bowen 2004.

77. Tenison-Woods 1882: 136. See also Howard 1985: 40–41, who briefly discusses the development of commercial fishing at Ulladulla; and Thackeray (1895: 90) who notes that imported fish were placed in streams about Nowra, possibly to increase fish numbers and encourage commercial exploitation. This practice began as early as 1874 when from 100–300 codfish were placed into the Shoalhaven River near Braidwood (*Australian Town and Country Journal*, 21 February 1874: 289).

78. Coghlan 1899: 200.

79. *Murrurundi and Quirindi Times*, 26 February 1898: 2.

80. Bowen 2004: 80; the value of fishing intensified in the 1940s with increasing exploitation of high-value seafood such as lobsters, prawns and crabs (Tull 1993).

81. Bayley 1975: 225.

82. Coghlan 1899: 202.

men might make a very snug living here, I should imagine, yet this is not tried, and the fish are left to enjoy their home in peace.’⁸³ It seems that only Aboriginal people were heeding of his advice.

Not all Aboriginal fisherman, however, were able to support themselves. George Hunt of Ulladulla depended upon rations from the APB for an unspecified period until he resumed fishing in November 1900. Other Aboriginal people also depended upon APB rations for their survival. In 1882–1883, the APB distributed ‘amongst other things, 15,969 lb of flour and 496 lb of tea to the Aborigines of the Shoalhaven’.⁸⁴ In the 1890s, the old, infirm and children accounted for almost half of the combined Illawarra and Shoalhaven population, which fluctuated between 182 and 201.⁸⁵ Other Aboriginal adults also applied to the APB for rations, but were rejected if considered fit enough to work.⁸⁶ The implication is that in the 1890s, during a significant depression, about half the Aboriginal population of the Illawarra and Shoalhaven were dependent at times on government rations.

Some needy Aboriginal people made direct requests to white residents of the Illawarra and Shoalhaven. For example, Black Polly, the wife of an Illawarra elder, was well known for her solicitation to ‘gib a penny to Poor Polly’. Her death was reported in May 1865.⁸⁷ Other Aboriginal people relied on the generosity of others during hard times. During the winter of 1876, for example, Aboriginal people living at the Minamurra camp near Kiama were caught without food for several days. Local settlers came to their aid.⁸⁸ The situation fits well with the description of the Kiama environment by Reverend Thomas Sharpe, who noted that ‘almost every vestige of tree and scrub’ had been removed from the land.⁸⁹ There may have been limited terrestrial resources in the Kiama district to provide subsistence for the Aboriginal community.

Dependence on blankets also continued after 1850: 50 Aboriginal people received blankets at the Wollongong Court House on 16 April 1860;⁹⁰ 115 blankets were distributed in the Shoalhaven in April 1865.⁹¹ When blankets failed to arrive, some Aboriginal people expressed ‘great indignation’ and resorted to stealing wood to keep themselves warm. When such an event occurred in June 1879, the owner of the wood promised to claim a blanket as compensation, though this tense situation eased when blankets arrived the following week and were distributed with ‘tea and some eatables’.⁹²

83. Thomas Sharpe Papers ML A1502: 189–90; Cameron notes that 19th century Aboriginal people on the far south coast had largely unhindered access to the resources of the sea and river (Cameron 1987: 13).

84. Egloff 1990: 20.

85. See APB Annual Reports, 1890–1900.

86. According to the APB, about 20 Aboriginal men were employed on the Coolangatta Estate in 1890 (APB Annual Report 1890). After 1850, much of the estate was divided up between tenant farmers and their small-scale enterprises demanded few additional labourers (Bennett 2003).

87. *Illawarra Mercury*, 5 May 1865.

88. Thomas and Higham 1982: 10–11.

89. Thomas Sharpe Papers ML A1502: 189–190.

90. *Illawarra Mercury*, 17 April 1860.

91. *Illawarra Mercury*, 11 April 1865.

92. *Shoalhaven Telegraph*, 5 June 1879: 3 and 12 June 1879: 2.

The introduction of boats and nets diminished the importance of some traditional fishing technology. In October 1879, a reporter for the *Shoalhaven Telegraph* could find only one Aboriginal woman who could manufacture shell hooks and fibrous lines in the old style. Her implements were collected by Henry Moss and taken to Sydney for the Garden Palace Exhibition.⁹³ Of Mickey of Ulladulla's numerous paintings of fish and fishing, only one depicts an Aboriginal man spear-fishing from a canoe.⁹⁴ Overall, there is no clear evidence after 1850 of the continued operation of the traditional gender division of labour. Observers rarely specified the sex of the person doing the fishing. Some traditional knowledge, however, was retained, particularly the important skill of spotting schools of fish from the land which continued to be used into the 20th century.⁹⁵

The resilience of traditional culture and the self-supporting capabilities of Aboriginal people were evident during the initiation, or Bunan, ceremony held at Broughton Creek on the Coolangatta Estate in the late 1880s.⁹⁶ RH Mathews did not witness the ceremony, but one of his informants was Dick Buttong, whose name first appeared in the blanket returns for the Coolangatta estate in the late 1830s. Mathews related that men and initiates hunted during the day to provide food for those participating in the ceremony. Although not stated explicitly, it is likely that initiates were instructed in fishing techniques. It was at this time that Mathews collected information about totems indicating that elements of the traditional marriage structure and patterns of land ownership were still in operation.

Conclusion

As the 19th century drew to a close, a view persisted in the Shoalhaven and Illawarra that Aboriginal people were 'weighted' by a 'lazy feeling' and much could be done to encourage them to take up employment in 'gardening and poultry raising'. The correspondent for the *Nowra Colonist* who wrote these words also commented that 'there is too much lying-about, skulking, and sleeping, when various works might be done by them with benefit to their physical and mental being'.⁹⁷ The author was clearly unaware of the efforts made by Aboriginal people, particularly in fishing, to support themselves. Soon after these words were published, the Aboriginal residents of the Coolangatta Estate were moved to reserves at Roseby Park and later, Wreck Bay, ending many millennia of continuous occupation.⁹⁸

The previous century had wrought drastic changes to their way of life and the balance of power was firmly with the colonisers, but the detailed research presented here indicates a more complex picture than Bell's gloss of dependence and pauperism.⁹⁹

93. *Shoalhaven Telegraph*, 30 October 1879.

94. Sayers 1994: 55, Colour Plate 16.

95. See Egloff 1990 and Cruse et al 2005.

96. Mathews 1896.

97. *Nowra Colonist*, 11 October 1899: 2.

98. See Bennett 2003: 220–223. Alexander Berry died in 1873, leaving the Coolangatta Estate to his brother, David. After David's death in 1889, ownership of the Estate passed to Alexander and David's second cousin, Sir John Hay. He was assisted by his brother, Alexander Hay, who played an important role in the removal of the Aboriginal people from the Estate.

99. It is likely that there were other important changes to Indigenous society which were beyond the scope of this paper to investigate. Genealogical research, for example, may elicit alterations to the social structure and marriage patterns.

Hunting and gathering declined significantly in importance as land was taken up for timber getting, agriculture and dairying. Some Aboriginal men and women earned money and rations by working on properties such as the Coolangatta Estate, but they were in the minority. The seas and rivers were not alienated from their Aboriginal owners and fishing remained an important source of subsistence throughout the 19th century. New technology was readily adopted and participation in the commercial market increased as the century proceeded. Boats and nets were particularly important and most were kept in good condition. Some people lobbied prominent members of the white community such as politicians to provide additional boats and nets so fishing could continue. Others displayed an entrepreneurial spirit by renting out their craft. The community on the Coolangatta Estate was sufficiently resilient and independent to hold an initiation ceremony in the late 1880s. There was a growing trend of dependence on government rations throughout the second half of the 19th century and blankets had replaced possum skin rugs, but this reliance was variable and the fortunes of individuals fluctuated. What is clear is that people continued to use their immense knowledge, skills and experience to catch and collect the bounty of the seas and streams.

References

Primary Sources

- Aborigines Protection Board Minute Books, 4/7108–15, Reels 2788–2789, State Records of New South Wales (SRNSW).
- Alexander Berry Papers: ML MSS 315/1–114, Mitchell Library, Sydney.
- Archibald Campbell to NSW Colonial Secretary, Colonial Secretary In Letters (CSIL) 1/2693, Letter no. 88/3003, SRNSW.
- Colonial Secretary In Letters 1/2687, Letter no. 88/1253, SRNSW.
- Elyard Family Papers: ML MSS 594, ML MS 115–121, ML MS Q217, Mitchell Library, Sydney.
- Henry Parkes Correspondence ML vol 55 A925, CY Reel 77, Mitchell Library, Sydney.
- Margaret Menzies diary, NLA MS 3261, National Library of Australia, Canberra.
- NSW Legislative Council 1845, Report from the Select Committee on the Condition of the Aborigines.
- NSW Police to NSW Colonial Secretary, CSIL Box 1/2349, Letter no. 76/8919, SRNSW.
- Thomas Sharpe Papers, ML A1502, Mitchell Library, Sydney.
- Wollongong Gaol Description Book 5/1513, SRNSW.

Newspapers

- Australian Town and Country Journal*
- Illawarra Mercury*
- Murrurundi and Quirindi Times*
- Nowra Colonist*
- Shoalhaven Telegraph*

Secondary Sources

- Aborigines Protection Board reports, 1890-1900, *Votes and Proceedings of the New South Wales Legislative Assembly*, Charles Potter, Government Printer, Sydney.
- Attenbrow, V 1976, 'Aboriginal subsistence economy on the far south coast of NSW', BA (Hons) thesis, University of Sydney.
- 2002, *Sydney's Aboriginal past: investigating the archaeological and historical records*, UNSW Press, Sydney.
- Backhouse, James 1843, *A narrative of a visit to the Australian colonies*, Hamilton Adams, London.
- Bayley, William A 1975, *Shoalhaven: history of the Shire of Shoalhaven, New South Wales*, Shoalhaven Shire Council, Nowra.
- Bell, J 1959, 'The La Perouse Aborigines: a study of their group life and assimilation into modern Australian society', PhD thesis, University of Sydney.
- Bennett, Michael 2003, 'For a labourer worthy of his hire: Aboriginal economic responses to colonisation in the Illawarra and Shoalhaven 1770-1901', PhD thesis, University of Canberra.
- 2005, 'A long time working: Aboriginal labour on the Coolangatta Estate 1822-1901' in *The past is before us: proceedings of the ninth national labour history conference*, Australian Society for the Study of Labour History, Sydney.
- Bird-David, Nurit 1992, 'Beyond "the hunting and gathering mode of subsistence": cultural sensitive observations on the Nayaka and other modern hunter-gatherers', *Man* 27(1): 19-44.
- Bowdler, Sandra 1976, 'Hook, line and dilly bag: An Interpretation of an Australian coastal midden', *Mankind* 10(4): 248-258.
- Bowen, Alister 2004, 'Material evidence for early commercial fishing activities on the far south coast of New South Wales', *Australian Historical Archaeology* 22: 79-89.
- Cameron, Stuart 1987, 'An investigation of the history of the Aborigines of the far south coast of New South Wales in the nineteenth century', Bachelor of Letters thesis, Australian National University.
- Cane, Scott 1998, 'Aboriginal fishing rights on the New South Wales south coast: a court case' in *Customary marine tenure in Australia*, Nicholas Petersen and Bruce Rigsby (eds), Oceania Monograph 48, Sydney.
- Coghlan, TA 1899, *The wealth and progress of New South Wales 1897-8*, Government Printer, Sydney.
- Comyns, TW 1915, *Tourist guide to the south coast districts of New South Wales*, self-published, Sydney.
- Cruse, Beryl, Liddy Stewart and Sue Norman 2005, *Mutton fish: the surviving culture of Aboriginal people and abalone on the south coast of New South Wales*, Aboriginal Studies Press, Canberra.
- Dunn, Cathy 2000, *Mirryal: Budawang Aboriginals featured in church records*, self published.
- Eades, DK 1976, *The Dharawal and Dhurga languages of the New South Wales south coast*, Australian Institute of Aboriginal Studies, Canberra.

- Egloff, Brian 1990, *Wreck Bay: an Aboriginal fishing community*, Aboriginal Studies Press, Canberra.
- 1999, 'A free man again: Aboriginal responses to British settlement of the Shoalhaven', unpublished report, University of Canberra.
- 2000, '“Sea long stretched between”: perspectives of Aboriginal fishing on the south coast of New South Wales in the light of *Mason v Tritton*', *Aboriginal History* 24: 200–211.
- Epstein, TS and DH Penny (eds) 1973, *Opportunity and response: case studies in economic development*, Hurst, London.
- Fox, Terry 1978, 'A history of the Aboriginal people of Roseby Park, authorised by the Elders of the Jerrinja Tribal Council', *Tertangala* 4: 10–12.
- Frank, AG 1969, *Latin America: underdevelopment or revolution*, Monthly Review Press, New York.
- Gerritsen, Rupert 2001, 'Aboriginal fish hooks in southern Australia: evidence, arguments and implications', *Australian Archaeology* 52: 18–28.
- Goodall, Heather 1982, 'A history of Aboriginal communities in New South Wales, 1909–1939', PhD thesis, University of Sydney.
- 1996, *Invasion to Embassy: land in Aboriginal politics in New South Wales, 1770–1972*, Allen & Unwin, Sydney.
- Howard, Alan 1985, *Ulladulla: before and as I knew it*, self published.
- Howitt, AW 1904 [1996], *The native tribes of south-east Australia*, facsimile edition published by Aboriginal Studies Press, Canberra.
- Jeans, DN 1972, *An historical geography of New South Wales to 1901*, Reed Education, Sydney.
- Jervis, James 1939, 'Cedar and the cedar getters', *Journal and Proceedings of the Royal Australian Historical Society* 25: 131–156.
- 1942, 'Illawarra: A Century of History, 1788–1888' *Journal and Proceedings of the Royal Australian Historical Society* 28(2): 65–107.
- Jones, Philip 2007, *Ochre and rust: artefacts and encounters on Australian frontiers*, Wakefield Press, Adelaide.
- Lampert, R 1971, *Burrill Lake and Currarong: coastal sites in southern New South Wales*, Terra Australis 1, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra.
- Mathews, RH 1896, 'The Bunan Ceremony of New South Wales', *American Anthropologist* 9: 327–344.
- 1901, 'The Thurawal language', *Journal and Proceedings of the Royal Society of New South Wales* 35: 127–160.
- McBryde, Isabel 1996, 'Exchange in southeastern Australia: an ethnohistorical perspective' in *Terrible hard biscuits: a reader in Aboriginal history*, V Chapman and P Read (eds), Journal of Aboriginal History and Allen and Unwin, St Leonards, New South Wales.
- Morton, PH 1929, 'Aboriginal place names', article in the *Sydney Morning Herald* (19 February 1929).

- Mulvaney, John and Johan Kamminga 1999, *Prehistory of Australia*, Allen & Unwin, Sydney.
- Organ, Michael 1990, *Illawarra and south coast Aborigines 1770–1850*, Aboriginal Education Unit, University of Wollongong, Wollongong.
- 1993, 'Illawarra and south coast Aborigines 1770–1900', Report for the Australian Institute of Aboriginal and Torres Strait Islander Studies.
- Poiner, Gretchen 1976, 'The process of the year among Aborigines of the central and south coast of New South Wales', *Archaeology and Anthropology in Oceania* 11(3): 186–206.
- Reece, RHW 1974, *Aborigines and colonists: Aborigines and colonial society in New South Wales in the 1830s and 1840s*, Sydney University Press, Sydney.
- Reynolds, Henry 1982, *The other side of the frontier: Aboriginal resistance to the European invasion of Australia*, Penguin Books, Ringwood, Victoria.
- Sayers, Andrew 1994, *Aboriginal artists of the nineteenth century*, Oxford University Press Australia, Melbourne.
- Stephen, MD 1967, 'Wollstonecraft, Edward (1783 – 1832)', *Australian dictionary of biography*, vol 2, Melbourne University Press, Melbourne: 620-621.
- Tenison-Woods, Rev JE 1882, *Fish and fisheries of NSW*, Government Printer, Sydney.
- Thackeray, Charles 1895, *The amateur fisherman's guide*, George Robertson & Co, Sydney.
- Thomas, Stan and C Higham 1982, *The town at the crossroads – a story of Albion Park*. Shellharbour Municipal Council, Shellharbour.
- Tindale, Norman 1940, 'Results of the Harvard-Adelaide Universities Anthropological Expedition, 1938–1939: Distribution of Australian Aboriginal Tribes, a field survey', *Transactions of the Royal Society of South Australia* 64(1).
- Tull, Malcolm 1993, 'The development of the Australian fishing industry: a preliminary survey', *International Journal of Maritime History* 5(1): 95–126.
- Wesson, Sue 2000, *An historical atlas of the Aborigines of eastern Victoria and far south-eastern New South Wales*, Monash Publications in Geography and Environmental Science No. 53, Monash University, Melbourne.
- West, Obed 1988, *The memoirs of Obed West: a portrait of early Sydney*, edited by Edward West Marriott, Barcom Press, Bowral.

Time and memory: historic accounts of Aboriginal burials in south-eastern Australia

Judith Littleton

In 1971, Betty Meehan undertook an important survey of historical accounts of burial practices among Aboriginal Australians highlighting regional variation across Australia.¹ Since the late 1980s archaeologists have studied the archaeological record of burials to discover what it might indicate about pre-contact Aboriginal social structure and relationships to land and resources. Historic accounts provide an ancillary source in this endeavour indicating variability in burial practices or providing explanations for particular archaeological findings.² Yet, historic accounts are temporally limited (hours, days, weeks, years) in a way that the archaeological record cannot be and hence reveal the messiness and complexity of human actions around burials, which leave no, or a very limited, archaeological signature.

This paper analyses the significance of the temporal scales encompassed by historical records and ultimately reflects on what this might mean for the archaeological record. Both the archaeological and historical records are temporal palimpsests. In his archaeological analysis of a single burial, the Hochdorf princely grave, Olivier demonstrated that different components of a burial have different temporal depth: from the time of production of particular artefacts to the instant of death, to the length of the burial act and the longevity of the monument.³ Historic accounts, however, encompass distinctions beyond these. The process of burial, as well as its after-effects, was observed. In other words historical records can be informative on the duration of human action and memory related to a burial. They tell us about the memory relating to the monument and other visible traces, distinguished by Bradley as inscribed memories and as incorporated memory associated with the fleeting acts of individuals.⁴ They also point to the difference between accounts of specific events or observations and the generalised statements of Aboriginal burial practices made by early Europeans.

The current analysis focuses on the historic accounts of death, burial, and mourning practices for the central Murray area (from Echuca to the Northwest Bend) over the time period from first European accounts to the early 1900s. Death is a major life-crisis

1. Meehan 1971.

2. Pardoe 1988, 1995; Russell 1990; Littleton 2002.

3. Olivier 1999.

4. Bradley 2000: 157–158.

for any community, especially for an intimate and kin-linked community such as Aboriginal society. In this situation the burial itself is one moment within a process that has a number of different elements: the death, the disposal, the memorialisation, mourning and actions flowing from the visible monument and its eventual decay. This paper will follow that temporal structure.

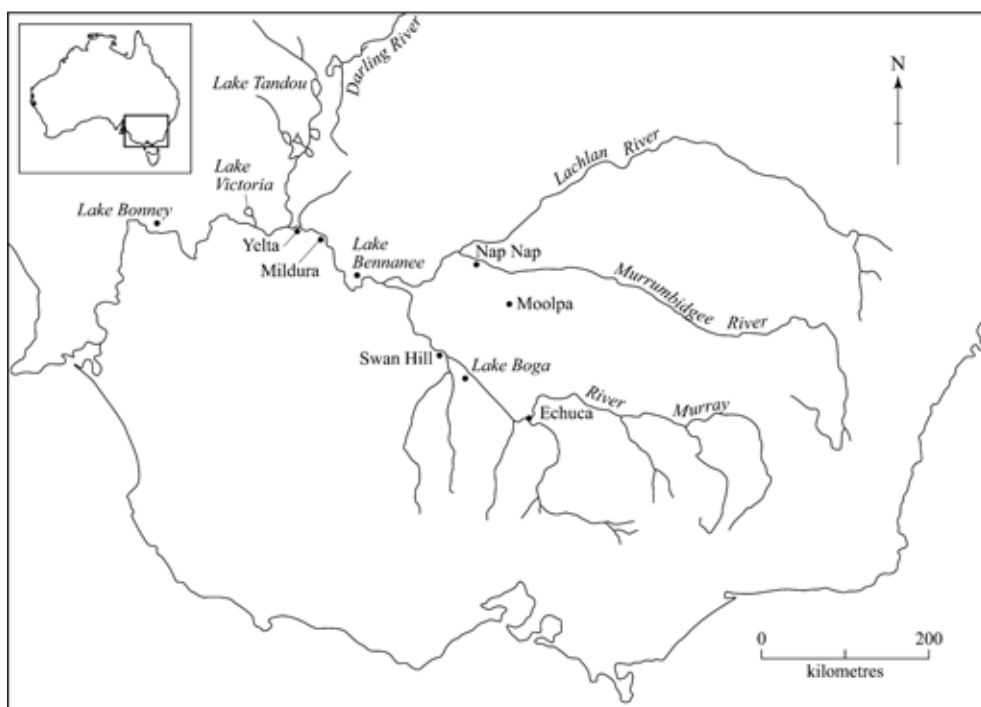


Fig 1. The central Murray region.

Data sources and shortcomings

The records come from the central Murray area (Fig 1) and include, apart from those archival sources used by Meehan, some local diaries (eg Hobler) and newspaper accounts (particularly *The Pastoral Times*). This is a preliminary survey and there are no doubt sources that have been missed – but amongst the sources there are repetitive themes. It also needs to be remembered that sources sometimes refer to each other. For example, Browne refers to Mitchell's observations and they no doubt inform his own interpretations.⁵ In addition some practices are referred to with no clear indication of either the source of the observation or its place.

Accounts of burials are a product of a particular historical moment, not necessarily a reflection of a permanent pattern although they were often described as such by European writers. Infectious disease from the Europeans arrived in the area before any direct contact was made between the colonists and Aboriginal people.⁶ Aboriginal

⁵. Browne 1966[1844–5]: 31.

⁶. Dowling 1997.

accounts, collected by Europeans after settlement, describe disease (probably smallpox) as coming with a great wind from various directions (from the south, up the river, from the east).

Europeans arriving in the district describe pock-marking among individuals. For example, Pulteney Mein at Moolpa wrote:

The Blacks must have suffered from smallpox before the advent of the Europeans in the Murray district for there was a man at Moolpa in 1858, from 35 to 40 years of age, who was perfectly blind, and he was deeply pitted with the small pox marks – King Phillip told me ‘Jimmy’ became blind when he was 10 or 11 years old – He also told me that so many Blacks died [about the time Jimmy became blind] on the Murray that they let the bodies remain in the camps, ‘could not bury them, too many’.⁷

This means that all historic accounts need to be interpreted in the awareness that the Aboriginal people alive at the time were the survivors of serious epidemics and the other impacts of the colonial process and this no doubt affected the transmission of cultural concepts and knowledge. At the very least, the distribution of people in the landscape does not necessarily represent the pre-contact pattern. Apart from this temporal gap, there is also the strong desire of many observers of the time to describe patterns or categorise activities. Hence accounts of single burials are often assumed by their authors to represent all burials within a particular area or even further afield.

Burials vary over space

Meehan’s initial work on the historic sources was explicitly directed towards identifying regional distributions and variations in burial practices. Even within the Murray Basin such differences were noted very early on.⁸ They appear in two types of accounts: those of people moving through the country either on trips of exploration (as with Mitchell) or overlanding expeditions; and the more general accounts of later ethnographers who were collecting information from numerous sources.⁹ This means that there is relatively extensive information on differences in the visible monuments, but much less on differences in the more intimate processes of burial (more frequently noted by people who settled in the area and wrote accounts at the time or attempted to write memoirs) except where such events involved long term or multistage ceremonies such as exposure on platforms or secondary deposition.

In the Murray Basin there is a distinction between the practices performed on the Lower Murray (where secondary burials did occur) and those upstream (Fig 1). This paper deals only with the upstream accounts where recorded burials and monuments are dominated by primary interments. In this upper area there are also variations in visible monuments: for example, Mitchell distinguishes between the monuments of the Bogan/ Macquarie Marshes, the Darling, the Lachlan and the Murray-Murrumbidgee.¹⁰ These divisions do not define mutually exclusive groups of practices and in the follow-

7. Mein 1897, 25 October.

8. Sturt 1833: 52; Mitchell 1838; Moorhouse 1844: 357.

9. For example, Smyth 1876.

10. Mitchell 1838 II: 113.

ing analysis the different aspects of burial are dealt with, rather than defining regions and then describing them one by one.

Deaths are caused by others

One common feature of all accounts of burial is that death was caused by others.¹¹ There are some caveats to this: MacKenzie suggests that the search for someone to blame for a death only occurred if the death was of a man and particularly of a young man.¹² Beveridge isolates deaths caused by direct violence as those where there was no requirement to search for the guilty.¹³

The guilty were found and identified through various means, for example, the discovery of animal tracks near the grave after burial.¹⁴ These were interpreted as identifying the person to blame for the death and gave a focus for revenge. Hobler, at Nap Nap on the Murrumbidgee, describes how, when it was thought Dicky had died, the men rallied and started to walk off to Cunnargo in order to revenge his death.¹⁵ Dicky fortunately turned up soon after.

It is not intended here to address the whole issue of inquests, attribution of blame and so on, matters that fascinated Europeans.¹⁶ The point is that deaths were, by their nature, social occurrences involving not just the local group but potentially groups separated by long distances. Although their involvement was rarely in the actual processes of burial and mourning, the cycles of death and revenge linked people in a series of obligations. A single death could ramify outwards, with the actual burial having a minor role. This is the reverse situation to archaeology which, of course, begins with the burial.

Who is buried?

The few accounts of burial are nearly always of adult males and many authors distinguish between adult males and others in respect to burial practices.¹⁷ There seem to be two specific factors underlying this bias. First is the identity of those recording – most were males. There are three accounts by women in the current survey (all as young children) as opposed to more than 30 accounts by males. One of the few explicit descriptions of the burial of a child was made by a woman.¹⁸ The second factor is a gender bias in burial practices. Mitchell, for instance, specifies that men and boys had mounds constructed for their remains implying women and female children did not.¹⁹ Beveridge similarly points out that burial huts were restricted to a person of weight or consideration and later distinguishes these burials from the rudimentary disposal of women and ‘Wittals of long standing’.²⁰ Among Meehan’s data there are 16 references

11. Jamieson in *Bride* 1969: 381; Phillips 1893: 76.

12. Mackenzie 1870: 137.

13. Beveridge 1883: 52.

14. Kirby 1896.

15. Hobler 1992[1882]: 22 April 1848.

16. Jamieson in *Bride* 1969: 383; Moorhouse 1844: 357.

17. Hobler 1992[1882]: 7 March 1847; Jamieson in *Bride* 1969: 382.

18. Musgrave 1930.

19. Mitchell 1838 II: 87.

20. Beveridge 1883: 12.

to men, four to women, four to children, and seven with gender unmentioned. Nevertheless, in most circumstances, everyone was buried.

Accounts are that women were buried with less ceremony and less communal mourning.²¹ Beveridge in his 1883 account is rather more sensational, stating that in relation to old women or 'wittals':

a shallow hole is merely scraped in the most convenient spot, having due regard to proximity and softness of soil, where in the body is careless thrown without the slightest preparation or ceremony, covered up and forgotten, unless, indeed, the shallow grave chances to be scraped.²²

Infants (Beveridge specifies up to two years) and young children were the one group for whom there was routine secondary disposal. There are several accounts from a broad area (beyond the Murray River) of the infant being swaddled, bound and carried for several months before being finally disposed of through burial (in the central and Upper Murray) or being burnt (and possibly still carried for a short time) or being placed in a tree. Beveridge suggests that such practices were restricted to the first born son though Beveridge likes to put rules forward.²³ Smyth specifies children who were 'well loved',²⁴ although there is plenty of evidence that most children fell into this category. It is not clear whether there was an upper age limit on the practice but the difference between children and others is marked in terms of burial practices. The accounts refer to a fairly wide area of New South Wales and Victoria.²⁵

In total, therefore, the classes and statuses that are mentioned for different burial are: important men, all adult men, women (slight grading for age) and men of very low status and infants. The most elaborate constructions and processes were restricted to men and to infants, although infant deaths do not appear to be such public occasions. The visibility of public occasions, as opposed to more private events, may explain the apparent bias in favour of males, but it also means that most written accounts of burials are also biased towards these members of society, particularly in circumstances of limited contact between observers and the observed.

The disposal event

In the historical accounts, apart from children, burial occurred soon after death and was primary. The accounts of Clow and Hobler are both of quite speedy burials.²⁶ Clow (Mildura region) having heard mourning cries, describes the subsequent burial:

On reaching the group, which consisted of two of Geordie's wives and two or three men who were winding a blanket round a corpse which was lying about half way between their camp and my hut, the men preserved a determined silence to all my inquiries, and it was from the women that I ascertained the corpse was their late husband, and that he had been murdered by some of the men who had been encamped with them.²⁷

21. Curr 1965[1883]: 127; Jamieson in Bride 1969: 382.

22. Beveridge 1883: 12.

23. Beveridge 1883: 12.

24. Smyth 1876: 98.

25. Witter et al 1993; Littleton 2002: 112.

26. Clow in Bride 1969: 358; Hobler 1992[1882]: 7 March 1847.

With the exception of children (mentioned above) there are no accounts of long waits, or of moving the body long distances, after burial. Rather, burial is described as taking place quickly and locally.²⁸ The one contrary general account is that of Smyth²⁹ and it is difficult in this case to discern who he means by 'north and northeast tribes': north and north-east Victoria or north and north-east Australia? Certainly his account in relation to adults does not match other contemporary accounts from the Murray Valley area.

There are only two specific exceptions to the notion of a speedy burial close to the place of death. One is an account by a stockman to the Kerridge family on Lake Victoria.³⁰ He claimed that, after the Rufus River massacre, the bodies were transported by canoe across the lake to be buried. This does not, however, match accounts by O'Halloran, Sturt and others of seeing the mound on the bank of the Rufus River where the massacred bodies were buried.³¹

The other account is from *The Pastoral Times* (Deniliquin). On 20 January 1860, it was noted:

Died – Some time since the King of Werai died at Deniliquin ... He was buried at Deniliquin, but his remains were considered too sacred to be allowed a final resting-place in this stirring neighbourhood. The remnant of his tribe came up from Werai [about 100 miles by water] for their king, took him home in their canoes, and re-buried him.³²

Two features make this particular burial unusual: one, the man who died was (in Beveridge's terms) a man of note, and, two, his initial burial was well away from his home country.

Immediate burial was the desirable state; absentees had to accommodate this. Bulmer mentions that if friends were not present at death then they hit themselves on the head, which seems a way of compensating for their absence from the burial ceremony.³³ In this particular region burials were not delayed by waiting either for particular people or in order to transport the corpse to particular places. Rather, they were immediate acts so that only those camping with the dead were involved in the precise decisions regarding burial. This means there are potentially differences in the sorts of memories that could accrue to burials.

Place of burial

Most frequently the place of burial is described as nearby, either in soft ground or in a neighbouring sandhill. In general there is scant reference to specific places or specific choices of places in the historic accounts and much more emphasis on convenience. The references in terms of places are in respect to easy or soft digging.³⁴ The exception to

27. Clow in Bride 1969: 358.

28. Bulmer 1888: 16; Jamieson in Bride 1969: 382; Hobler 1992[1882]: 7 March 1847.

29. Smyth 1876: 108.

30. Hope 1998: 101.

31. O'Halloran 1903–4: 86; Sturt 1849: 93.

32. Mulham 1994: 1.

33. Campbell 1994: 30.

34. Anon 1901: 17 June; Curr 1965[1883]: 127; Phillips 1893: 74.

this is Smyth in reference to the Bogan River.³⁵ Both Stone and Beveridge argue that burials in oven mounds were rare.³⁶ Despite his own excavation of burials from an oven mound, Stone, a local butcher and amateur archaeologist, writes:

in rare instances an aboriginal skeleton has been found when these ovens have been ploughed over or removed but I do not think that the practice of burying a deceased member of the tribe in an oven was often resorted to.³⁷

Beveridge, on the other hand acknowledges that Aboriginal skeletons were frequently found in cooking mounds, but explains this by reference to isolated deaths, instances where there was no soft ground available and restricted to 'old worn out women or invalids of long standing, and who had become troublesome and tiresome to their unwilling attendants'.³⁸ His excavation of burials from a mound is attributed to smallpox deaths which is a common explanation attributed to groups of multiple burials. This form of special pleading when observations do not match oral accounts is common, reflecting the difference between standardised accounts and actual events.³⁹ The difference between general and particular descriptions points to a strong tendency for some writers to imply a greater level of formalism and regularity in burial than actually existed.

The actual burial

In contrast to the lack of specificity about burial locations, European accounts of the actual grave preparation and placement of the body are very detailed and give an impression of unvarying rules. Matthew, for example, writes: 'I am informed [by Mr Humphrey Davy] that on the Lachlan and Murrumbidgee the dead body was deposited with the head towards the south.'⁴⁰ Beveridge is equally clear:

The graves are usually about four feet deep, and in every instance bearing east and west. In the bottom of the grave a sheet of bark is placed or should bark be difficult to procure, it is thickly strewn with grass instead; the body is then let down with the feet towards the east.⁴¹

Curr, Stone and Bulmer all make comments specific to particular tribes. Curr writes:

The Bangerang mode of burial had nothing remarkable about it. The dead were rolled up in their opossum-rugs, the knees being drawn up to the neck with strings, when the corpse was interred in a sitting posture, or on its side.⁴²

On the other hand, Bulmer suggests that at Yelta the orientation of the body was significantly related to totem:

On the Murray, the position the body was placed in the grave as determined by the person's totem; grokitch was buried with his head to the east while a gamatch

35. Smyth 1876: 99.

36. Beveridge 1883: 21; Stone 1911: 434.

37. Stone 1911: 434.

38. Beveridge 1883: 21.

39. Littleton 1998.

40. Matthew 1899: 123.

41. Beveridge 1883: 11.

42. Curr 1965[1883]: 135.

was buried with his head to the west. Of course this could only be observed when they buried in the ground.⁴³

Stone (based on information from informants in the Lake Boga region) writes:

Upon the death of a member of the Gourrmjanyuk tribe a shallow grave would be dug generally in a sandy spot, to a depth of about two or three feet. The bottom of the excavation would then be strewn with grass thickly, and covered with a sheet of bark; then the body was wrapped in a rug and laid on the bark, upon its back, with the head generally in the direction of the setting sun. It was then covered with grass, and finished with a sheet of bark, and then the grave was filled in. In many cases the tomahawk and grinding stones of the deceased were placed at his side, and buried with him, and I have particularly noticed in the Boga district that the stones buried with the body are invariably chipped or broken right through.⁴⁴

In a clear indication of the difference between these normative accounts and individual observations he notes in his own excavation at Lake Boga the variability in position and orientation.

There are also the categories of deaths that did not fit (even at the time) into these normative rules. These are generally the deaths associated with disasters such as epidemics,⁴⁵ massacre⁴⁶ and homicide.⁴⁷ Given that so many of the descriptions of burials are either not from direct observation but rather from oral accounts, or have been summarised over time, it is understandable that the historic accounts veer towards a notion of strong normative practice and adhere to that even in the face of evidence to the contrary.

Burial and belongings

Personal possessions are often mentioned as buried with the dead⁴⁸ and this occurs in contemporary accounts as well as those of traditional practice. Stone for instance notes that the grandfather of an Aboriginal man he knew was buried with his tomahawk around 1830–1840.⁴⁹ A more recent burial on the Serpentine Creek (probably dating from the first half of the 20th century) is described by Eastman:

From Jay Jay came the solution of a find revealed by the plough in running a channel for irrigation round a sandhill on this property. A heap of bones was first revealed, crumbling away to powder after exposure. Enquiring from Jay Jay as to this, evidently an aboriginal skeleton in sitting pose, buried a couple of feet from the surface, he said 'That poor canoe ... Billy had burial in the old style. I helped to bury him. We put his stone tomahawk and a two pound station cheque alongside of him to give poor fellow good send off.'⁵⁰

43. Cited in Campbell 1994: 32.

44. Stone 1911: 458.

45. Beveridge 1863–4: 14.

46. Sturt 1849: 93.

47. Phillips 1893: 76.

48. Beveridge 1863–4: 20; Phillips 1893: 74.

49. Stone 1911.

50. Eastman 1953: 131.

The creation of a visible monument

The final stage of the actual burial was often the creation of a visible monument. A large amount of the information on regional variability is based upon these material remains rather than the less easily accessible information on the actual burial ceremony. The accounts vary by region and indicate different temporal durations for the visible traces of a burial. Mitchell is one of the first to comment on these monuments and their form:

We continued our journey, and soon found all the usual features of the Darling the hills of soft red sand near the river, covered with the same kind of shrubs seen so much higher up. The graves had no longer any resemblance to those on the Murrumbidgee and Murray, but were precisely similar to the places of interment we had seen on the Darling, being mounds surrounded by, and covered with, dead branches and pieces of wood. On these lay, the same singular casts of the head in white plaster, which we had before seen only at Fort Bourke. It is, indeed curious to observe the different modes of burying, adopted by the natives on different rivers. For instance, on the Bogan, they bury in graves covered like our own, and surrounded with curved walks and ornamented ground. On the Lachlan, under lofty mounds of earth, seats being made around them. On the Murrumbidgee and Murray, the graves are covered with well thatched huts, containing dried grass for bedding, and enclosed by a parterre of a particular shape, like the inside of a whale boat. On the Darling, as above stated, the graves are in mounds, covered with dead branches and limbs of trees and are surrounded by a ditch, which here we found encircled by a fence of dead limbs and branches.⁵¹

Kreffft similarly notes variation across space:

Between Lake Boga and the junction of the Murrumbidgee ... We passed several graves, the last near Coghill's Station, of the simple form noticed at Gunbower Creek, whilst a little further on a regular hut had been erected over the departed native; and at Hamilton's Station were two graves of this description in a very good state of preservation. The form of these sepulchres changed again soon, being instead of bark, covered with grass and reeds; a fishing net generally enclosing the whole fabric.⁵²

Mounds are mentioned across the area but most commonly on the Lachlan, Murrumbidgee and towards the upper Murray. Hobler, in describing an old man's burial at Nap Nap on the Lower Murrumbidgee, writes of bark being piled on the grave.⁵³ Jamieson talks of the grave being covered over with bark and finished with earth,⁵⁴ and Mackenzie similarly of the grave being covered over with bark and finished with earth.⁵⁵ Moorhouse, however, writing from Moorundi on the central Murray, says:

The grave is filled up with branches and earth, and a tumulus is left so as to remind the living where their relatives and friends are laid. Upon these tumuli clothing and branches are put from time to time.⁵⁶

51. Mitchell 1838 II: 113.

52. Krefft 1865: 362.

53. Hobler 1992[1882]: 7 March 1847.

54. Jamieson in Bride 1969: 382.

55. Mackenzie 1870: 137.

56. Moorhouse 1844: 357.

Most authors do not describe the size of the mound and no doubt this was variable. One account, probably from near Junee, is of a large mound around two feet high:

There a grave is dug, to a depth of say 18 inches by about 3 feet square. Sometimes the hole is made circular. A wooden shovel is used for digging purposes. The departed member of the tribe is then placed in the hole, in his squatting posture. All round to a radius of about twenty feet, the ground is loosened and the soil thrown over the grave till there is a mound about two feet above his head. The heap is gradually sloped off. Sticks and dead wood are then gathered up and placed on top to prevent the native dogs from getting at the carcase [sic] and dragging it out. When that part of the ceremony is disposed of, three or four trees in the vicinity are selected, the bark is stripped off to a length of about four feet and as wide as the trees will allow and on the bare part of the tree marks are made to correspond with the marks on the dead man's possum cloak for I might say that each man's rug is peculiarly marked in order to signify its respective ownership.⁵⁷

This account is similar to Cunningham's description⁵⁸ on the Lachlan, and the conjunction of a mound with carved trees does seem to be specific to the upper Lachlan and possibly upper Murrumbidgee. It corresponds to Gribble's attribution of the practice to the Wiradjuri:

With the Wiradjuri, Bulungal, that is, 'death', is the passing away of the Jir, 'ghost' or 'spirit'. After death the body is rolled tightly in a skin rug, and then placed in a grave about four feet deep. All the personal property except perhaps some choice articles, are then laid on the top and the grave filled with sticks and bark, covered over with earth and with large logs placed on it. The surrounding trees are marked, the grave is left, no one going near it and none speaking of it.⁵⁹

An alternative to the mound is a pile of logs.⁶⁰ Curr writes that burial was:

generally in a sandhill, in which a grave about four feet deep had been excavated. A sheet of bark was then placed over the corpse, the sand filled in, and a pile of logs above seven feet long and two feet high was raised over all. Round about the tomb it was usual to make a path, and not unfrequently a spear, surmounted by a plume of emu feathers, stuck at the head of the mound, marked the spot where rested the remains of the departed.⁶¹

It is not clear from Curr's account where this practice was observed, although it seems most likely that this comes from his observations around Tongala and the Moira-Millewa.

Further down river – according to Krefft⁶² and Robinson⁶³ probably around and below the Murray-Murrumbidgee junction – huts are mentioned as surmounting graves. There does not seem, however, to have been a clear regional division, since Eyre describes a hut in the area of Lake Boga,⁶⁴ and Mitchell one on the lower Lachlan very

57. Anon 1901: 17 June.

58. Cunningham 1817: 30 June.

59. Gribble in Howitt, 1904: 465.

60. For example, Mitchell 1838 II: 87.

61. Curr 1965[1883]: 135.

62. Krefft 1865: 358.

63. Clark 2000: 57.

64. Eyre 1984 :152.

close to its junction with the Murrumbidgee, while his account of graves at Lake Benanee describes one with a hut and one with a pile of logs.⁶⁵

The huts are often described as arbours of boughs.⁶⁶ There were differences in construction, however. Eyre's hut near Lake Boga is described as built of reeds and covered with a net which is similar to Sturt's description of 'an oval hollow shed ... that was lined with reeds and bound together with strong network'.⁶⁷ Beveridge also mentions that sometimes a net was made to cover the hut, but seems to suggest that more commonly the hut was of bark or thatch.⁶⁸ In this paper I will not attempt to unscramble the variation in hut construction and its regional distribution but it is clear that there are subtle variations between accounts of huts from different areas. Some features, such as fences, seem to be very restricted in distribution.⁶⁹

Not all of those who died had a visible hut. Beveridge suggests that huts are restricted to people of 'weight or consideration in the tribe'.⁷⁰ Hobler's description of the old man's burial only mentions bark over the grave not a hut,⁷¹ while Mitchell's Lake Benanee account is of a child and another individual covered with a pile of logs.⁷² Again the accounts are incomplete being largely restricted to the most obvious of monuments. The accounts, particularly of widow's caps in association with huts, do, however, suggest that the materiality of the grave varied with the status of the individual buried.

Apart from the structures surmounting the graves, the graves were also bounded. Fences were just one form of boundary to the grave and its surmounting structure. Cunningham's drawing and Mitchell's descriptions at Lake Benanee and on the lower Lachlan are of double or triple ridges surrounding the graves.⁷³ Sturt describes deliberately cut walks surrounding the graves, as do Curr and Browne, while Eyre describes a trench.⁷⁴ These boundaries were purposeful: the walks have the marks of women's feet upon them⁷⁵ and within the fence the ground was kept clear of weeds.⁷⁶

Built structures were not the only indication of a grave's presence. Curr mentions a plume of emu feathers.⁷⁷ This is the only such account. More common, however, are references to widow's caps and kopi eggs found on the Darling and in the Darling-Murray junction area. Widow's caps are described by Mathews.⁷⁸ They were made by the widow(s) of the deceased and consist of layers of gypsum plaster applied to a fibre or rush net on the woman's head. After mourning was over, the cap was taken off by the

65. Mitchell 1838 II: 70, 87.

66. O'Halloran 1903-4: 86; Gerstaeker 1853: 454.

67. Sturt 1833: 52.

68. Beveridge 1883: 11; Beveridge, 1863-4: 20.

69. Beveridge 1883: 11; Howitt 1904: 452; Massola 1971: 137.

70. Beveridge 1883: 11.

71. Hobler 1992[1882]: 7 March 1847.

72. Mitchell 1838.

73. Cunningham 1817: 30 June; Mitchell 1838 II: 70, 87.

74. Sturt 1833: 52; Curr 1965[1883]: 125; Browne 1966[1844-5]: 31; Eyre 1984: 152.

75. Sturt 1833: 52.

76. Beveridge 1883: 20; Howitt 1904: 452.

77. Curr 1965[1883]: 135.

78. Mathews 1909: 317.

widow and placed upon the grave of her late husband. These were large solid artefacts lying on the surface beside graves, as a photograph by Reimer indicates.⁷⁹ Mitchell also refers to a grave surmounted with a widow's cap.⁸⁰ The presence of widow's caps therefore has implications as to who was buried in a grave, indicating that the grave belonged to a married male and possibly even how many wives he had.

In contrast, kopi eggs were not restricted to the graves of males. Kopi eggs or *yurda* were oval shaped balls of burnt gypsum mixed with water and fine sand or ashes. Accounts collected by Mathews are consistent that these objects were placed on top of the grave.⁸¹ There are, however, two, and not mutually exclusive, interpretations. The first is that the *yurda* were deposited by friends, the number of *yurda* indicating the number of friends. The second, an account from Wilcannia, is that the kopi eggs were put on the grave to induce the spirit of the dead person to remain in its place and not roam through the camp at night.⁸²

Thus graves had a visible and material presence, albeit of varying duration. What is not clear is whether all graves were visible for some time. Nor can we be certain of the extent to which such symbols could be read and interpreted by people with varying degrees of knowledge. One example of this is 'Tommy Came-First' from outside the lower Lachlan region, who, coming upon a burial hut with Mitchell, claimed it was a European grave until told otherwise by the widow hiding nearby in the bushes.⁸³ Different people had different degrees of knowledge and hence ability to read such signs, or interpret the inscribed memory.

Duration of the burial and mourning

Prolonged mourning centred on these monuments. Initial mourning occurred within the camp,⁸⁴ and accounts are given of wailing and self-mutilation.⁸⁵ Merreweather observed:

By and by the visitors broke through this dead silence, and raised a long, plaintive, and not inharmonious wail, which, after a momentary pause, was responded to and prolonged by the blacks in the encampment. This was interspersed with sobs and cries on the part of the women. During the whole of the night, with short intervals, did this wild ululation fill the glades of the surrounding primeval forest; and some of the mourners made gashes on their foreheads and backs with burning sticks, sharply pointed.⁸⁶

In addition hair and beards might be cut off. Moorhouse also described people putting hot ashes on their head to 'weep in dust and ashes'.⁸⁷ Apart from ashes, white pipe clay is also mentioned as a marker of mourning.⁸⁸ As well as making widow's

79. See Martin 1997: 73.

80. Mitchell 1838 II: 113.

81. Mathews 1909: 313–314.

82. Mathews 1909: 315.

83. Mitchell 1838: 51.

84. Campbell 1994: 31; Moorhouse 1844: 357; Jamieson in Bride 1969: 382.

85. Anon 1901: 17 June; Beveridge 1883: 10.

86. Merreweather 1859: 125.

87. Moorhouse 1844: 357.

88. Anon 1901: 17 June.

caps in the Darling-Murray area, the widows had specific practices such as firing a bush and dragging it around the camp⁸⁹ before leaving and isolating herself.⁹⁰ The duration of mourning varies in different accounts from three to 12 months.⁹¹

Accounts also vary in relation to maintenance of the hut and responsibility for its upkeep. Bulmer states that:

the woman went to the tomb over which she had erected a shelter, after lying on the grave for some time she would take off the plaster cap and deposit it on the grave, and go home to begin her work of collecting gypsum *de novo*. This she would keep up for a long time, perhaps 3 months.⁹²

Mitchell, however, states that a male slept in the hut until 'no flesh remains on the bones' and then he 'yan' (ie goes) away. He was, however, told this by a widow lurking near the grave in the bushes suggesting that she had some maintenance role at the hut.⁹³ In contrast, at Benanee, he was told that the hut surmounting one grave was burnt and abandoned once the murder had been avenged.⁹⁴ Beveridge, on the other hand, suggests the grave is maintained and kept clear for about two years. Actual use of the hut is only mentioned in relation to a Baangal:

who ever has the temerity to seek to [sic] vacant office of the defunct must go at sundown, the first night of the new moon, and place himself in the mausoleum and there remain until sunrise the following morning. This proceeding has to be continued every night until the moon has waxed and waned, and if he successfully completes the loathsome ordeal, he is deemed to have graduated satisfactorily and is subsequently inducted.⁹⁵

A more generic form of acknowledgement is noted by Gerstaeker: 'It is a fashion with these tribes, as a kind of tribute to the dead, to throw, when they pass their graves, little branches or bushes upon them.'⁹⁶ Relics were also used and presumably memories were associated with them.⁹⁷

In contrast to the accounts of desecration of graves by Europeans there are also instances where Europeans too covered graves⁹⁸ sometimes in a series of activities that may reflect Aboriginal practices:

My men dug a grave, and having secured the top well with stones, to prevent the wild dogs from disinterring it, crowned its summit with the murdered man's spears and other instruments of war, which remained there till some sacrilegious white hand removed them.⁹⁹

89. Anon 1901: 17 June.

90. Campbell 1994: 30; Jamieson in Bride 1969: 382.

91. Campbell 1994: 30; Anon 1901: 17 June.

92. Campbell 1994: 30.

93. Mitchell 1838 II: 70.

94. Mitchell 1838 II: 87.

95. Beveridge 1863-4: 51.

96. Gerstaeker 1853: 454.

97. Jamieson in Bride 1969: 383; Anon 1901: 17 June; Crombie 1927: 53.

98. Sturt 1833: 37; Hobler 1992[1882]: 7 March 1847.

99. Clow in Bride 1969: 359.

Burial prompts further action

Apart from maintenance of the burial place for a period of time, burials prompted action in the form of avoidance of names and of the place of death. The former was widespread,¹⁰⁰ though avoidance of place was more variable. Avoidance of graves was general; so once Tommy Came-First knows the hut belongs to a grave, he avoids it.¹⁰¹ Similarly Hawdon notes the aloofness of Aboriginal people near the grave,¹⁰² although both Sturt¹⁰³ and O'Halloran¹⁰⁴ describe walking with Aboriginal people near the mound covering those buried from the massacre. Nevertheless, camping and burials were mutually exclusive in historic accounts. Similarly if the burial was close to a camp, the camp was generally moved for at least a period:

As a rule the blacks do not tarry in a camp one moment longer than they can possibly help after a death has taken place. The gins never attend the burial but make all preparations for departure so that when the men return from the funeral all is about ready for a general departure. ... it is then twelve months before she can come anywhere near the camp again. And if she – or any relative of the deceased – does come along after that period, it is necessary to again drag a lit bush round.¹⁰⁵

Beveridge writes that this was sustained even during the smallpox epidemic so that burials induced two sets of activities: generalised avoidance by those unconnected with the specific burial, and deliberate and active abandonment of areas for some time by those present at the death or connected to the dead.¹⁰⁶ There was, therefore, no generic response – it depended on the relationship between the deceased and the later visitor.

Burials attract burials

Burials were frequently not solo, and there is evidence of accumulation over time. Thus Hobler's account of a burial in 1847 is an instance of grave reuse.¹⁰⁷ Going through the accounts there is also frequent mention of around three graves.¹⁰⁸ There are two accounts of more than this number of visible graves: one is Hawdon's description at Lake Bonney.¹⁰⁹ His 30 graves are unlikely to be all huts, but his description is matched by a drawing by Blandowski at Lake Bonney of a large group of burial huts. Robinson writes of defined cemeteries, counting 22 graves at one (near Moira) with single burials only lower downriver, but there is no parallel account even by Curr of this.¹¹⁰ These are the only two indications found so far, apart from the single mass burial at the Rufus,

^{100.} Curr 1965[1883]: 127; Howitt 1904: 466; Jamieson in Bride 1969: 382; Beveridge 1863–4: 20; Merreweather 1859: 125.

^{101.} Mitchell 1838 II: 70.

^{102.} Hawdon 1952: 52.

^{103.} Sturt 1849: 93.

^{104.} O'Halloran 1903–4: 86.

^{105.} Anon 1901: 17 June.

^{106.} Beveridge 1863–4: 17.

^{107.} Hobler 1992[1882]: 7 March 1847.

^{108.} Gerstaeker 1853; Hawdon 1952: 32; Mitchell at both the Lachlan (Mitchell 1838 II: 51) and Lake Benanee (II: 87).

^{109.} Hawdon 1952: 52.

^{110.} Clark 2000: 57.

which approach in expected size a visible and formal cemetery. Much more commonly the visible clusters of graves are small in number. This is not to say that there were not other graves in these places: there were potentially other contemporary unmarked graves (ie possibly those of women) and there were potentially other graves which had decayed and left no visible presence. Mitchell describes this process at Lake Bennane, ¹¹¹ but, as Beveridge points out, the external visibility of graves was of limited duration: 'After that time the tomb is allowed to fall into decay, until in the course of a few years the very site of it is forgotten. These are temporary monuments.' ¹¹² Their duration was extended by their ability to attract other activities.

Descriptions of erosion, collapse, forgetting

Temporary monuments do not remain in a single state and, even in the 1800s, there is evidence of cycles of collapse, loss of memory, erosion and destruction through human activity. It is not just graves with still standing monuments that were visible: the Kerridges note that when putting in stockyards at Lake Victoria they 'dug through lots of blackfellows bones'. ¹¹³ Mitchell and Sturt both described eroded graves:

A very large ash hill, raised no doubt by repeated use in such simple, culinary operations, and probably during the course of a great many years, was close to our camp. ... On its ample surface were just visible the vestiges of a very ancient grave, once encompassed by exactly the same kind of ridges that I had observed around the inhabited tomb, near the junction of the Lachlan and Murrumbidgee. ¹¹⁴

And

We stopped for the night upon the left bank; and close to a burial-ground that differed from any I had ever seen. It must have been used many years, from the number of bones that were found in the bank, but there were no other indications of such a place either by mounds or by marks on the trees. The fact, therefore, is a singular one. I have thought that some battle might have been fought near the place, but I can hardly think one of their battles could have been so destructive. ¹¹⁵

Two accounts from *The Pastoral Times* point to the destruction of burial sites:

Aug 20, 1864. While road making at North Deniliquin the other day, the skull and bones of a blackfellow were dug up, which an aboriginal standing by declared to be the remains of Old Deniliquin. ¹¹⁶

March 13, 1880. We have taken from him his hunting forests and his camping grounds. The favourite tree under which he rested so long, until he came to recognise it as his home, has not been spared by the ruthless hands of our woodsman. The very mound in which he had concealed his dead has been broken up by the plough of the Husbandman. ¹¹⁷

¹¹¹. Mitchell 1838 II: 87.

¹¹². Beveridge 1863–4: 20.

¹¹³. Cited in Hope 1998: 101.

¹¹⁴. Mitchell 1838 II: 149.

¹¹⁵. Sturt 1833: 137.

¹¹⁶. Mulham 1994: 2.

¹¹⁷. Mulham 1994: 6.

These accounts of visible destruction and erosion are mirrored by the photographs taken by Reiner at Lake Victoria: one of a still-standing burial hut over a grave alongside a collapsed hut and at least 32 widow's caps.¹¹⁸ The accompanying newspaper article suggests that the grave may have been constructed 30 years earlier. The other Reiner photograph is of human remains on the shore of Lake Victoria. Clearly, the monuments are temporary and have a limited duration, but this temporary visibility provokes a response.

Discussion: burials and duration

In this survey of historic accounts of burial, the material presence is very apparent in contrast to the relatively sparse accounts of the actual activity of burial. This imbalance is a direct reflection of the different temporal scales associated with burials. Because, particularly early on, there were relatively few Europeans and burials were often uncommon and private events, the actual accounts of them are few and the more general accounts of monuments tend heavily towards the normative, which does not correspond in every instance to either the author's own experience or to the single accounts that exist. In other words, written accounts of burials – particularly those by ethnographers – tend to give idealised and partial accounts. A similar phenomenon is noted by Woodburn in his work on hunter-gatherer burials in Africa. As he points out: 'human death is relatively invisible in these societies ... This means that inevitably anthropologists will, at best, have only been able to observe a small number of instances and most rely heavily on informants' statements.'¹¹⁹

Apart from the variations over space and due to the age and status of the deceased, the accounts indicate how a burial in itself was a social act and also an act with further ramifications. Whereas the burial, for most people, was over within 24 hours and whereas the mourning and maintenance of the place continued for 12 months or longer, avoidance of the place persists until the monuments decay. The decay was itself a process taking one to four generations (judging by Reiner and Mas-sola's photographs), and then, of course, some burials were later disturbed and brought to the surface by erosion and earth-moving activities. During those stages people are variably involved. While there are collective accounts of how burials should be done, the actual memory and knowledge of specific burials was held by relatively few: primarily those present at the death and, in particular, those related to the deceased. In this set of accounts memories of burials lie in the 'immediate short-term sense of life histories and localized habits'.¹²⁰ The visibility of burial places, however, creates a longer and more widespread set of inscribed memories: identifying places as part of a mortuary landscape, circumscribing future action, prompting other actions. From this there is the potential for accumulation of mortuary remains over long periods of time so the historic accounts of burial are virtual palimpsests incorporating actions and objects operating and persisting on widely differing temporal scales.

Europeans as well as Aboriginal people reacted (and continue to react) to these vestigial signs. The very materiality of burials demands a response from later inhabit-

¹¹⁸. Martin 1997: 72.

¹¹⁹. Woodburn 1982: 202.

¹²⁰. Blake 2003: 218.

ants, but that response is not necessarily dependent upon specific memories or a single collective memory. Some places were still accumulating burials at the time of European invasion, while at others the process of erosion and temporary exposure was underway. It is difficult to go from these descriptions of the range of activities associated with death and burial to predictions concerning the archaeological landscape of burials in this part of the Murray. The focus of the archaeological record is on the burial. Attention can be paid to the actual placement of the body but this leaves out all the ancillary activities documented above. The age, sex, number of burials in a location, orientation, body position and whether a burial is primary or secondary all give the impression of fullness of information, but in reality the burial remains are a restricted vision of one quite specific part of an entire process. Archaeological accounts, like those of the generalising historians, focus on the normative (or central tendency), but individual historical accounts indicate the underlying messiness and variability associated with burials. These historical accounts suggest that the visible archaeological patterning may emerge from an interaction between time, specific memories and ideas about what elements of a person and their death were important, rather than strict cultural rules. It also means, however, that we should be aware in relation to historical accounts, that there is a real difference between the accounts of actual events at a moment in time and those accounts when time is compressed into a single narrative. Neither of these accounts corresponds to the archaeological record.

Acknowledgments

Part of this research was conducted under an Institute of Aboriginal and Torres Strait Islander Studies grant. My thanks also go to members of the Wamba Wamba Local Aboriginal Land Council with whom I worked. Melinda Allen, Harry Allen, Christine Dureau and Simon Holdaway have all read various drafts of this manuscript and I am grateful for their constructive comments as well as those of the reviewers. Thanks also to Seline MacNamee for the map.

References

Primary sources

- Cunningham, A 1817, *Diary of a journey with Oxley in 1817*, Mitchell Library, Sydney.
 Mein, P 1897, 'Letter to H.C. Russell', 25 October, Mitchell Library, Sydney.

Secondary sources

- Anon 1901, 'The autobiography of an interesting old native', *Junee Southern Cross*, 11,15 May and 17 June.
 Beveridge, P 1863–4, 'A few notes on the dialects, habits, customs and mythology of the Lower Murray Aborigines', *Transactions of the Royal Society of Victoria* 6: 14–24.
 — 1883, 'Of the Aborigines inhabiting the great lacustrine and riverine depression of the lower Murray, lower Murrumbidgee, lower Lachlan, and lower Darling', *Journal and Proceedings of the Royal Society of New South Wales* 17: 1–56.
 Blake, S 2003, 'The familiar honeycomb: Byzantine Era reuse of Sicily's prehistoric rock-cut tombs', in *The archaeology of memories*, R van Dyke and S Alcock (eds), Blackwell, Oxford: 203–220.

- Bradley, R 2000, *Archaeology of natural places*, Rutledge, New York.
- Bride, T (ed) 1969, *Letters from Victorian pioneers*, Heinemann, Melbourne.
- Browne, J 1966 [1844–5], 'Dr John Harris Browne's journal of the Sturt Expedition, 1844–5', *South Australian* 5: 23–54.
- Bulmer, J 1888, 'Some accounts of the Aborigines of the Lower Murray, Wimmera, Gippsland and Maneroo', *Proceedings of the Geographical Society of Victoria* 1: 15–43.
- Campbell, A 1994, *Victorian Aborigines: John Bulmer's recollections 1855–1908*, Occasional Papers Anthropology and History, Museum of Victoria No 1, Museum of Victoria, Melbourne.
- Clark, ID (ed) 2000, *The journals of George Augustus Robinson, chief protector, Port Phillip Aboriginal Protectorate, vol 4: January 1844 – 24 October 1845*, Heritage Matters, Melbourne.
- Crombie, A 1927, *After sixty years, or, recollections of an Australian bushman*, Watson Ferguson and Co, Brisbane.
- Curr, EM 1965 [1883], *Recollections of squatting in Victoria*, Melbourne University Press, Melbourne.
- Dowling, P 1997, 'A great deal of sickness', PhD thesis, Australian National University, Canberra.
- Eastman, H 1953, *Memoirs of a stockman*, Halstead Press, Deniliquin.
- Eyre, E.J 1984, *Autobiographical narrative of residence and exploration in Australia 1832–1839*, Caliban Books, London.
- Gerstaecker, F 1853, *Narrative of a journey around the world*, Harper and Bros, New York.
- Hawdon, J 1952, *The journal of a journey from New South Wales to Adelaide in 1838*, Georgian House Pty Ltd, Melbourne.
- Hobler, G 1992 [1882], *The diaries of 'Pioneer' George Hobler Oct 6, 1800 – Dec 13, 1882*, C & H Reproductions, Sydney.
- Hope, J 1998, 'The cultural heritage of Lake Victoria', History background paper no. 7, Report to the Murray Darling Basin Commission, Canberra.
- Howitt, AW 1904, *The native tribes of south-east Australia*, MacMillan, London.
- Kirby, J 1896, *Old times in the bush*, James Curtis, Ballarat.
- Krefft, G 1865, 'On the manners and customs of the Aborigines of the Lower Murray and Darling', *Transactions of the Philosophical Society of New South Wales* 1862–5: 357–74.
- Littleton, J 1998, 'East and west: burial practices along the Murray River', *Archaeology in Oceania* 34: 1–14.
- 2002, 'Mortuary behaviour on the Hay Plain: do cemeteries exist?', *Archaeology in Oceania* 37: 105–122.
- Mackenzie, D 1870, *Ten years in Australia being the results of his experience as a settler during that period*, 3rd edn, William S Orr and Co, London.
- Martin, S 1997, 'Lake Victoria EIS', Anthropological report background paper no. 5, Report to the Murray Darling Basin Commission, Canberra.
- Massola, A 1971, *The Aborigines of south-eastern Australia as they were*, William Heinemann, Melbourne.

- Mathews, RH 1909, 'Some burial customs of the Australian Aborigines', *Proceedings of the American Philosophical Society* 48: 313–318.
- Matthew, J 1899, *Eaglehawk and Crow*, Melville, Muller and Slade, Melbourne.
- Meehan, B 1971, 'The form, distribution and antiquity of Australian Aboriginal mortuary practices', MA thesis, University of Sydney, Sydney.
- Merreweather, J 1859, *Diary of a working clergyman in Australia and Tasmania*, Hatchard, London.
- Mitchell, TL 1838, *Three expeditions into the interior of eastern Australia: with descriptions of the recently explored region of Australia Felix, and of the present colony of New South Wales*, vol II, T and W Boone, London.
- Moorhouse, M 1844, *British Parliamentary Papers: Colonies Australia* 8: 355–360.
- Moulden, B 1872, *Journal of a canoe trip 200 miles down the River Murray, Christmas, 1872*, Webb, Vardon & Pritchard, Adelaide.
- Mulham, WE 1994, *The best crossing place*, Reliance Stationery and Printery, Deniliquin.
- Musgrave, Sara 1930, *The way back*, Cumberland Argus, Parramatta.
- O'Halloran, T 1903–4, From Adelaide along the River Murray to the Rufus and Lake Victoria, *Proceedings of the Royal Geographical Society of Australasia, South Australian Branch* 7: 70–91.
- Olivier, L 1999, 'The Hochdorf "princely" grave and the question of the nature of archaeological funerary assemblages', in *Time and archaeology*, T Murray (ed), Routledge, London: 109–135.
- Pardoe, C 1988, 'The cemetery as symbol: the distribution of prehistoric Aboriginal burial grounds in southeastern Australia', *Archaeology in Oceania* 16: 173–178.
- 1995, 'Riverine, biological and cultural evolution in southeastern Australia', *Antiquity* 69(265): 696–714.
- Phillips, J 1893, *Reminiscences of Australian early life*, AP Marsden, London.
- Russell, L 1990, 'Funerals and graves: a study of mortuary practices in southern east Australia', BA(Hons) thesis, La Trobe University, Melbourne.
- Smyth, R Brough 1876, *The Aborigines of Victoria and other parts of Australia and Tasmania*, John Curry, O'Neill, Melbourne.
- Stone, AC 1911, 'The Aborigines of Lake Boga', *Proceedings of the Royal Society of Victoria* 23: 434–468.
- Sturt, C 1833, *Two expeditions into the interior of southern Australia, during the years 1828, 1829, 1830, and 1831: with observations on the soil, climate, and general resources of the colony of New South Wales*, Smith, Elder and Co, London.
- 1849, *Narrative of an expedition into central Australia, performed under the authority of Her Majesty's government, during the years 1844, 5, and 6: together with a notice of the province of South Australia in 1847*, T and W Boone, London.
- Witter, D, R Fullagar and C Pardoe 1993, 'The Terramungamine incident: a double burial with grave goods near Dubbo, New South Wales', *Records of the Australian Museum Supplement* 17: 77–89.
- Woodburn, J 1982, 'Social dimensions of death in four African hunting and gathering societies', in *Death and the regeneration of life*, M Bloch (ed), Cambridge University Press, Cambridge: 187–211.

‘A solemn judicial farce, the mere mockery of a trial’: the acquittal of Lieutenant Lowe, 1827

Kelly K Chaves

On a morning in August 1826, at Wallis’ Plains, in the district of Northumberland, 80 miles north of Port Jackson, three shots rang out in quick succession, followed closely by a fourth.¹ When the smoke from the muskets cleared, one Aboriginal man, slumped over from the weight of the chains that bound him to a gum tree, was dead. When one ‘ball hit him in the back of the neck, the black turned round his head’ and looked at his assailant. Another soldier ‘fired and the bullet cut along the jaw and broke the bone’. The third shot missed the prisoner. The Aboriginal man turned his head again and ‘another Soldier stepped up, fired and blew his head to pieces’.² The soldiers who fired the fatal shots, accompanied by their commanding officer, Lieutenant Nathaniel Lowe,³ left the bloody body in the dust and returned to their barracks for breakfast.⁴

Later that evening, Lowe ordered his sergeant, Lewis Moore, to find two or three men to dig a grave. Sergeant Moore found William Constantine, who worked as a messenger in Wallis’ Plains and asked him to assist in the burial. Constantine agreed, and found two more men, William Salisbury and Thomas Newton, to aid him. The men dug a shallow grave near the remains of a disused latrine at Government House in Wallis’ Plains.⁵ Afterward, the body of the Aboriginal man, referred to as ‘Jacky Jacky’, was thrown in and quickly covered up.⁶

This article explores the political, colonial and social environment in the period leading up to the Supreme Court trial of Lieutenant Nathaniel Lowe for the murder of Jacky Jacky in 1827. Whites had been tried for the murder of Aborigines prior to Lowe,

1. Wentworth 1824: 73. The quote in the title of the article is derived from Wentworth’s defence of Lieutenant Lowe at his trial. See: *R v. Lowe [1827]* (Macquarie University Division of Law, March 2005 [cited November 2004]); available from http://www.law.mq.edu.au/scnsw/Cases1827-28/html/r_v_lowe__1827.htm. Hereafter: *R v. Lowe [1827]*.

2. Threlkeld to Moore, 6 January 1827 in Gunson (ed) 1974: 95.

3. The spelling of Lowe’s last name is not uniform. In the court register his last name is spelled as ‘Lowe’. The *Australian* uses the spelling ‘Lowe’ and ‘Low’, while the spelling used by the magisterial enquiry was ‘Low’. Lowe, himself, signed his name both ‘Low’ and ‘Lowe’. For consistency in this article, he is referred to as ‘Lowe’.

4. *R v. Lowe [1827]*. It should be noted that the course of events noted in the opening paragraphs were the witness allegations against Lieutenant Lowe and not indisputable fact.

5. Threlkeld to Moore, 6 January 1827 in Gunson (ed) 1974: 95.

6. *R v. Lowe [1827]*.

but, unlike other cases, Lowe and possibly the magistrates at Wallis' Plains tried in vain to cover up the murder of the Aboriginal man. Chief Justice Francis Forbes, along with Governor Ralph Darling and the Executive Council, continued to investigate the matter until Lowe's indictment for the murder. This demand for justice for the dead indigene marked the disparity between the legal ideals of British officials and the actual treatment of Aborigines by settlers. While the legal powers in the colony began to view Aborigines as provisional British subjects, colonists viewed the indigenes as a hapless race subject to no legal protection. *R v. Lowe* helped to define the legal status of the Aborigines and raised questions about the extent of British sovereignty over the territory of New South Wales.

Sovereignty

Sovereignty, understood to be 'the supreme political authority of an independent state', is a complex and debated legal concept.⁷ Scholars have identified two dimensions of sovereignty: internal and external sovereignty. External sovereignty projected to fellow nations the power of a specific sovereign country. International law was developed to regulate external sovereign relations between countries. Internal sovereignty dealt with the internal governing of the people of a specific sovereign country.⁸ Application of the sovereign's law to a specific Crown colony came under the provision of internal sovereignty. Along with external and internal sovereignty, declaratory and actual sovereignty played a role in colonisation. Declaratory sovereignty involved Europeans claiming portions of countries by extending inchoate title to lands through the reading of proclamations and the planting of flags.⁹ While declaratory sovereignty created a European-recognised title to foreign 'uninhabited' land, actual sovereignty did not eventuate until the claiming power colonised the land and incorporated the Indigenous population into their legal system, usually by acknowledging the indigenes to be subjects of the sovereign, entitled to all the rights and benefits thereof. Declaratory sovereignty, such as the reading of commissions and the planting of flags, did not ensure actual sovereignty. Actual sovereignty involved exercising power over the lives and fortunes of the Indigenous population and not the mere planting of flags.

In British colonial possessions, colonists brought the authority of the state to the settlement through their establishment of the Common Law in the new territory.¹⁰ Colonial courts, acting on instructions from the British Colonial Office, rapidly established the Crown's authority over British colonial residents. The presence of the colonists alone, however, did not extend British sovereignty over Indigenous populations.

Henry Reynolds approached the legal question of sovereignty in his 1996 book, *Aboriginal sovereignty: reflections on race, state and nation*. He tried to pinpoint the moment at which Australia became subject to British sovereignty.¹¹ While Reynolds expounded the historical dialogue of sovereignty, his book did not mention the Lowe

7. Garner 2000: 331.

8. Laski 1921: 27.

9. Laski 1921: 27.

10. Baker 1979: 11–13.

11. Reynolds 1996.

case. Indeed, very few historians have written on the legal consequences and outcomes of this important case. The majority of these omissions can be forgiven, however. Since continuous law reporting did not begin in Australia until well after 1836, many early cases, such as Lowe's, remain relatively unknown. Fortunately, this has changed in recent years. After many years of research, Bruce Kercher, a pioneer in Australian legal history, began reconstructing the legal record of colonial New South Wales. He made hundreds of early colonial legal cases easily accessible to scholars on the World Wide Web, including that of Nathaniel Lowe.¹²

Although *R v. Lowe* can now be read in hypertext, very few legal scholars and legal historians mention this fascinating legal case in their discourse of sovereignty. Kercher believes that it was the first important case concerning issues of Indigenous sovereignty.¹³ McHugh refers to the case briefly in his recent book, *Aboriginal societies and the Common Law: a history of sovereignty, status and self-determination*, but he draws few conclusions from it and merely recounts the outcome.¹⁴ Millis and Connor mention Lowe and his campaign in the Hunter Valley, but do not examine the legal aspects of the court case.¹⁵ This article, therefore, combines the legal-history approach taken by Kercher and McHugh (examining sovereignty) with the social history approach employed by Millis and Connor (examining social conditions) to investigate the social, cultural and political environment leading up to and surrounding the *R v. Lowe* case of 1827.

The case in context

The white population of New South Wales rose exponentially in the immediate decades after its founding: from the small contingent of 933 convicts and settlers in 1788, Sydney had expanded to a population of 23,939 convicts and settlers by 1820.¹⁶ Rapid population growth required an equally rapid accumulation and cultivation of land. Graziers raised much of the livestock in Australia for meat and for wool. Established settler Gregory Blaxland, who owned both cattle and sheep, echoed the opinion of many settlers in calling for a 'Chartered Stock Company' to set quality standards for wool production. Should such a company be formed, Blaxland believed that the company's sheep 'might be driven over an unlimited range so that they do not approach within five or ten miles of located [settled] land'.¹⁷ Blaxland's belief in an open grazing area for the sheep necessitated the acquisition of large tracts of territory outside Sydney. To reap a profit and maintain a healthy stock, flocks and herds were kept 'moving ever onwards', expanding the bounds of the colony westwards and northwards.¹⁸ The European hunger for good grazing land for their sheep and cattle exposed more Aboriginal clans to the culturally destructive influences of the Europeans.

The British, in their bid for expansion, did not conciliate Aboriginal aggression as they had in their North American colonies. The orders issued to the governor of New South Wales, Ralph Darling (1825–1831), stated:

^{12.} Kercher 2000.

^{13.} Kercher 2001: 108.

^{14.} McHugh 2004: 160.

^{15.} Milliss 1992: 15; Connor 2002: 62.

^{16.} Fletcher 1976: 34.

^{17.} Evidence of Gregory Blaxland, 22 August 1820 in Ritchie 1971: 87.

^{18.} King 1950: 181.

In reference to the discussions, which have recently taken place in the Colony respecting the manner, in which the Native Inhabitants are to be treated when making hostile incursions for the purpose of Plunder, you will understand it to be your duty, when such disturbances cannot be prevented or allayed by less vigorous measures, to oppose force by force, and to repel such Aggressions in the same manner, as if they proceeded from subjects of any accredited State.¹⁹

Henry Bathurst, third Earl Bathurst and Secretary of State for War and the Colonies 1812–1827, indicated that Darling needed to protect the lucrative wool industry, if necessary at the cost of amicable settler-Indigenous relations. There was a significant change, from Governor Arthur Phillip's policy of treating the Aborigines with 'amity and kindness' to Darling's political instructions to 'oppose force by force' if necessary.²⁰

By 1825, Aborigines had experienced 37 years of cultural contact with the British settlers. Legally, the British officials believed that the Aborigines, as non-Christian people, needed both Crown protection and civil indoctrination into Anglo-Saxon society. Technically, they believed that the liberty, and consequently the potential rights, of individual Aborigines were the same as British subjects.²¹ Yet, the colonial government understood that this supposed legal equality required an anglicised Aborigine, one 'transformed by Christianity and education' and endowed with property-owning ideals.²²

Governor Lachlan Macquarie (1810–1821) in 1814 attempted to exercise his role as guardian of the Indigenous people by opening a native institution for children. There, Aborigines would be moulded into citizens 'in some degree useful to the community'.²³ And Macquarie was not referring to bettering the Aboriginal community, but to enhancing the white colonial community. Two years later, in the midst of an Aboriginal frontier uprising, Macquarie again tried to use his role as Indigenous legal guardian. He proclaimed that 'such of the natives as may wish to be considered under the Protection of the British Government and disposed to conduct themselves in a peaceable inoffensive manner' would be issued government certificates to 'protect them from being injured or molested by any person'.²⁴ He would then authorise government officials to assist them with 'cultivating their farms' by supplying them with 'wheat, maize and potatoes'.²⁵ Macquarie, following British Indigenous policy, extended legal protection to Aborigines who amalgamated into white society by choosing to become educated, God-fearing property owners. While the laws of the colony, supposedly, protected the Indigenous people, the reality varied extremely.

19. Bathurst to Darling, 14 July 1825 in Watson (ed) 1971, vol 12: 21.

20. Instructions to our trusty and well-beloved Arthur Phillip, Esq. in Bladen (ed) 1978, vol 1 part 2: 89. See also: Bathurst to Darling, 14 July 1825 in Watson (ed) 1971, vol 12: 21. For a discussion on the Aborigines being viewed as British subjects see, Atkinson 1997: 152–153, 158–167.

21. McHugh 2004: 131.

22. McHugh 2004: 131.

23. Black Natives Establishment of Institution of Children, 10 December 1814, New South Wales State Records [hereafter NSWSR], Miscellaneous Correspondence Relating to Aborigines [hereafter MCRA], 5/1161: 17–18.

24. Proclamation Against the Natives, 4 May 1816, NSWSR, MCRA, 5/1161: 29.

25. Proclamation Against the Natives, 4 May 1816, NSWSR, MCRA, 5/1161: 32.

Settlers' opinions differed from legal opinions in the colony. In 1825, James T Ryan, a free settler, wrote that the Aborigines 'are an indolent race of people, always dirty and filthy in their habits. Very few could be brought to a state of civilisation.'²⁶ William Charles Wentworth, an influential member of Sydney society, discussed the Aboriginal inhabitants of Australia in the third edition of his book, *A statistical account of the British settlements in Australasia*, only after first discussing poisonous snakes. When Wentworth did mention them, he stated that the Indigenous inhabitants of Australia 'occupy the lowest place in the gradatory scale of the human species'.²⁷ Many other colonists echoed the sentiment that the Indigenous population could not be civilised and depended solely on the goodwill of Europeans for food and clothing. Some assumed that 'it is practicable to civilize them; but not to bring them to habits of industry'.²⁸

In 1813, the English expanded into the Hunter Valley, north of Sydney and in 1823, into the county of Argyle, southwest of Sydney (Fig 1).²⁹ Settlers encountered Indigenous opposition to their outposts. On 1 May 1826 in the county of Argyle, Aborigines violently opposed the 'interference on the party of the stock keepers with the Aboriginal females'.³⁰ Argyle County had had little experience with Aboriginal retributive justice. Yet, according to the *Australian* newspaper, 1000 Aborigines gathered near Lake Bathurst to retaliate against stock keepers who forced their affections on Indigenous women. Confronting a stockman residing at Mrs Sherwin's station, the Aborigines killed him and then continued onto a neighbouring station to 'very much ill treat the stockman there'.³¹ Four members of the army, residing in the county, followed the large band of indigenes and captured three. The government sent additional troops from Liverpool, in the County of Cumberland, to assist in the pacification of the region.³² The conflict in Argyle county created such public outrage that, on 5 May 1826, the colonial secretary issued a government notice concerning relations with the Indigenous peoples. Governor Darling expressed his concern that:

the proceedings of the natives are the effect of resentment at the outrages committed upon them by Stock keepers, who interfere with their women, and by such and other acts of aggression provoke them to retaliate.³³

The stock keepers had been raping and stealing Aboriginal women in the county of Argyle leading to hostility between the two racial groups. Station owners denied allegations that their stockmen raped the Indigenous women. Instead, they claimed that the 'first cause of ill blood originated in a communication between the Mudgee Blacks & those on Hunters River'. The Mudgee people, they argued, perpetrated 'several acts

²⁶. Ryan 1894: 107.

²⁷. Wentworth 1824: 6.

²⁸. Evidence of Lieutenant Archibald Bell, 27 November 1819 in Ritchie (ed) 1971: 173.

²⁹. Perry 1963: 61, 106.

³⁰. *Sydney Gazette and New South Wales Advertiser*, 10 May 1826.

³¹. *The Australian*, 6 May 1826.

³². *The Australian*, 6 May 1826.

³³. Government Notice, Colonial Secretary's Office, 5 May 1826 in Watson (ed) 1971, vol 12: 178. The *Sydney Gazette and New South Wales Advertiser* printed this Government Notice onto broadsides for distribution to the farthest part the colony. See *Sydney Gazette and New South Wales Advertiser*, 10 May 1826.

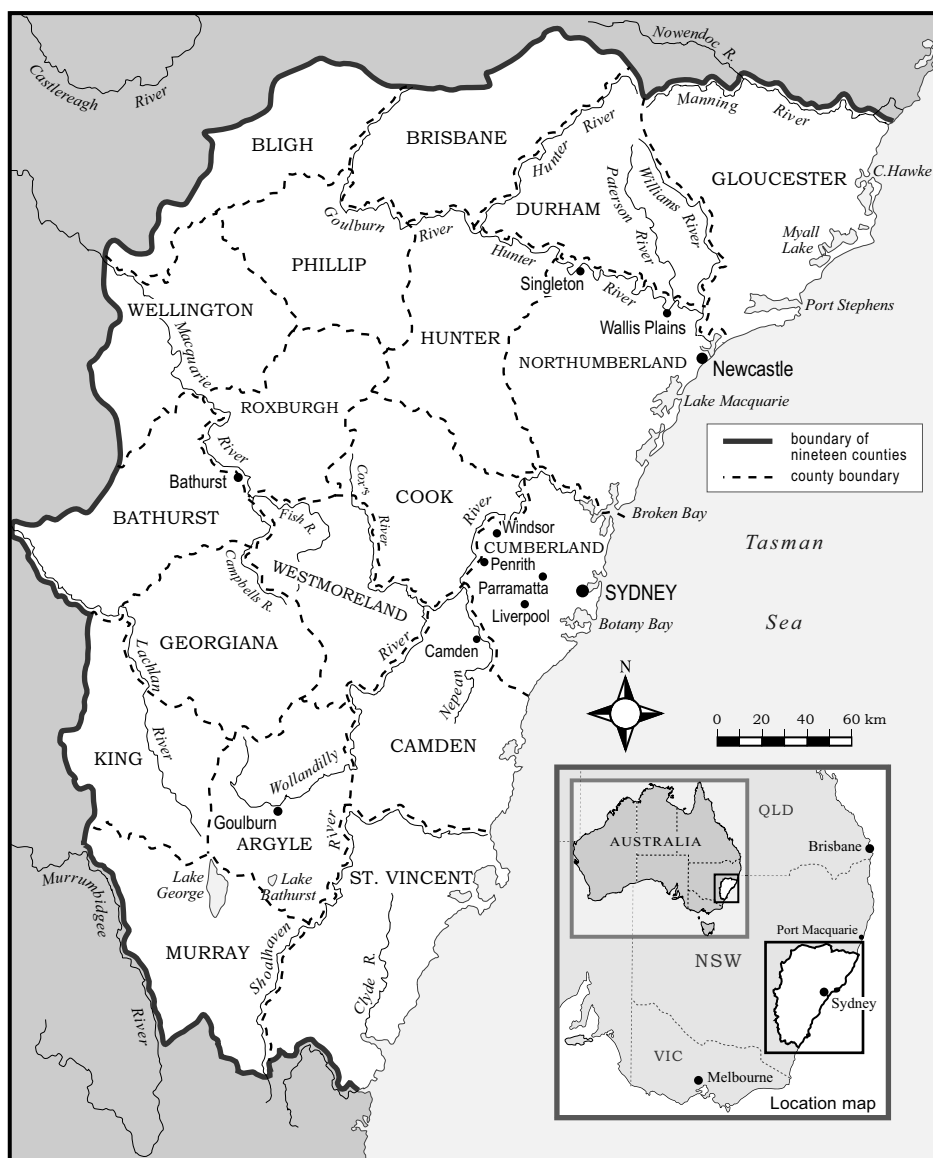


Fig 1. The counties of New South Wales

of aggression ... such as food and cloths being forcibly obtained from some of the lone Flock Stations'.³⁴ Eyewitnesses, however, contradicted the squatters' denial of wife-stealing and rape. Though stationed in the Hunter Valley, Lancelot Threlkeld, mission-

³⁴. Report to the Governor on the Hostilities of the Black Natives, New South Wales State Records, MCRA, 5/1161: 42.

ary to the Aborigines, personally beheld the violence used by the stockmen to carry away Aboriginal women. One stockman 'was seen compelling a woman to accompany him by beating her with a stick'.³⁵ Another stockman beat 'a poor old man violently' for protecting his teenage daughter from being raped by the very stockman in question.³⁶

Despite the unlawful conduct of the stockmen, Darling refused to condone the behaviour of the Indigenous population. While British law claimed to protect the individual rights of Indigenous people, it refused to acknowledge clan or tribal rights that dealt specifically with the 'governing and continuing authority of ... traditional polities and collective land ownership'.³⁷ Darling, in dealing with the collective Mudgee clan, desired to show the Aborigines that they would 'not be allowed with impunity, in consequence of any supposed wrongs or injuries they may receive from Individuals to collect and disturb the country'.³⁸ Darling sent a force of 32 men to apprehend the perpetrators and restore order to the region. The governor was prepared also to deal harshly with the stockmen, threatening, if they did not amend their ways, to withdraw 'permission to depasture the Lands beyond the boundaries of effective controul [sic] ... and these men [the stockmen] will be ordered into the Government Establishments'.³⁹ Darling's threat – to end land expansion and place the station workers back into government service – resonated with the landholders who feared losing their farms. For a time, they ordered their stockmen to control themselves.⁴⁰

On 17 June 1826, however, the *Australian* reported that a group of Aborigines 'have become very troublesome in the district of Patrick's Plains' near the Hunter River.⁴¹ Aborigines, believed to number 200, gathered at William Ogilvie's farm. Fearing trouble, Mrs Mary Ogilvie, in charge of the station in her husband's absence, talked to the indigenes and immediately disbursed maize and tobacco to them. Happy with the provisions, the Aborigines left Ogilvie's property and moved on to Captain Robert Lethbridge's farm. Being refused provisions by Lethbridge's overseer and stockmen, the Indigenous party 'fell on the Overseer and Stockmen, killed and speared four Men ... and plundered the People's Huts'.⁴²

Acts of violence against people did not constitute the main worry for the wealthy landholders in the Hunter River region. The settlers of the region were often influential property holders and reported that the Aborigines 'burnt all the grass on the several Farms, killed some Men, have speared several Cattle, and threatened to destroy the Wheat of the ensuing Harvest'.⁴³ Though the landholders expressed more concern for their property than for their 'murdered' men, Governor Darling ordered a detachment of troops to punish the Indigenous inhabitants for their 'aggressions'.⁴⁴ Like the attacks

35. Second Half Yearly Report of the Aboriginal Mission Supported by the London Missionary Society, 21 June 1826 in Gunson (ed) 1974: 205.

36. Second Half Yearly Report of the Aboriginal Mission Supported by the London Missionary Society, 21 June 1826 in Gunson (ed) 1974: 206.

37. McHugh 2004: 131.

38. Darling to Bathurst, 6 May 1826 in Watson (ed) 1971, vol 12: 269.

39. Government Notice, 5 May 1826 in Watson (ed) 1971, vol 12: 271.

40. Landholders to Darling, 4 September 1826 in Watson (ed) 1971, vol 12: 574.

41. *The Australian*, 17 June 1826.

42. Landholders to Darling, 4 September 1826 in Watson (ed) 1971, vol 12: 574.

43. Landholders to Darling, 4 September 1826 in Watson (ed) 1971, vol 12: 576.

in the county of Argyle a few months previously, Darling blamed the stockmen of the Hunter Valley region for inciting the Aborigines to violence.⁴⁵

Many settlers refused to blame the Indigenous attacks on the conduct of the stockmen. Settlers' attitudes towards the Aborigines left little room to give sympathy to 'savages'. The *Australian*, published by the lawyers William Charles Wentworth and Robert Wardell, revealed that, 'we have reason, however, to suspect that they [the attacks] did not originate in the misconduct of overseers or stockmen, but solely in the bad disposition of the Blacks'.⁴⁶ Wentworth and Wardell disliked Aborigines, and told the *Australian's* readers:

It is related of them [the Aborigines] that they have acquired the notion that blankets, and etc have only been given to them by the Governor to ensure their good will and render them inoffensive, and that they have expressed their determination not to be bribed to preserve peace with the white people.⁴⁷

The Aborigines living beyond Sydney refused to be bought with blankets and food. These actions confirmed settlers' opinions about the impossibility of temporising 'with savages, who have only cunning enough to comprehend that their enemies – enemies only in their own imagination – desire to conciliate them'.⁴⁸ Many colonists believed the only civilising force the Indigenous people might acknowledge would be the 'cold steel' of a British bayonet.⁴⁹

The settlers on the Hunter River requested military support from the government. In response to their request, Governor Darling ordered the Mounted Police to the region. Governor Thomas Brisbane (1821–1825) had formed the Mounted Police in 1825. 'Members of the Mounted Police were soldiers, not civilian police' who volunteered for police duty. The men remained on the payroll of their regiment, but served with the police, patrolling the political borders of the colony.⁵⁰ The recruits also received 'an extra sixpence or nine pence a day above their normal' pay according to their rank. The Mounted Police had a reputation for action; consequently, it was not hard to find volunteers for the plum posting of police work.⁵¹ Darling believed that the Mounted Police force would be adequate to quash the Indigenous uprisings, but Saxe Bannister, the Attorney-General of New South Wales and a friend to the Aborigines, disagreed: he demanded that the governor declare martial law and allow him permission to travel to the affected region.⁵² Darling scoffed at Bannister's suggestion and refused to declare martial law in the region. Bannister believed that the outrages in the Hunter River region necessitated martial law for the safety of the Aboriginal population, who would be 'best protected by the Government putting forth an overwhelming force'.⁵³ Darling did not follow this advice; instead he ordered Lieutenant Nathaniel

44. Darling to Hay, 11 September 1826 in Watson (ed) 1971, vol 12: 574.

45. Darling to Hay, 11 September 1826 in Watson (ed) 1971, vol 12: 574.

46. *The Australian*, 7 June 1826.

47. *The Australian*, 28 June 1826.

48. *The Australian*, 28 June 1826.

49. *The Sydney Monitor*, 2 June 1826.

50. Connor 2002: 62.

51. Milliss 1992: 15.

52. Darling to Hay, 11 September 1826 in Watson (ed) 1971, vol 12: 575.

53. Bannister to Darling, 5 September 1826 in Watson (ed) 1971, vol 12: 577.

Lowe, of the 40th regiment, in command of a detachment of Mounted Police, to the region on 24 June 1826.⁵⁴

A few days after Lowe's arrival in Hunter Valley in 1826, 'the natives who lately committed such havoc among the stockmen ... retreated to the other side of the mountains'.⁵⁵ The Aborigines threatened to continue their raids on settlers when the weather warmed. Making arrangements for renewed attacks, troops were sent to support Lowe. The lieutenant, however, did not require their services. The killings began in July. An article expressing outrage in the *Australian* stated:

a report has reached town, of a native black having been fired at and killed, by a party of mounted police, on this side of the mountains. It is also said that the black in question had, himself, previously killed a stockman.⁵⁶

A week later, another story surfaced of an Aboriginal man shot by the Mounted Police without provocation. Subsequent killings occurred of Indigenous inhabitants by the Mounted Police that did not find their way into the Sydney papers. Messrs Scott and Macleod, magistrates of the Hunter River region, divulged that 'one of the Natives, who murdered Dr. Bowman's Watchmen ... was shot. Shortly after, several more Natives were taken by the Police, three of whom were shot.'⁵⁷ The death toll probably amounted to six Indigenous deaths, all while in custody. Roger Milliss asserted that Lowe 'soon distinguished himself by the vigour with which he threw himself into the job'.⁵⁸ John Connor agreed, stating that Lowe carried out a 'campaign of terror in the upper Hunter'.⁵⁹

Government House in Sydney received word of the Indigenous killings in late August. On 11 August 1826, the *Sydney Monitor* printed a letter addressed to 'His Majesty's Attorney General &c'. The letter, anonymously signed 'Trial By Jury', told the Attorney-General:

if you will enquire of the Constituted Authorities at Newcastle, you will find the Black Native captured at that settlement, after being brought from the Interior fifty miles, was by British subjects, taken out and deliberately shot with a musket ball, of which he died.⁶⁰

Missionary Lancelot Threlkeld could have possibly written this message to the editor of the *Monitor*. For weeks, Threlkeld had been writing to his friends, including Saxe Bannister, trying to draw attention to the shooting of Jacky Jacky. In a letter to WA Hankey, Threlkeld acknowledged that he had sent word of the incident to the 'Attorney General and wait his answer'. Yet, Threlkeld begged Hankey not to publish 'this nor notice it except among the Directors [of the London Missionary Society]' due to public feeling in the colony.⁶¹

^{54.} *The Australian*, 24 June 1826.

^{55.} *The Australian*, 28 June 1826.

^{56.} *The Australian*, 29 June 1826.

^{57.} Scott and Macleod to McLeay, 3 October 1826 in Watson (ed) 1971 vol 12: 611.

^{58.} Milliss 1992: 55.

^{59.} Connor 2002: 64. For a legal interpretation of the case see: Kercher 2001.

^{60.} *The Sydney Monitor*, 11 August 1826.

^{61.} Threlkeld to Hankey, 1 August 1826 in Gunson (ed) 1974: 210.

Pressured by public opinion, Darling recalled Lowe and then instigated an inquiry into the deaths.⁶² The three Indigenous dead were distinctive individuals, and while not as yet property-loving Christians, Darling still upheld the British legal ideal of protecting the rights of individual indigenes.⁶³ Instructions to Messrs Close, Webber and Scott, the local magistrates of the region, revealed that they were to 'assemble and enquire into the circumstances of the killing of the Natives, alluded to, so that the Government may be enabled to determine whether it will be necessary to institute any proceedings in consequence'.⁶⁴ Threlkeld placed little faith in these judicial proceedings. He believed that Lowe would be 'exonerated – as all the Magistrates here had previously signed a letter thanking him for his conduct in taking upon himself the responsibility of shooting his prisoner while in his safe custody'.⁶⁵

Despite Threlkeld's prediction, Lowe and his men still needed to find explanations for three of the Aboriginal deaths in custody; the magistrates began to transcribe witness depositions that explained the Indigenous deaths in terms of military necessity for the preservation of civil order. Lowe had explicitly instructed his men to use force:

if ever they fell in with any of them [Aborigines], who they knew to have committed any act of atrocity, that they must secure them, and if they attempted to escape by freeing themselves from the ropes, with which they were secured, to fire.⁶⁶

One problem plagued the Mounted Policemen. They had not been in the region when the Indigenous attacks had occurred; therefore, they did not know who had participated in the violence and who had not. Lowe did not find this a problem. He personally promised his subordinates that if any of the suspected Aborigines escaped, he would prosecute the Mounted Policeman who had allowed the indigene to flee successfully.⁶⁷

Lowe terrified his men to such an extent that they followed his orders exactly and without question. Sergeant Lewis Moore, in his deposition taken 13 September 1826 by the magistrates at Glendon, complained that 'having Lieutenant Lowe's order to secure the Blacks when they were taken, he had nothing left for it but to order them to be shot' when three attempted to escape.⁶⁸ He confided to the Magistrates that he 'conceived he would be severely punished, if he had permitted the Blacks to escape'.⁶⁹ Several men under Moore's command told the magistrates that the sergeant tried every possible

62. Darling had to contend with many influential members of society outraged at Lowe's behavior. The *Australian* covered the story of the probable killing of Jacky Jacky on 5 August 1826. The editors, Wardell and Wentworth, claimed to be 'rather anxious to know the particulars of this business'. While, in an earlier issue, the *Sydney Monitor*, reporting on another Indigenous death at the hands of the Mounted Police, cried out for an enquiry so that, 'if true the perpetrators may be brought to justice, and the realm delivered from blood guiltiness!' See *Sydney Monitor*, 2 June 1826; *The Australian*, 5 August 1826; Darling to Bathurst, 6 October 1826 in Watson (ed) 1971, vol 12: 623.

63. McHugh 2004: 131.

64. McLeay to Allman, 28 August 1826 in Watson (ed) 1971, vol 12: 624.

65. Threlkeld to Burder and Hankey, 11 September 1826 in Gunson (ed) 1974: 214.

66. Examination of Lowe, 13 September 1826 in Watson (ed) 1971, vol 12: 626.

67. Examination of Lowe, 13 September 1826 in Watson (ed) 1971, vol 12: 626.

68. Examination of Moore, 13 September 1826 in Watson (ed) 1971, vol 12: 627.

69. Examination of Moore, 13 September 1826 in Watson (ed) 1971, vol 12: 627.

avenue to recapture the Aborigines before finally ordering them to be fired upon. The Indigenous men were, however, dead.

Lowe was removed from the Hunter River region, though not from all duties. Indeed, while Lowe was waiting to resume duty as an officer in the Mounted Police, Governor Darling appointed him a Justice of the Peace.⁷⁰ Although Darling continued to trust the lieutenant, he decided, following a suggestion from Forbes, to send the acting Attorney-General, WH Moore, to the region.⁷¹ Moore was to investigate reports that an Aboriginal man had been deliberately shot by the Mounted Police.⁷² Forbes convinced Darling that the magisterial inquiry conducted months earlier had been inconclusive and that the Indigenous individual had a right to British justice. Moore arrived at Wallis' Plains on 18 January 1827.

In the early months of 1827, Moore, as acting Attorney-General, received no cooperation from EC Close, the magistrate at Wallis' Plains, who believed himself, rather than Lieutenant Lowe, to be under examination. And the magistrate had good reason to suspect this. In orders issued to Close, Darling charged the magisterial body at Wallis' Plains with 'corruption or Neglect'.⁷³ Moore assured Close that he 'knew of no such charge against him or any other Magistrate' and would 'confine my Inquiry to the objects I was directed to investigate'.⁷⁴ In spite of these assurances, Close opted to ask the deponents at the second Magisterial Inquiry into the shooting of Jacky Jacky about his previous personal conduct. Not until the acting Attorney-General reminded Close that the inquiry dealt with the death of an Aboriginal man, did the subject turn away from the magistrate.⁷⁵ Even with the focus on the shooting, Moore gained little information. Deponents changed their testimony from the previous inquiry, pretended to be unaware of the shooting, and denied knowing the names of the soldiers involved. One man suggested that any musket fire heard on the day in question arose from a few Aborigines who were duck hunting for him.⁷⁶ The unrevealing testimony continued. One witness, Ensign Archibald Robertson of the 57th Regiment, first admitted to hearing of 'a Black, who was implicated in the murder of Dr. Bowman's Shepherd, who was shot'. Later, however, Robertson corrected his testimony by stating that he did 'not know whose servant it was that was murdered'. The ensign also refused to answer 'whether he had any conversation with Lieutenant Lowe respecting the shooting of a Black'.⁷⁷ Moore remonstrated with the ensign and 'told him that it was a question that in any Court of Justice he would be bound to give an answer to'. Still, Robertson refused. Moore appealed to Close who decided that Robertson 'was not obliged to answer' the

70. List of Magistrates, 31 January 1827 in Watson (ed) 1971, vol 13: 59.

71. Attorney-General Saxe Bannister had resigned from office in October 1826 following a dispute over his salary with Governor Darling and the Colonial Office. The quarrels over salary aside, Darling and Bannister disagreed on many issues such as the Aborigines, the convicts and the newspapers. See Fletcher 1984: 242–261.

72. Moore to Macleay, 22 January 1827 in Watson (ed) 1971, vol 13: 400.

73. Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 232.

74. Moore to MacLeay, 22 Jan 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 246.

75. Deposition of Reid and Robertson, 12 January 1827 in Watson (ed) 1971, vol 13: 408.

76. Depositions of Reid, Robertson, Boardman, Eckford, Hicks, Jones, and Duncan, 12 January 1827 in Watson (ed) 1971, vol 13: 408–410.

77. Deposition of Robertson, 12 January 1827 in Watson (ed) 1971, vol 13.

question.⁷⁸ Testimony continued in this vein. As the Criminal Sessions of the Supreme Court were at hand, Moore ran out of time and returned to Sydney without a satisfactory conclusion to the matter.

Moore left the region with one substantial lead. A man by the name of William Salisbury claimed to have been present when the shooting occurred, but he carried the stain of a convict and, worse, had re-offended and had been moved to a Sydney gaol.⁷⁹ Police magistrates transcribed his deposition for Moore. Salisbury's statement confirmed that he and two other men assisted with the burial of Jacky Jacky's body. Unfortunately for the acting Attorney-General, Salisbury had been accused of perjury which 'greatly discredits his statement and if he has been convicted of the Perjury, he is rendered incapable of giving any testimony whatever'.⁸⁰ Moore, however, found 'a man, who a short time before had been a constable' in Sydney who promised to help with the investigation. The unidentified 'man' returned two days later with information for Moore. Apparently, many people knew of the shooting, but 'there was a general fear in the neighbourhood of any one acknowledging what he knew'.⁸¹

Someone had intimidated the witnesses. They refused to talk, they denied their past statements, and many moved away from Wallis' Plains, never to return.⁸² Even the newspapers, so vociferous on the subject of the Indigenous attacks and the proper way to handle the indigenes several months previously, remained silent about the inquiries and the alleged shooting. Nathaniel Lowe, though already proving himself capable of terrifying his men, could not alone have intimidated an entire region and silenced the newspapers. The conspiracy ran deeper. Most probably, given EC Close's unhelpful and suspicious conduct around Moore, the local magistrates helped to conceal the shooting, directly defying their legal responsibility to protect Indigenous individuals. Even after Lowe's trial for the shooting of the indigene was announced in the *Sydney Monitor* newspaper, a 'correspondent at Newcastle' wrote to the *Monitor* claiming that there had never been a 'shooting of a black boy or Man at Hunter's River so often alluded to'.⁸³

Moore's 'man' provided him with another piece of evidence. He informed Moore that Thomas Farnham, late constable of Wallis' Plains, knew 'much more than he chose to say at the time he was examined on the first occasion'.⁸⁴ Four months passed before Farnham could be located and questioned. On 26 April 1827, Farnham and Moore appeared before F Rossi, JP. Farnham stated that he had taken a handcuffed Jacky Jacky, who had allegedly killed a hut keeper at Dr Bowman's farm, to the military barracks. The Mounted Police chained the Aboriginal prisoner to a fireplace and left him

78. Moore to MacLeay, 22 Jan 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 248.

79. Moore to MacLeay, 15 January 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 244.

80. Moore to MacLeay, 22 January 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 252–253.

81. Moore to MacLeay, 22 January 1827 in Watson (ed) 1971, vol 13: 403.

82. Landholders to Darling, 4 September 1826 in Watson (ed) 1971, vol 13: 404.

83. *Sydney Monitor*, 11 May 1827.

84. Moore to MacLeay, 15 January 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 253.

handcuffed. Farnham claimed that a few members of the Mounted Police unchained Jacky Jacky from the fireplace and took him for a walk up a hill. After breakfast, the men and the prisoner had returned from their walk. Farnham collected his handcuffs and left Jacky Jacky very much alive. At that point in the questioning, Moore 'closely interrogated' the deponent, asking 'whether he had seen the said Jacky Jacky shot'. Farnham's resolve crumbled and he stated 'it was no use telling lies, that he had given his former Deposition under apprehension of dangers. That [he] would now disclose all Facts within his knowledge.'⁸⁵ Farnham had returned from breakfast to find Lieutenant Lowe asking members of the Mounted Police to shoot the indigene. Lowe asserted 'at the time that as he [Jacky Jacky] had done the murder there was no harm in shooting a Cannibal like him'.⁸⁶ Four soldiers, followed by Lowe, led the prisoner outside and chained him to a small sapling. Farnham had not heard Lowe order his men to shoot, though they had. After Jacky Jacky's murder, the constable left the region. Moore rushed this new damning eyewitness evidence to the Executive Council.⁸⁷

Governor Darling conveyed the new testimony to the members of the Executive Council, who agreed that 'the whole case should be sent to the Acting Attorney General, with Instructions that he should he should resort to the proper measures that the Law might take its course in the ordinary manner'.⁸⁸ The government charged Lowe with the murder of Jacky Jacky and brought him to trial in the Supreme Court. Before Saxe Bannister left the colony, he had contemplated trying Lowe for the murder of Jacky Jacky. Yet, Threlkeld, Bannister's close friend, counselled him against this course of action, proclaiming that it would only 'exasperate the Settlers more'.⁸⁹ Bannister agreed with his friend and decided not to prosecute. The idea of a trial, however, nagged at Threlkeld. He believed that a 'party will bring him [Lowe] to trial as some wish to say it is the private intimation of the Governor that they [Aborigines] should be shot and no further notice taken of it'.⁹⁰ The missionary feared that a trial, and obvious acquittal, would only serve to reinforce the policy of wantonly shooting the Indigenous inhabitants to further expedite the seizure of Indigenous peoples' lands and disavow the noble doctrine of British protection for Aboriginal inhabitants.

Forbes and Stephen heard the case of *R v. Lowe* on 18 May 1827. Lowe engaged William Charles Wentworth and Robert Wardell, the proprietors of the *Australian* and two of the best defence barristers in the colony, to defend him. Moore, still acting Attorney-General, prosecuted. Before the trial proper began, Wardell challenged the jurisdiction of the Court in trying the lieutenant for the murder of the Indigenous man, because, he argued, 'this Court has not jurisdiction to try a British subject for an alleged

85. Deposition of Thomas Farnham, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 261.

86. Deposition of Thomas Farnham, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 261.

87. Deposition of Thomas Farnham, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 262.

88. Minute No. 33, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 91.

89. Threlkeld to Burder and Hankey, 4 September 1826 in Gunson (ed) 1974: 204.

90. Threlkeld to Burder and Hankey, 4 September 1826 in Gunson (ed) 1974: 204.

offence, committed against that Aboriginal native'. Wardell stated that the Aborigines were not subjects

of the British King, because his [the Aborigine's] tribe has not been reduced under his Majesty's subjection, and because there has been no treaty, either expressed or understood, between his country and that of the British King.⁹¹

Even if the aborigines *were* subjects of the King, it would be impossible to try them in a court of law because, under the *New South Wales Act*, a jury was to be composed of seven military and naval officers. For an Aboriginal subject to have a fair trial, according to the Laws of England, the jury would have to be composed 'half of British subjects and half of natives'.⁹² Wardell challenged the largely unwritten and essentially unproven doctrine of legal protection for Indigenous individuals.

Wardell argued that, if an Aboriginal murderer could not be tried by the English court system, the question was how he could be punished to prevent offending divine law. The answer was that the defendant, Lieutenant Nathaniel Lowe, had enacted divine justice by killing the Aboriginal man in just retribution. Wardell summed up his argument by stating:

I have taken for granted that the crime of murder was committed by the native, and that having fallen into the avenging hand of the defendant, the latter becomes the instrument of divine vengeance, substitute for a court of Judicature, to prevent the offender's escape, and held up an example to his tribe, that they shall not commit murder with impunity. Punishment and example being the objects aimed at, it matters not whether the offending native was deprived of his life in the heat of a conflict or deliberately.⁹³

Wardell then handed over to Wentworth to pursue a similar line of reasoning with the bench. Wentworth quoted Vattel, to the effect that 'when many independent families (and the natives of this colony are such) are established in a country, they occupy the soil and demesne of the country, but have no empire among them'.⁹⁴ He believed that this, along with other principles of international law, proved that:

we could not, according to any principles, have assumed sovereignty over them; they are the free occupants of the demesne or soil, it belongs to them by law of nations, anterior to any laws which follow from human institutions, and that right is not at all attempted to be infringed upon by this Act of Parliament.⁹⁵

Wentworth and Wardell requested that the charges against their client be dismissed.

This defence argument challenged British sovereignty, not merely over Aborigines living in rural areas such as Wallis' Plains, but throughout the expanding colony. The British had informally acknowledged that Aborigines in close proximity to settlements were held to be under British law (to be protected from settlers or to be punished for transgressions).⁹⁶ Yet, as Wardell and Wentworth argued, this implied metamorphosis of Indigenous man into British subject did not constitute a claim to

^{91.} *R v. Lowe* [1827].

^{92.} *R v. Lowe* [1827].

^{93.} *R v. Lowe* [1827].

^{94.} *R v. Lowe* [1827].

^{95.} *R v. Lowe* [1827].

'thoroughgoing jurisdiction over them all'.⁹⁷ Indeed, they argued that the extension of any form of sovereignty over the Indigenous inhabitants of the soil, by law, custom or practice, was illegal. In effect, they argued that the 24,000 or so English convicts and settlers unlawfully occupied Australian territory. It was impractical for tens of thousands of people to return to an overcrowded Britain; yet the government needed to recognise that the Aborigines retained their own sovereignty and their own laws.

Had the Chief Justice accepted Wentworth and Wardell's jurisdictional plea, it would have amounted to judicial recognition of Aboriginal sovereignty. He did not. Instead, Forbes ruled that:

if the Act of Parliament [*New South Wales Act*, 1823] has recognized a sovereignty over this country, and recognized the application of English law here, we must look to the British law as established here *de facto*. ... I do not see any grounds to prove the want of jurisdiction of this Court, so as to call on me to stop the case.⁹⁸

According to the Chief Justice, it was not the court's place to determine whether the occupation and the sovereign hold over the continent by the British was legal. The *New South Wales Act* of 1823, written in part by Forbes, stated the jurisdictional and sovereign bounds of the Common Law in New South Wales and Van Diemen's Land (Tasmania). And Forbes was not about to overturn the Parliamentary legislation he had helped to draft.⁹⁹ The court, therefore, had jurisdiction over Lowe and he would have to face his trial. Justice Stephen concurred, stating further that the 'natives of this colony were within the protection of the laws', and the trial must continue.¹⁰⁰

Forbes and Stephen expressed current protection doctrine (protecting individual indigenes) in their rejection of Wentworth and Wardell's pre-trial demurrer. Forbes, in a two-tiered argument, acknowledged that Parliament, in the *New South Wales Act* of 1823, established sovereignty over the country. The second part of the Chief Justice's denial centered on the legal status of the Aboriginal victim. Forbes claimed that the

native must be considered, whatever be his denomination, a British subject. If not to be an alien friend, or an alien *ami*, in any case he is entitled to *lex loci*, and it is only under peculiar circumstances he can be excluded from that right.¹⁰¹

Stephen concurred. He clearly affirmed that the 'natives of this colony were within the protection of the laws'.¹⁰² The court aimed to protect the individual rights of the dead indigene, thus asserting overt sovereignty over Jacky Jacky and the rest of Indigenous population of Australia.

^{96.} Depredations of the Blacks, 22 February 1797, NSWSR, MCRA 5/1161: 4. In the 1797 government notice, the government specified that settlers could band together to protect their property from the Aborigines. Yet, they were not to 'wantonly fire at or take the lives of any of the Natives, as such an Act would be considered a deliberate Murder, and subject the offender to such punishment as (if proved) the law might direct to be implemented'. This notice acknowledged that Aborigines could be punished for transgressions, yet the whites could be held accountable for any unnecessary violence.

^{97.} McHugh 2004: 160.

^{98.} *R v. Lowe* [1827].

^{99.} 4 Geo. IV c. 96 in New South Wales Law Reform Commission 1973: 4-16.

^{100.} *R v. Lowe* [1827].

^{101.} *R v. Lowe* [1827].

^{102.} *R v. Lowe* [1827].

Lowe pleaded not guilty to the murder charge, and the Crown called its first witness. Thomas Farnham testified that he heard Lowe order the killing of the Indigenous man and saw the execution. Next, William Salisbury took the stand. Salisbury remembered seeing two soldiers and Lieutenant Lowe escort a black man behind Government House in Wallis' Plains the previous August. He heard the report of three muskets, followed closely by a fourth. Later in the day, a 'laborer named Newton' ordered two men to help dig a grave for the dead indigene. Salisbury participated in digging the grave and claimed that the dead man 'was wounded in the cheek and through the head; he had been bleeding a good deal'.¹⁰³ Finally, acting Attorney-General Moore called William Constantine. Constantine had seen Sergeant Moore and Lieutenant Lowe arguing over what was to be done to the Aboriginal man, but did not hear the conversation. He did not see the murder, but, later in the day, Moore asked him to help bury the black man. Constantine consented to Moore's request and buried the body.

Wardell and Wentworth tried to discredit the damning eyewitness testimony for the prosecution by attacking the character of the witnesses. All three men who testified had been convicted of theft or robbery and transported to New South Wales; with the stain of convictism upon them, they had been sent to Wallis' Plains. Before the defence called witnesses, Wardell again asked the court to declare a mis-trial for lack of evidence. He believed that 'all the witnesses who had been examined, acknowledge themselves to be accomplices; their testimony was unsupported by any other evidence whatever'.¹⁰⁴ Forbes denied the motion. Wentworth and Wardell called men to destroy the character of the prosecution witnesses further. They made no attempt to refute the witnesses' statements. Without Lowe taking the stand to explain what truly happened that day in August 1826, the defence rested.

Forbes summed up the case for the jury. He proposed to 'assume a general proposition – in all cases that the natives of this country (while they treat this soil) are entitled to the protection of our laws'.¹⁰⁵ With that statement, the Chief Justice effectively expanded British sovereign control over the Indigenous population of Australia. Forbes clearly stated that British law applied to all the aborigines in the country.

Following this summing-up, the jury, composed of seven military men, retired. Five minutes later, they returned and the 'Foreman delivered a verdict – NOT GUILTY'. The courtroom broke out in general cheers and applause. Lowe's various friends congratulated him. When the lieutenant left the court, the public burst into applause.¹⁰⁶

Officials in New South Wales were not the only ones concerned with the outcome of Lowe's trial. One year after the lieutenant's acquittal, Darling forwarded a letter from the Duke of Wellington to Forbes. Wellington believed it 'desirable that I should be able to report to His Majesty the exact state of the case regarding Lieut. Lowe's conduct'.¹⁰⁷ The Duke requested a transcript of the trial from the Chief Justice. Forbes complied and

^{103.} *R v. Lowe* [1827].

^{104.} *R v. Lowe* [1827].

^{105.} *R v. Lowe* [1827].

^{106.} *R v. Lowe* [1827].

^{107.} Wellington to Darling, 18 October 1827, Chief Justice's Letterbook, 1828–1835, NSWSR, 4/6651: 158.

sent the results of the trial to Wellington in London.¹⁰⁸ If any impropriety had occurred, the Duke wanted to make sure that he could explain it to King George IV.

Lowe's acquittal presented an interesting problem for the courts. Forbes and Dowling had upheld the idea of individual protection rights for Indigenous people, but the acquittal of Lowe discounted that protection. British law extended its sovereignty to all of the Indigenous population by allowing Lowe to be tried in a British court for the murder of an indigene. The courts gave protection to the Aborigines with one hand and removed Indigenous legal autonomy with the other. Unfortunately for Jacky Jacky, Lowe's trial proved to be merely a 'solemn judicial farce'.¹⁰⁹

Acknowledgements

I would like to acknowledge and thank the efforts of the readers for their help in shaping the final article. I would also like to thank my colleague, Dr Rick Clapton, for his editorial skill. Thanks also to Associate Professor David Philips for his useful suggestions and comments.

References

Primary sources

Black Natives Establishment of Institution of Children, 10 December 1814, New South Wales State Records [hereafter NSWSR], Miscellaneous Correspondence Relating to Aborigines [hereafter MCRA], 5/1161: 17–18.

Deposition of Thomas Farnham, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 262.

Depredations of the Blacks, 22 February 1797, NSWSR, MCRA 5/1161: 4.

Forbes to Darling, 21 May 1828, Chief Justice's Letterbook, 1828–1835, NSWSR, 4/6651: 159.

Minute No. 33, 26 April 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 91.

Moore to MacLeay, 15 January 1827, Appendices to Executive Council Minutes vol 1, Dec. 1825–1827, NSWSR, AO 4/1438: 253.

Proclamation Against the Natives, 4 May 1816, NSWSR, MCRA, 5/1161: 29.

Report to the Governor on the Hostilities of the Black Natives, NSWSR, MCRA, 5/1161: 42.

Wellington to Darling, 18 October 1827, Chief Justice's Letterbook, 1828–1835, NSWSR, 4/6651: 158.

¹⁰⁸ Forbes to Darling, 21 May 1828, Chief Justice's Letterbook, 1828–1835, NSWSR, 4/6651: 159.

¹⁰⁹ *R v. Lowe* [1827]. The legal rulings on Aboriginal sovereignty did not end with *R v. Lowe*, 1827. Chief Justice Forbes and Justice Dowling heard two other important legal cases concerning Aboriginal sovereignty: *R v. Ballard*, 1829 and *R v. Murrell*, 1836. Both *Ballard* and *Murrell* dealt with whether the court could punish an Aboriginal man for killing a fellow Aboriginal man. For a complete legal and social discussion of *Ballard* and *Murrell*, see Chaves 2005: 99–140.

Newspapers

The Australian

Sydney Gazette and New South Wales Advertiser

Sydney Monitor

Secondary sources

Atkinson, Alan 1997, *The Europeans in Australia*, Oxford University Press, Melbourne.

Baker, JH 1979, *An introduction to English legal history*, Butterworths, London.

Bladen, FM (ed) 1978, *Historical Records of New South Wales*, Lansdown Slattery, Mona Vale, New South Wales.

Chaves, Kelly K 2005, ‘“A very unfortunate circumstance”: the colonial evolution of defining British Sovereignty emanating from murder cases in New South Wales, 1790–1836’, MA Thesis, University of Melbourne.

Connor, John 2002, *The Australian frontier wars, 1788–1838*, University of New South Wales Press, Sydney.

Fletcher, Brian H 1976, *Colonial Australia before 1850*, Thomas Nelson Ltd, Melbourne.

— 1984, *Ralph Darling: a Governor Maligned*, Oxford University Press, Melbourne.

Garner, Bryan A (ed) 2000, *Black's law dictionary*, 7th abridged edition, West Publishers Co, St Paul, Minnesota.

Gunson, Niel (ed) 1974, *Australian reminiscences & papers of L.E. Threlkeld: missionary to the Aborigines 1824–1859*, Australian Institute of Aboriginal Studies, Canberra.

Kercher, Bruce 2000 ‘Where the future meets the past: pre-1900 N.S.W. Case Law on the Web’, *UTS Law Review* 2.

— 2001, ‘The recognition of Aboriginal status and laws in the Supreme Court of New South Wales under Forbes C.J., 1824–1836’ in *Land and freedom: law, property rights and the British diaspora*, AR Buck, John McLaren and Nancy Wright (eds), Ashgate, Dartmouth.

King, CJ 1950, *The first fifty years of agriculture in New South Wales*, Government Printer, Sydney.

Laski, Harold 1921, *Foundations of sovereignty and other essays*, Harcourt, Brace & Co, Freeport, NY.

McHugh, Paul G 2004, *Aboriginal societies and the Common Law: a history of sovereignty, status, and self-determination*, Oxford University Press, Oxford.

Milliss, Roger 1992, *Waterloo Creek: the Australia Day massacre of 1838, George Gipps, and the British conquest of New South Wales*, McPhee Gribble, Ringwood.

New South Wales Law Reform Commission 1973, *Imperial Acts and documents relating to New South Wales*, Law Reform Commission of NSW, Sydney.

Perry, TM 1963, *Australia's first frontier: the spread of settlement in New South Wales 1788–1829*, Melbourne University Press, Melbourne.

R v. Lowe [1827] (Macquarie University Division of Law, March 2005 [cited November 2004]); available from http://www.law.mq.edu.au/scnsw/Cases1827-28/html/r_v_lowe_1827.htm

- Reynolds, Henry 1996 *Aboriginal sovereignty: reflections on race, state and nation*, Allen & Unwin, St Leonards.
- Ritchie, John (ed) 1971, *The evidence to the Bigge Reports: New South Wales under Governor Macquarie*, William Heinemann Australia Pty Ltd, Melbourne.
- Ryan, James T 1894, *Reminiscences of Australia*, Nepean Family History Society, Sydney.
- Watson, Frederick (ed) 1971, *Historical Records of Australia*, WG Murray Government Printer, Canberra.
- Wentworth, WC 1824, *A statistical account of the British settlements in Australasia: including the Colonies of New South Wales and Van Diemen's Land: with an enumeration of the advantages which they offer to emigrants, as well with reference to each other, as to the United States of America and the Canadas: and directions and advice to emigrants*, Geo. B Whittaker, London.

Notes and Documents

Death on the Cooper: King's secret?

Darrell Lewis

The Burke and Wills disaster is one of the iconic stories of Australian history, incorporating exploration, misadventure, death and the lone survivor. An inquiry into the fate of the expedition relied on the public testimony of the sole survivor, John King, and this has long been accepted as a factual account of Burke's passing, but, later, other versions came to light that have either been missed or not seriously considered by historians. This purpose of this paper is to give these alternative versions the serious consideration they deserve.

Background

In August 1860 Robert O'Hara Burke, William Wills and 15 other men set out from Melbourne in an attempt to be the first to cross the continent from south to north. Leading an advance party, Burke arrived at Cooper Creek on 16 December. There he again divided his party, leaving William Brahe and four other men to maintain a depot while he, William Wills, John King and Charlie Gray made a dash for the Gulf of Carpentaria, 1400 kilometres to the north. On the return trip – when they were only four or five days away from the depot – Charlie Gray died. After being delayed a day to bury Gray, the remaining three men arrived back at the depot in a starving condition on 21 or 22 April 1862, only hours after Brahe and his men had given up waiting and returned to Menindee on the Darling River. Within weeks Burke and Wills had followed Gray to the grave, but King survived by joining local Aborigines who looked after him until a rescue party arrived three months later.

The official version of Burke's death

After the fate of the expedition became known, an inquiry was set up to try to discover how the disaster had occurred. The official account of the deaths of both Burke and Wills, based upon the testimony of the only survivor, John King, was that they died from starvation. According to King, as Wills neared death he urged King and Burke to leave and try to get food for them all from the Aborigines.¹ They agreed to do this and

¹. 'King's Narrative', *Argus*, 25 November 1861.

struggled up the Creek for two days, but on the evening of the second day King described how

From the time we halted Mr. Burke seemed to be getting worse, although he ate his supper. He said he felt convinced he could not last many hours, and gave me his watch, which he said belonged to the committee, and a pocketbook, to give to Sir William Stawell, and in which wrote some notes. He then said to me, 'I hope you will remain with me here till I am quite dead – it is a comfort to know that some one is by; but when I am dying, it is my wish that you should leave me unburied as I lie.' That night he spoke very little, and the following morning I found him speechless, or nearly so; and about eight o'clock he expired.²

King said that after Burke died he (King) went back to where they had left Wills and found him dead. He covered the body with sand and branches and again went in search of Aborigines, and after what he thought was a 'good many' days he was found by them when they heard him fire his gun.³ The Aborigines already knew that Wills was dead and inquired after Burke, and when King indicated to them that Burke, too, was dead they 'were very anxious' to see his body. Some time later King showed them where it lay and 'on seeing his remains the whole [sic] party wept bitterly, and covered them with bushes'.⁴ When the grave site was visited by King's rescuers three months after Burke's death only his bones remained, minus the hands and feet.⁵

At the same time that the inquiry was in progress (and for some years afterwards), a public controversy arose over the quality of Burke's leadership. Some believed King's version that Burke was a good leader who treated his men humanely, while others believed that Burke was incompetent, and cruel to those he believed were from a lower social class.⁶ In particular it was alleged that when Charlie Gray was caught stealing food Burke knocked him down and kicked him, possibly contributing to his death.⁷ In spite of various rumours and accusations, the official version of events was that Burke had acted properly throughout and could not be blamed for the way the expedition ended. In the 140-odd years since the official inquiry a number of historians have queried its findings regarding Burke's leadership, but none has questioned the manner of Burke's death.

Burke's death according to an Aboriginal woman

In the summer of 1874–75 a squatter made a trip to inspect some country in the Coongie Lakes area north-west of Innamincka. Soon after he returned he sent a description of his journey to the *Town and Country Journal*, which published it in two parts in April 1875.⁸ The identity of this squatter remains unknown because his name was not included in the article and it has not (yet) been found in other records of the time. Besides himself, the squatter's party consisted of three white men and two Aborigines, one of whom was a 'native of Cooper's Creek'.⁹

2. 'King's Narrative', *Argus*, 25 November 1861.

3. Favenc 1888, Appendix XX.

4. 'King's Testimony' 1861: 5.

5. 'Howitt's Journal' 1861: 11.

6. For the best account of this controversy, see Bonyhady 1991: 204–230.

7. Bonyhady 1991: 208.

8. 'To Cooper's Creek and Back', *Town and Country Journal*, 3 April 1875 and 17 April 1875.

The squatter did not say where he started from, but he travelled into the region from the east via 'Thurgomindah' and Nockatunga (on Cooper Creek). On reaching the Cooper he went downstream to Nappamerrie where he examined the site of Burke and Wills' depot, then moved further downstream to Innamincka homestead, the site where Burke died and where '[t]he blacks show you where the body lay between two trees, one of which is marked RO'B H MK (conjoined) AH (conjoined), being Burke's, McKinlay's, and Howitt's initials'. Nearby was another tree, 'marked NP (conjoined), showing the place had been visited by the Queensland Native Police from the Bulloo'.¹⁰

While he was at Innamincka an Aboriginal woman who claimed to have been an eyewitness to Burke's death told him what she had seen. According to the squatter:

An old gin whom I spoke to recollected the explorers, and helped them to cover Burke's body with bushes after his death. She also affirmed that Burke had not died from starvation, but had been shot by 'nother one white fellow'. This is a somewhat startling statement, and a rather different version of affairs to what is commonly believed. The gin could scarcely have invented such a story, and she persisted in saying that she had actually seen a whitefellow, who answers in every way to the description of King, come behind Burke when he was stooping at the fire roasting a duck, and shoot him in the side.¹¹

While there can be little doubt that it was Burke who died at this site, it was the squatter who identified the murderer as King. Apparently he knew what King and Wills looked like and the woman provided enough detail for him to deduce that it was King who did the shooting. The squatter went on to discuss the woman's story and to explain his reasons for making it public, rather than, as others might have done, dismissing it as 'just a blackfellow's yarn':

After the lapse of all these years, and the death of King, against whom this fearful charge is brought, it might be considered advisable to let the matter rest; but now that the country is being quickly settled in the neighbourhood, the traditions of the blacks will become better known to white men, and this subject will therefore, sooner or later, be mooted. And it is right that King's character should be cleared from so foul a blot, if there is no foundation for the report; while, on the other hand, if true, no one could be accused reasonably of exposing the perpetration of so dastardly a crime. Wills, however, fully exonerated his chief from this imputation, but it was notorious that both King and Gray had not very kindly feelings towards Burke, on account of the latter being very strict with them on the journey.¹²

The squatter accurately described how Burke and Wills arrived at the depot only hours after Brahe and the other men had left, how Brahe and another expedition member, William Wright, later returned to the depot but found no evidence that anyone had been there, and how Wills also returned to the depot but saw no sign of Brahe's and Wright's visit. According to the squatter, when King returned to Melbourne and told his story to the Expedition Committee he said he had a secret to do with the expedition which he would take to the grave, and that it was generally supposed that this secret

9. 'To Cooper's Creek and Back', *Town and Country Journal*, 17 April 1875.

10. McKinlay and Howitt both led parties in search of Burke and Wills and the other missing members of their expedition.

11. The story is in the second part of the squatter's account, published 17 April 1875.

12. 'To Cooper's Creek and Back', *Town and Country Journal*, 17 April 1875.

was connected with Gray's death, but it is clear that the squatter believed the Aboriginal woman's story pointed to King's secret having a different connection.

Burke's death according to King's neighbour

The Aboriginal woman's story recounted above was republished with additional comment in other newspapers, and the report in one paper contained yet another version of events. According to this account, after returning from Cooper Creek and settling in Melbourne, King often told a neighbour (unnamed) that 'Burke and Wills had a quarrel, while the whole company was starving, and that Burke drew a revolver and shot Wills in the shoulder. He fell, but immediately sprang up again and fired at Burke, shooting him in the side.'¹³

Which story is the more plausible?

While the similarities between the neighbour's story and that of the Aboriginal woman are obvious, the differences need to be explained and the validity of one story over the other needs to be assessed. On the one hand, there is virtually no chance that the Aboriginal woman knew anything of the story that King allegedly told his neighbour. Furthermore, in her own version she would have had no reason to omit the detail of the man who shot Burke himself being shot or for providing a description of King rather than one of Wills. On the other hand, it is possible that King's neighbour invented his (or her) story after reading the account of the Aboriginal woman, but why would he implicate Wills rather than King? Being a neighbour of King's, he certainly was in a position to hear the story from King, and the fact that in his version of events Burke and Wills quarrelled and shot each other can easily be explained as King's way of telling the truth about the manner of Burke's death without implicating himself. If the story told by King's neighbour was not derived from the Aboriginal woman's account, the detail in both stories that Burke was shot 'in the side' is astonishing, and gives greater credence to the general claim that Burke died from a gunshot wound.

Arguments for and against accepting the Aboriginal woman's story

With respect to the Aboriginal woman's story there are six possibilities:

- the squatter made it up
- he misunderstood what he was being told
- the Aboriginal woman remembered the story incorrectly
- she made it up
- her account was reliable
- her story was about people other than King and Burke.

If the squatter made up the story it has to be asked, 'why?' One might expect that squatters, generally thought of as part of the colonial ruling class, would be inclined to support the story that Burke was a hero and a good and humane leader who only

¹³. This account originally came from the *Gippsland Mercury* and was republished in the *Southern Cross*, a paper published in Junee, New South Wales. While the story was published in 1875, unfortunately the 1875 files for both papers no longer exist so the exact dates of the publication cannot be determined. The *Southern Cross* item cited here comes from the Alexander Aitken papers in the Mitchell Library (ZML MSS 1263, item 4).

lightly chastised Gray for his 'crime'. If this squatter held such a view, publishing the story served no purpose. His stated reason for publishing was that European settlers were flooding in to the Cooper Creek district and he believed the story would be told to other white men, and eventually made public by one of them. He argued that if the story was false King's character should be cleared and if it was true the 'dastardly crime' should be exposed. In this instance the squatter cannot be accused of taking one side or the other – the story he relates is directly damning of King and only obliquely critical of Burke. Furthermore, there is no evidence that he sent his story to the colonial authorities and pushed for an inquiry. If he had done so it would have left a 'paper trail' for historians to find, but no such paper trail has been reported, and this suggests that the squatter told the story in good faith, for the reasons he stated. Of the various historians who have written about Burke and Wills, it appears that only Bonyhady has mentioned the Aboriginal woman's story, and his source comes from a newspaper item (which repeated the story from the original), rather than from official records.¹⁴

Could the squatter have misunderstood what he was told? Being a newcomer to the region he would not have understood the local language, so he must have communicated either directly or indirectly with the woman in Aboriginal English. Aborigines in the region probably began to learn English from King during the time he lived amongst them in 1861. By the time the squatter arrived late in 1874 some local Aborigines had been in sustained contact with settlers on the northern, southern and eastern fringes of the region for at least seven years,¹⁵ and some of them had learnt enough English for effective communication because at one of the stations he passed through on his way out the squatter obtained the services of 'a native of Coopers Creek'.¹⁶ He is unlikely to have done this unless the man was familiar enough with English to understand and obey orders, and to act as an interpreter. Later, about 100 kilometres downstream from Innamincka, he met an Aboriginal man from Lake Hope – a station 150 kilometres to the south that was settled by 1859¹⁷ – who 'could speak English well'.

I have worked with Aborigines in the Victoria River district and elsewhere in the Northern Territory for over 30 years, documenting historic sites, Dreaming sites and recording oral history, and I well understand the difficulties and misunderstandings that can arise when Aboriginal English is used, or if leading questions are asked. If the squatter somehow misunderstood the woman's initial statement this misunderstanding should have been cleared up because after hearing her 'startling' account he said he questioned her closely, but she 'persisted' in saying that she had seen one man shoot the other. As for leading questions, it is difficult to imagine that the squatter somehow managed to suggest to the woman that Burke had died from a gunshot wound, and that she gave him the answer she thought he wanted to hear, and even if she had done so, under close questioning she almost certainly would have changed her story. The fact

14. Bonyhady 1991: 281. His source for the story is the cutting from the *Southern Cross* in the Alexander Aitken Papers, Mitchell Library.

15. Durack 1978: 88; Watson 1998: 18.

16. *Town and Country Journal*, 3 April 1875. When James Conrick passed through Nockatunga homestead in late in 1873 he 'acquired the services of a "civilised" Aborigine called Simon who knew the people and the language of the Cooper' (Tolcher 1997: 22).

17. 'The Far North', *The Register* (South Australia), 7 March 1860.

that in the face of close questioning she persisted in her version of events suggests that she was telling the truth as she knew it.

Could the Aboriginal woman have incorrectly remembered the events she described? First, the wonderful capacity for memory possessed by Aborigines was often remarked upon by early Europeans, and is well-known by anthropologists and others who work with Aborigines today. A typical example comes from Ludwig Leichhardt's journal of his expedition to Port Essington in 1844–45 in which he describes the powers of memory of his two Aboriginal assistants as being 'Daguerreotype' (ie photographic).¹⁸ The arrival of the Burke and Wills expedition in the Cooper Creek country, the great size of their horses and camels, the presence of some expedition members at the Cooper Creek depot for four months, their use of firearms, the deaths of Burke and Wills, King's presence amongst them for several months afterwards, and the arrival of Howitt's and McKinlay's search parties with more horses and camels were major events in the lives of local Aborigines, events that were still very well-remembered in the mid-1880s, and 'regarded as red-letter days'.¹⁹

Second, Aboriginal oral history accounts from the 'early days' (usually before the story-teller was born) can sometimes contain elements from two separate events, but stories from the teller's personal experience almost always closely conform with and complement European documentation of the same events.²⁰ It is highly unlikely that Burke's death from starvation, witnessed or otherwise, could be transformed into a death by shooting in the space of 13 years.

Did the woman make up her story? As the squatter himself noted, it is difficult to imagine why she would have done so. Even in the unlikely event that one of the early settlers told her about the controversy that raged around Burke's leadership and his alleged mistreatment of some of his men, it is highly improbable that she would have concocted a story in which Burke was shot. When she told the squatter her story he claimed that he questioned her carefully. If he asked leading questions and she gave him the answers she thought he wanted to hear, then it is unlikely that she would have stuck to a story she made up beforehand.

Could her story relate to some unknown event involving people other than Burke and King? There certainly were other white people in the broader Cooper Creek region before and after Burke and Wills, and before European settlement. The best known is, of course, the expedition led by Gregory in search of traces of Ludwig Leichhardt in 1858,²¹ but there were others. In the summer of 1859–60 McDonald and Hack travelled up Cooper Creek from the south as far as the Coongie Lakes area, north-west of the present town of Innamincka.²² In December 1860 two men were reported to have perished in 'Sturt's desert',²³ and in September 1861 Curlewis and party found supposed white men's graves about 80 kilometres east of the Cooper.²⁴

18. Leichhardt 1847: 118.

19. Larcombe 1926: 174.

20. For example, see Rose 1991, 2003; Lewis 2004.

21. Gregory 1981[1884].

22. 'White Men's Graves', *Argus*, 28 December 1861.

23. 'The Exploration Mystery', *Argus*, 13 December 1861.

When Burke and Wills went missing, four expeditions were sent in search of them and in the Coongie Lakes area roughly 100 kilometres west of the Cooper Creek depot camp,²⁵ a party led by John McKinlay discovered horse-hair from a saddle, a pannikin and other European items, and the skeleton of a white man buried in a shallow grave. The skeleton was clothed in a flannel shirt and the skull, which was severed from the body, bore what looked like sabre cuts. In what appeared to be a second grave, apparently dug with a spade, they found a few bones and human hair of two colours.²⁶ McKinlay was convinced he had found the remains of Wills, Gray and Burke or King, murdered during a fight with Aborigines,²⁷ but, when King was found alive and the remains of Burke and Wills were discovered on Cooper Creek, his conclusion could not be sustained and a question arose as to the origin of the remains. When King heard about McKinlay's discovery, for various reasons he asserted the skeleton was that of Gray, but the different coloured hair and the apparent injuries to the skull were never satisfactorily explained.²⁸ In addition, recent research indicates that it is highly unlikely that the grave could be Gray's.²⁹

If there ever was another unknown expedition in the same region and one member of it shot another, and, even if this unknown expedition was in the region some time before Burke and Wills, the time between the shooting and the story being told to the squatter would still be relatively short, and there is little possibility that two separate stories were conflated. Even if the woman's story was a conflation of two different events, it would be remarkable if both events occurred at the place where Burke died. Anyone who has worked with Aboriginal people in their own 'tribal' area knows that their knowledge of their country, and places in their country, is extraordinarily reliable. If the woman's story of one man shooting another referred to a different party at a different place it is inconceivable that she would have confused one place with another. None of the white men involved with the Burke and Wills disaster found evidence for another party or grave along Cooper Creek and no mention of other whites or another a grave was made by the Aborigines.

So what reliance can be placed on the story the Aboriginal woman told to the squatter? First, as the squatter himself noted, the woman could have no reason to make it up. Indeed, I find it difficult to believe that such a story would even have occurred to her. Second, I believe that the detail that the man who was shot was stooping over a fire to cook a duck also adds to the likelihood that her story was factual. Third, the events she described occurred only 13 or 14 years earlier and she claimed to have witnessed them herself. She was described by the squatter as an 'old gin', so she almost certainly was an adult at the time of Burke's death, rather than a child who might not have

24. 'White Men's Graves', *Argus*, 20 January 1862; 'Leichhardt's Remains and White Men's Graves', *Argus*, 27 August 1864.

25. H Kenny, 'Leichhardt's Fate. His Three Expeditions', *Cumberland Argus and Fruitgrowers Advocate*, 19 May 1920.

26. 'McKinlay's Expedition', *Argus*, 5 December 1891.

27. 'The South Australian Expedition, in Search of the Burke and Wills Exploration Party', *Mount Alexander Mail*, 6 December 1861.

28. Bonyhady 1991: 210; Larcombe 1926: 184–185.

29. Corke 1994.

clearly understood what she had seen. Therefore I believe the Aboriginal woman's recall of these events is likely to be reliable.

In the years after he was rescued King always was reluctant to talk about events on the Cooper or found it difficult to do so without showing signs of emotional distress. This was usually attributed to his quiet, shy nature and the events being too painful to relive. The latter reason was the one that King himself gave in a letter he wrote to the *Argus* in January 1863 when he requested that he no longer be contacted about the circumstances of Gray's death.³⁰ However, the possibility must be considered that his reticence was at least partly the result of a guilty conscience, perhaps extreme remorse, and fear of discovery. If he was guilty of murder it certainly was in his interest to promote a public version of events in which Burke was a hero who had died of starvation.

Would King have had reason to shoot Burke? The answer is probably 'yes'. In his article the squatter noted that 'it was notorious that both King and Gray had not very kindly feelings towards Burke, on account of the latter being very strict with them on the journey'. This is in accord with Bonyhady's study, which shows Burke to be an authoritarian and sometimes cruel leader – particularly to men such as King and Gray who he considered beneath him socially – or to others whom for some reason he had come to dislike.³¹ While King's public statements about the expedition were always supportive of Burke, Bonyhady notes hearsay evidence, suggesting that at Cooper Creek King told at least one of his rescuers that when Gray was discovered stealing food, Burke had 'knocked down, kicked, and so ill used' him that he (King) 'would have shot the leader, if he had had a pistol; and that poor Gray was never afterwards allowed to have his meals with the others'.³² He also was reported as saying that a day or so before he died, 'Gray was thrashed unmercifully by Burke'.³³

The squatter who reported the Aboriginal woman's account believed it inevitable that other whites in the Cooper country would hear the same story, but there is no evidence that this happened. John Conrick pioneered Nappamerrie station in 1873 and spent 50 years in the region. He undoubtedly heard about Burke and Wills from local Aborigines, but in a series of articles he wrote in 1908 he makes no mention of an Aboriginal story that Burke had been shot.³⁴ In about 1885 Herbert Kenny became the manager of Innamincka station. As a boy he had seen the Burke and Wills expedition leave Melbourne and as a result he had a particular interest in the story, and often talked about Burke and Wills with local Aborigines. However, like Conrick, he makes no mention of the story that Burke had been shot.³⁵

30. 'Gray's Death', *Argus*, 21 January 1863.

31. For example, see Bonyhady 1991: 97–112, 208 for a summary of Burke's treatment of another expedition member, Ludwig Becker, who died between Menindee and Cooper Creek in April 1860.

32. Bonyhady 1991: 210.

33. Bonyhady 1991: 210.

34. 'Burke and Wills revisited', *Adelaide Observer*, 21 March 1908, reproduced in the Stockman's Hall of Fame paper, June 2003.

35. H Kenny, *Cumberland Argus and Fruitgrowers Advocate*, 19 May 1920.

It may be that Conrick and/or Kenny did hear the story but dismissed it in favour of the official version. Alternatively, it may be that the 'old gin' and any others who witnessed the shooting did not live for long after the squatter's visit in 1874–75, and Aborigines born after the death of Burke and Wills or who were not present at the time adopted the 'standard' European version of events.

Another potential problem with the Aboriginal woman's story is the final entry in Burke's notebook. According to King, as Burke lay dying he made entries in a notebook and then gave it to him with the request that, if he (King) survived, he should pass it on to the President of the Exploration Committee, Sir William Stawell. When the notebook was examined by Stawell and the Expedition Committee none of the entries had anything to say about Burke being shot, either by King or by Wills, but the final entry was in praise of King, saying that he had 'behaved nobly' and expressing the hope that he would be cared for and rewarded.³⁶

In thinking through the alternative versions of the death of Burke, this entry of Burke's seemed to be a problem. If Burke wrote it as he lay dying, as King claimed, he is unlikely to have written it after being shot by King! There is of course, no way of knowing exactly when the note was written and it is possible that Burke had made the entry before King shot him. Another possibility is that, after shooting Burke, King fabricated the entry to provide himself with 'cover', and perhaps to help ensure favourable treatment by the Expedition Committee.

Of interest here is the novel, *Burke's soldier*, the story of the Burke and Wills expedition from King's point of view. In this novel the author, Alan Attwood, devised a scenario similar to that suggested here – that King forged the note after Burke died.³⁷ Although much of Attwood's book was based upon historical documents, this part of his book was purely a work of imagination.³⁸ However, after he had devised this scenario, Attwood went to an exhibition about Burke and Wills where there were samples of Burke's and King's hand-writing displayed side by side. He was immediately struck by their similarity and in the explanatory notes at the end of his novel Attwood notes that, 'what had been conjecture on my part suddenly didn't seem so fantastic'.³⁹ Samples of Burke's and King's handwriting are reproduced on page 126 of Bonyhady's book. These look much more alike than different and it is not difficult to imagine that if King did forge the note in question it would pass as Burke's writing.

Conclusions

Of the two 'new' stories about Burke's death, the Aboriginal woman's is the most likely to be reliable; in this scenario King was a murderer who concocted his account of Burke's death and possibly fabricated the note Burke supposedly wrote praising him for his 'noble behaviour'. If the story King is said to have told his neighbour was true, King was not a murderer, but he still concocted his account of Burke's death and was involved in the cover-up of a major crime.

36. Bonyhady 1991: 207.

37. Attwood 2003: 434–441.

38. Personal communication, Alan Attwood.

39. Attwood 2003: 449.

The stories Aborigines tell of events they have witnessed are usually very reliable, and there are aspects of the Burke and Wills story that make a 'King shoots Burke' scenario plausible, but there are also aspects which cast doubt upon this having occurred. It will probably never be known exactly how Burke died, but the 'official' story can no longer be taken as the truth of the matter, and there is good reason to suspect the commission of dark deeds on the Cooper in 1861.

References

Primary source

Gippsland Mercury article, republished in *Southern Cross*, Alexander Aitken papers ZML MSS 1263, item 4, Mitchell Library, Sydney.

Newspapers

Adelaide Observer

Argus

Cumberland Argus and Fruitgrowers Advocate

Mount Alexander Mail

The Register (South Australia)

Town and Country Journal

Secondary sources

Attwood, Allan 2003, *Burke's soldier*, Viking, Melbourne.

Bonyhady, Tim 1991, *Burke and Wills: from Melbourne to myth*, David Ell Press, Sydney.

Corke, D 1994, 'Where did they bury Charlie Gray?', *Victorian Historical Journal* 65(1): 45–56.

Durack, Mary 1974, *Kings in grass castles*, Lloyd O'Neil, Melbourne.

Favenc, E 1888, *The history of Australian exploration*, Appendix XX, Turner and Henderson, Sydney.

Gregory, AC 1981 [1884], 'Dr. Leichhardt, proposed expedition in search of' in *Journals of Australian explorations*, A Gregory and F Gregory, facsimile edition, Hesperian Press, Perth.

'Howitt's Journal' 1861, in *The Burke and Wills exploring expedition: an account of the crossing the continent of Australia, from Cooper's Creek to Carpentaria*, (reprinted from the *Argus*), Wilson and Mackinnon, Melbourne.

'King's Testimony' 1861, in *The Burke and Wills Exploring Expedition: an account of the crossing the continent of Australia, from Cooper's Creek to Carpentaria*, (reprinted from the *Argus*), Wilson and Mackinnon, Melbourne.

Larcombe, EE 1926, 'The search for Dr Leichhardt', *The Royal Australian Historical Society, Journal and Proceedings* 12(3).

Leichhardt, L 1847, *Journal of an overland expedition in Australia from Moreton Bay to Port Essington*, T and W Boone, London.

Lewis, Darrell 2004, 'A wild history: the making of Victoria River pastoral society', PhD thesis, Australian National University.

Rose, D 1991, *Hidden Histories: Black Stories from Victoria River Downs, Humbert River and Wave Hill Stations*, Aboriginal Studies Press, Canberra.

- 2003, 'Oral histories and knowledge' in *Frontier conflict: the Australian experience*, B Attwood and S Foster (eds), National Museum of Australia, Canberra: 120–131.
- Tolcher, H 1997, *Conrick of Nappa Merrie: a pioneer on Cooper Creek*, privately published, New South Wales.
- Watson, P 1998, *Frontier land and pioneer legends: how pastoralists gained Kuruwali land*, Allen & Unwin, Sydney.

Could First Fleet smallpox infect Aborigines? – a note

Christopher Warren

In April 1789, British colonists at Sydney Cove noticed large numbers of Aborigines dying from smallpox. Two hundred years later this event still raises concerns that unknown First Fleeters may have infected Aboriginal clans with smallpox. Contrariwise, several authors – including Josephine Flood, Alan Frost, Charles Wilson and Judy Campbell – maintain that First Fleet smallpox did not cause the outbreak as, in Flood's words, 'infection of Aborigines with bottled scabs was not merely implausible but impossible'.¹

However this view is based on an assumption that the hot weather during the Fleet's voyage and at Sydney Cove would have sterilised any smallpox virus. This is not so and none of these authors have tested their 'hot weather' assumption by referring to the temperature records of the First Fleet. Once this is done alternative conclusions follow.

This article reviews the evidence and demonstrates that British smallpox could retain sufficient viral activity until 1789 to infect local Aborigines. Whether infection occurred from this source is a separate issue that remains shrouded in conflicting evidence and is not being considered here.

The literature

The 1789 outbreak of smallpox is controversial but the question we are concerned with here, the continuing infectivity of British smallpox, can be separated from associated issues. Other issues are canvassed by Cumpston, Curson and Campbell.² Material on the infectivity and transmission of smallpox was published in Dixon and by the World Health Organisation in *Smallpox and its eradication* authored by Frank Fenner and others.³

Of the 18th-century literature concerning the 1789 outbreak, only the memoirs of Captain Watkin Tench mention stocks of smallpox material. There is no mention of smallpox material in the official lists of medical supplies. There is one other mention in the 18th century of smallpox material – in Philip Gidley King's 1792 letter to Sir Joseph Banks requesting supplies to protect children at Norfolk Island if necessary.⁴

1. Flood 2006: 125.

2. Cumpston 1914; Curson 1985; Campbell 2002.

3. Dixon 1962; Fenner et al 1988. The latter resource is available on the internet at <http://whqlibdoc.who.int/smallpox/9241561106.pdf>

In the 19th century, Edward Curr and Frank Tidswell concluded that the 1789 smallpox outbreak originated from the First Fleet but no author appears to have addressed the role, if any, of the British supplies. Curr and Tidswell assumed that smallpox from a hypothetical outbreak on the *Alexander* remained infective and escaped into the community.⁵

Early in the 20th century, EC Stirling and JB Cleland suggested that the 1789 outbreak of smallpox may have originated from Asian seafarers arriving in northern Australia.⁶ In 1914, JHL Cumpston rejected this view on the grounds that the First Fleet's:

variola matter cannot be dismissed lightly as a possible source of the epidemic ... the safest course would seem to be to follow the generally accepted theory that the introduction of the disease amongst the aborigines was in some way associated with the arrival in Australia of a comparatively large number of Europeans.⁷

In the 1980s Noel Butlin suggested 'the British were well aware'⁸ that First Fleet smallpox could 'remain infective for many years' and that Tench's 'wild' and 'unworthy' supposition needed closer inspection.⁹ This proposition was supported by David Day¹⁰ but contested by Judy Campbell, Charles Wilson and Alan Frost who argued that, as 'variola matter' was damaged by conditions during the First Fleet's voyage, it was incapable of transmitting infection.¹¹

After the year 2000 – and except for a few including Reynolds, Foley and Maynard and Kociumbas¹² – the rigour of the literature degenerates. In 2002 Judy Campbell labelled Butlin's work as myth-making and claimed that his comments damaged 'prospects for reconciliation in modern Australia'.¹³ In addition several commentators – John Connor, Tim Flannery and Tom Keneally – introduced problematic variations into the literature. These authors claim there was only 'a bottle' of smallpox scabs¹⁴ and that it 'remained sealed'¹⁵ or 'unbroken and secure on a shelf'.¹⁶ At this point the literature provides no resolution and various writers simply recycle past theories for alternative sources for the outbreak or support First Fleet responsibility, depending on their varying estimations of the relevance of the imported British supplies of smallpox. However scientific papers on the infectivity of smallpox, particularly several items published in the *Bulletin of the World Health Organization* and *The Lancet* in the 20th century, can provide additional clarification (discussed below).

4. Copy at http://www.sl.nsw.gov.au/banks/series_39/39_004.cfm (accessed 24 October 2006).

5. Curr 1886: 226. Tidswell's comment is in Cumpston 1914: 172.

6. Stirling 1911; Cleland 1912.

7. Cumpston 1914: 2.

8. See Butlin 1985: 334.

9. Butlin 1983: 21.

10. Day 1997[1996]: 63.

11. Campbell 1984; Wilson 1987; Frost 1995.

12. Reynolds 2001; Foley and Maynard 2001; Kociumbas 2004.

13. Campbell 2002: 60f.

14. Connor 2002: 30.

15. Flannery 1999: 88.

16. Keneally 2005: 202, 209.

In general, the post-Butlin claims of destruction of smallpox virus by heat during the First Fleet's voyage have prolonged controversy – much of it revisiting old issues that otherwise would be unsustainable. To some extent this controversy compromises scholarly examination of 'first contact' and 'frontier conflict' issues and diverts Aboriginal history from foundational themes.

Smallpox at Sydney Cove

As noted above, we have only one report of smallpox materials at Sydney Cove – a pointed quote from Captain Watkin Tench informing his readers that First Fleet surgeons 'had brought out variolous matter in bottles'.¹⁷ 'Variolous material' is the 18th century term for infectious smallpox scabs or pus collected from infected patients and used to prevent others contracting the disease. ('Variola' is the Latin name for the smallpox virus.) Unfortunately Tench did not indicate what type of variolous matter he was referring to. First Fleet surgeons would not have purchased fluid variolous matter or moist pus on cotton as mould and humidity would have endangered the virus.¹⁸ This suggests First Fleet material was dried variolous matter and we know from Dr Gatti, a leading contemporary physician, that 18th century inoculators were advised to use 'powdered matter' when 'only scabs are to be had'.¹⁹ The inclusion of variolous material in medical supplies by sea-surgeons was not compulsory in the 18th century,²⁰ as its use was still objectionable to many; smallpox was relatively rare at sea, and incidental outbreaks could be handled by sourcing fluid variolous matter from patients.²¹ Nonetheless, with children aboard, First Fleet surgeons may have purchased variolous materials before departure from England or at Rio de Janerio.

The capacity of smallpox-related virus in scabs to survive long sea voyages should not be underestimated. According to William Russell, the Superintendent-General of Vaccination and Inoculation in Bengal, scabs were 'one of the most certain means of preserving the [cowpox] Virus in a state of activity for a length of time, and the easiest mode of conveying the Infection to a distance'.²² In 1804, cowpox scab material was recommended for transmitting vaccine virus from Bengal to New South Wales²³ and as late as 1813, we still find scab material being used.²⁴ All things considered, it appears that First Fleet bottles contained scabs although some bottles may have contained other forms of dried inoculation material.²⁵

The voyage

The First Fleet departed Portsmouth in May 1787 and sailed through tropical heat while crossing the equator en route to Rio de Janerio. For some writers, this period of hot weather, plus the heat experienced through a summer or two at Sydney Cove, would

17. Tench cited in Fitzhardinge 1961: 146.

18. Haygarth 1793: 303; Jenner, 1798: 56f.

19. Gatti 1768: 33.

20. Lloyd and Coulter 1961, vol III: 349.

21. Dr Thomas Trotter in Lloyd 1965: 309f.

22. Russell 1813: 1.

23. Shoolbred 1807: 370.

24. Russell 1813: 1. Ivory tips were used also.

25. James Watt mentions discharge from smallpox sores dried on cotton wool and stored in bottles, see Watt 1989: 145.

have deactivated any smallpox. Charles Wilson, for example, claims that as variola 'passed *en voyage* through tropical temperatures ranging from 82 degrees upwards ... It is hardly possible that [it] could have remained active in such conditions for such a period of time.'²⁶ However, this is incorrect, because Wilson misinterprets the temperature data. The First Fleet records indicate that smallpox passed through temperatures ranging only from 82 degrees and below.

The records kept by Captain Hunter and Lieutenant Bradley (on *HMS Sirius*) and surgeon White (on the *Charlotte*) provide two sets of independent data.²⁷ The highest reading was from the *Charlotte* on 26 June 1787 (85°F at noon) but Hunter and Bradley in *HMS Sirius* did not corroborate this. They recorded 82°F. As no higher noon cabin temperature was recorded, it is clear that, during the voyage, smallpox materials insulated in chests and packaging never reached '82 degrees and upwards' (see Appendix). Of course, it is also necessary to consider the nature of the heat experienced after arrival at Sydney Cove, and here, Lieutenant William Dawes' records of land-based temperatures throughout 1788 and 1789 are available. The Australian Bureau of Meteorology published the data in 1981.²⁸

Sydney Cove temperature

William Dawes' temperature data consist of temperature readings at various times of the day such as 'b.s.r.' (before sunrise), 's.s.' (sunset) and noon. Despite the lack of uniformity in the times of each day's readings we can estimate the likely daily mean air temperatures as between Dawes' daily lowest and highest temperature recordings. The results are displayed in Fig. 1.

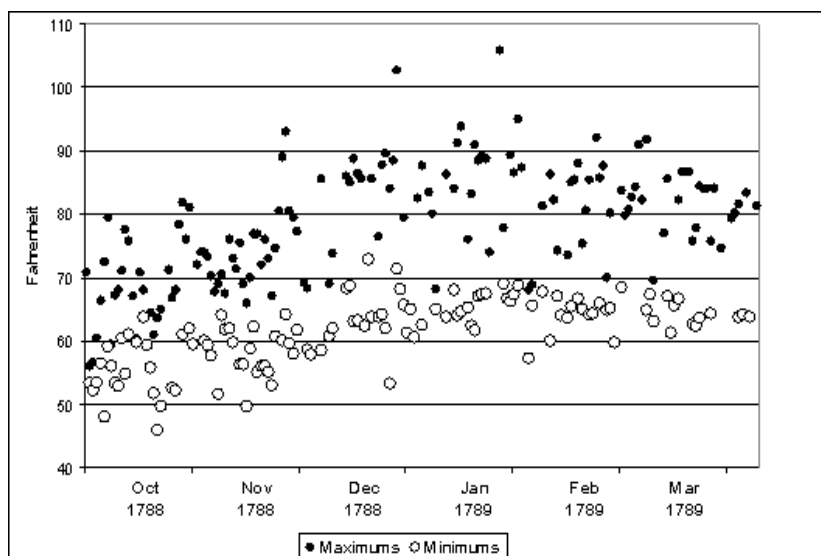


Fig. 1: Daily highest and lowest temperature recordings, Dawes' Observatory – summer 1788–1789 based on Dawes' records (McAfee 1981)

²⁶. Wilson 1987: 79.

²⁷. Bradley 1969; White 1971[1790].

²⁸. McAfee 1981.

Dawes' data show two instances of daily temperatures exceeding 100°F but on both occasions the preceding morning and following evening temperatures were much lower. Such isolated heat peaks would not affect well-insulated stocks of smallpox. In general, given consistently cooler minimums usually below 70°F, we can assume that contents of medicine chests in storage did not warm over 80°F (27°C) for significant periods.

Other attempts to estimate the First Fleet's temperature environment at Sydney Cove have not been successful. Frost in *Botany Bay mirages* and Campbell in *Invisible invaders* exclusively rely on anecdotal, informal temperature data. Frost cites peak readings from thermometers occasionally exposed to hot wind and/or direct sunshine. He claims this data (eg 38.8°C for November and 44.4°C for December) 'may be taken as indicative' of Sydney weather.²⁹ This is not so; and single readings from thermometers 'occasionally exposed to hot wind and direct sunshine', should be rejected. Campbell and Flood base much of their smallpox deactivation thesis on the same data³⁰ without mentioning the hot wind and direct sunshine.

The impact of hot wind in distorting temperature readings is well illustrated by Peter Cunningham's observation that thermometers in the shade, due to the effects of hot wind, rose instantly 'from eighty degrees to a hundred and ten'.³¹ We also have the evidence of both surgeon Worgan and Tench that temperature readings commonly fell by as much as 30°F in a day³² and occasionally over 50°F.³³ Such radical daily variations suggest that Frost and Campbell's temperatures do not represent the more moderate temperatures that reached the smallpox. The chest contents would have remained close to each day's average depending on the insulation and the thermal mass. Frost and Campbell's data also conflicts with modern data that indicates that Sydney maximum temperatures only average 26°C (79°F).³⁴

Smallpox virus survival

Smallpox is exceptionally stable when dried especially if kept in a cool place³⁵ and survives for years under suitable conditions.³⁶ According to James Moore, Chinese traditional inoculators kept scabs 'in close jars for years'.³⁷ In Britain, it is reported that variolous matter kept for a year and a half 'in a small bottle' was used by an inoculator apparently without adverse comment.³⁸ According to Peter Razzell, variolators successfully stored material 'for several years, before using it to good effect'. He quotes an example (actually from the Shetland Islands) of an inoculator, John Williamson, who

²⁹. Frost 1995: 202.

³⁰. Campbell 2002: 62; Flood 2006, Note 74: 280.

³¹. Cunningham 1966: 186.

³². Worgan 1978: 22; see also An Officer 1978: 39. Phillip also noted large (over 30°F) daily temperature ranges, see Commonwealth of Australia 1914: 57.

³³. Fitzhardinge 1961: 196.

³⁴. Castles 1992: 107.

³⁵. Fenner 1988: 682.

³⁶. Periodic assays showed that in temperate climates, smallpox scabs could retain infectivity at room temperature for several years. See Fenner 1988: 115b.

³⁷. Moore 1815: 219.

³⁸. Glass 1767: 5.

preserved virus underground 'a long time before he puts it to use – sometimes seven or eight years'.³⁹

Possible instances of smallpox surviving for decades in cool and temperate climates have been recorded. For example, reportedly, smallpox from a 30-year-old grave in Somerset, England, infected 14 people when opened in 1759.⁴⁰ In Montreal, when immense quantities of smallpox, ie dozens of smallpox corpses, were buried in soil close to and below 0°C and accidentally reopened years later, a local outbreak of smallpox suggested that residual infectivity persisted for more than 100 years.⁴¹

Even when stored in undesirable conditions, virus in dried scabs retained residual infectivity for at least two years. This is apparent from traditional variolators in Afghanistan who told World Health Organisation investigators they could retain smallpox scabs for two years but such material was not reliable.⁴² The Afghans sought to replenish their stocks each year. In the 18th century in India, inoculators frequently used virus four or five years old albeit with some degeneration.⁴³ More recent analysis by PD Meers also indicates that smallpox virus survives for long periods. In 1985 after reviewing the evidence he concluded that inactivation might take 25 years at room temperature or longer if cooler.⁴⁴ In 1986 American anthropologist Steadman Upham concluded that virus remained infective for years. He noted that:

in environments with temperatures between 22°C and 30°C and with relative humidities between 25% and 55%, variola virus remains stable and infective for a number of years. As temperature and humidity rise above 30°C and 55% respectively, variola virus rapidly loses infectivity.⁴⁵

Further evidence for smallpox longevity is available in the scientific literature, although reports from scientific studies need careful interpretation before applying them to First Fleet smallpox. In particular, results from studies of virus in aerosols, in glass capillaries or as smears on slides, cannot be used to assess the behaviour of smallpox in dried scabs as the form of the material affects virus longevity.⁴⁶ In 1947, Professor AW Downie and KR Dumbell examined the survival of virus in dried scabs. According to their data,⁴⁷ smallpox virus in scabs kept between 18°C and 20°C survive for over a year. They also noted that if their experiment had continued they would have shown virus surviving for a longer period.⁴⁸

^{39.} Razzell 1976: 35.

^{40.} Razzell 1976: 35. Low temperatures due to the Little Ice Age would have assisted virus survival.

^{41.} Marsden 1855; Meers 1985: 1103.

^{42.} Fenner et al 1988: 682.

^{43.} Razzell 1976: 35.

^{44.} Meers 1985: 1103. Meers also suggested that should whole corpses be taken into account, or when there are hundreds of victims, 'significant prolongation, perhaps to over 100 years' may follow in the right conditions.

^{45.} Upham 1986: 120.

^{46.} Virus as aerosols or as smears on glass slides deactivates faster than virus in dried scabs. See Downie and Dumbrell 1947: 552.

^{47.} Downie and Dumbrell 1947, Table IV: 552.

^{48.} 'It seems likely that repeated further examinations of our specimens using larger numbers of eggs would have shown the survival of variola virus for longer periods', Downie and Dumbrell 1947: 552.

Occasionally scientific studies have been misapplied. For example, Frost cites a finding by FO MacCallum and JR McDonald that virus from scabs survived for mere months at a continuous temperature of 30°C (86°F). However, this has no relevance to First Fleet smallpox, as First Fleet stocks never experienced 30°C, day and night, as in MacCallum and McDonald's incubator.⁴⁹ By citing incubator results, Frost omits the more important and radically different results MacCallum and McDonald obtained from samples exposed to a day-night temperature cycle between 20°C and 24°C. In these conditions the virus in scabs outlived the 18-month experiment.⁵⁰ MacCallum and McDonald stated that smallpox can 'survive for many years, ten or more, at from 4°C to 5°C in closed bottles'.⁵¹ Campbell also used incubator temperatures (35°C)⁵² and therefore estimated the impact of temperature on First Fleet smallpox incorrectly.

Frost cites a finding by Professor Arie Zuckerman that smallpox is 'unlikely to survive in dried crusts (and presumably clothing) for more than a year'.⁵³ Frost then suggests that due to weather conditions 'there must be considerable doubt that the smallpox virus would have remained "live"'.⁵⁴ However, the original author of Zuckerman's statement was Isao Arita,⁵⁵ and it must be understood in its original context. Arita's statement only concerned 45 samples of tribal variolation material collected in Afghanistan, Ethiopia and Pakistan. This has little relevance to First Fleet smallpox, as British smallpox material was not stored in the same manner as tribal material.

The relevant research on the deactivation of smallpox in natural circumstances is the work of HL Wolff and JJ Croon, reported in the *Bulletin of the World Health Organization* in 1968.⁵⁶ Wolff and Croon examined the deactivation of smallpox stored in unsealed double envelopes in a laboratory cupboard as temperatures ranged from 30°C in summer to below 15°C at night. In these conditions smallpox deactivated slowly. Their data showed smallpox lost activity over many years (see Table 1).⁵⁷

Table 1: Deactivation of smallpox in scabs with fluctuating temperatures between sub-15°C and 30°C (59°F and 86°F)

Period	Viable particles per scab
2 years	56,000
3 years	52,000
4 years	24,000
5 years	32,000
6 years	12,000

49. MacCallum and McDonald decided not to embark on too extravagant an experiment and tested the effect of a single temperature, 30°C, they believed to be an appropriate mean temperature: see MacCallum and McDonald 1957: 249. Sydney's annual mean temperature is 17.4°C.

50. MacCallum and McDonald 1957, Table III: 252.

51. MacCallum and McDonald 1957: 247.

52. Campbell 2002: 62 – using Huq 1976.

53. Frost 1995: 201.

54. Frost 1995: 202.

55. Arita 1980: 27-29. The age of the sample material was not relevant.

56. Wolff and Croon 1968: 492-493.

57. It is worth noting that Wolff and Croon's data is consistent with the practice of British variolators storing their material for up to seven years.

As Wolff and Croon's experiment included normal daily and seasonal temperature variations, their findings provide a benchmark for assessing the impact of temperatures on smallpox materials during the voyage and at Sydney Cove. Their data suggest that where smallpox temperatures remain between 15°C and 30°C, virus activity declines to around half strength every couple of years.

In the case of First Fleet smallpox, however, there are additional considerations. In particular it can be assumed that the smallpox was better insulated than Wolff and Croon's supply. The insulation would have consisted of several elements: the cooler microclimate in the ship's storeroom (or storehouse when on shore); the medicine chest or other container; the still air inside the chest; any additional packaging; and finally the glass or ceramic bottles containing the smallpox. This much greater thermal insulation, compared to Wolff and Croon's double envelopes, would ensure that First Fleet smallpox was relatively unaffected by any isolated extreme temperatures. Dawes' data (Fig 1) show a period of around three months when daily maximums sometimes peaked over 30°C (86°F) which exceeds the upper limit of Wolff and Croon's temperature range. However the net effect of this short period was minor, firstly because of the insulation but also because of the preservative effect of colder temperatures encountered as the First Fleet approached and crossed latitude 40°S.⁵⁸

In general then, assuming professional conduct by its custodians, we can conclude that First Fleet smallpox was not exposed to temperatures over 85°F during the voyage or at Sydney Cove. Consequently, unless new records come to light, we can conclude that First Fleet smallpox survived the voyage and storage at Sydney but with some moderate loss of activity as suggested by Wolff and Croon's data (see Table 1). The only remaining question is whether this degraded material could still infect local Aborigines in early 1789.

Smallpox infective?

In general dried scabs are not infective as the virus is locked away in the scab's fibrous matrix and in dried fluid at the base of each scab. However scabs will fracture if blankets, coats and handkerchiefs containing scabs are rubbed against human bodies. This creates particles that may release virus into the human body through nasal membranes, wounds or invisible abrasions. An infective dose can be as low as one infectious particle⁵⁹ although around 300 infectious particles per ml may be required for a 50% success rate.⁶⁰ Possible low dosage requirements and informal transmission mechanisms were demonstrated by the 1966 and 1978 Birmingham⁶¹ and Aberdeen⁶² outbreaks of smallpox. Very minute doses of virus must have caused these outbreaks. Using Wolff and Croon (Table 1) we can infer that if the British smallpox was 2 or 3 years old by 1789, it could have maintained around 50,000 viable particles per scab.⁶³ Even if the First Fleet's

⁵⁸. Also, for Sydney, modern mean minimum temperatures are below 15°C from April to October.

⁵⁹. Fenner et al 1988: 187f stated 'although because of non-specific protective mechanisms a larger dose would usually be required'.

⁶⁰. Using analogy with vaccinia virus, see Fenner et al 1988, Note a, Table 14.15: 684.

⁶¹. Two cases of remote smallpox infection at Birmingham Medical School – first in 1966, second in 1978, see Fenner et al 1988: 1100.

⁶². Reported by Dr AW Downie: see Razzell 1976: 35.

smallpox suffered greater heat and degenerated to half or quarter of this strength, it is still probable there remained thousands of viable particles per scab.

In either case, this material appears sufficient for transmitting a mild case of smallpox to local Aborigines either by opportunistic variolation through casual skin scratches or wounds, or by insufflation through the nose.⁶⁴ While initially this may cause a mild infection, any such first cases would infect their associates by releasing virus in aerosols that subsequently could enter the bloodstream through the mucous membranes of the upper respiratory tract. This second route of entry may easily ignite a major outbreak of smallpox. In 2003 Frank Fenner suggested that the only way First Fleet material could transmit smallpox (ie 'take') 'would be by surgeons using their lancets for deliberate variolation'.⁶⁵ This is arguable. Smallpox material around two years old may not have been capable of guaranteeing successful variolation when used in deliberate single doses but such material would have retained sufficient viral activity to infect at least one or two susceptible Aborigines if applied more generally.

Conclusion

Wolff and Croon's data, historical anecdotes concerning smallpox longevity in the environment, the temperature records of First Fleeters, insights from contemporary medical practices and WHO statements on the infectiousness of smallpox all provide a firm basis for interpreting the historical record concerning the British smallpox materials in New South Wales in 1788. There is little doubt that smallpox scabs collected in 1787, if handled professionally, would have retained significant viral activity for more than two years. King's 1792 request to Banks indicates King had no concerns about a voyage damaging the virus. Combined with the very low dosage for infection this demonstrates that if deployed in significant quantities (ie bottles), the First Fleet's smallpox could infect highly susceptible people such as local Aborigines around Port Jackson sometime before April 1789.

References

Primary source

Russell, William to the Physician General at NSW, 15 March 1813, Wentworth Papers 1813-20, Folio A762, 41f, Mitchell Library, Sydney.

Published sources

An Officer 1978, *An authentic and interesting narrative of the late expedition to Botany Bay*, facsimile edition, Library of Australian History, North Sydney, New South Wales.

Arita, I 1980, 'Can we stop smallpox vaccination', *World Health*, May: 27-29.

Bradley, William 1969, *A voyage to New South Wales, the journal of Lieutenant William Bradley RN of HMS Sirius, 1786-1792*, facsimile edition, Trustees of the Public Library of New South Wales, Sydney.

^{63.} Viable particles detected by chick cells could underestimate activity in human cells. Smallpox virus is more active in human than in chick cells at least at some temperatures: see Razzell 1977: 38.

^{64.} Fenner et al 1988: 246.

^{65.} Fenner 2003: 48. Evidence supporting this claim has yet to emerge.

- Butlin, Noel 1983, *Our original aggression: Aboriginal populations of south-eastern Australia 1788-1850*.
- 1985, 'Macassans and Aboriginal smallpox: the "1789" and "1829" epidemics', *Historical Studies* 21(84): 315-335.
- Campbell, Judy 1984, 'Whence came the pox? Aborigines and academic ingenuity', *The Age Monthly Review* 3(10): 19-20.
- 2002, *Invisible invaders: smallpox and other diseases in Aboriginal Australia 1780-1880*, Melbourne University Press, Melbourne.
- Castles, Ian 1992, *Yearbook Australia 1991*, Australian Bureau of Statistics, Canberra.
- Cleland, J Burton 1912, *Some diseases peculiar to, or of interest in, Australia*, reprinted in Cumpston 1914, Appendix B.
- Commonwealth of Australia, 1914, *Historical records of Australia, Series 1, Volume 1*, Library Committee of the Commonwealth Parliament, Sydney.
- Connor, John 2002, *The Australian frontier wars 1788-1838*, UNSW Press, Sydney.
- Cumpston, JHL 1914, *The history of small-pox in Australia, 1788-1908*, Albert J Mullett, Government Printer, Melbourne.
- Cunningham, Peter 1966, *Two years in New South Wales - a series of letters*, Australiana Facsimile Editions No 31, Library Board of South Australia, Adelaide.
- Curr, Edward M 1886, *The Australian race: its origin, languages, customs, place of landing in Australia and the routes by which it spread itself over that continent*, Volume 1, John Ferres, Government Printer, Melbourne.
- Curson, PH 1985, *Times of crisis: epidemics in Sydney 1788-1900*, Sydney University Press, Sydney.
- Day, David 1997 [1996], *Claiming a continent: a new history of Australia*, Angus & Robertson, Sydney.
- Dixon, CW 1962, *Smallpox*, J&A Churchill Ltd, London.
- Downie, AR and KR Dumbrell 1947, 'Survival of Variola virus in dried exudate and crusts from smallpox patients', *The Lancet* 249(6452): 550-553.
- Fenner, Frank 2003, 'The smallpox debate', *Voice No 7*, Ginninderra Press, Canberra.
- Fenner, Frank, et al 1988, *Smallpox and its eradication*, WHO, Geneva.
- Fitzhardinge, LF (ed) 1961, *Sydney's first four years being a reprint of a narrative of the expedition to Botany Bay and a complete account of the settlement at Port Jackson*, Angus and Robertson, Sydney.
- Flannery, Tim 1999, *The birth of Sydney*, William Heinemann, London.
- Flood, Josephine 2006, *The original Australians: story of the Aboriginal people*, Allen & Unwin, Crows Nest, New South Wales.
- Foley, Dennis and Ricky Maynard 2001, *Repossession of our spirit: traditional owners of northern Sydney*, Aboriginal History Inc, Canberra.
- Frost, Alan 1995, *Botany Bay mirages*, Melbourne University Press, Melbourne.
- Gatti, Dr 1768, *New observations on inoculation translated from the French by M Maty*, John Exshaw, Dublin.

- Glass, T 1767, *A letter from Dr Glass to Dr Baker on the means of procuring a distinct and favourable kind of small-pox and on the use of cold air and cold water in Putrid Fevers*, W Johnston, London.
- Haygarth, John 1793, *A sketch of a plan to exterminate the casual small-pox from Great Britain and to introduce a general inoculation*, volume 2, J Johnson, London.
- Huq, F 1976, 'Effect of temperature and relative humidity on variola virus in crusts', *Bulletin of the World Health Organization* 54.
- Jenner, Edward 1798, *An inquiry into the causes and effects of the Variolae Vaccinae*, Sampson Low, Soho.
- Keneally, Thomas 2005, *A commonwealth of thieves: the improbable birth of Australia*, DoubleDay, Sydney.
- Kociumbas, Jan 2004, 'Genocide and modernity in colonial Australia, 1788-1850' in *Genocide and settler society: frontier violence and stolen Indigenous children in Australian history*, A Dirk Moses (ed), Berghahn Books, New York.
- Lloyd, Christopher (ed) 1965, *The health of seamen: selections from the works of Dr James Lind, Sir Gilbert Blane and Dr Thomas Trotter*, Navy Records Society, London.
- Lloyd, Christopher and Jack LS Coulter 1961, *Medicine and the Navy 1200-1900, Volume III - 1714-1815*, E & S Livingstone Ltd, Edinburgh and London.
- MacCallum FO and JR McDonald 1957, 'Survival of Variola virus in raw cotton', *Bulletin of the World Health Organization* 16.
- Marsden, W 1855, 'On small-pox and vaccination', *The Medical Chronicle or Montreal Monthly Journal of Medicine and Surgery* 2(8): 296-299.
- McAfee, Robert J 1981, *Dawes's meteorological journal*, Bureau of Meteorology Historical Note No 2, AGPS, Canberra.
- Meers, PD 1985, 'Smallpox still entombed', *The Lancet* 325(8437): 1103.
- Moore, James 1815, *The history of the small pox*, Longman, Hurst, Rees, Orme & Brown, London.
- Razzell, PE 1976, 'Smallpox extinction - a note of caution', *New Scientist* 71, 1 July.
- 1977, *Conquest of smallpox: the impact of inoculation on smallpox mortality in eighteenth century Britain*, Caliban Books, Firl, Sussex.
- Reynolds, Henry 2001, *An indelible stain? The question of genocide in Australia's history*, Penguin Books Australia Ltd, Ringwood.
- Shoolbred, John 1807, 'Report on the state and progress of vaccine inoculation in Bengal, during the year 1804, submitted to the Medical Board at Fort William', *The Edinburgh Medical and Surgical Journal exhibiting a concise view of the latest and most important discoveries in medicine, surgery, and pharmacy*, volume third: 368-370.
- Stirling, EC 1911, 'Preliminary report on the discovery of native remains at Swanport, River Murray; with an inquiry into the alleged occurrence of a pandemic among the Australian Aborigines', *Transactions and Proceedings and Report of the Royal Society of South Australia* 35.
- Tidswell, Frank, 1898, *A brief sketch of the history of small-pox and vaccination in New South Wales*, reprinted in Cumpston 1914, Appendix C.
- Upham, Steadman 1986, 'Smallpox and climate in the American southwest', *American Anthropologist*, New Series 88(1): 115-128.

- Watt, James 1989, 'The Colony's health' in *Studies from Terra Australis to Australia*, John Hardy and Alan Frost (eds), Occasional Paper No 6, Australian Academy of the Humanities, Canberra.
- White, John 1971 [1790], *Journal of a voyage to New South Wales*, Arnos Press and The New York Times, New York.
- Wilson, Charles 1987, *Australia 1788–1988: the creation of a nation*, Weidenfeld and Nicolson, London.
- Wolff, HL and JJAB Croon 1968, 'The survival of smallpox virus (Variola Minor) in natural circumstances', *Bulletin of the World Health Organization* 38: 492–493.
- Worgan, George B(ouchier) 1978, *Journal of a First Fleet surgeon*, William Dixon Foundation Publication Number 16, Library Council of New South Wales, Sydney.

Appendix, Temperature, degrees Fahrenheit, Sydney, 1787-1788

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1787																															
Mar	C	-	-	-	-	-	-	-	-	-	-	-	-	52	52	54	59	60	58	60	60	63	57	59	60	61	64	61	63	65	70
	S	-	-	-	-	-	-	-	-	-	-	-	-	59	59	61	61	60	60	61	62	63	62	63	64	64	66	66	65	67	69
Jun	C	71	74	73	74	72	75	73	75	76	78	73	72	73	74	74	74	76	76	81	82	82	82	81	82	85	82	80	81	82	
	S	67	71	72	72	72	74	72	70	72	71	72	72	73	74	73	73	75	77	81	80	82	80	80	81	82	81	83	72	81	82
Jul	C	79	80	80	80	81	80	79	78	77	77	78	77	78	78	79	79	80	81	79	79	79	75	77	76	75	73	73	72	72	75
	S	81	81	81	81	81	81	80	80	79	79	78	79	79	79	79	79	80	81	80	80	79	77	78	76	76	75	74	73	74	74
Aug	C	75	73	72	69	71	72	74	65	70	77	76	75	76	75	76	69	69	72	74	75	76	76	74	72	70	72	76	78	74	75
	S	74	75	-	72	71	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sep	C	78	72	72	76	71	72	73	68	68	68	67	64	66	68	67	66	63	57	58	59	59	59	54	54	53	-	61	59	56	
	S	-	-	-	-	73	73	74	70	68	68	71	70	70	68	70	68	66	60	60	60	63	57	54	57	54	60	62	59	56	
Oct	C	61	60	62	64	63	63	62	60	60	60	60	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	S	60	60	62	64	63	64	62	60	60	60	62	63	61	61	62	62	69	76	63	62	63	63	63	63	63	62	67	66	68	67
Nov	C	-	-	-	-	-	-	-	-	-	-	-	63	63	63	64	61	62	63	64	65	65	66	64	61	62	62	62	64	66	
	S	65	65	64	65	66	65	64	64	64	65	65	63	63	62	64	61	61	65	64	65	65	65	63	61	62	61	72	64	66	
Dec	C	62	62	62	61	58	60	62	-	62	60	-	63	63	60	61	62	-	56	56	56	57	59	59	62	57	-	59	-	56	-
	S	60	61	62	60	58	60	61	58	61	59	64	62	61	61	61	61	55	55	55	56	59	63	59	62	57	59	58	60	55	56
1788																															
Jan	C	-	59	57	58	55	56	62	64	67	62	65	63	67	67	75	74	73	71	75	75	75	75	75	70	E	-	-	-	-	-
	S	57	57	56	59	55	56	62	64	66	61	64	62	66	65	74	75	72	70	74	75	74	74	75	70	70	74	74	70	72	80
Feb	C	72	73	73	74	74	74	74	76	76	73	75	75	67	67	67	65	73	77	72	74	78	72	74	72	75	72	76	72	65	
	S	67	70	74	75	74	74	74	74	74	75	75	74	75	72	65	68	67	68	69	73	60	68	68	72	60	62	65	65	65	63
Mar	C	66	67	65	68	70	68	70	72	60	60	61	72	72	70	69	68	61	61	68	60	60	58	60	62	60	61	65	61	63	
	S	62	61	58	58	59	62	65	64	64	62	67	62	61	60	61	61	60	60	60	59	60	60	62	62	63	64	64	56	60	58
Apr	C	62	60	61	60	57	58	56	61	56	57	56	57	59	57	59	60	59	57	56	56	52	54	53	54	55	53	57	60	60	
	S	62	63	60	55	56	60	58	56	55	55	52	53	53	54	57	56	58	59	56	54	58	54	55	55	55	54	56	54	57	56
Jul	C	56	56	56	58	56	58	58	58	58	58	60	56	58	56	56	58	59	61	62	61	62	59	58	60	62	62	66	68	72	60
	S	61	60	62	61	60	61	62	58	60	61	59	72	70	68	61	58	60	58	60	70	65	68	65	67	68	72	73	65	67	65
Sep	C	67	E																												
	S	67	E																												

John White on board the Charlotte (C) and John Hunter and William Bradley on board HMS Sirius (S) collected daily temperature data from 13 May 1787 (White 1971[1790]; Bradley 1969). White's recordings end on 26 January 1788 when he broke his thermometer and the Hunter/Bradley record ends on 1 October 1788 when HMS Sirius departed for Capetown. 'E' denotes end of recording.

‘That child is my hero’: an interview with Alf Taylor

Anne Brewster

Alf Taylor is a Western Australian Nyoongah writer. He was born in the late 1940s and spent his childhood in the Spanish Benedictine Mission at New Norcia, 250 kilometres north of Perth. He has published two books of poetry, *Singer songwriter* in 1992 and *Winds* in 1994, and a collection of short fiction, *Long time now* in 2001. This last book was published in Spanish in 2006.

Taylor has recently completed the manuscript of his life story of growing up in New Norcia Mission, ‘God, the Devil and Me’, which is part-memoir and part-theological satire. Excerpts of it have been published in the anthology of Indigenous writing, *Those who remain will always remember* (2001), and in the literary journal, *Westerly* (2003 and 2005). The first *Westerly* excerpt won the Patricia Hackett Prize (2003). To my knowledge, Taylor is the only Indigenous person to have published a substantial piece of writing about New Norcia. He has travelled widely and talked about his experience at New Norcia in Spain, India, UK and Germany.

I first met Alf at the launch of *Winds* in 1994 at Dumbertang in Perth. When I started collecting material for the anthology of Australian Indigenous writing, *Those who remain will always remember* – co-edited with Angeline O’Neill and Rosemary van den Berg – I asked Alf if he would like to contribute a piece that described how he started writing, and this small piece grew into ‘God, the Devil and Me’. For this, Alf, Peter Lavskis and I visited New Norcia, where we encountered an elderly priest. It was the first time that Alf had returned since childhood.

This interview was conducted in two stages: in Perth on 1 June 2006, and in Tübingen, Germany, 4 November 2006.

AB: Alf, can you tell me about your mother’s and your father’s background?

AT: My mother’s name was Queenie Harris. She come from up around the Norseman area, and she was a Ngadu woman.

AB: Is that part of the Wongi group?

AT: The Wongi and the Ngadu people, they’re all from around that area but they are separate and each tribe retained their own individual customs. I’m just learning all of this, from different people I speak to, because, as you know, I was taken away and put



Alf Taylor and Anne Brewster, Germany, 2006

in a mission where they said that our Aboriginal culture and our Aboriginal language was a mortal sin. Getting back and learning about my mother's side was quite overwhelming. My mother married my father, a Nyoongah, whose name was Rosendo Taylor; he had the same name as Bishop Rosendo Salvado from New Norcia. My father's tribe came from the Victoria Plains around New Norcia.

AB: So, do you think of yourself as Nyoongar, then?

AT: I'm honoured to be of Nyoongar origin and Ngadu origin. I feel at ease with myself when going to my father's country and also feel very at ease when I go into my mother's country.

AB: Can you tell us about New Norcia?

AT: When Bishop Salvado came there he had good intentions for the native people. He was given land by the West Australian government to cater for the Aboriginal people who were in that area at that particular time. And what he wanted to do was to teach my father, his father and brothers to work the land and when they proved that they'd become solid citizens, they would be given their own land back, in return of learning the ways of the Spanish monks. So the government gave all this land to Bishop Salvado, with his intentions of giving back the land to the Aboriginal people who were around that area.

But there was also another monk – his name was Bishop Torres – and he was the political one. He knew that all this land was given to Bishop Salvado or to the New Norcia Benedictine monks. At that time Salvado was the boss of the monks and all the Aboriginal people who, I wouldn't say they were captured but, out of curiosity, they came to see these monks. Curiosity got the better of them and they got these Aboriginal people – my father and all his family. Bishop Torres plus Bishop Salvado – but he was just a priest at that time; he was Father Salvado – won the trust of these Aboriginal people and then slowly they were taught Christianity ... all the things like, you know, looking after themselves, looking after the land – even though they owned the land. The monks won their trust and that was exchanged for flour, tea, sugar ... trinkets. Father Salvado, at that time, was a good man and he had good intentions for the Aboriginal people. He did such a good job with these Aboriginal people in that area that Bishop Torres wrote to the Bishops in Rome, the Cardinals, saying that this man, Father Rosendo Salvado, was doing such a wonderful job with these Aboriginal people, therefore he should be appointed a Bishop. And so, while Father Salvado was working with my family, Rome received that letter and they wrote back to Bishop Torres, saying, yeah, we know of his work and all the things he's doing for the native people ... we would be quite honoured to make him a Bishop. So, the Vatican sent him the fare back

from Perth and New Norcia and he was to jump on this ship and sail from Fremantle all the way to Rome. And, of course, that was, what, 18 months, two years by boat, to get to Rome.

And by this time, while he was gone to receive his appointment as a Bishop, Bishop Torres – through his cunning – wrote to the government and said: I think this land should be given back to the monastery, and we can distribute whatever we think is right. So the government apparently wrote back to Bishop Torres and said to the Benedictine monks, you can have the land and when you see fit and the native people have achieved their object of working the land and caring for the land – and they already did care for the land – you can give it back to them. So, Bishop Torres received this great big parcel of land set for the Benedictine monks, and that was all in his name, or the Benedictine monks. This was all unknown to Bishop Salvado, because ... I guess, he was quite excited going from a priest to a bishop. While he was over in Rome or the Vatican, this has all been going on behind his back, and Bishop Torres got all this land. All this land that once was supposed to be given back to the Aboriginal people to care for, it was given to the Benedictine monks ... This has been passed down to me; the story has been told to me by very respected elders. When Bishop Salvado got back, he's back with the native people who he loved working with: he had been telling the people at the Vatican that these people could quite easily look after the land, care for it and turn it into great big farming areas and do wonderful things with it. But it was too late: it all belonged to the Benedictine monks. When he actually found out the truth it really hurt him, because of what Bishop Torres had done – he had strong links to the government in Perth at that time.

AB: You've just finished writing your life story about being in New Norcia. Can you remember much?

AT: Yes, I can. I remembered a lot of that life and, quite amazingly, looking back on the child as he went through the New Norcia Mission. I am quite fascinated by the life he lived in that particular era – in the late 50s and into the early 60s. They were very cruel to that child. I think what helped me most is I severed all ties with that child. I gave him that life ... I watched his life unfold before my eyes as I wrote his story. It was the only way I could write this story. We were two complete opposite beings: he was the child; I was looking at that child. Doing that helped me a lot to write. I was quite sympathetic to that child, but if I was to play the part of that child I would have hurt. The child suffered ... day to day through the ... Spanish culture ... the Mass ... religion ... the floggings ... being called an ugly little black devil, being told that you're never going to make it in life; that you're going to drink yourself to death at a very early age. That child used to agree with those brothers when they used to tell him these things. He used to say: 'Yes, brother, I'm going to do that when I grow up.' The more I write about this child, I feel sorry for him. I think that child became my hero. ...

That child became my hero by giving me his life for me to tell the world about the sufferings he went through in the mission. They've always told him that his Aboriginal culture was a mortal sin and his Aboriginal language was a mortal sin. You know, you tell this to a six, seven-year-old child ... and they made hell such a damning place ... all the kids in that mission didn't want to go to hell; they wanted to go to heaven. I remember he became an altar boy at the ripe old age of eight; he served on the altar of God. He

thought that, by getting on the altar of God, maybe I'll make friends with God. God lived on the altar. And they changed the wine into Christ's blood and they drank this – the priests – and then the holy bread, that was Christ's body. And he thought, by drinking this wine and swallowing Christ's body, he could become something like Jesus Christ. Because he was – not only him but all his friends – downgraded, humiliated ... they used to get floggings over nothing ... Mass was every day, every night ... prayers. They didn't want to educate those children at that particular time. What they wanted to do was domesticate these children, and hopefully they would become good labourers.

By telling the story, I find that the child, sort of, doesn't belong to me. I'm trying not to ignore the sufferings that child had but I feel as though I want nothing to do with his life.

AB: But at the same time, you said you befriended him and you admired him.

AT: Exactly. Our people have heroes; well, that child is my hero. He gave me his life for me to write. I mean, there's something in our lives, like when we feel ... you don't want to relive the hurt, that pain. But I think that child helped me ... mentally.

AB: And that's where you started writing – with the child – didn't you?

AT: I started with the child. When I started on my memoir, 'God, the Devil and Me', I found, by keeping that child with me, it was hurting me ... to the point I thought, I couldn't do this; I've got to separate from him ... sever ties with the child, and let him go back into the mission and let me look at him. This was his suffering. Although there was a lot of suffering, he found that with the other boys in the mission, within the ranks of confinement, there was a lot of ... laughter ...

AB: Did you see much of your parents or your extended family while you were in New Norcia, or were they too far away?

AT: There were a lot of children in that mission, and most of the other kids, their parents were in different towns and a very long way from New Norcia itself. And, in that particular era, if your parents wanted to visit you, they had to go to the native authorities, get a pass from the native welfare, and then take it to the police, who stamped it, then you were able to go from, say for instance, Perth to New Norcia. They had to catch a bus or get a lift somehow. And when they got to New Norcia – this is any parents who wanted to see their kids – the police pulled them up and said, 'What are you doing in this town?' They knew straight away that you were strangers. You had to produce this pass to authorise you to travel from wherever you came from. I mean, South Africa learnt from this government. I think a delegation from South Africa came over here, particularly in Perth, and they learnt from the government here, and they went back and put the same ruling on their blacks as this government did to the blacks in this country at that particular time. And, if you ask me, I think Hitler learnt too from them.

AB: You also wrote a little bit about Toby, about that child, in *Long time now*, didn't you?

AT: Yes. Toby and that child were very good friends. That child couldn't see Toby. I remember him sitting on a log and Toby his friend would always be with him. He couldn't see Toby; he didn't have an idea what Toby looked like. But he imagined this Toby to be something like him. Toby's mum and dad got killed in a car accident when Toby was a young boy. And so he felt for Toby, and I guess Toby felt for him. He

couldn't see Toby but Toby would talk to him and he knew when Toby was cryin' ... all these emotions that his little body felt. Looking back on them, now I think I see a very humorous side to the child and to Toby. I remember him sitting on a log one day and he saw this beautiful rainbow and Jesus stepped down off this rainbow, and the child was talking to Jesus. And he said to Jesus, 'Please, dear Jesus, I have a friend here. Could you please tell me what he looks like?' And Jesus looked at the child, looked at his imaginary friend, and said, 'Look Alfred, I cannot tell you ... I cannot describe your friend. I know what he looks like, but I want you to use your imagination.'

AB: So, do you remember this – thinking this as a child, do you?

AT: Yes, this is the child. He can remember. I can remember the child sitting on the log and he comes in contact with the Devil. He even talks to the Devil. He tells Toby to go and look for the man with no head on because the Devil has taken his horse, Satan. And the Devil says to the child when he made contact ... see, what he did – he stole the horse of the man with no head on ... and, you know, it's crazy.

AB: So Alf, did you talk to Jesus and the Devil or the angels or God, and things like that when you were a child?

AT: Me or the child?

AB: The child.

AT: I tell you what, that child had a place in heaven. He was ready to go to heaven. But the longing for his mother ... he used to talk to Jesus, he used to talk to the Devil ... the angels ... It's scary, thinking back on that child's life ... to think back on him kneeling before the altar of Christ and speaking to Jesus as if Jesus were actually there. It's quite amazing. His memory is not so much my memory; he showed himself to me and I look at his life and I can actually see what he went through.

AB: I wanted to ask you a little bit about the humour in 'God, the Devil and Me' and *Long time now*. Your humour is complex and it's got a 'sting in the tail', hasn't it? And sometimes it's quite black ... it's quite sharp. Humour must have played a part in your lives as kids.

AT: Oh, it did, it did. It played a very important part in our life. Without humour, like I said, I would have been dead. You get six cuts across the hand and tears are flowing down your eyes, and you're ready to go and have a great big cry somewhere in a dark corner or against a wall. And then you look around and you see some boy doing some silly thing like falling over himself or trying to talk his language – you know it's a mortal sin – and he's trying to mix that up with English. You're covering your mouth and you're pointing at him and you're laughing and saying, 'You committed a mortal sin.' This is after your hands are still stinging. Like I said, laughter was my sunlight and roses while locked in New Norcia. That was the only thing we could turn to. I think Jesus, while nailed to the cross, at least he should have put a smile on his face. I reckon he'd look good with a smile. Even with a crown of thorns and two nails in his hands. I reckon the world would have loved him a little bit more if he had a smile on his face. Everyone tells you that he died for you, and I always think – yeah, a smile on his face would say 'I'm happy to die for you people.' And they'll all say, 'Yeah, you're the silly bugger that died.' That's the sort of thing that helps me.

AB: The humour in 'God, the Devil and Me' and *Long time now* is a critique of Christianity, the church, and white Australia isn't it? But it's also sometimes humour turned against yourself and you have a good laugh at Nyoongar culture – Aboriginal culture – too.

AT: This is one good thing about being a Nyoongar. You can always come up with some outrageous but funny things. And I think that was a gift that I was born with. In Aboriginal culture you will find not one but many clowns in a family, and they will also be the respected elders. They're a race of many characters I think.

AB: Do you think humour is quite a strong part of Nyoongar culture?

AT: It's got to be, because of, like I said, the degradation, humiliation and the ostracism. Because, I mean, they were all locked away; they weren't allowed in towns after six o'clock at night. If they were found in towns after six o'clock at night, the police had every right to come and pick them up, put them in jail, and let them out the next morning ... so that there's no trouble caused or they're not walking past some church or anything like that.

AB: We were talking the other day about 'God, the Devil and Me' and the way that you use the characters of Jesus, the apostles and Satan. You said that you like to challenge your readers and take them to different places.

AT: That's true because when you read a book, you learn. You gotta make the reader work out what the writer is actually writing about. I mean, gone are the days of Snow White and the Seven Dwarves. Reading now, I find is becoming more of a riddle, it makes people guess, makes them think. Even though in that mission that child suffered so much degradation, suppression, cruelty mental abuse, physical ... what I wanted was not only to have the reader cry with me, but also in a split second laugh along with me. And I found that by juggling humour and sadness they can actually go together.

AB: How do you feel about the past now that you've finished the memoir? Does it feel like it's a long way away?

AT: It does. It does seem so far away. It's like a distant memory, but again, the child, he reminds me of that memory. He doesn't want me to forget that memory. With all sorts of emotions I was suffering at that particular time I looked for escapes, through alcohol and drugs, but then I thought, okay, you're only hurting yourself. Why not let the child go and let him relive that memory for you? By reliving that memory, I look back and I felt for the child, not for me. I cried with the child. I laughed with the child even though sometimes I felt like getting the child and giving him a smack myself. But the child, he helped me. Now I can talk about the life of the child, and I'm free of hurt, free of resentments, regrets ... In other words...bearing a grudge. Because that child, I think he was the one who knew that I was hurting within myself. And instead of him hurting me, he let himself go from me. It wasn't me who was suffering; it was the child who suffered.

AB: I think that's an extraordinary accomplishment Alf. The humour is very powerful in your work, because you can write about terrible, cruel things, and some of the terrible issues facing Indigenous people today. You captivate an audience through humour.

AT: Writing in that particular way has helped me. I would say that it helped my readers to understand, or try to understand, what I am writing about. When I write ... I don't want my readers to feel sorry for me. If I do go into a structure of writing where I feel

hurt, then, with that hurt, I try and turn that into humour. I don't know – it's just a gift I've got of doing that. ... Like I said, it's my ancestors who guide me on the way I write. Because when I write, if I can't feel what I'm writing, I know my readers are not going to feel what I've written, so when I write I make sure that the feelings are in what I write. Because then I know that my readers are actually feeling what I feel when I write. I find it's very important, when you write, you've got to have feeling, and if you haven't got feeling, I think to myself, it's not worth writing at all.

AB: I wanted to also ask you about some of the stories in *Long time now*. I wanted to ask you first about the title.

AT: I remember a very good friend of mine, Peter Bibby. He said, 'look, I want you to continue writing short stories. You tell some extraordinary stories.' I wrote about eight, and he said, I want another 20, keep going. I was travelling all around Australia. Eventually, I got all these short stories out and I sent it all up to him. And he went through them, and just loved them. He said, 'Okay, we need a title.' ... I said, 'I've been at these stories for a long time now, and I want to get them out.' And I said, 'Call it *Long time now*.' It was there all the time.

AB: The phrase is mentioned in the last story, isn't it?

AT: Yes, I use that all the time, 'long time now'. And in the book, *Long time now*, I bring people who have since gone on – I bring them back to play a certain part, so I myself haven't forgotten them. That's my way of reminding me that they are still around somewhere.

AB: So some of the characters are based on people who have passed on?

AT: Well, in some Aboriginal cultures, using the Aboriginal names of deceased persons is forbidden. So I don't like to say any names, especially the names of the people I'm writing about, say, the Wongi people.

AB: And in *Long time now*, Edward Jacky Singer and Nora – are they based on your mother and grandfather?

AT: ... No. ... He was a tribal elder, and I call him that because ... the Aboriginal people had their original Aboriginal given names, but the white men couldn't say them. Native Affairs couldn't say their Aboriginal names so they give them Singers, Billy-cans, Taylors, and you know ... easier to say. So with Edward Jacky Singer, I started the story and I didn't know what last name to give him, and I looked around and there was a sewing machine in the corner ... and I thought, that's it – Edward Jacky Singer, that'll do. So that's originally come from a sewing machine, that name ...

AB: Some of the characters, like 'old Tommy Toothpick' and 'Uncle Dollar' and so on, represent a certain generation of Aboriginal people that is disappearing. Do you think it will be replaced by another one?

AT: No, I don't think so. I think that particular generation of people ... those people were actually true to life, you know, I've seen them myself. But what I've done is I've picked out, like with Tommy Toothpick ... I've picked a certain emotion or whatever ... I picked something from him ... I pick them all, and make this one ...

AB: A composite character?

AT: Fantastic, yeah.

AB: Some of them are very charismatic. They're very engaging ... almost larger than life. They're magnetic personalities.

AT: They are. These characters I've created, even at the Queen's Birthday party, they could walk in and all the guests' mouths would fall open, and they would just openly, blatantly stare at them with open mouths – just gaping at these people. I wanted that.

AB: Well, you certainly succeed.

AT: They are the Elvis Presleys of the Nyoongars.

AB: And I guess they won't ever die. Like Elvis keeps coming back.

AT: These guys, they'll be around forever. When I first started writing *Long time now*, the characters I created in my head, they were actually living with me. They were actually with me ... in my flat. I'll probably end up in a mental institution after this gets out. Tommy Toothpick ... what I saw first in my head... was an old boy, old bloke, with a toothpick in his hand, cleaning his teeth out after a lavish meal. But, as you know, it would have to be kangaroo meat and damper. And his face became clear to me, and then I started to giggle to myself; I thought, this is it, this is it. The child in the mission ... I think he was eight when he wrote his first story. And what scared him ... all these images, emotions he was going through. I'm getting back to him. They weren't allowed to feel emotion at that particular time, and what was scary was the images inside his head.

Because it was a Catholic school, you believed in Jesus, Mary, Joseph and all those other silly buggers ... it was scary for him. And he thought that the Devil controlled his mind, because the only images you were supposed to get in your mind were Jesus and his mother looking down upon you. But when he first started to write, he got all these images in his head and he was too scared to tell the other kids next to him because they'd laugh at him, and they'd go and tell the brother and say, 'He's got things in his head. He can see things in his head.' Well naturally, you were classified as Satan. Then you'd have to get up there and six cuts across the hand, and kneel in front of the altar and start praying ... forever.

AB: So, the Devil was quite a strong part ...

AT: He played a very important part in the child's life. The Devil was forever around him. There was only God and the Devil. They were the only ones who played a major part of his life. And I think it was hard for him to clarify between the two. I mean, it's quite amazing what they did to this child by putting all this stuff into their head. They were saying one minute, 'You be a good little boy; Jesus is going to take you into heaven, and you've got all this beautiful garden. There'll be no one calling you any bad names ... no mugs floggin' you'. Next minute, you stole a marble off your mate, and they take you and give you six cuts across the hand and tell you that you've committed a sin. And you say, 'No, I didn't, brother, I didn't take his marble.' And then they say, 'Yeah, but Jesus or God, he saw you take that marble.' And that confused you. And you think to yourself, 'No, I looked around and there was no one around – no person around.' My deliberate intention was to steal this marble, and you made sure that everything was clear ... and you pinch a marble. Then the boy goes and counts his marbles and he's got one missing, and you're the last one who walks through the chapel door. And you're there, and you lost his marble – another kid beat you for his

marble – and you swear black and blue ... you've got the most angelic face any child could have ... and you say, 'No, I never took that marble, Brother.' And you've got your hand clasped in prayer ... And then the Brother looks down and he said, 'No, but you know who saw you?' And you're thinking ... and you say 'no'. 'Jesus saw you take that marble.' You say 'augh, dash!', but you don't answer. Then you stop and you think, 'that's right, yeah, all the kids, no one was around me, Jesus did see me, so I did take that marble' ... six cuts. Now I look back upon that life and I enjoy talking about it. Because I think the child saved me, and he gave his part of life that I can write about. It's quite amazing how I've got connection with this child. Even though he's not a part of me, I've got a connection to him.

AB: And the older characters that we were talking about – Uncle Dollar and Tommy Toothpick and the others. A lot of those older blokes, you seem to be very interested in writing about those old blokes. They seem to be people full of wisdom ... full of life experience ... but they also seem precariously close to death.

AT: Aboriginal people have got a life span of about 50 years. And now with drugs coming into the Aboriginal communities, it's dropped down. I give my characters age with dignity – still have them with pride, even in their own little communities ... integrity ... even compassion. So, my characters are mainly built on older, much wiser gentlemen. When I say older, they'd be in their early to late 70s, even early 80s, and still carrying on like they were 20 or 30.

AB: You're very affectionate towards these blokes, and very accepting of them, even though they are drinking themselves to death.

AT: What I am trying to get across in those stories is to be mainly delivered to the young Aboriginal men and women today. That's why I create my characters in their 80s ... they've done everything ... worked ... but mainly they enjoyed their alcohol. The older they get, the more they drink and they're on death's row. And my message is mainly for the younger generation today: look, if you keep drinking and using drugs today, you won't even see the age of these old guys who are still drinking today, and they are still managing to tell their stories to their younger children or grandchildren.

AB: What I find very fascinating about these characters is that you're not judgmental: you seem to have a wonderful ability to accept the foibles of your characters.

AT: Yes, because sometimes I think I play those characters – I become a part of those characters – and therefore I see me in them. And I want them to make people like these characters. So, I think it all goes back to the child, because no one wanted this child when he was a child. He had a cruel upbringing and ... he was ostracised in his own country. And, not only him but the rest of the children too. I'm looking at him not as a child but as one of my characters, and I think he wants to be loved by everybody. So, when my readers read of these characters and say like what you just said – they're likeable ... I want that child to be liked too. So therefore, I go between the child and the characters I create.

AB: And the story about the black trackers – you must have been drawing on some local history about that, eh?

AT: Ah ... yeah. I've heard a lot of stories about the black trackers in the time when they were first introduced to help the police to track people. And then the police gave them

powers, only amongst their own people, in the missions like Mugumba. What they used to do to their own people, you know.

AB: But they weren't Nyoongar or Wongis, were they? Were they brought from outside?

AT: ... Yeah, they were brought down from up the Kimberleys, somewhere like this. I don't think they were related to the Nyoongars, but they were given ... this power to do whatever they want to their own people. And the Police and the Superintendent of the mission let them do what they want.

AB: And, going back to those old blokes, I know that you've written about your own struggles with alcohol, especially in your poetry. I found *Winds* very powerful.

AT: In *Winds* I went back to the child too. I think I was blaming the child for giving me this life. I blamed the child for making me hit the alcohol and whatever stuff there was around at that time.

AB: I thought you were very frank about your difficulties with alcohol and ... the pain that people have with this, in those books. And we can kind of see that with the old boys in *Long time now*, too, so you're obviously concerned about the impact of alcohol.

AT: It played a major role in my life. I can go off blaming everyone else but ... I guess I was looking for a excuse. Like I said, I was blaming the priests when they told me you're going to drink yourself to death, and I agreed with them and actually I nearly did what they wanted me to drink myself to death. I was quite lucky to realise that alcohol doesn't solve any problems; it adds problems to problems. And I found that out waking up in ... some God-forsaken place. Yeah, alcohol played a prominent part in my life. Like I said, I've got no regrets; that was part of my upbringing, my adulthood ... maturity. But one thing, when I knew that alcohol was taking control, I had a lot of good people around me – Ben, my brother. He helped and supported me, but the bottom line was for me to make this decision. He was always there but I was always falling down again, and he said to me, 'Look, the only way you can do it is, you do it yourself.' And the pits were coming up pretty fast towards me. And I just said, 'that's it, no more'. I don't know how long ago it was, I can't remember. I don't think I want to remember. It's like it never happened to me.

AB: Alf, can I ask you about yarnning? We talked about how that's so much a part of remembering the past and so on. And a lot of your characters tell 'tall tales', don't they? It seems to me that some of the yarnning is like 'pulling the leg' of the reader.

AT: If you're going to ask 'why', I don't know. Aborigines – mainly Nyoongars – their saying is, 'get him on top of that tree and then cut it down on top of him'. It's like, they can tell you anything, if you're silly enough to believe them. They've taken you up that tree and they're cutting that tree down on top of you. Yeah, and also, it goes back to the old blokes again. They'll get a bottle of plonk ... they'll start off, just yarnning in general ... one'd tell a story, and it'll be, that's pretty good. This other fella, he'll think ... aw, yeah, I can outdo that. Then he'll bring another story that will outweigh that one. It's like ... one tells a story and then another guy beats you, then another one comes up with one that's better. It's like a chess match.

AB: Sort of 'upping the ante'? ... In one of the stories in *Long Time Now*, you talk about the statue of Yagan and Tommy Toothpick also having a sort of 'forlorn hope', and that

phrase has always stuck in my mind. And at the end, Yagan exacts his revenge, doesn't he? I'm wondering about that phrase, 'forlorn hope'. It's very powerful.

AT: Tommy Toothpick and Yagan ... they would have to be identical in structure. Not in height, build or anything like that, but in their roles in society. And Yagan ... I guess, he had that with him — he carried that all his life until they cut his head off. And I guess, Aboriginal people who, today, want to make a contribution to society — I think they feel the same. For me, I can still contribute through my stories. Now I'm in a position with my writing ... it has given me more power, and there I go back to the child who made friends with that pencil. And that pencil was his weapon. This is where I find when I write, that the pencil, pen, biro or whatever is *my* weapon. I can tell people exactly what they want to hear, or I can make people very uncomfortable. But I try to write from a neutral corner, and go between the centre of that ... uneasiness ... Because I don't want my readers to be uncomfortable when they read.

AB: And can I ask you also about another character from *Long Time Now*: Charlie. I'm really intrigued by Charlie, especially that line that he could talk to a snake into biting itself. He seems like a real character — a real trickster. I wondered whether you could tell us a little bit more about what kind of character he is.

AT: Charlie ... he's a normal Nyoongar person, you see anywhere around the traps ... very shrewd and cautious ... I think he reminds me of me sometimes too ... Yeah, he sort of became real, true to life for me. He's very shrewd. If you put him seven days in hell, I reckon he'd manage to talk Satan into giving him a glass of water while he's staying there. Or send him up to heaven and he'll manage to get the angels to fly upside down. Very convincing ... plus charming, and ... he knew how to get around people.

AB: Do you think that you're a little bit of a trickster, like Charlie, in your work? Are you trying to do a kind of similar thing?

AT: I think I've learnt more from Charlie than I've learnt from me; or any other fraudster/trickster I've known. I learnt a lot from Charlie. You know, just by his ways of manipulation, yeah, he was an expert at that.

AB: Was 'God, the devil and Me' difficult to write while the brothers and fathers were still alive?

AT: Yes, it was. Starting off on that, I didn't want to upset the people who were still alive. But I wrote their names – their given names – I put that to the paper, and I was very uncomfortable with that. When people heard about it, they started to say things like 'you want to watch it, you're going to get sued' and 'they're going to stop it' and get an injunction or whatever. It was hard, to start off, but the more I worked on it, the more I thought, 'okay, this is how it's meant to be, is to tell the truth'. And I guess all people want to know is the truth, regardless of these people who are still alive, or whether they're dead. The two monks who cared – well, looked after – us kids, they've passed on. And that gave me open slather to say what I want. And I think 'God, the devil and Me' is ... I would say I was in a battlefield. I felt that I was ducking bullets while writing this. Going back to the upbringing of the missionaries ... they led me to believe that you cannot defame God, the missionaries, or Captain Cook. I often went back and thought about this, and at the end I thought, 'go for it!' At the end I didn't want to let it go. I kept on wanting it with me all the time. I think the child was more upset that I finished it, because he thinks that I have put him away in some cupboard

and doubts if I'll ever let him out again. I told him, you'll always come out when ... not when I want him to come out but he can come out when he wants to come out. So, there's a lot of understanding between us. But writing 'God, the devil', the first part of it was really, really hard. I think that's where the alcohol and drugs played a very important or major part in my life. Working on this was going back to what that child went through and alcohol was an escape for me not to think of that child living through all his horrible upbringing – his cruel upbringing. But now, once I got into it, like I said, I got to the stage where I didn't want to let it go.

AB: The book? It was really hard finishing it, wasn't it?

AT: It was, it was. I didn't want to let it go. I wanted it forever to be around ... I wanted it with me. But I think the most important part is where ... I actually left my body and went into heaven. I was a soon-to-be 13-year-old boy, and there I am, meeting all the apostles ... I met Mother Mary first. She put me on her lap and talked to me and ... I was very fond of Mother Mary, Jesus's mother, because in the Mission, when you lose a mother, it hurts so bad you want a replacement. So the nearest I got was Jesus Christ's mother. I wanted to take Mother Mary away from him and say 'that was my mother, Jesus; you go in the mission and find another mother'.

AB: *Long time now* has been translated into Spanish, and you were in Spain last year. How do you think the Spanish audiences will react to the book?

AT: I think the Spanish people will love it, because I write about a Spanish school teacher. When I heard that the Spanish publisher wanted to publish this, what I thought, it was my ancestors again have planned all this out for me ...

AB: Your portrayal of those people and Christianity is pretty harsh, isn't it? How did they react to that? Did they take it on board, or ... ?

AT: Yes, they took it on board, but I think the greatest surprise I think they got is that an Aboriginal person – a member of the stolen generation – who was taken away from his parents and brought up by Spanish people throws stones back at the Spanish people ... and the younger generation, they really liked it. They really and truly, tremendously enjoy this book.

AB: What sort of reactions did you get from people?

AT: Well, it was mainly about religion. A few Spanish words which we picked up as children, from the use of the Spanish monks – that sort of shocked a few of my Spanish audience members over there. They just can't believe that these Spanish monks could actually use those words on another person, especially little Aboriginal children. They were a bit taken about. ... Yeah, I think they were, in fact, quite shocked that these monks used those words on us.

AB: Well, to finish up, Alf, can I ask you about travelling outside Australia and talking to audiences outside Australia. Are they different to Australian audiences?

AT: I find the European audiences in Spain, Germany, the UK, and even audiences over in India, they were sort of fascinated. Like this child was taken away and turned around and can actually poke fun at the landing of Captain James Cook and Jesus, his apostles and you know, anyone. They're fascinated to find out there were Aboriginal people here a hundred thousand years before the First Fleet and Captain Cook. Most of the audience in Australia, you know, know what I'm talking about and so it sometimes ...

gets a bit embarrassing for them, as they actually come from the landing of the First Fleet, in the English tradition. But now many take great care to try and understand the Aboriginals who were here long before the First Fleet and I think they're becoming aware that the Aboriginals were actually here first.

AB: That's a great note to end on. Thanks so much Alf.

AT: Thank you Anne.

Acknowledgements

I'd like to thank David Jardine and Mandy Swann for transcribing this interview.

References

- Taylor, Alf 1992, *Singer songwriter*, Magabala, Broome, Western Australia.
- 1994, *Winds*, Magabala, Broome, Western Australia.
- 2001, *Long time now: stories of the dreamtime, the here and now*, Magabala, Broome, Western Australia.
- 2006, *Voz del Pasado*, Spanish translation, Takusan Ediciones, Barcelona.
- 2001, 'God, the Devil and Me' excerpt in *Those who remain will always remember: an anthology of Aboriginal writing*, Anne Brewster, Angeline O'Neill and Rosemary van den Berg (eds), Fremantle Arts Centre Press, Fremantle.
- 2003 'From "God, the Devil and Me"', *Westerly* 48.
- 2005 'Peter meeting Judas in Heaven', *Westerly* 50.

Hilary Charlesworth launches *What good condition? Reflections on an Australian Aboriginal treaty 1986–2006*

This is the text of the speech given by Professor Hilary Charlesworth to launch What good condition? Reflections on an Australian Aboriginal treaty 1986–2006, Aboriginal History Monograph 13, 2006 edited by Peter Read, Gary Meyers and Bob Reece.

The launch was held at the Australian National University on Friday 25 May 2007.

I am very honoured to have been asked to launch this fascinating and feisty volume.

The book chronicles the debates about whether a treaty would be a useful mechanism to achieve reconciliation between Indigenous and non-Indigenous Australians over the last quarter century, a debate that has proceeded in fits and starts. The concept of a treaty with the original inhabitants of Australia is not new: David Malcolm's chapter in the book notes that Saxe Bannister, the Attorney-General of New South Wales, proposed such a treaty to the House of Commons in 1837. In modern times, as Peter Read's opening chapter reminds us, the idea of a treaty between white and black Australia was proposed in 1979 by Nuggett Coombs. Coombs established the Aboriginal Treaty Committee (whose members included Judith Wright and Bill Stanner) and Peter Read gives an engagingly frank insider's account of the Committee's work and the problems it faced, and the problems it created. One major issue was that there was minimal engagement in the work of the Aboriginal Treaty Committee by Indigenous people, and community leaders such as Charles Perkins and Neville Bonner saw the treaty idea as an unrealistic project. They sought instead economic independence through land rights. At the same time, the National Aboriginal Conference announced its interest in negotiating a treaty, or *makarrata*, and there were complex, delicate negotiations between the two organisations, which Tim Rowse describes lucidly in his chapter of the book.

Political interest in the idea of a treaty waxed and waned over the next decades, with a Senate Committee rejecting the possibility in 1983. The Barunga statement, signed in 1988, committed the Hawke government to work towards a treaty, but little happened to follow through on this promise. More recently, in the last years of its life the Aboriginal and Torres Strait Islanders Commission (ATSIC) became involved in the treaty issue and supported public discussion on the topic.

At the moment, there is little public attention given to the subject of a treaty; the emphasis is on what is termed 'practical reconciliation', whose goal is, as the Prime Minister said in May 2007, 'absorption of Indigenous people into the mainstream', as though they were a sort of stain, or as if claims to Indigenous particularity were somehow destructive and offensive. Practical reconciliation has adopted the treaty language

of mutual obligation, which implies equality of position, but it has corrupted this term to mean a carping, punitive, paternalism.

I must admit I found much of what I learned from this volume quite confronting. Like many international lawyers, I have been educated to have great faith in treaties and formal agreements and to believe that the clarification of obligations and rights is always a good thing. But the accounts of the authors here gave me pause. The editors of this collection offer a rather sobering, indeed pessimistic, conclusion about the utility of a treaty which is nicely summed up in the book's title 'What good condition?'. Readers will quickly discover that this line is taken from Shakespeare's play *Coriolanus* where Aufidius, the Volscian general, who is defending his city, Corioli, from the Roman invaders, replies to the assurance that the Romans will return his city 'on good condition' with the despairing retort that a treaty is of little use to those who are at the mercy of the conquerors. This is the underlying theme of many of the contributions to this volume: Peter Read suggests that a treaty may be of considerable value to *white* Australians because it gives legitimacy to the European presence in Australia, but argues it is not clear how it would assist black Australians. Eddie Mabo Jr refers to the 'treaty sideshow' and asks 'how can we explore a treaty when our communities are not able to govern themselves efficiently, economically and politically?' (p 99) So also, Sue Stanton cautions about the easy confusion and corruption of a treaty process. Steven Churches in turn tells the story of the perils of agreements negotiated between parties of unequal power, in the fascinating context of section 70 of the Western Australian Constitution.

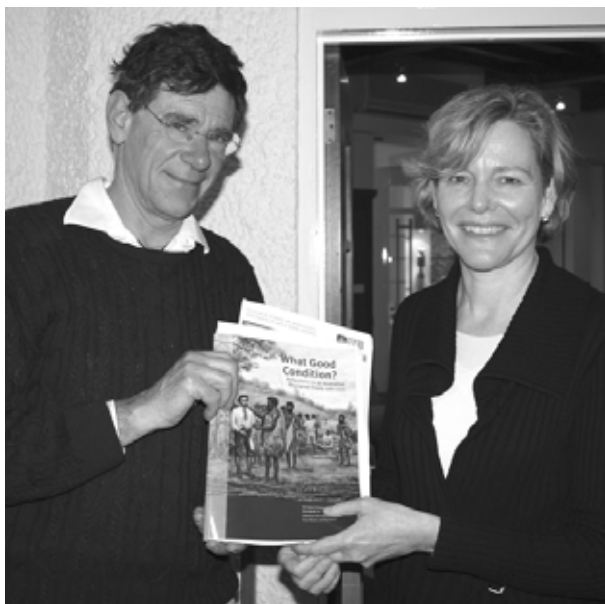
Drawing on the Canadian experience, Ravi de Costa makes the subtle argument that we should not see treaties as an equalising mechanism, but rather as a way of communities understanding their own diversity. He argues that treaty makers have to be prepared to work on many fronts and 'to perhaps forgo perfection' (p 26).

So, the basic problem identified in this book is scepticism about whether a treaty would improve the lives of Indigenous people. But what makes this book so marvellous and rich is that it has many strands and currents and perspectives: some overlap, and some are in sharp contrast with each other.

William Jonas is far more optimistic in his chapter than Peter Read or Eddie Mabo Jr about the role of a treaty, if it were carefully drafted to allow two sets of rights: special Indigenous rights to achieve substantive, rather than merely formal, equality; and the full recognition of the inherent rights of Indigenous peoples, particularly native title.

Richard Ah Mat calls for a stop to the theorising and a start to action on a treaty, while Roderic Pitty ends his thoughtful chapter with the observation that the problem for a treaty process now is not who would negotiate for Aboriginal Australia, but who would negotiate for white Australia; the current lack of political leadership on this issue leaves a destructive vacuum.

I learned a great deal from Mick Dodson's bracingly legal analysis of the constitutional basis of a treaty and what it might contain, and from Lisa Strehlein's illuminating analysis of the idea of sovereignty.



Peter Read and Hilary Charlesworth at the launch of *What good condition? Reflections on an Australian Aboriginal treaty 1986-2006*

The book contains a focused and useful examination of Indigenous rights in higher education by Greg McConville, which draws on the Coolangatta Statement on Indigenous Peoples' Rights in Education, adopted in 1999 – a significant document of which I am ashamed to admit that I previously knew nothing about.

In the end, I kept coming back to Larissa Behrendt's clear statement of optimism about a treaty in the foreword to the book. She emphasises the value of dialogue about a treaty and the conversational process in itself. She is less concerned with the basic inequality of position between

white and black Australia and argues that treaty talk requires consideration of the big picture, and articulation of what Indigenous people want.

Let me finish by remembering that in Shakespeare's play that gives the book its title, the once sceptical Volscians do finally enter into a treaty with Rome, with the terms being negotiated by the Volscian's former bitter enemy, Coriolanus. However, the play concludes with the brutal death of the negotiator by the Volscians because they feel that Coriolanus has too readily agreed to a peace agreement with the Romans, instead of sacking the city. That dramatic ending reminds us that, if there is ever to be an Australian treaty between Indigenous and non-Indigenous Australian, there has to be ownership of the treaty process by the broad Indigenous community, and a lack of narrow legalism and a generosity of spirit on all sides.

I think that this volume performs a great service by capturing such a rich tapestry of perspectives on the treaty issue. It has considerable historical value in tracking the treaty debate in all its twists and turns over the last 28 years and also great political significance in clarifying the range of options at stake. Most of all, it is significant in forcing us to face the tough question about whether the treaty enterprise is doomed from the start. Now that all the pieces of the puzzle are so clearly laid out in this marvellous volume, there is some possibility of resolving this issue.

Indigenous history research resources online at AIATSIS

Readers of *Aboriginal History* will be familiar with the riches of the library at the Australian Institute of Aboriginal and Torres Strait Islander Studies. Many will have explored its invaluable collections for research and reference. They will also have experienced the guidance of its dedicated and expert staff.

Over the past few years the library has initiated an active program of digitising, and making available on-line, components of its collections. This includes guides to special manuscript collections, for example the papers of WEH Stanner, LR Hiatt and Alice Moyle. Also covered are resources vital for topical research areas such as Native Title investigations or the history of the Stolen Generation and their legislative bases.

Rod Stroud, AIATSIS Library Director, has provided advice on the recent important additions to these digitised resources, and how they may be accessed:

- The AIATSIS Library has placed on its website all the state and territory laws cited in the *Bringing them home* report, including all the major 'Protection' Acts. Additionally, the library is making available all the published annual reports of the state and territory government agencies administering Aboriginal and Torres Strait Islander affairs from the 19th century to 50 years ago.
- All of these reports will be searchable, which will greatly enhance their research value.
- In 2008, Royal Commissions and government enquiries into Aboriginal and Torres Strait Islander matters will also be digitised.
- To see these and other resources, go to the library's Online Exhibitions web page at http://www.aiatsis.gov.au/library/online_exhibitions

The Sally White/ Diane Barwick Award for 2008

The Sally White/ Diane Barwick Award is presented annually by the Board of *Aboriginal History* to a female Aboriginal or Torres Strait Islander tertiary student who is about to start, or is, already studying for an Honours or post-graduate degree. The Award can be used for any appropriate research-related purpose.

Future candidates for the Sally White/ Diane Barwick Award are invited to apply in writing at any time, for selection in April of the following year. Please apply to Aboriginal History Inc. PO Box 3827, Canberra, ACT, 2601.

Contact the Treasurer, Robert Paton on 0419 736459 for further details.

Reviews

A Frontier Conversation, produced by Wonderland Productions for the Australian Centre for Indigenous History, Australian National University, 2006, 54 minutes, directed by Claire Haywood, distributed by Ronin Films at www.roninfilms.com.au

Ann Curthoys
The Australian National University

This film depicts a journey in which I participated. Organised by Ann McGrath from the Australian National University, a group of historians from ANU, Charles Darwin University, and several US universities visited a number of Indigenous communities in the Northern Territory in August 2004. The aim of the group was to start up conversations between Indigenous historians, story-tellers, and heritage workers and non-Indigenous historians about the meaning and purpose of history. My main role in the trip was to assist Ann with the interviewing to camera, especially of the members of the tour, catching them at odd moments, seeking their immediate reflections on the conversations they had had with various Indigenous people. The presence of the camera affected the trip very considerably, in forcing us all to formulate and record our ideas as we went.

The visit was an experience in itself. I went as a university-based historian with a long interest in Indigenous peoples' rights and in Indigenous history. It was invigorating and inspiring talking with people whose understanding of history is very different from that of professionally trained historians, but who probably see it as even more important than we do. I learnt an enormous amount about the role of memory and history in the lives of people in the present, and the way it can shape and alter community identity, pride, and cohesion. These are issues that in fact affect all Australians, but the way it works for Indigenous people is often very different and distinctive.

The finished film, I think, works on several levels. As producer and narrator, historian Ann McGrath is to be congratulated on dreaming up the whole exercise, and for taking chances, asking intriguing questions, and being open to some unexpected answers.

At one level, *A Frontier Conversation* is a very simple and watchable film about a group of historians from Australia and the United States visiting and chatting with Indigenous people in the Northern Territory. It is a road movie, with all the attractions of a road movie — beautiful scenery, diverse and interesting people, and the growth in awareness and understanding by the travelling historians. In the film, you see us meet, among others, language students at Batchelor College, park rangers at the Nitmiluk National Park at Katherine, representatives from the innovative and successful Indigenous commercial and community venture, the Jawoyn Association, and local oral

historians at Kakadu. Like the historians on the trip, we as audience look, listen, and learn. It looks wonderful, professionally shot as it is by Paul McGrath, in stunningly beautiful country. Though many of the historians are very reluctant film stars indeed, there are some natural performers as well, such as Gordon Briscoe and I think Ann McGrath herself.

As the film progresses, however, we realise that its concerns are not so simple after all. They are nothing less than the complex problem of the very different uses to which history is put in different cultural settings, and its varied meanings and consequences as a result. *A Frontier Conversation* asks some difficult questions such as: how valuable can histories written by outsiders to any community be? What are the responsibilities of the historian, Indigenous or not, to the people whose stories he or she attempts to tell?

At another level again, and perhaps unexpectedly, we find in this engaging film that what began as a search for dialogue about history, and perhaps the exchange of histories between Indigenous and non-Indigenous historians, becomes something else. I see this film as above all a challenging study of the role of historical practice in cultural maintenance and renewal. Again and again we learn that for Indigenous people their main interest in history is as an aspect of a larger project of cultural maintenance, retaining and sometimes regaining knowledge that was once common in the community and is in danger of being lost. Frequently we see people who were not really yet old enough to be considered elders, people in their 30s and 40s, struggling to retain and convey cultural knowledge that they felt was in danger of dying with the elders of their community. For them, any means of retaining or regaining this knowledge was welcome, and that especially included oral history, the recording of memories about the people, places, and events of the past. Many were very ambivalent about the role non-Indigenous historians could play in this process, but it seemed to me the door was nearly always open to further dialogue on this very issue. In the film, these issues arise again and again. In other words, it is not so much history as such but rather the interplay between the present and the past that becomes the story.

A Frontier Conversation should be of great benefit, especially in teaching and community group contexts. It should be able to provoke many discussions and further conversations. It will also, I think, become in time a record of *its* time, a particular stage in the ever-changing story of Indigenous survival and revival, and Indigenous-non-Indigenous interactions.

A response to *A Frontier Conversation* by Margaret Jacobs
University of Nebraska, Lincoln, USA

This intriguing and soft-spoken documentary brings together scholars of Indigenous history from both North America and Australia to meet with Indigenous communities and their locally-based historians in the Northern Territory. In these encounters, it becomes clear that scholarly, academic approaches to history often clash with the ways that Indigenous communities and their historians tell their histories. This is not news to

most readers of *Aboriginal History*; however, the film goes beyond this observation. It aims to show the possibilities for dialogue and fruitful exchange, as well as productive debate, when historians trained in different traditions of knowledge production meet and discuss their common passions for history. Rather than making grand claims about cultural breakthroughs, the film is quieter and more subtle, suggesting that this is only the beginning of a long conversation that must continue over many years.

I want to discuss just two of the issues that the film raises: first, the stakes involved for Indigenous people versus academic historians in interpreting and conveying the history of colonialism, and second, the possibility of telling history in myriad ways. As many of the participants point out in the film, many Indigenous people use history to connect themselves to their land, and both land and history are crucial to creating their identities. For historians who work within their own Indigenous communities, the film suggests, the survival, healing, and recovery of their own people is their primary agenda.

In contrast, what is it that drives non-native academic historians in interpreting Indigenous history? The film intimates several possibilities. Choctaw historian Clara Sue Kidwell notes that university-trained academic historians tend to be more interested in facts and causal relations than in questions of identity. Several other commentators in the film point out that academic historians write books that may only be read by a few hundred people, many of them other historians. And why do we write these books? Is it an 'indulgence', as Yale historian Jay Gitlin suggests, a 'first world practice', even a product and vestige of western colonial culture? Do we do it simply to advance our careers, as historian David Carment implies, or do we have higher goals to raise awareness among other non-native people in our nations?

While polite and circumspect, Indigenous-community historians in the film seem to view academic historians as, at best, irrelevant to their work. At worst, they see university-trained scholars as cultural appropriators who have extracted knowledge from Indigenous peoples for their own purposes. This perception may be deeply unsettling to many of us academic historians who imagine ourselves as exposers of atrocities, dispellers of myths, and seekers of justice; in short, as champions of Indigenous people. It is of course troubling to find out that we are viewed by many Indigenous historians much as a kind of latter-day Friends of the Indian, a group of white American reformers in the 19th century, who we now recognise as well-meaning, but ultimately paternalistic do-gooders who often did more harm than good because they did not consult with Indigenous people or see them as equal partners in the enterprise.¹

Such a chasm may exist between Indigenous-community historians and academics because of different conceptualisations of the use of knowledge. Within the academy, we are trained to value academic freedom, the ability to research and write about any subject that compels us and to make knowledge universally available. Indigenous communities tend to emphasise intellectual responsibility more than freedom and to believe that only certain groups of people should have access to certain types of knowledge. The documentary also suggests that Indigenous historians resent the near-

¹ For more about Friends of the Indian, see my book, *Engendered Encounters: Feminism and Pueblo Cultures, 1879-1934*, University of Nebraska Press, Lincoln, 1999: 10-12, 24-55.

monopoly that non-native historians have had in telling Indigenous history, or at least telling it to a non-native audience. We academic historians have indeed been the arbiters of what constitutes 'real' history — namely books and articles heavy on analysis with scrupulously documented footnotes — and a 'real' historian, a scholar trained within a university PhD program. Without accusation or blame, the film gently prompts its viewers, especially academics, to examine our assumptions about knowledge and to realise our responsibilities to Indigenous communities.

Overall, the film suggests that we academic historians need to do more self-reflective soul-searching. Why do we do what we do? Why do we do it in the way that we do? What are the stakes for us? Is this merely an intellectual exercise? Why are we seen by many Indigenous historians outside the academy as thieves of knowledge? As colonial conspirators? And after self-reflection, then what should we do? The film promotes conversation, exchange, dialogue, respect, and reconciliation as the historical practices we must embrace to overcome the distrust and suspicion that Indigenous historians often feel toward non-native academic historians.

This film also focuses on other ways of interpreting the past and conveying its meaning than through the written word alone, and this is the second issue I want to address. Historian Ann McGrath, the film's narrator and executive producer, suggests that Indigenous communities tell their histories through diverse media: performance — including song, dance, and re-enactment — the preservation of Indigenous languages, travel to and tourism within native lands, rock and bark painting and other visual art, and film. Moreover, the film extols the value of learning Indigenous histories through Indigenous means. We gain a fuller understanding of Aboriginal history, for example, when we hear Northern Territory administrator Ted Egan welcome the film's group in Darwin with a haunting and powerful performance of an Aboriginal song. Apart from the song's content itself, the history that led to Ted Egan's performance of the song suggests something of the complex historical encounters and interactions that have taken place on the frontiers between Aboriginal communities and incoming settlers. Through learning Indigenous languages, historians can also gain a very different sense of colonial history. We can see the power of this in the work of Hawaiian scholar Noenoe Silva, who, after learning the Hawaiian language, was able to access Hawaiian language newspapers of the late 19th century and to recover native Hawaiian opposition to annexation by the United States.² Travel to Indigenous lands and historic sites may also enrich our understanding of the past. I have experienced this myself on a tour of Fort Robinson in northwest Nebraska. While a Northern Cheyenne elder recounted his people's history there, we stood in the barracks which once confined his ancestors and looked out to the hills where they fled in the dead of winter. We could imagine the Northern Cheyennes breaking out of their prison and heading for their ancestral lands hundreds of miles away in Montana, and we could hear the shots of the US cavalry as they killed 64 Northern Cheyenne people on their bid for freedom.³

2. Noenoe Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism*, University of North Carolina Press, Durham, 2004.

3. For more on this episode in Northern Cheyenne history, see Joe Starita, *The Dull Knives of Pine Ridge: A Lakota Odyssey*, Putnam, New York, 1995.

These means of telling history engage the full range of human sensory experience; they rely upon the body itself to convey and understand history. I think in particular of the clowns who perform during ceremonies of the Pueblo Indian communities of New Mexico, who use their bodies to interpret the complicated history of their encounters with Spanish priests or with Anglo tourists.⁴ Such methods of history telling also require us to learn history through our bodies, as I experienced at Fort Robinson.

These are not, however, Indigenous versus white academic ways of doing history, and we should avoid settling into such simplistic dichotomies. After all, these forms of performative, bodily, sensory histories are equally compelling to many non-Indigenous Americans and Australians. In the United States, witness the popularity of Civil War battle re-enactments, or the recent re-creation of the Lewis and Clark journey. Participants are gripped by the fumes of gunsmoke and the aroma of a campfire, the sting of mosquitoes, the chill in the air or the heat of a uniform in deep summer in a way that they might not be by the articles and books that academic historians publish. This was even apparent at the Western History Association conference in St Louis, Missouri where part of *A Frontier Conversation* was screened. One session enabled conference participants to travel by bus from the conference hotel to the remains of Cahokia, the site of a densely populated and complex Indigenous Mississippian civilisation from the 1100s to the 1600s, renowned for building enormous mounds that loom over the Mississippi River nearby. As we historians lumbered off our buses on a beautiful sun-filled autumn day, we were herded into a small, windowless auditorium with concrete benches, where four academic talks about Cahokia were scheduled. As scholars delivered their presentations about ancient Cahokia, we squirmed and fidgeted in our seats. After two presentations, one bold historian asked for a break for air and restrooms, at which point virtually the entire group of western historians stampeded out the door. I fled out into the sunshine and the wind to climb out-of-breath to the top of Monk's Mound, to experience the view and the full sense of the place unmediated by academic dissection. And I was not alone.

These other ways of conveying history, however, also require interpretation. Historians — whether academically or community trained — are still important cultural mediators or, in the evocative term used by Azar Nafisi (author of *Reading Lolita in Tehran*), 'guardians of memory'.⁵ The phrase suggests the powerful connection between history and memory, a connection that academic historians cannot ignore, and a topic that has become a major interest to historians.⁶ Nafisi's phrase also suggests that memory — and history — can be assaulted and corrupted. As Czech writer Milan Kundera has asserted: 'The first step in liquidating a people ... is to erase its memory. Destroy ...

⁴ I have written about Pueblo dancing in *Engendered Encounters*, 1999: 106–48.

⁵ Azar Nafisi made this arresting comment at a presentation on September 20, 2006 at the University of Nebraska. See also her book *Reading Lolita in Tehran: A Memoir in Books*, Random House, New York, 2003.

⁶ There is a vast literature on history and memory. Two books that I have found particularly accessible and fascinating in this regard are Richard White, *Remembering Ahanagan: Storytelling in a Family's Past*, Hill & Wang, New York, 1998 and Nell Irvin Painter, *Sojourner Truth: A Life, A Symbol*, Norton, New York, 1996.

its culture, its history.⁷ This brings us back around to the first issue I discussed. The need for 'guardians of memory' conveys the stakes involved for everyone. The keeper or guardian of memory is an important and powerful social figure, but also one who may wish to keep others from obtaining their own direct relationship to history and memory. This documentary suggests that historical memory need not only be guarded nor conveyed through the work and traditional medium of academic historians, but that Indigenous community historians have a vital role to play, not only in keeping history alive in their own communities but in teaching a fuller and deeper history to the rest of us.

7. Milan Kundera, *The Book of Laughter and Forgetting*, translated by Michael Henry Heim, Penguin Books, New York, 1981: 159.

Book Reviews

First Peoples: Indigenous Cultures and their Futures by Jeffrey Sissons, 174 pp, Reaktion Books, London, 2005, £12.95.

As I write this review, the Commonwealth Government's 2007 intervention in Northern Territory Aboriginal communities is in its third month. This intervention, according to the official pronouncements, is motivated by a humanitarian desire to ensure the safety and wellbeing of Aboriginal children and families. Its advocates suggest that any attempt to paint it as a continuation of colonial policies is misguided scaremongering by those who want to maintain the status quo, irrespective of the suffering of women and children. Such arguments are emotive and close off the opportunity for any meaningful engagement with the complex social morass that is the historic relationship between Indigenous peoples and their colonisers. It is this fraught relationship that is the subject of Sissons' tightly argued book. And it does not require much reading to realise how easy it is for the contemporary Northern Territory intervention to look like so many other intervening acts from our colonial past. Sisson's book allows us to place the present intervention in a broader historical context.

Woven through the book is the theme that the process of colonisation involved the full assumption of sovereignty by the colonial state; not only over the land of indigenous people, but over the people themselves including their children and their very identity. A number of examples provided by Sissons bear an uncomfortable resemblance to some of the current emphases of the Northern Territory intervention.

For example, Sissons discusses the role of the 1865 New Zealand Native Land Court which, while ostensibly ensuring a certain protection of Maori land ownership, individualised land ownership. This, Sissons argues, enabled government and private businesses to by-pass kin-group leaders and deal directly with individual owners to acquire land. Traditionally communal land was in this way gradually broken up until it became uneconomic for any community members to hold on to their individual parcels. This, it seems, is very much a fear of those who are wary of the private leasehold arrangements which the Commonwealth is now enforcing in Northern Territory Aboriginal communities.

Another striking parallel with the past is the current intervention's focus on children. Few would dispute a government's responsibility to protect children who are suffering neglect and abuse. But any government intervention in the life of Aboriginal children must surely benefit from being conducted with an awareness of the history of such interventions. Sissons' fourth chapter, 'Indigenous Children', succinctly outlines the concerted efforts made to break down Indigenous socialisation by removing chil-

dren from the control of their families. The justification for such separation was always that it was 'in the best interest of the children', e.g. to remove them from the negative influences of tribal life or to provide them with the education they would need to function in the new society of which they were now a part. Yet in practice, the action was essentially violent and the impact one of profound personal and social trauma, as is now well documented. According to Sissons, the actual motive behind the removal of children was more sinister. He argues that governments 'were claiming ownership over indigenous children in order to claim ownership over indigenous land. The alienation of land required the alienation of children.' Native Title legislation in Australia lends some support to this view. To be able to claim rights in land Aboriginal peoples are required to demonstrate themselves as functioning societies, regardless of the past 200 years of social intervention they have been subject to. The past removal of children makes contemporary claims that much harder.

The spectre of endemic child abuse will always provide solid grounds for government intervention. More fundamentally it questions the future ability of indigenous communities to reproduce themselves in a healthy or sustainable way. Yet it is still important to remember that it is not that long ago that abuse was condoned and facilitated by the government that is now supposedly seeking to protect children. Mistrust and cynicism are understandable in that context, but could perhaps be assuaged if the past was acknowledged rather than brushed aside.

His short, well written chapters look at the meaning of 'indigenism', the way in which governments have tried to define the authentic indigenous, what it means to be indigenous in urban environments, indigenous citizenship and the recovery of an indigenous identity in the 21st century. His real interest in outlining the history of colonial relationships is to consider how a re-configuration or reappropriation of indigenous identities might look. He draws parallels between material objects and people's sense of identity. Just as objects and remains were removed from communities, displayed in colonial museums and claimed by the colonisers as 'theirs', so were indigenous identities. Individuals were classified according to nebulous blood measurements, entered onto Indian registers or 'exempted' from their own Aboriginal identity on terms defined solely by the colonists. And just as objects and remains are being reclaimed and returned to communities, so indigenous identities are being reclaimed. This reclamation, in Sissons' view, is a dynamic process. It is a project actively engaged in by many indigenous peoples. Significantly it is not a return to the past. People are not seeking to be 'tribal' once more. Rather it is a quest for a future in which indigenous people can be both strong in their own culture and citizens of a globalised world.

Sissons is no idealist and is frank about the challenges of such a quest. Any repossession of culture and identity is invariably only partial and circumscribed by the conditions of the nation state in which it occurs. It usually takes the shape of traditional culture based businesses and indigenous corporations. In fact any nation/indigenous relationship is likely to be very much defined by structures that stem solely from the colonist's culture: Aboriginal corporations in Australia are essential to accessing any government funding, for example. The attempt to reclaim children through indigenous schools is also limited, as no school can fill the gap left by the breakdown of a coherent indigenous society when it comes to socialising children.

Sissons is also dubious about the pursuit of 'self-determination' at least if it is understood to include territorial independence. Such a claim is unacceptable to all nation states. Most indigenous peoples today, however, do not have such an aspiration. For them, self-determination is about cultural and political autonomy. That aspiration can, and in some cases is, accommodated by nation states. But Sissons raises the sensitive question of whether self-determination from a position of financial dependence, the position of most indigenous peoples, is really self-determination at all.

Another tension explored in this book is that between urban indigenous people and communities who continue to live on their traditional land – and then of course there are those people whose traditional lands are now urban centres. This diversity in the living conditions of indigenous peoples today causes difficulties for policy makers, be they indigenous or non-indigenous, but also among indigenous communities. People in urban centres have greater access to education and the ability to navigate the world of the colonisers while those on traditional land have traditional authority, sometimes financial benefits from royalties or other land based income, and frequently more readily granted external endorsement as 'real' indigenous people. For Sissons this divide, where it exists, needs to be bridged to contest the divisive politics of authenticity.

Drawing on the work of native American writer Deloria, Sissons briefly proposes a model of a three-way relationship between tribally indigenous, ethnically indigenous and non-indigenous citizens of post-colonial states. In the end there are no answers here. There is, however, a whole lot of context which could usefully inform answers to specific policy problems, such as the Northern Territory intervention. While I found this book highly informative and relevant to current events, Sissons obviously did not have the Northern Territory intervention in mind when he published this book in 2005. This book also provides the reader with a good understanding of the complex dynamics that continue to define the relationship between indigenous peoples and the post-colonial states of which they are now a part.

Kim McCaul
Native Title Unit,
Solicitor General's Department
South Australia

The non-Pama-Nyungan languages of northern Australia: comparative studies of the continent's most linguistically complex region edited by Nicholas Evans, x+513 pp, Pacific Linguistics in association with the Centre for Research on Language Change, Australian National University, Canberra, 2003, \$99.

This volume is an especially significant contribution to the comparative study of Australian languages and thus ultimately to theories of Australian prehistory that may be based on such study. As Evans notes in his introduction, it is the first book-length historical study of the non-Pama-Nyungan languages of northern and north-western Australia, an area containing 'perhaps 90% of Australia's linguo-genetic diversity' (p. 3). While Evans himself does not discuss the more general implications of this diversity – it is a book for linguists rather than historians – generally it has been taken as evidence for

the relative antiquity of linguistic settlement in this area, in contrast to a later spread of the less diverse Pama-Nyungan languages across the remainder of Australia.¹

The main detractor from such a view has been RMW Dixon, who maintains that the widely held and traditional model of language development simply does not apply in Australia.² His own model would require quite a contrary interpretation of the diversity of non-Pama-Nyungan languages, namely that population movements have been too numerous and extensive to allow many of the languages to reach a 40–60 per cent ‘equilibrium level’ of shared vocabulary. Considering our lack of direct knowledge of actual prehistorical developments, Dixon’s theory can only be critiqued in terms of its logical basis.³ In this regard it may be noted that one motivation for Dixon’s approach was his ‘lack of success in applying the established methodology of historical linguistics to the Australian linguistic situation’.⁴ As time passes, however, the ‘established methodology’ has been applied to Australian languages with increasing success,⁵ the present volume being an especially important example of this precisely because of the diversity of the languages involved.

The volume makes its greatest contribution to the study of the Gunwinyguan family and related languages. These are dealt with in half of the 16 papers in the volume, including five authored or co-authored by Mark Harvey. Particularly important is Harvey’s ‘initial reconstruction of Proto Gunwinyguan phonology’, since this establishes a solid basis for the comparison of such other aspects of the languages as their grammars. This extremely careful and exhaustive paper could serve as a model for phonological reconstruction; with due caveats about possibilities of borrowing and discussion of the steps taken to minimise the problem, Harvey was able to identify 1315 sets of cognate words (not including the verb forms treated in the paper discussed next) that could support the reconstruction of forms in the protolanguage.

A second key contribution to Gunwinyguan is a reconstruction of ‘Proto Gunwinyguan verb suffixes’ by Alpher, Evans and Harvey (pp. 305–352). Following the best comparative approach, they do not merely posit reconstructions of isolated suffixes, but instead they present partial reconstructions of nearly 20 verb paradigms, whose shared idiosyncrasies provide especially compelling comparative evidence. These two key papers are supplemented by a number of others relating to Gunwinyguan. Particularly impressive is Rebecca Green’s paper on ‘Proto-Maningrida within Proto-Arnhem’, whose reconstructive work on 24 verb paradigms provides for the first time solid evidence of the relationships among the Maningrida area languages, as well as their more distant relationship to Gunwinyguan. The other papers include one by Evans and Merlan on ‘Dalabon verb conjunctions’, one by Merlan on ‘The genetic position of Mangarrayi’, and three others by Harvey on Western Gunwinyguan and on verb systems and object enclitics in Eastern Daly languages.

Aside from Gunwinyguan and related languages the volume includes two other papers that are especially noteworthy. One is Stokes and McGregor’s ‘Classification

1. For an excellent introduction to the considerations involved see Evans and Jones 1997.

2. Dixon 2002: xvii–xx, 20–44.

3. In addition to pp 5–7 of the work under review see Black 1997 and Koch 2004: 48–57.

4. Dixon 2002: xvii.

5. For another recent example see Bowern and Koch 2004.

and subclassification of the Nyulnyulan languages' of northern Western Australia. While this language grouping has never really been in doubt, the paper provides a very neat phonological reconstruction based on 405 cognate sets that solidly confirms the grouping and provides some evidence on its internal divisions and the problems of its external relationships.

Even more noteworthy is the published version of Ian Green's ground-breaking work on 'The genetic status of Murrinh-patha'. While earlier studies had not been able to group Murrinh-patha with any other language, Green found striking similarities in the verbal 'auxiliary' paradigms of Murrinh-patha and Ngan'gityemerri that enabled him to reconstruct partial paradigms for 18 auxiliaries in a shared ancestral language he called 'Proto Southern Daly', although only six of these paradigms are sampled in the present paper. Green characterises the genetic relationship as close (pp. 128, 155) and yet ultimately allows that the paucity of other grammatical and lexical similarities leave open questions about the actual extent of divergence (p. 155).

One question that needs further work is the extent to which the similarities between Murrinh-patha and Ngan'gityemerri actually represent shared innovations rather than shared inheritances, but resolution of this question depends on higher level comparative reconstruction involving such groups as Gunwinyguan. This made me realise that the work on Gunwinyguan had focused on suffixes for tense, aspect and mood (TAM), leaving it largely incomparable with Green's work on pronominal prefix paradigms. In a final paper in this volume, Harvey deals more broadly with pronouns and especially pronominal prefixes in a wide range non-Pama-Nyungan languages, but this work is programmatic, suggesting that a considerable amount of difficult work remains to be done.

There are four other papers in the volume. Reid contributed a second one relating to Ngan'gityemerri (here spelled with double *rr* while Green spells it with single *r*) to document interesting changes in verbal structure within the last 60 years. A paper by McConvell on 'Headword migrations' provides evidence from the Jarragan languages that pronominal marking can move diachronically from verbs to noun phrases in a way contrary to a proposal by Nichols. There are also two papers providing comparative data, if not historical reconstruction, for the closely related Wanyi and Garrwa languages, namely one by Breen and, somewhat oddly perhaps, an 'update' to Breen's data by Belfrage – one may wonder why they didn't get together to provide unified coverage.

The volume is attractively laid out and excellently proofed: since I did not notice a single typo in the English, I can hope that there may also be none in the considerable data from Australian languages. I did encounter a statement or two I could quibble about, but I can no longer locate them, and in general the comparative work is of the highest quality. While non-linguists may find the volume difficult to follow, they may well want to be aware of its potential impact on our understanding of the prehistory of Australia.

References

- Black, Paul 1997, 'Lexicostatistic and Australian languages: problems and prospects' in *Boundary rider: essays in honour of Geoffrey O'Grady*, Darrell Tryon and Michael Walsh (eds), Pacific Linguistics, Canberra: 51–69.

- Bowern, Claire and Harold Koch (eds) 2004, *Australian languages: classification and the comparative method*, John Benjamins, Amsterdam.
- Dixon, RMW 2002, *Australian languages: their nature and development*, Cambridge University Press, Cambridge.
- Evans, Nicholas and Rhys Jones 1997, 'The cradle of the Pama-Nyungans: archaeological and linguistic speculations' in *Archaeology and linguistics: Aboriginal Australia in global perspective*, Patrick McConvell and Nicholas Evans (eds), Oxford University Press, Oxford: 385–417.
- Koch, Harold 2004, 'A methodological history of Australian linguistic classification' in *Australian languages: classification and the comparative method*, Claire Bowern and Harold Koch (eds), John Benjamins, Amsterdam: 17–60.

Paul Black
Charles Darwin University

Piercing the Ground: Balgo women's image making and relationship to country by Christine Watson, 400 pp, Fremantle Arts Centre Press, Fremantle, 2003, \$39.95.

There is so much to admire about *Piercing the Ground*. As a work of anthropology, it is exemplary: its analyses of the influences on, and purposes of, Balgo women's art are based firmly on the years of Watson's experience with Balgo artists as both a curator and administrator, including a period of nine months when she lived in the community proper. The book is replete with a comprehensive listing of innumerable figures and symbols, as well as an extensive glossary and the translation of an important songline. Also included are 31 colour plates showing, in brilliant detail, important examples of the women's work. Outside the realms of anthropology and the social sciences, however, *Piercing the Ground* is perhaps even more valuable. At heart it is a celebration of the power of Balgo art, of its capacity to draw the artist into synchronicity with her surrounding landscape, of the way this art can also communicate across cultures and – most importantly – of its ability to assert the strength of Balgo women.

Due to the confluence of a diverse range of language groups in Balgo, *Piercing the Ground* describes one of the most dynamic artistic communities in the country. Watson outlines two primary concerns that underlie her examination of it: firstly, to come to an understanding of how Balgo women conceive and then produce their images; secondly, to look at how their artistic practice in turn embodies their religious beliefs and ceremonial practices. In commencing this examination, however, Watson is careful to deconstruct a dichotomy that has plagued much analysis of Aboriginal art in the past. It is a separation of the 'traditional' or 'pure' art over that which is seen to be contaminated by prolonged contact with Western culture. Embedded in this dichotomy is a privileging of men's sacred culture over that of women's, an opposition that simply does not exist in Balgo. Watson points out that critics who have neglected these other parts of a living Law, and have concentrated on the 'traditional' voice, have ignored the fertility, flexibility and contemporaneity of the art, as well as its roots in non-ceremonial activities such as sand drawing. In this light it is paradoxical that Balgo art came to acquire so much of its vitality precisely *because* of the interplay between 'tradition' and

non-Aboriginal influence (pp. 148–9). Part of the aim of *Piercing the Ground* is to return to a more holistic perspective of Aboriginal artistic practice.

One of the key factors leading to the book's success is the position of the writer within it. In the tradition of watershed anthropological publications like Deborah Bird Rose's *Dingo Makes Us Human*, Watson eschews the classical, Archimedean vantage point on some imaginary mountain above Balgo. Instead, well-versed in the phenomenology of place espoused by philosophers like Edward Casey, she is entirely conscious of her bodily presence on the *ground*; the reader, too, feels something of the meandering, uncertain nature of her explorations around the community as she contends with the multiple, often conflicting senses it provokes. The first chapter begins with a brief history of Balgo before going on to carefully describe the [then] current layout of the community, including where Watson lived in it. This is a crucial act of grounding, in which the writer asserts her real, lived connection to the place, and the reader in turn realises that what follows is very much an experience of *Christine Watson's relationship to Balgo women's image making*. As the paintings are being painted she is there, beside the artist, watching the work progress. It is in this way that we get a taste for the way in which the women's art is as much a physical activity – taking place in the sand, in ceremony, on canvas – as it is a cerebral, contemplative one.

Indeed, at times I had the sense that the book was almost as much of a learning experience for her as it was for me; this is epitomised, perhaps, in the remarkable sixth chapter, 'Touching the Ancestors', in which Watson recounts her journey with six Balgo women along the Nakarra Nakarra Dreaming Track. It is a complex story that began with a two-month long translation and recording of the song cycle, followed by a six-day sojourn during which the women inducted Watson into a form of understanding of the Dreaming and of their creative practices. 'As we travelled and performed ceremonies at various sites,' she writes, 'we forged a relationship between the Dreaming track and its living guardians which reflects their contemporary concerns. This not only emphasised the fluid, continually re-forming nature of space and place ... but also ... the women's concern with their role in initiation ceremonies' (pp. 204–5). By combining a contested, multi-authored transcription of the songline with beautifully wrought descriptions of the women's dancing and *kuruwarri* sand drawings, the chapter creates an unforgettable sense of the way in which the women used a vast array of media to channel power from the Dreaming into their bodies, and from their bodies into the earth, and back again. They danced through country, unifying world and body in a flexible, breathing form.

Piercing the Ground achieves a startling synthesis in the final chapter, 'Becoming the Dreaming'. It is here that Watson hones in on the essence of the power of Aboriginal desert art, and considers its capacity to communicate across cultures. The power, she says, is in the art's ability to express 'the possibility of human intimacy with landscapes, an intimacy fed by starkly different relationships with place' (p. 291). In contrast to Western representational systems of art, where individual-centred vision tends to silence other ways of knowing a scene, in Balgo art vision is dispersed across the landscape according to the plane of the ground. Maintained in a state of openness to the environment, the entire human body permeates into the terrain. Consequently, a full repertoire of haptic, sonic and visual techniques is required to contribute to the evoca-

tion of this experience. Indeed, for the Walpiri and Kutjungka people at least, features of the land are also names and songs, all of which charge the land with its power.

Here, then, the 'genius and piquancy of Aboriginal desert systems' rests 'in their ability to convey a sense of bodily transformation through ... [a] sacred geography which is of the earth as well as the heavens, and contains fleshly human beings as part of their sacredness' (p. 296). Balgo women's paintings communicate cross-culturally by speaking from a basis in the *human body*. We are all, in different ways, familiar with it. While the icons the women use are culturally specific, 'the use of these forms of the body are symbols which we in the west know at deep, visceral levels of ourselves' (pp. 295–6). It is testament to Watson's talent – as a critic of Aboriginal art and as a writer – that her book, like the women's paintings of which she writes, is an astonishing example of how phenomenological thinking has the capacity to bring country to life in a variety of forms, in countless locales.

Stuart Cooke
Fenner School of Environment and Society
The Australian National University

Eye Contact: Photographing Indigenous Australians by Jane Lydon, xxvi + 303pp, Duke University Press, Durham, NC, and London, 2005, US\$23.95 (pbk).

Jane Lydon of the Centre for Australian Indigenous Studies at Monash University in Melbourne has produced a well written and ably structured book that not only stimulates the intellect but also delights the eye. Her research has been meticulous in its breadth, and it is the comprehensive presentation of the photographic archive which makes the book so valuable and so attractive. The narrative is set in the context of cross-cultural representation studies, which have largely replaced gender studies as the prevailing corrective to traditional historiography. Lydon is particularly fortunate in that the Indigenous reserve that she selected for her analysis is the Coranderrk Aboriginal Station, already the subject of a major pioneer study by the anthropologist and historian Diane Barwick, whose *Rebellion at Coranderrk* was published posthumously in 1998. She is also fortunate in the richness of the photographic record of Coranderrk over a period of some 60 years of the place and its people.

While her choice of location was a good one, a comparative analysis of the records (or the absence thereof) from other stations established in colonial Victoria would have strengthened her argument and allowed her to test whether the theoretical framework she chose was a valuable model for interpretation or a constraining one.

Lydon's preface reads more like an introduction, for it not only states the author's aims but also gives the background of Victoria's Aboriginal missions and reserves. The 32-page Introduction, entitled 'Colonialism, photography, mimesis', is a self-contained essay that raises theoretical issues, particularly the ways in which other writers on representation have interpreted photography in the colonial era. It may well have been written last as it places the study in a wider context and is written in a self-confident prose interlarded with concepts drawn from ongoing debate such as 'Cartesian perspectivalism' and 'flawed colonial mimesis'.

The historical substance of the work is contained in five chapters that deal with the photographs commissioned by the colonial government and later by the Board for the Protection of the Aborigines. The first chapter looks at the brilliant photography of Charles Walter (1831–1907) in the first period at Coranderrk. The second chapter continues the interpretation of Walter's work and that of other photographers in relation to the Melbourne Intercolonial Exhibition of 1866. Chapter three introduces the work of Frederick Kruger (1831–1888), especially his slightly more controversial photographic albums. Chapter four deals with the troubles in the 1880s until the closure of the station in 1924, and chapter five deals with the revival of the Aboriginal community at Healesville, particularly from the 1970s. As Lydon lived for a time in the Coranderrk community with all the tensions of the period, chapter five is enriched by her own experiences and insights.

The thrust of Lydon's analysis is that, despite the colonial exploitation she discerns in the photographs, the Aboriginal families of Coranderrk were often in control of their representation and that from the 1970s they were using the photographs in a positive way to illustrate their own family history. While Lydon is even handed in the treatment of her subject, Coranderrk was not necessarily the best case study to give her the results she was expecting from her theoretical approach. On the positive side there is plenty of evidence to show that the residents developed 'a remarkable sophistication in understanding how they were portrayed, and they became adept at manipulating such representations in their own cause, despite their lack of power in larger society' (p. xx). On the other hand the photographs do not always confirm the degree of 'colonial exploitation' that the argument demands or that might have been discerned on other reserves and missions.

Eye contact is usually vital to representation studies, but just as often misleading. Just how subjective is the observer? We are told (p. xiv) that, in an early daguerreotype by Douglas T. Kilburn (1811–1871), the three women 'seemingly shut their eyes against the intrusive camera's gaze'. In fact two women are looking open-eyed at the camera and the third's eyes are slightly narrowed as she is looking down at the camera. I have a daguerreotype in my own family collection of an Aboriginal woman of the Geelong district where the eye contact is also direct. Eye contact is first raised as a cultural factor on p. 25, but we should remember that eye contact is with the camera and not the photographer. Also, the meanings associated with eye contact vary in different cultures and circumstances. I am assured that some Aboriginal people avoid direct eye contact in discussions because to 'maintain eye contact' would mean that you disagreed with the speaker and were challenging his or her views.

Walter's portrait of Garrak-coonum or Timothy holding a book and looking out with averted gaze (plate 43) is also reproduced on the cover to complement Lydon's book title. She comments:

Like each one of the portraits in this series, the man's personality seems tangible and vivid. Although he does not engage directly with us, his gaze cannot be dismissed: to my mind, it conveys something profoundly touching.

In staring at Garrak-coonum, we reproduce Walter's gaze: the white photographer imprinting this Aboriginal man on to his plate, mechanically reproducing his likeness in permanent form. Why were Walter and his patrons so interested? Did their fascination lie with the successful appropriation of European ways – clothes,

industry, religion, goods and accomplishments (symbolised by the book) – that is, in the Aboriginal mimicry of whites? Evidence for the missionaries' pride in such transformations suggests that this was so. But perhaps beneath the rhetoric of improvement lies something more fundamental In Walter's interest in the Aboriginal people of Victoria expressed through a visual language we see the circulation of mimesis and alterity as white fascination with Aboriginal mimicry is itself expressed mimetically when subject reaches out to embrace object. (p. 118).

Lydon then skilfully links 'Timothy's vision' with a large drawing by him portraying Aboriginal life and signed 'Timothy Coranderrk' accompanied by a small identifying image of himself complete with book (plate 45).

Lydon and those of her school of thought may be correct or partially correct in their analysis but I find something slightly distasteful, even patronising in the argument from mimesis. In regard to cricket, 'the Aboriginal mimicry of a white man's game' (p. 126) it is an outside observer's views that support the interpretation, not the views of an insider. Mimicry suggests a mere copy of the original whereas Aboriginal men adopted cricket as one of their own games from the beginnings of white settlement. Although many Aboriginal people only paid lip-service to Christianity, others made it part of their own Aboriginality, something well demonstrated in parts of Australia today. Isabel McBryde points out that the Aboriginal people of the south-east have always been adept at turning derisive laughter and ridicule, even abuse, back against their detractors and instances the way JJ Healey writes about Bungaree's brilliant turning of the tables on the naval elite in Sydney. The 'remarkable sophistication' discerned by Lydon did not take time to evolve from the colonial situation but was there from the beginning.

Another area where the analysis tends to be overstated is in the interpretation of *carte de visite* (c.de.v.) photographs, collages and albums. We are told that Kruger's c.de.v. Aboriginal portraits could be given 'even more derisive meanings' in the context of c.de.v. albums. The section is labelled 'Hawaiian royalty, freaks, etc' (p. 164). The Hawaiian royalty is supposed to show 'aspirations to Europeaness', but two of the four portraits are in traditional clothing and King Kalakaua, like other monarchs of the day, had been wearing western clothing for most of his life. Fijian royalty, not represented here, preferred to be photographed in dishabille. That Siamese twins and dwarfs were in the same collection has little significance. The photos were invariably grouped according to their subject following the family photos. C.de.v.s. were collected like postage stamps, funeral cards or postcards and fulfilled the role of the picture magazines (*Pix*, *Hello* etc) of the 20th century. My own family c.de.v. collection also contains a section of nonconformist clerics and a few oddities, one being a cartoon of an English woman of fashion and an Ashanti woman (Ashanti v England 1874) with the telling caption 'Not so very different after all'.

While there is a case for the exploitative use of both Kruger's more scientific photography and his studies of 'civilised natives' (see plates 57 and 62) these photographs can also be accepted for what they are – beautiful images of a proud people that would contrast markedly with images of wretchedness in other parts of Australia. Walter's impressive panel, 'Portraits of Aboriginal Natives Settled at Coranderrk', exhibited in 1866 (pp. 78–81) certainly had a scientific interest but it is sympathetic and there is considerable eye contact. A similar collage of c.de.v. portraits of convicts at Port Arthur

that I passed on to the National Library has a different effect and could easily have been used to illustrate the lowest rungs of humanity.

At a time when most Australians are particularly conscious of inter-racial violence in our past, the injustices of 'the stolen generation' and the emphasis on reconciliation, it is not always easy for researchers to accept that there were places and periods when there was mutual good will and a considerable degree of empathy. Lydon's study was undertaken to supplement and correct the work of historians and in this case the historian by implication is Diane Barwick. Although she commends Barwick's work and praises her and Luise Hercus for giving their research back to the Coranderrk community (p. 237) she gently implies that Barwick tended 'to view nineteenth-century representations, particularly visual imagery with a credulous eye', a tendency that was 'characteristic of a historiography that has relied primarily on documentary sources and that relegates past visual regimes to a subsidiary role' (pp. 219–20). At page 207 she had already questioned Barwick's 'assessment of the cordial relations that she suggests prevailed between white station staff and Aboriginal women, arguing that managers' wives and daughters treated them as "friends and equals"'. Sylvia Kleinert has taken the argument further. In her article 'Aboriginality in the city: re-reading Koorie photography' (*Aboriginal History*, vol 30, 2006), which does not even cite Barwick's book, she seems to believe that because Barwick's descriptions 'are in marked contrast to the picture of gender relations elsewhere on the frontier' (*AH*, p. 80) they must be wrong and implies that the 'emerging feminist ideologies' when Barwick was researching 'led her to exaggerate the level of Indigenous transformation'. Diane Barwick was much more perceptive than this interpretation allows. She, like other innovative scholars of Aboriginal women's history such as Diane Bell, Fay Gale, Isabel McBryde, Betty Meehan, Luise Hercus, Sally White and Elspeth Young, had a remarkable empathy with Aboriginal women and she knew that there were white women who shared her approach in earlier times.

It is a pity that Lydon did not engage seriously with Barwick's ideas, especially her insights into John Green's role in encouraging the community at Coranderrk to take control of its own development. As Isabel McBryde recently wrote to me:

To me what comes out of the Walter photographs is the essence of the community at that time – making a new life, developing self-determination in the new colonial setting while still retaining their cultural identity (not being 'civilised'/'colonised' unwillingly). There is 'agency' there that Green fostered, and leaders such as Barak continued to assert. Green in Diane's interpretation was more than 'a kindly soul'. He was not 'soothing the dying pillow' but indicating ways to co-existence and self-determination.

There is much fascinating material in *Eye Contact* including the story of 'Eliza's daughter' who crocheted a collar and sent it to Queen Victoria who acknowledged it; the story of Barak; and the story of John Green and his family who endeared themselves to the Coranderrk community. The grim story of the effect of assimilation policy has its own interest. As Lydon made it clear that Coranderrk was to be her focus, it is hardly fair to criticise her for not looking more fully at the photographic record in other missions and reserves, yet as the comments above suggest, Coranderrk was in some ways atypical.

One of the areas which I think could have been explored a little more fully is the role of graphic art both as a medium in its own right and in relation to photography. Certainly Lydon discusses 'editing' the photographic record, particularly in relation to 'untidy' miamias photographed in Walter's panoramic view of Coranderrk (pp. 54–55) but not visible in the wood engraving of the settlement (p. 46) published in the *Illustrated Australian News* for 25 August 1865. The mission house was not visible either and the view selected was the more appropriate one for a small frame. The *Illustrated London News* carried attractive drawings of Aboriginal life in Victoria in the 1850s and 1860s and it would have been useful to compare these studies, particularly as the residents decorated their walls with illustrations from that publication. More, too, could have been written about the background and development of photography in the period and the influence of the Pictorialist movement.

Despite any reservations expressed above, *Eye Contact* is an important and seminal book. In general it has been well-produced. There are virtually no typographical blemishes though one solecism, common to parish newsletters, is repeated, the use of Reverend without a given name or at least a designation. The 88 illustrations enhance the production and make us warmly receptive of the residents of Coranderrk. I wish to thank Isabel McBryde for discussing the book with me and for her suggestions and amendments which have been silently incorporated into this review.

Niel Gunson
The Australian National University

Campfires at the Cross: an account of the Bunting Dale Aboriginal Mission at Birregurra, near Colac, Victoria 1839–1851 by Heather Le Griffon, 321 pp, Australian Scholarly Publishing, North Melbourne, 2006, \$39.95.

Scholars interested in the history of the Western District, early relations between Aborigines and Europeans on the frontier of pastoral settlement, and the development of the Methodist Church in Australia will be pleased to see that *Campfires at the Cross* covers all of these topics in considerable depth. Prompted by the lack of an accessible, reliable account of the Bunting Dale Aboriginal Mission, Le Griffon focuses on the story behind its establishment, operation and eventual dissolution in 1851. Her historical narrative is structured so as to ensure that the vividly recounted events are understood within the context of the period. The author brings to life the past's present and the (occasionally overwhelming) account of the mission and the lives it touched in a way that is never divorced from the social, political and religious forces responsible for transforming colonial Australia.

Established in 1839 with the intention of 'relieving the plight of Aboriginal Australians in the Port Phillip District', the mission and its clergy had moderate success in communicating Christian values, promoting education and literacy, as well as alleviating the suffering associated with dispossession and the total disruption of Aboriginal society. Francis Tuckfield, a young Cornish clergyman, was sent from England by the Wesleyan Methodist Missionary Society with the task of finding a suitable site for the institution while his colleagues went to Sydney to lobby the Governor for a land grant

and financial assistance. Following a difficult journey into the Otway Forest and shorter tours north and west of Geelong, by May 1839 Tuckfield 'favoured a site about forty miles to the west of the little settlement of Geelong' on the upper reaches of the Barwon River. The selection of a site was a pivotal decision that would greatly influence the future success of the Methodist mission, but Le Griffon's brief account of this process provides readers with few details concerning the specific criteria weighed by the young Reverend or the other locations that had been considered. Young and inexperienced, Tuckfield made this choice without any input from local Aborigines or William Buckley, who had departed for Van Diemen's Land in late 1837.¹ The location of the mission at the nexus of three tribal territories would make Bunting Dale a magnet for conflict and prove to be one of the primary factors leading to its closure just 12 years later.

One cannot write a history of early Victoria without addressing the issue of frontier violence. Le Griffon should be commended for the manner in which she approaches this sensitive topic, asserting from the outset that '[s]hame and blame is not the game'. What follows is a moving account of the ways in which the Wesleyan missionaries worked to promote the well-being of Aborigines. Readers are treated to nuanced readings of key developments at Bunting Dale, with Le Griffon making extensive use of diary entries to illustrate Tuckfield's deepening affinity for the Gulidjan people, their culture and language. Quite remarkably, within months of their arrival in the Western District the missionaries recognised the grave threat that faced the region's Aborigines and consequently shifted the focus of their efforts from religious instruction to the establishment of a safe haven where terrified Aborigines would feel protected. The two clergymen at Bunting Dale also endeavoured to bring government attention to incidents of frontier violence and eagerly pointed to ways in which the Protectorate system could be improved. They were genuinely alarmed when they observed the 'unexplained preponderance of firearms' amongst a European population that had been 'badly frightened' since the mysterious disappearance of Joseph Gellibrand and George Hesse in the district in February 1837. All too often, reports of stolen sheep were followed by news of killed or missing Aborigines.

Land, resource use and access were major sources of conflict in the Western District, yet the situation of the mission 'close to the territories of four distinct Aboriginal clans, and simultaneously upon the portions of land previously held under licence by five squatters' also made Bunting Dale a flashpoint for conflict. The Wesleyans' willingness to break the conspiracy of silence surrounding Aboriginal deaths was a source of ire for some district squatters, and this sometimes translated into the public attacks that appeared in the colonial press. At the mission, the enforced proximity of rival Aboriginal groups produced scenes of disagreement that also occasionally led to acts of violence and murder. Marriage rights and the taking of wives was a common source of dispute, and tensions could rapidly spiral toward the uttering of threats and open aggression. News of these conflicts further undermined the good work of the missionaries and increased institutional resistance toward the continuation of funding for their

¹ This is an important point of clarification. Previous accounts had indicated that Tuckfield consulted with William Buckley in the process of site selection, most notably: CA McCallum, 'Tuckfield, Francis (1808–1865)', *Australian Dictionary of Biography*, Volume 2, Melbourne University Press, 1967, pp. 540–541.

project. Disease, violence and starvation caused Aboriginal population numbers to plummet, and in turn this made politicians and religious bureaucrats question the relevance of any attempts at missionary activity in the Western District. What was the point of continuing when fewer Aborigines were living at the mission and no conversions to Christianity had been made? In January 1843, the vicious murder of an Aboriginal woman at Bunting Dale led to a new approach in the missionary effort and the decision to exclude all but the Gulidjan people from the mission. Though this tactic succeeded in putting an end to the string of murders that had occurred at Bunting Dale, it also cut the number of Aborigines at the mission and made it increasingly difficult for politicians and Methodist leaders to justify expenditures on the operation.

In 1848, a dwindling Aboriginal population, a total lack of Christian converts and pressure for re-opening of land led Reverend Boyce, then Superintendent of Wesleyan Missions in Australia, to announce the closure of the mission precisely at the time when it had become financially self-sufficient. Tuckfield and his family moved to Geelong, and once the neighbours had concluded their prolonged squabble over land that was *owed* to them, no one 'felt any obligation to compensate the indigenous people for the loss of their land'. Once more, the Aborigines were dispossessed.

In February 1851 the 'Black Thursday' bushfires swept through western Victoria, burning down the remaining buildings at Bunting Dale. Not a single trace of the Mission remained, and one may wonder whether, without dedicated local historians like Le Griffon, these stories might be lost as well. This book highlights the great efforts made by the Methodist Church in Australia to aid the Aborigines of western Victoria during a period of traumatic displacement and total cultural disruption. The experiences of Reverend Tuckfield provide us with a remarkable window into the world of missionaries, religious bureaucracies, and the mind of a compassionate witness thrust into the turmoil of the pastoral frontier. Le Griffon's *Campfires at the Cross* is an important contribution to the history of the Western District, giving scholars a useful launching point for further work on the impact of missionary activity on Aboriginal belief systems and the ethics of a civilising mission directed from the imperial core.

Lawrence Niewójt
Research School of Social Sciences
The Australian National University

Rob Riley: An Aboriginal Leader's Quest for Justice by Quentin Beresford, xiv + 374 pp, Aboriginal Studies Press, Canberra, 2006, \$39.95.

This biography is shadowed from its first page by Rob Riley's suicide in 1996 and, to that extent, is framed by one of the most potent symbols of the alienation of Indigenous Australians, and particularly by the self-destruction of a figure who sought, across a full compass of political engagement, to redress that condition. It is a study, then, shaped by themes of loss – even despite Riley's many achievements – and by Quentin Beresford's overarching interest in 'telling the story of how modern Australia failed to make a lasting settlement with its Indigenous people'. Riley is seen as representing 'a unique generation of activists', whose commitment was energised by coming to consciousness of their own direct experience, and characterised by a personal dedication perhaps unlikely to be replicated. Beresford argues that Riley's work in the late 1970s as chair of the National Aboriginal Conference 'came close to delivering national Aboriginal land rights on terms articulated by Aboriginal people' – an outcome not matched by the more institutionalised and 'insider' forms of politics which marked Riley's later career. And he maintains that Riley must be understood as 'a victim of Australian racism in all its interwoven and barely acknowledged historical and contemporary manifestations'. Such themes make this a challenging, engrossing book, both in characterising recent history and in setting the terms for current debates.

Beresford has some concerns that, as a biography, this study might be overwhelmed by the complexity of issues with which Riley worked, and the diverse contexts of his life – from Sister Kate's Children's Home outside Perth to the Canberra offices of the then Minister for Aboriginal Affairs, Gerry Hand, for whom Riley was an adviser in 1987. While there is clearly a certain fatal momentum to this account, Riley is no simple martyr. His personality emerges as an active agent in itself, an integral dimension of his changing modes of political engagement.

With 'a curious and contradictory mix of impatient idealism and underlying vulnerability', Riley achieved an impressive conceptual synthesis in his understanding of 'racial power', the intersection of law and history, and the gains of making Indigenous issues matters for international scrutiny. Yet he was quick to seize opportunities for open political confrontation, and to be attracted into the more cloistered and competitive 'political fray' of parliament and bureaucracy. If the Noonkanbah blockade in 1980 prompted Riley to grasp land rights as a battle for *all* Aboriginal people, it remained the case that he best understood urban-based politics. In a post-Mabo environment the kinds of alliances that had once flourished for him, both personally and professionally, with Peter Yu (for example) of the Kimberley Land Council, fractured into divisions between Riley's advocacy of essentially legal processes through the Aboriginal Legal Service and Yu's search for consultative models.

With critical subtlety and compassion, Beresford conveys the often contradictory elements of Riley's living – through each element of his political engagement. If Riley had a certain emblematic status – the 'key Noongar' as a public advocate in the early 1980s, then a 'black politician in a white political structure' – Beresford looks past these labels to contextualise that engagement. The personal dimensions of Riley's public life are sketched with respect, again if perhaps overly shadowed by an imminent sense of psychological fragmentation. Riley's practices of 'distancing' his political persona from

his private and emotional life and of insisting on placing Indigenous politics in a bold, sustained agenda of dispossession, rather than a softer regime of reconciliation and identity politics, is almost ironically underscored by his disclosure in 1993 of a long-repressed childhood rape. In such acute moments, Beresford shows that modes of engagement are often in themselves creatures of complex social contexts.

Beresford also deftly explains the political chronology of Indigenous politics over an 'epic' period of change, conveying a sharp sense of unintended consequences (of the Seaman Land Rights Inquiry in Western Australia, for example), the interdependency of issues, the costs of pragmatism and the shifting of alliances. His uncompromising interpretation of the failure of land rights politics in the 1980s, and with it a comprehensive agenda reflecting genuine Indigenous aspirations, will provoke valuable debate – although this view itself perhaps sits uneasily with Beresford's own emphasis on the contingencies shaping phases of activism.

But perhaps the most enduring theme of this book, always running within the text, is the persistence of racism in Australia, whether the power of figures such as Howard Sattler, with whom Riley jostled on talk-back radio, the disclosure through opinion polling of entrenched prejudice in 'middle Australia', or the basic denial of legitimacy to Indigenous aspirations (Beresford quotes Gerry Hand, reflecting on parliamentary debates on the proposal for a Treaty: 'we just couldn't bloody believe the depth of hostility'). Riley insisted that some kind of concerted action had to be taken, at the highest and sustained levels, to address a kind of gut instinct to such racism, over and above calls for 'reconciliation'. Clearly, this remains a daunting but undeniable need.

Nicholas Brown
Australian Dictionary of Biography
The Australian National University

Black Glass: Western Australian Courts of Native Affairs 1936–54 by Kate Auty, 366 pp, Freemantle Arts Centre, Freemantle, 2005, \$24.95.

In a conservative political climate where Aboriginal people are portrayed as receiving an unfair advantage in the criminal justice system, Kate Auty's book is a resounding reminder of Aboriginal people's historical disadvantage. This book, which draws on extensive research of the 'legal archive', challenges the myth promoted by the Commonwealth government that Aboriginal offenders are given lenient sentences. This conception resulted in the passage of the *Crimes Amendment (Bail and Sentencing) Bill* (Cth) 2006 that removes cultural considerations from the sentencing of offenders. Prime Minister John Howard (Southern Cross Radio, 19 May 2006), explained that the courts were applying a 'misguided notion of Aboriginal law or customary law, rather than Anglo-Australian law'.

Kate Auty's timely publication overviews the Courts of Native Affairs that the Western Australian government established in the 1930s. She is concerned with highlighting the distinctly punitive nature of this separate court system. The object of these courts, articulated by the Chief Protector of Aborigines at the time, A O Neville, was to

expedite criminal justice processes for Aboriginal people. Consequently, these summary courts dealt with murder and manslaughter cases without providing Aboriginal defendants a right to a fair trial. Hearings were devoid of impartial representation and rights to a jury trial, a hearing by a judge and an appeal. Once found guilty, the Magistrate and Commissioner of Native Affairs could order types of punishments, such as 'floggings', which were not available in sentencing non-Aboriginal offenders.

Several chapters of *Black Glass* deal with the customary law defences and justifications that accused Aboriginal persons presented to the court. Auty reveals how the Native Courts – far from accommodating these customs – either disregarded them or relied on them to increase the accused's culpability. This represents a 'double discrimination'. On the one hand, Aboriginal people were excluded from the rule of law by being denied formal rights to procedural fairness; on the other, Aboriginal people were discriminated against by the criminalisation of their customs.

The purpose of the book is to demonstrate that *silences* pervade the legal archive. Auty claims that the views of Aboriginal persons in the courts are silenced. These silences are both literal (through Aboriginal people not speaking in court) and constructed (through police and prosecution submissions and court judgments overlooking Aboriginal evidence, such as customary justifications provided by the defendant). As a legal practitioner (a lawyer and a magistrate) rather than a historian, Auty is stunned to discover that omissions pervade the legal documents.

From these silences, Auty deduces that accused Aboriginal persons resisted and subverted the court system. In piecing together further legal documents, Auty claims that Aboriginal resistance is offered 'through lying, keeping secrets, frustrating investigators with 'false' versions of events, providing a representative villain or defendant, and even that most overt of resistant acts – escaping'. Chapter 4 sketches the reliance on cultural justifications and silence by Aboriginal people to elude the courts and police interrogators. Auty refers to a constructed 'magic-narrative' by accused Aboriginal persons as an example of them 'controlling and manipulating multiple dialogues'. Such methods, Auty argues, were the 'weapons of the weak'.

Many of Auty's inferences, such as Aboriginal people conspiring to conceal evidence, are problematic and perhaps the book's weakest link. Suggesting that Aboriginal persons perverted the course of justice is a strong claim, which is inferred from predominant silences and the official archive. Without a watertight basis, this argument reinforces the criminal label attached to Aboriginal people. It also overlooks the view – which is discernable from Auty's research – that Aboriginal silence was a result of alienation from the court system.

Black Glass makes a plausible point that these deceptive and manipulative methods were the only tactics available to the Aboriginal person in the unjust 'native' court system. Auty's construction of Aboriginal deception attempts to signify Aboriginal empowerment. However, Auty's argument that Aboriginal people constructed false customary excuses to gain the upperhand in the court system is offset by her evidence that Aboriginal people were still convicted, sentenced and incarcerated. Moreover, her focus on false customary justifications is consistent with narrow contemporary government understandings of customary excuses.

Without providing a historical background, Auty is unable to explain the court bias and Aboriginal exclusion from the court process. She does not unpack the impetus for the Courts of Native Affairs and the judicial or investigatory biases, and how they reflected the government's broader Aboriginal policy. After all, summary justice for Aboriginal offences was not unique to Western Australia – nor did it begin or end with the Courts of Native Affairs. Originally, summary justice was dispensed on the frontier more crudely, without charges laid or trials conducted, but through the barrel of a gun.¹ Across northern Australia, including in the Kimberley region, in the 1930s, pastoralists and squatters administered justice personally on the grounds that it was the most efficient means of teaching Aboriginal people a lesson.² However, 'efficiency' was only a euphemism for expedient colonisation of land and suppression of Aboriginal resistance. In this broader context, are Aboriginal silences before the courts weapons of the weak or products of an unjust colonial punitive system? The legal archive that Auty reads does not answer this question, but perhaps history does.

Thalia Anthony
University of Sydney

Unfinished Constitutional Business? Rethinking Indigenous Self-determination edited by Barbara A Hocking, xxiii + 293 pp, Aboriginal Studies Press, Canberra, 2005, \$39.95.

This book left me feeling somewhat ambivalent. It is not the kind of book I would normally read cover-to-cover. Once I started, however, I appreciated the interesting insights into Indigenous-state relations over a geographically and culturally diverse area. At the same time a number of the papers seem to be preaching to the converted and do not really make clear arguments to support the authors' opinions. Most contributions deal with former English colonies: Australia, Canada, New Zealand and the Solomon Islands. There is also a more general exploration of attitudes towards Indigenous people in the Commonwealth. Inserted into this mix are papers examining self-determination aspirations in Hawaii, the Saami Parliaments in Scandinavia, and the issue of intellectual property rights and the Convention on Biological Diversity.

Whall provides a big-picture introduction in dealing with Indigenous representation on the international stage. She explores the role of Commonwealth nations at the UN Working Group on Indigenous Peoples and traces the Commonwealth's historic attitudes towards Indigenous people. The many acronyms pervading this discussion make it a bit hard to follow at times. Whall notes how the 1996 change in the Australian government substantially altered the role this country plays on the international stage. Since that time, Australia has shifted from a position at the forefront of the self-determination debate to becoming categorically opposed to the very concept. The varied

1. See Cilento, R 1959, *Triumph in the Tropics: an historical sketch of Queensland* (with Clem Lack), Smith & Paterson, Brisbane, p.185.

2. See Buchanan, G 1933, *Packhorse and Waterhole: with the first overlanders to the Kimberleys*, Angus & Robertson, Sydney, p.117.

positions of Canada, New Zealand, Malaysia, India and other Commonwealth states are also touched on.

Bradley and Seton use the concept of deep colonisation when discussing the claims process under the Northern Territory Lands Right Act. They acknowledge that Aboriginal people have gained rights through that legislation, but they argue that the legislation is nonetheless fundamentally unjust, subject to governmental interference and manoeuvring and ultimately disadvantageous to those who have already suffered most, i.e. the 'Stolen Generation'. Essentially, the structures set up to facilitate recognition of Aboriginal rights are themselves part of the colonising process that undermines those very rights.

Cunneen also refers to deep colonising, this time in the context of policing. Indigenous populations are subject to statistically significant higher incarceration rates than non-Indigenous populations. Cunneen argues that indigenous people are criminalised as a community. In Australia it is readily apparent how this has occurred historically from the moment of settlement when Aboriginal people were jailed (or shot) for spearing cattle and other domestic animals. Such criminalisation perpetuates marginalisation and needs to be overcome by appropriate, community-based justice programs. This, Cunneen argues, would be a step towards self-determination.

Moreton-Robinson examines the intersection of race and gender and how it impacts on the role Indigenous women can play in a patriarchal white society. She explores the systemic racism inherent in the Australian Racial Discrimination Act, and highlights the leadership role Indigenous women can play in transforming cultural and social institutions 'so that our ways of knowing will be taught and respected' in spite of the 'erasure and denial of Indigenous cultural knowledge by white people'.

Morrissey explores the role played by public actions and statements of politicians such as John Howard and Pauline Hanson, but also Aboriginal politicians such as Geoff Clarke, in setting the public mood with regard to Aboriginal issues. Mansell asks if self-government is possible for the Norfolk Islands, why is it not available to Aboriginal communities? He suggests that most Australians would neither understand nor accept that Aboriginal people may not want to be part of Australia and sets out a proposal by which all crown lands are returned to Aboriginal people who will then be in a position to become economically independent.

The next three chapters focus on New Zealand. The absence of a glossary for the many Maori words used in these papers made parts of them a little hard to follow. Erueti offers an interesting account of Maori traditional dispute resolution and explores the possibilities and limitations of those traditions applying in the Maori land court. Magallanes contrasts the New Zealand system of Maori parliamentary representation with First Nation tribal delegates in Maine, USA. While the Maori delegates represent their community as well as having a role in mainstream politics, the First Nation delegates play the role of ambassadors of their people to the mainstream political system. Buick-Constable provides another angle on Indigenous-State relations in New Zealand by focusing on the Treaty of Waitangi and the various 'settlement legislations' that followed.

The following two chapters consider the Pacific Islands. Cooper provides a fascinating historical account of the colonisation of Hawaii and the various mechanisms of

dispossession used against the Kanaka Maoli or native Hawaiians. Colonisation here started briefly with the British but was taken up more seriously by the United States. Care examines the recent history of conflict in the Solomon Islands (up to the year 2000) and sources it in the clash between the artificial nation state and traditional tribal structures.

Russel looks at the original commitment of the Canadian government to Indigenous self-determination and says that in that respect no 'settler state has gone further either in principle or in practice'. He suggests, however, that this commitment is based on fear of conflict and economic disturbance rather than genuine respect for Indigenous peoples. Russel goes through the various historic policies and practices on Canada's Indigenous people before looking at the significance of the Quebec secession attempts on engagement with First Nations and the more recent shifting of public opinion on Indigenous issues.

Waters explores the concepts of indigeneity, self-determination and sovereignty. While I found this paper quite hard to follow, it seems to focus on the difference of world views between Indigenous and non-Indigenous people and the impact colonisation continues to have on Indigenous communities and individuals. Magwaro argues that having internal dispute resolution in the hands of Indigenous people without interference by State institutions is an essential element of self-determination. She touches on the tension that arises when customary laws are seen to infringe human rights standards, while at the same time western laws infringe Indigenous rights.

Vogel's paper sets out some of the international politics surrounding the Convention of Biological Diversity before setting out a model by which Indigenous people could gain rights and economic recognition for their specific knowledge of biological diversity.

Finally Hocking, the editor of the volume, provides an overview of the differing political organisation and participation of Saami in Scandinavia. She considers legal issues that have arisen over the years as well as international issues that arise from Saami being spread over four nations (including Russia), three of which are part of the European Union. In her concluding remarks Hocking comments on the Australian situation. She argues that 'it is time to make a legal closure of the 1788 change of sovereignty and, through a series of treaties, formally establish the complete legal constitutional title to the territory of Australia' (p. 279).

This statement, which appears on the first page, captures the tenor of a number of contributions: 'Indigenous peoples have the right of self-determination. By virtue of this right, they freely determine their political status and freely pursue their economic, social and cultural development.' While I am deeply supportive of these notions, I did not find much in this book that really advanced that cause. That the fundamental question of how self-determination for Indigenous people in a modern nation state might look was not substantially addressed is, for me, a key shortcoming. Colonisation has been going on for more than 100 years in all of the countries discussed. Regardless of social marginalisation, Indigenous people are deeply enmeshed within the economy (even if it is the welfare economy) and social structure of the dominant societies. Arguing for self-determination and sovereignty in that context requires more detailed analysis than most of the authors in this volume provide. This is also highlighted by the

fact that none of the contributors really engages with the substantial body of 'anti-self-determination' commentary that currently dominates Australian public policy discourse (e.g. Johns 2001).

In the end, while I found a number of the historical overviews (especially Erueti, Cooper and Hocking) useful and a number of the insights gained by taking the Indigenous point of view (especially Moreton-Robinson and Mansell) thought-provoking, other papers are much less compelling. The standard of writing and editing is not as high as it might be. More significantly, what is really lacking is a substantial and compelling argument that brings alive a vision of how self-determination might actually look in the globalised society of the 21st century. Without such a vision it is unlikely to come onto the radar of those who might engage in constitutional business.

Reference

Johns, Gary 2001, *Waking up to Dreamtime: The illusion of Aboriginal self-determination*, Media Masters, Singapore.

Kim McCaul
Native Title Unit
Solicitor General's Department
South Australia

Appropriated Pasts: Indigenous peoples and the colonial culture of archaeology by Ian McNiven and Lynette Russel, 328 pp, Rowman and Littlefield Publishing Group, Lanham, Maryland, 2005, US \$58.95.

The essential argument of this book is that 'Indigenous people take issue with the way archaeologists research Indigenous heritage and pasts' because of the colonial foundations of Indigenous archaeology 'founded upon and underwritten by a series of deep-seated colonialist and negative representational tropes of Indigenous peoples, developed as part of European philosophies of imperialism over the last 2500 years'. This quotation gives a flavour of the language of the book, as well as summarising its theme.

A lot of the assertions that follow are familiar and have been worked over by a range of authors from different disciplines during the last quarter-century. However, this is a detailed, well researched and clearly argued exposé that, more or less, chronologically lays out the colonial foundations of archaeology in Australia and the various distortions and objectifications it often produced. The argument is strongly put that archaeology has been a willing and helpful handmaiden of colonialism and of the justification of colonial conquest. The book relies on evidence from the US and Australia with an emphasis on the latter. It takes us through a range of 'isms' which show different aspects of this central assertion. For example:

- Progressivism: archaeologists demonstrate the gradual process of the human species and in so doing place Aboriginal people on a lower step than 'modern man'.
- Antiquarianism: Aboriginal people as living fossils.

- Migration and diffusionism: the moral and intellectual decline of migrated peoples cast off from the centre of civilisation, and the explanation of their achievements, innovation and change by the arrival of another group from that centre to influence and improve the indigenous inhabitants.

These 'isms', chronologically discussed, culminate in subjection – the dehumanisation of the past and of Indigenous people through the West's scientific approach, the development of the 'new archaeology' and the well established colonial tendency to legislate (at least in south-eastern Australia) to define Aboriginal sites as relics and archaeological sites rather than as living cultural heritage.

So the tenor of the book is clear. It is well written, well researched and cogently argued and it convincingly implicates archaeology in the colonial project. It uses some interesting and apt examples and case studies to illustrate research, theorising and paradigms that demonstrate appropriation, and show how such paradigms have penetrated the popular imagination, and in some cases come round in their turn to influence academic speculation.

I found the book enjoyable and stimulating. It is a thoughtful summation of the sins of our archaeological ancestors. But I do have a quibble with its ending. The final development (prior to the present) is described as 'shared history', which led me initially to anticipate a shift from the negativity of the 'isms' to the more hopeful interaction between the Aborigines and archaeologists, which I had seen so clearly over the last 25 years, but my hopes were dashed when I came to the sub-heading for the second half of the chapter, 'New Appropriation'. In the view of the writers in this last chapter (and in fact in conflict with some of their earlier cited evidence), all attempts by archaeologists to shrug off the colonial mantle so far, including community archaeology, have failed to varying degrees.

The authors refer to the most advanced and least colonial form of archaeology – immediately preceding their own work – as 'stakeholder's' archaeology, but even this is flawed because Aborigines are merely one group of stakeholders among others: to be included but not given the ownership and determination rights over their culture to which they are clearly entitled. This summation is, in my view, unduly pessimistic. There are still many problems with Aboriginal/ archaeological relations. Legislation that effectively mandates Aboriginal control of Aboriginal sites is still lacking in many jurisdictions. But there are also many examples of progress. For instance, from the late 1970s no archaeologist has conducted an excavation in New South Wales without the consent of and on the terms of the appropriate (or at least apparently appropriate) Aboriginal group. The long and well-documented history of archaeological work at the Willandra Lakes over the last 30 years is a clear illustration of the changes this policy has wrought. The last 30 years of the 20th century have seen deep and lasting change in Australian archaeology, which the authors fail to acknowledge. In my view it can't really be said, as the authors assert, that during this period archaeology has continually evolved in order to continue its processes of subjugation.

Effectively the authors claim that before the present, and their own work, no meaningful decolonisation of archaeological practice had been achieved. But in historical terms this is to deny the very processes of change which surely contributed in part to their own enlightened attitude and their undoubted advances in this area.

Like many an archaeologist of the past, they see themselves, or at the least their position, as being at the apex of the development of the decolonisation of archaeology in Australia and as representing the perfection of this idea.

Sharon Sullivan
Nymboida, NSW

God, guns and government on the Central Australian frontier by Peter Vallee, 336 pp, Restoration Books, Canberra, 2006, \$39.95.

When first I saw Peter Vallee's title I was reminded of Jared Diamond's *Guns, germs and steel* (1997), and have since been told by two friends who have read the book that they also instantly thought of the latter title. Whereas the Diamond book is sub-titled 'A short history of everybody for the last 13,000 years', *God, guns and government* is a microcosm of the same story, with 1891 being the crucial year.

Peter Vallee has delved with forensic research skills into the period 1877-1891 in central Australia. His particular focus is on Hermannsburg Mission, Boggy Waters police camp and Tempe Downs station to the west and south-west of Alice Springs. Alice Springs and the western cattle stations provide some characters of occasional significance, as do the distant South Australian government, legal, mission and police administrators. While those in Adelaide and Port Augusta are mostly hidden as in a distant mirage, very occasionally they become key players, too. Importantly, in giving attention to a man called Ereminta, and placing Mounted Constable William Willshire and his role in the then very remote central Australian contexts of people and country, Peter Vallee does central Australian history a genuine service.

One opens the book to find the question, *Who killed Ereminta?* as the only words on a stand-alone page. It is an effective comment; one might well say the alternative title for the book. The first brief chapter describes the shooting of two Aboriginal men called Ereminta and Donkey by the Native Constables of a police patrol led by Mounted Constable Willshire. It presents a well-constructed frontier tragedy that introduces both major and minor characters, and concludes with several questions that lead us into the main discussions of the book. It is followed by a photograph – not of Ereminta, as you might expect – with the author's caption: 'Can this man provide a model for his appearance?' The answer is that we do not know. Thereafter, a good selection of photographs of some of the key Aboriginal characters are featured.

'Faith to faith 1877-1885', the first of five main sections of the book, commences with 'Prophets to the Desert', which excellently details the purposes, work and frustrations of the Lutheran missionaries who established Hermannsburg Mission on the Finke River in 1877. By using select quotations from their correspondence and other records, and his own reflections about muscular Lutheran Christianity – in contrast to the Western Aranda beliefs and perceptions, particularly in relation to marriage, treatment of women and education, for example – Peter Vallee establishes the inevitable tensions of an early contact situation. The Lutherans' sheer hard work and devoutness did not change the fact that 'the Western Aranda were their neighbours, not their prisoners' (p. 35). That they stood on the high moral ground while they observed that

'[almost] every white man' on the surrounding pastoral properties had 'his black concubine' (p. 44) set up tensions of another kind. The problems they faced were, in fact, virtually identical to those that the Lutherans had faced a decade earlier at Kilalpaninna Mission. Schmiechen (1971) considered many of the same elements in his research into both missions, but Vallee teases out those aspects that lead one deeper into the story he has to tell. He indicates that the missionaries created fracture lines in Western Aranda society, despite their good intentions and despite some positive progress in their endeavours.

Section two, 'Government on the Line 1836-1890', is again an excellent presentation. As the author states, whatever the ideals of government, the men – initially they were all men – on the pastoral frontier took a 'risky punt' by investing there (p. 67), and, no matter how superior they perceived themselves to be, they were trespassing into Indigenous lands. Spearing of stock instantly became a major problem. They faced additional problems associated with climate, distance from markets, costs of transport of supplies and a lack of womenfolk of their own background. Police, including the key figure Mounted Constable Willshire, are introduced. Chapter 6 'Law or war? scaling justice for the frontier' establishes the nature of idealised distant government as opposed to the realities. Vallee comments that 'Until the arrival of police, settlers and Aborigines alike have no choice but to make their own justice' (p. 80), and '[i]n such circumstances what rules is not law or government or politics. In their place must stand the character and moral standards of individuals' (p. 81). He then discusses degrees of 'dispersal' of Aborigines, (the 'third degree' being 'firing to kill' [p. 87]) and the lobbying by pastoralists for a police force. The principal concern of the South Australian government's responsible minister 'was not justice, but economic development, and Willshire's job depended on satisfying the pastoralists' (p. 92). That he was shown how to do so in no uncertain terms by Mounted Constable Wurmbrand's murderous exploits is touched upon (eg pp. 95-96), but Wurmbrand's mentor role is not developed as fully as it could have been. On the other hand, details of select atrocities, attacks and punitive patrols distant from the focal area, and the breakdown of government control because of distance and the weaknesses of key officials are extremely well considered.

Vallee portrays many aspects of central Australian society and touches upon many events in the third part of the book, but the most fascinating section for me was the author's development of the proposal that Constable Willshire, now based at Boggy Water police camp south of Hermannsburg, fell desperately in love with a young Aboriginal woman. It is clear by strong implication from Willshire's publications that he salivated at the sight of nubile young women and he is open in his accounts about travel with women-only or women-dominated groups, but, as Vallee states, when one of his lovers became pregnant, he quickly off-loaded her to a man who was living well to the east of Alice Springs (p. 181). Vallee makes a very good case for Willshire's refusal to give details of his patrols of mid-1889 because he was not on patrol at all, but visiting Adelaide with a female Aboriginal teenager, 'probably Nabarong, the cause of his feud with Ereminta' (plate facing p. 198). Furthermore, Vallee provides proof that Willshire visited a well-known jeweller's shop 'where all of Adelaide's engaged couples went to find tokens of their love' (p. 179). Having many times considered the same evidence, I remain as puzzled as Vallee about some of the bizarre aspects of Willshire's publications, and think that the implication that Willshire and the young woman

became engaged is fanciful. A love token of some kind is a reasonable proposition, however, in the context of Willshire's 'inordinate love of Notoriety' as fellow police officer Mounted Constable South expressed it (p. 279). One possibility is that he purchased a silver 'dog's collar' which he riveted about her neck, as another man is said to have done in Willshire's book *A thrilling tale of real life in the wilds of Australia* (1897: 28).

After some purple prose – 'the toxic wind began to reap its fatal harvest among those remaining at the mission' (p. 191) – the rest of this section gives an excellent account of the missionaries' increasingly harsh treatment (including chaining and whipping) of Aborigines as they attempt to retain Christian control. It documents Willshire's ruthless patrols, and how Willshire established himself, along with his Native Constables, at Boggy Waters police camp.

Section Four begins with a discussion of what was transpiring in Adelaide's mission and government circles and how this contributed to the continuing frontier violence. Wurmbrand's involvement in the murder of chained Aborigines north of Hermannsburg is a trigger for much of what follows. The author closely examines the formal South Australian government inquiry and illustrates the degree to which incriminating details were covered up to save a senior policeman's hide. He also details the accusations by the Hermannsburg missionaries against police and pastoralists and the counter claims. Further 'covering up', particularly by deliberately not calling Aboriginal witnesses as Willshire had threatened to do (p. 230), is mentioned, and in the end it is certain that everyone was protecting his own hide to some extent. Vallee is a bit tough, though, when he states that '[o]ne cornerstone of Aranda Lutheranism was Erwin Wurmbrand's revolver' (p. 239). His revolver was hardly an intended 'cornerstone', and certainly the missionaries did not expect it to be used for cold-blooded murder! More importantly, though, Willshire emerges as an incorrectly maligned officer *on the basis of available evidence*. It is this effective clearance of his name against the majority of the allegations that seems to have suggested to him that he now had a totally free hand. Significantly, having called the inquiry's bluff by threatening to call Aboriginal witnesses who might have implicated many white men in the Centre in some misdeed, he appears to have concluded that he was above and beyond the laws of the land.

The fifth major section, 'The trials of William Willshire', is wonderfully examined. Vallee provides a step-by-step analysis of the evidence that Willshire was guilty of murder. Details of the Port Augusta courtroom are given in such a way that one could easily imagine a film being made of the setting and the trial. In many ways it was a truly sensational trial, for Willshire was the first policemen brought down from the Centre in chains to face a murder charge. The author has done the trial, and all the questions surrounding it, justice, even if, as he also suggests, justice was not done: some witnesses were deliberately not called and obvious questions were not asked, with senior South Australian government officials very much ducking for cover. That Willshire was freed to loud acclaim does not mean that he was not guilty. Even so, the conflicting evidence given by Aboriginal witnesses (some of whom had clearly been influenced by Willshire), and the fact that the Native Constables had done the shooting of the two Aboriginal men, might suggest that even today a jury would have some difficulties in coming to a decision. Willshire might well have been found to be implicated rather than

directly guilty, although cutting a wounded man's throat, then burning the bodies before unconcernedly sitting down to breakfast remains difficult to explain away.

Much as it is clear that Willshire wished to return to Boggy Waters (or a new camp further south), but was blocked by his superior officers from doing so, it is overly romantic to say that he was 'forced to leave behind on the Finke perhaps the only women who had ever loved him as he needed to be loved, with uncritical admiration' (p. 299). I believe that the woman or women who supposedly loved him were creations of his romanticised self-perception, and they were quite prepared to return to their Aboriginal husbands rather than stay with him – which is why the husbands were murdered. In his later writings Willshire indicates none too subtly, in an account of young women dancing about him while he was seated, that he 'always had a keen sense for natural beauty, and an admiration for the weird and wild mysteries of unknown regions' (1896: 30). Although he denies that he accepted 'overtures' from one of the young women on this occasion, there are no hints in his accounts of nubile young Aboriginal women that he was missing his Tempe Downs woman, or women. But to be as fair as possible to him, although Vallee denies the possibility of a 'close marriage', without stating why he believes this, Willshire appears to have settled down happily enough into marriage with yet another young woman (p. 304 and plate following p. 308).

Intriguingly, Willshire defended himself in a later publication by questioning why Frank Gillen, the Justice of the Peace, was so assiduous in chasing up evidence and in having him arrested. He wrote 'I never meddled with long-haired Rose at Charlotte Waters' – where Gillen lived for the 12 years to 1890 – 'and have to this day failed to comprehend why he displayed such venom, and thus comported himself' (p. 298). Willshire appears to have believed that central Australians, other than those associated with missions, would support him no matter what he did (and many did raise funds for his defence), and he missed the point that Gillen was doing his duty as a Justice of the Peace by gathering evidence about a murder, not a meddling with the 'long-haired Rose'. Presumably Gillen had had cause to remonstrate with Willshire about some incident involving Rose a year or two before the trial, but Willshire's reference seems to be a frontiersman's bitter 'last laugh' at Gillen, again demonstrating his 'inordinate love of Notoriety' (p. 279).

At the conclusion of the trial, Willshire's defenders said that he was found innocent, and that was all that mattered. However, does it end there? In 'Who killed Ereminta? a retrial', Vallee revisits the trial with the benefit of modern hindsight. He suggests that Judge Bunday had limitations, that 'the prosecution ran dead' and that there was a 'permanent conspiracy of the public servants'. However true or not these perceptions are, the author realises that he needs to examine Willshire more closely. He considers Mounted Constable South's comment about Willshire's 'insanity' and decides, instead, that his 'eccentricity' '[flowered] into acts of evil' on the frontier. Vallee also considers that Willshire's superiors 'should share responsibilities for the deaths of Ereminta and Donkey', which means, as he states, that the South Australian government and the electorate were responsible. He further examines the 'complicity' of the Native Constables and the missionaries 'with police violence'. All of this is well enough argued, but I found it less satisfying than the rest of the book in that it essentially ignores all of the positive actions by the Aboriginal witnesses, Mounted Constable

South, Frank Gillen, the Hermannsburg missionaries in much of what they did, and those others who had integrity.

The 'Epilogue' more interestingly reflects on the Aranda and the Lutherans, and, as with the rest of the book, is worth the reading.

The author has made a deliberate choice not to pursue some aspects of Willshire's 'notoriety', and to focus solely on his central Australian service. In the process he has, among many other aspects, examined the possibility that Willshire genuinely fell in love with a young Aboriginal woman. Although I believe that it would have been useful to have considered his career more widely, the advantage of the close focus is that it allows the author to bring Ereminta and several other Aboriginal characters more sharply into vision than in previous studies. It also means that the allegations against Willshire which resulted in his trial, and the trial itself, are given due prominence.

I read the book with interest and pleasure. The selection of photographs, particularly those of people, is excellent. That of Chambers Pillar is rather oddly chosen to illustrate the country beyond the pillar rather than the inscribed name of Willshire. I found the maps adequate, the 'Select list of persons' useful (pp. 323–325) if too limited on Wurmbrand, and the Notes, Bibliography and Index generally very good, with only a few minor spelling, printing and indexing errors. The writing is accessible English, easily readable by anyone with an interest in the subject, and benefits from occasional modern colloquial phrases or personal comments by the author. It does require constant close attention to keep 'on track' because of the fine detail presented. Problems are few. The author can be relied upon for his excellent research, and excellent choice of quotations from letters and transcripts of evidence, but one must be alert for occasional assertions or postulations. Curiously, the bibliography, while otherwise comprehensive, omits Schmiechen's thesis and Stapleton's hagiography. These are but minor quibbles in a book of sustained excellence.

All in all, I consider it the most finely detailed study yet published of a significant era in central Australia's history. I highly commend it for study in university courses in Australian history, and to general adult readers with a detailed interest in central Australian, South Australian and Northern Territory history.

References

- Diamond, J 1997, *Guns, germs and steel*, Jonathan Cape, London.
- Stapleton, Austin 1992, *Willshire (Mounted Constable 1st class) of Alice Springs*, Hesperian Press, Carlisle, WA.
- Schmiechen, J 1971, 'The Hermannsburg Mission Society in Australia 1866–1895: Changing missionary attitudes and their effects on the Aboriginal inhabitants', B.A. Honours Thesis, University of Adelaide.
- Willshire, WH 1895, *A thrilling tale of real life in the wilds of Australia*, Frearson and Brother, Adelaide.
- 1896, *The land of the Dawning*, W.K. Thomas & Co., Adelaide.

R.G. Kimber
Alice Springs

Contributors

Michael Bennett is a historian working for the Native Title Services Corporation, a federally-funded organisation that assists Aboriginal communities in New South Wales with Native Title claims. His role is to examine the documentary record for evidence of the nature of Indigenous connection to land since colonisation. His other research interests include the history of police trackers in New South Wales.

Anne Brewster is a senior lecturer in the Department of English at the University of New South Wales.

Hilary Charlesworth is Professor in the Regulatory Institutions Network in the Research School of Social Sciences, The Australian National University, and Professor of International Law and Human Rights in the ANU College of Law. She is internationally acclaimed for her work on human rights, and her research on international law and democracy.

Kelly K Chaves is a doctoral student at the University of New Brunswick, Canada.

Ann Curthoys is Manning Clark Professor of History at The Australian National University and an ARC Professorial Fellow. She has written about many aspects of Australian history, including Aboriginal-European relations, racially restrictive immigration policies, Chinese in colonial Australia, journalism, television, and 'second wave' feminism. She also writes about historical theory and historical writing. Her books include *Freedom Ride: a freedomrider remembers* (2002), winner of the Stanner Prize, and, with John Docker, *Is History Fiction?* (2005). Her latest book, *Rights and Redemption: history, law, and Indigenous people*, written with Ann Genovese and Alexander Reilly, will be published by UNSW Press in 2008.

Anna Haebich holds the UNESCO Oribicom Chair at Griffith University and is a director of the Centre for Public Culture and Ideas. As an ARC Fellow, she is currently working on 'Imagining Assimilation', the first comprehensive cultural history of assimilation in Australia.

Margaret Jacobs is Associate Professor of History and Director of Women's and Gender Studies at the University of Nebraska, Lincoln. She is the author of *Endangered Encounters: feminism and Pueblo cultures, 1879-1934* (1999) and *White Mothers to a Dark Race: settler colonialism, maternalism and Indigenous child removal in the American West and Australia, 1880-1940* (2008).

Ross Laurie is a lecturer in Australian Studies at the University of Queensland.

Darrell Lewis is a Research Fellow with the Centre for Historical Research at the National Museum of Australia. He has recently published *The Murrarji Track: ghost road of the drovers* and *Roping in the history of broncoing* through the University of Central Queensland. He received his PhD from The Australian National University in 2005.

Judith Littleton is currently a senior lecturer in Biological Anthropology at the University of Auckland. She is conducting ongoing research on Aboriginal burial practices in the Murray Valley region.

Joanne Scott is Associate Professor of History and Head of the School of Social Sciences at the University of the Sunshine Coast.

Jodie Taylor is a PhD candidate at Griffith University, where she also lectures in the Music Technology department and works as a research assistant with Professor Anna Haebich at the Centre for Public Culture and Ideas.

Rebe Taylor is an ARC Fellow at the Australian Centre within the School of Historical Studies at the University of Melbourne. Her project, 'From Race to the Genome', explores the history of the Tasmanian Aboriginal people within the scientific imagination.

David Trudinger holds a PhD from The Australian National University and currently teaches history at the University of the Sunshine Coast.

Christopher Warren is an independent researcher. He has a BA from The Australian National University. He grew up in Condobolin and Wagga Wagga. He has worked as a Research Officer/Senior Research Officer in the Australian Public Service for 30 years. He can be contacted at: Chris.Canberra@gmail.com

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, 1995: 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 and 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.
- Trangamar, ER 1960, 'Stories of the past: Mulga Fred', reprinted in *Coleraine Albion*, 4 and 11 February.

Aboriginal History Monograph Series

Monograph 16

2007

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

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

Sales and orders

T Boekel, email: sales@aboriginalhistory.org, tel or fax: +61 2 6230 7054,

www.aboriginalhistory.org