



An Imaginary Dominion

**The Representation and Treatment of Aborigines in South Australia
1834 - 1911.**

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Abstract

This thesis examines the relationship between the representation and the treatment of Aborigines in South Australia from 1834 to 1911. What were the images of 'Aboriginality' constructed by colonial society and how did these constructions change through time and differ from one social context to another? Furthermore, what was the relationship between these images and the treatment of Aborigines?

The 'Aborigines' of this study are not the people 'as they were', but as they existed as a product of European colonial imagination. The dominant culture's 'knowledge' of the Aborigines was never merely descriptive, it constituted a construction - a complex of ideas that served to legitimate its dominion. It is argued that the construction of the 'Other' is inexorably linked to the dominant culture's construction of itself. At the time of settlement, representations of Aborigines were bound up in a British imperial perspective and the ideal that they could be incorporated into colonial society; but by Federation a nationalist perspective sought their exclusion from Australian society. As the representations of Aborigines changed through time, they also varied within colonial society - reflecting differing social relationships. While these constructions of the 'Other' may have changed through time, and varied according to the social context, the underlying relationship between knowledge and power - the legitimization of inequality - did not change.

Declaration

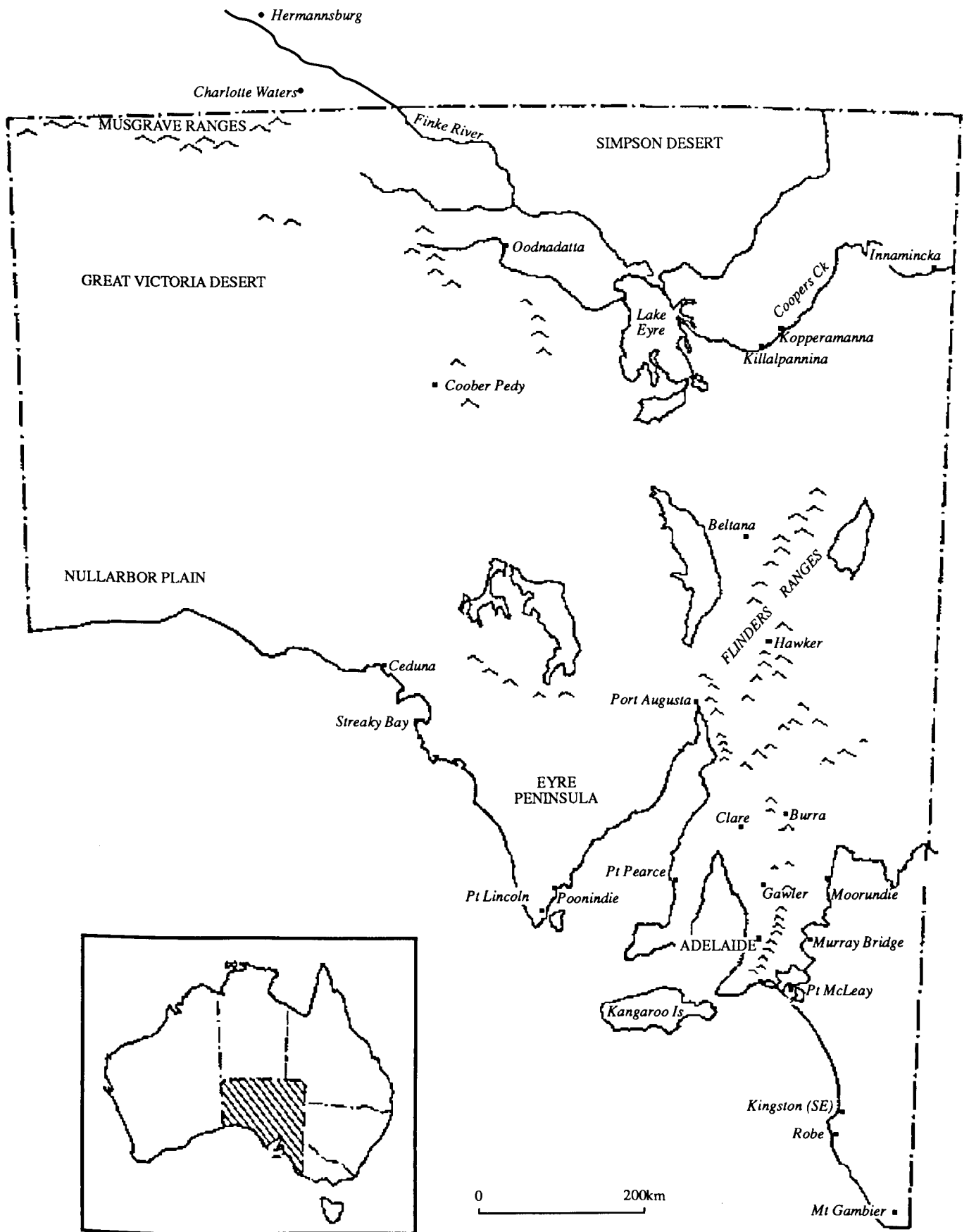
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South Australia

Map 1. Place names mentioned in the text

Introduction

Subject and Approach

The subject of this thesis is the representation and treatment of Aborigines in South Australia, from the passing of the South Australia Act by the imperial parliament in 1834 to the implementation of the Aborigines Act by the state government in 1911. This period has been chosen because it is long enough to encompass important shifts in the representation of Aborigines. The geographical setting of the study is sufficiently confined to permit a detailed analysis of the subject, while comprehensive enough to be considered representative of Australian colonial society.

The 'Aborigines' of this study are not the people 'as they were', but as they existed as a product of European colonial imagination; not a description so much as a fluid ideology - a changing complex of ideas which served to legitimate inequality. J. B. Thompson expresses this well when he employs the concept of ideology to refer

to the ways in which meaning serves, in particular circumstances, to establish and sustain relations of power which are broadly asymmetrical - what I shall call 'relations of domination'. Ideology, broadly speaking, is *meaning in the service of power*.¹

This approach to the study of representations of Aboriginality is analogous to Edward Said's analysis of 'Orientalism'. By Orientalism, Said meant several things: the study or teaching of Orientalism; 'a style of thought based on an ontological and epistemological distinction made between "the Orient" and (most of the time) "the

¹ J. B. Thompson, *Ideology and Modern Culture*, Cambridge, 1990, p. 7.

Occident" '; and, in the sense that the word is used by Michel Foucault, a discourse.²

On this last point, he writes:

Taking the eighteenth century as a very roughly defined starting point Orientalism can be discussed and analysed as the corporate institution for dealing with the Orient - dealing with it by making statements about it, settling it, ruling over it; in short, Orientalism as a Western style for dominating, restructuring, and having authority over the Orient.³

In the light of Said's work the term 'Aboriginalism' has been coined to refer to 'a mode of discourse which . . . produces authoritative and essentialist "truths" about indigenes, and which is characterised by a mutually supporting relationship between power and knowledge'.⁴ It is the study of the relationship between knowledge and power - representation and treatment - that is at the heart of this work.

The dominant culture's control of the way in which the 'Aborigines' are represented constitutes a form of dispossession, as important as the physical dispossession that accompanied colonisation. Bain Attwood makes this point very clearly when he writes:

Much European knowledge of the autochthonous people is peculiarly dependent on representations which construct 'the Aborigines' in their absence. These representations impose very real limits on what can be thought, said, or even done about Aborigines. Aboriginalism, furthermore, disempowers Aborigines because they are made into an object of knowledge over which European Australians, as the dispensers of truth about their needs and requirements, gain control.⁵

2 Edward W. Said, *Orientalism*, London, 1991, pp. 2-3.

3 *ibid.*, p. 3.

4 B. Attwood, 'Introduction', in B. Attwood & J. Arnold (eds), *Power, Knowledge and Aborigines*, Clayton, Victoria, 1992, p. i.

5 *ibid.*, p. ii.

The representation of the 'Other' is born of the dominant culture's representation of itself. Identity is not inherent, nor is it constructed in isolation. Identity is constructed through a dialogue, and sometimes an argument, with that which is outside 'Us'. We seek to imitate that which we aspire to and reject that which threatens the object of our desire. The construction of the 'Other' stems always, and necessarily, from the construction of the self. In examining the way in which colonial society created and recreated Aboriginality, this thesis also examines the way Australian society created its own identity. In a passive sense, Aboriginality might be regarded as a mirror in which we can view the changing reflection of ourselves. In an active sense, our construction of Aboriginality constitutes one of those oppositional relationships through which we have defined ourselves.

The period dealt with in this work begins with a British imperial construction and ends with an Australian nationalist construction. The principal representations of Aboriginality in colonial society fall into three distinct, although overlapping, phases.⁶ In the first phase, between settlement and the advent of responsible government in 1856, representations of Aboriginality are linked to the process of dispossession. Chapter one sets the scene by examining the political and ideological preconceptions of South Australia's colonial planners. Chapters two to five examine the process of dispossession from a number of perspectives. 'British land, British subjects' deals with the legal and political dispossession of the Aborigines. 'The Outskirts of Civilisation' looks at the way settlers, engaged in the physical dispossession of the people from their land, sought to justify their behaviour, especially the violence that was an inevitable part of the process. 'Civilisation and Christianisation' looks at how the state, and missionaries, attempted to 'reconstruct' Aboriginal people. The last chapter of this section, 'Manners none; Customs beastly'

⁶ This periodisation is in broad agreement with that proposed by Andrew Markus in 'Australian Governments and the Concept of Race: An Historical Perspective', in M. de Lepervanche & G. Bottomly (eds), *The Cultural Construction of Race*, Sydney, 1988, pp. 46-59.

examines the way early ethnographic descriptions of Aboriginal culture served the process of dispossession.

In the second phase, from the 1850s to the 1890s, the representations of Aborigines are linked to the issue of their place in colonial society. The belief that Aborigines were a 'dying race' dominates the thinking of this period. 'Smoothing the downward path' examines how the notion of the 'dying race' favoured an administration of benign neglect. 'On the Margins of Society' looks at the constructions of Aboriginality emerging in a variety of social settings, in particular on mission reserves, pastoral stations, and the fringes of the settled districts. This chapter also considers the emergence of what Stanner has described as the 'great Australian silence'. 'The Discovery of Prehistoric Man' deal with the re-emergence of ethnographic interest in Aborigines and traces the process by which the previously dominant religious/moral construction gave way to a scientific/racial view.

In the final phase, beginning in the 1880s, the representations are connected to the emerging Australian nationalism and the increasingly secular and racial construction of indigenous people. Although the Aborigines Act of 1911 is used as a cut-off point, the representations of Aboriginality discussed here continued to be influential until the Second World War.⁷ 'Australia for the Australians' examines the way Aborigines were 're-invented' in the context of Australian nationalism. The final chapter, 'In these days of social purity', explores how the dominant culture's concern with issues of social, moral, and racial homogeneity sanctioned the exclusion of Aborigines from Australian social and political life.

This is also a study of the treatment of Aborigines: an examination of the way ideas about them sanctioned social and administrative behaviour. As Attwood notes, 'Knowledge is always situational - it is sought and acquired by individuals for some

⁷ *ibid.*, pp. 51-55.

purpose or another, and as this changes what they "know" will also shift'.⁸ Within the narrative structure, the changing representations of Aboriginality are examined in a number of specific social and intellectual contexts. How did representations of Aborigines influence government policy? What were the social constructions of Aboriginality? Specifically, what were the images generated by those engaged in physically dispossessing the Aborigines of their land, and of those who employed their labour and worked alongside them, and of those citizens who had little or no contact with Aboriginal people? What were the constructions of Aboriginality generated, or employed, by the intellectual elite of colonial society - those people whose profession or vocation was to study and describe Aboriginal society and culture? What was the missionary construction of Aboriginality?

These perspectives are not exclusive, nor are the contexts in which they were generated unchanging. The missionaries, for instance, were engaged in bringing Christianity to the Aborigines, but in another context they were agents of the State in endeavouring to assimilate Aborigines into the colonial regime. In early colonial society the missionaries were largely responsible for producing ethnographic descriptions of the Aborigines but by the turn of the century this task was almost exclusively in the hands of secular anthropologists. The 'centres' from which representations of Aboriginality were generated changed through time as the social and intellectual priorities of the dominant culture changed. The narrative structure of the thesis has been designed to reflect these shifting priorities and perspectives.

Historiographical Context

The study of representation has long been the domain of visual arts, literary studies, and scientific historiography. In 1960 the art historian, Bernard Smith, examined the way European culture constructed the South Pacific in *European Vision and the South*

⁸ *ibid.*, pp. i-ii.

Pacific 1768-1850,⁹ a theme he continued to explore in later works.¹⁰ Geoffrey Dutton's *White on Black*, published in 1974, was a study devoted to the representations of Aborigines in the visual arts.¹¹ In 1958, D. J. Mulvaney examined the changing scientific representations of Aborigines in his two-part paper 'The Australian Aborigines 1606 - 1929: Opinion and Fieldwork'.¹² The mid-1980s witnessed an upsurge in studies of representation, some of which, like Ross Gibson's *The Diminishing Paradise*, examined literary representations of Aborigines in the context of changing representations of Australia.¹³ In *Interpreting Aboriginal Religion*, Tony Swain pursued aspects of the scientific construction in a study of the changing views of Aboriginal religion.¹⁴ The editors of *Seeing the First Australians* drew together many of these threads in a collection of papers which again dealt principally with artistic, literary and scientific representations.¹⁵ In 1988, the construction of Aboriginal identity was examined from a largely anthropological perspective in a collection of papers edited by Jeremy Beckett, under the title *Past and Present*.¹⁶

Studies of the representation of Aborigines from a social history perspective have emerged much more recently. Two works in particular have been influential in shaping the way I have approached the task. The first is Henry Reynolds' *Frontier*, with its focus on the 'attitudes and the behaviour of the settlers and their reactions to the blacks they were dispossessing'.¹⁷ The themes in *Frontier* are much the same

9 B. Smith, *European Vision and the South Pacific 1768-1850*, Melbourne, 1960.

10 See, for instance, B. Smith, *Imagining the Pacific in the Wake of Cook's Voyages*, Melbourne, 1992.

11 G. Dutton, *White on Black*, Melbourne, 1974.

12 D. J. Mulvaney, 'The Australian Aborigines 1606 - 1929: Opinion and Fieldwork', *Historical Studies*, vol. 8, nos. 30 & 31, 1958.

13 R. Gibson, *The Diminishing Paradise, Changing Literary Perceptions of Australia*, Sydney, 1984. See also R. Sellick, 'From the outside in: European ideas of exploration and the Australian experience', *Australia and the European Imagination*, introduced by Ian Donaldson, Canberra, 1982 & J. J. Healy, *Literature and the Aborigine in Australia*, St. Lucia, 1978.

14 T. Swain, *Interpreting Aboriginal Religion, An Historical Account*, Adelaide, 1985.

15 I. Donaldson & T. Donaldson (eds), *Seeing the First Australians*, Sydney, 1985.

16 J. Beckett (ed), *Past and Present: The Construction of Aboriginality*, Canberra, 1988.

17 H. Reynolds, *Frontier*, Sydney, 1987, p. vii.

as those dealt with in this thesis, the main difference being methodological; process rather than theme serving as my organising principle.

The second work that has influenced my approach is Bain Attwood's *The Making of the Aborigines*.¹⁸ Attwood's thesis is that the people referred to by the all-encompassing term 'Aborigines' are not the people who lived on the continent prior to European settlement, but are in fact a construction of colonial society. According to Attwood 'the making of the Aborigines' is 'a process which was determined more by Europeans than by Aborigines, because they had the power to shape the indigenous peoples as 'Aboriginal'.¹⁹ He examines this process through a number of case studies dealing with racial ideas and attitudes, missionary activity, and the operation of colonial law. Although there are points of overlap, my approach differs from Attwood in that I examine the way in which representation influenced European behaviour rather than impacted upon Aboriginal identity. Although it appeared after most of the work on this thesis was completed, Bain Attwood's lucid discussion of representation in his introduction to *Power, Knowledge and Aborigines*, was also extremely valuable.²⁰

The Sources

Sources used include published and unpublished government records; letters, diaries and reminiscences; newspapers and magazines; contemporary ethnographic and historical accounts of the Aborigines in books and journals; descriptions of Aborigines in popular literature; and pictorial representations of Aborigines in paintings, photographs, newspaper illustrations and cartoons, decorative sculpture and public displays.

18 B. Attwood, *The Making of the Aborigines*, Sydney, 1989.

19 *ibid.*, p. x.

20 B. Attwood, 'Introduction', pp. i-xvi.

During the late 1980s, with other researchers, I spent about fifteen months recording Aboriginal references in South Australian newspapers. It was impossible not to be struck by the way in which the representation of Aborigines changed through time, and varied according to the social position of the observer. Of particular interest were those events, issues and personalities that constantly appeared, reinterpreted by each generation to serve its particular needs. From this the idea of this thesis emerged.

Published records such as parliamentary reports served to distil the key attitudes of the day, while parliamentary debates, like newspapers, recorded the evolution of ideas in a more gradual way. The records of the Aborigines Department, while self-evidently important as a source of information on Aboriginal administration, also proved valuable in tracing significant shifts in community attitudes.

In using these sources I have had to make judgments about the relative weight to give particular viewpoints. This is best illustrated in reference to the missionaries. For most of the colonial period missionaries were the most devoted observers of Aboriginal society and their most vocal advocates. In some ways, however, the strength of their voice is out of all proportion to their actual influence. A simple indication of this is the fact that in the 1880s, at the height of missionary influence, over 80% of the Aboriginal population lived off mission reserves, on pastoral stations, or in fringe camps. Furthermore, in a period when missionaries operated without the support of many legislative sanctions, the degree of influence they had within the confines of mission reserves is in itself questionable. Their role as self-appointed protectors of the Aborigines and their self-proclaimed possession of the moral high-ground has tended to sanctify their views in the eyes of contemporary scholarship. To compensate for this skewed perspective I have endeavoured to give greater weight to records about Aborigines living off missions.

I have drawn extensively on published and unpublished reminiscences. In them the telling silences, the shifts of perspective, and the progressive elaborations are particularly revealing for the light they cast on the way a society constructs its identity. Where pertinent, I have used them even when they are not contemporaneous with the study period. I excuse this on the grounds of utility. Some of the themes emerging in the late colonial period, most notably the role of Aborigines in the 'pioneer legend', continued to work themselves out in the early years of the twentieth century and needed to be followed through.

Zen and the Art of Postmodernism

The issue of representation has grown in significance in recent times as a result of major shifts in intellectual orientation. This is particularly evident in the emergence of postmodernism.²¹ Postmodernism signals a loss of faith in what Jean-Francois Lyotard calls the 'metanarratives' of modernity:

the progressive emancipation of reason and freedom, the progressive or catastrophic emancipation of labor (source of alienated value in capitalism), the enrichment of all humanity through the progress of capitalist technoscience, and even - if we include Christianity itself in modernity (in opposition to the classicism of antiquity) - the salvation of creatures through the conversion of souls to the Christian narrative of martyred love.²²

These are narratives which seek legitimacy, not in a founding act, 'but in a future to be accomplished, that is, in an Idea to be realized.'²³ Lyotard argues that during the last fifty years 'each grand narrative of emancipation' has been discredited.²⁴ Either explicitly or implicitly, these narratives of modernity have provided the social sciences with their theoretical anchors; now, in their absence, or abeyance,

21 See Jean-François Lyotard, *The Postmodern Condition: A Report on Knowledge*, trans. G. Barrington & B. Massumi, Manchester, 1986.

22 Jean-François Lyotard, *Postmodernism Explained*, translation edited by J. Pefanis & Morgan Thomas, Minnesota, 1992, pp. 17-18.

23 *ibid.*, p. 18.

24 *ibid.*, pp. 28-29.

contemporary theory has moved towards a form of relativism.²⁵ In this intellectual climate, *what* we know has become problematic and the focus has shifted to our *ways* of knowing. In this context representation has become increasingly significant.

While conscious of this debate, I have not approached the writing of this thesis as the adherent of any particular school of thought - postmodernist or otherwise. The ideas that I explore derive as much from personal philosophical preoccupations as from theories or debates within the social sciences. On reflection, an earlier interest in Buddhist philosophy, with its experiential focus on the way in which we construct reality, has been as important an influence as any. From this perspective, the issue of how and why a society constructs the 'other' provides a particular avenue through which the broader issue of the social construction of reality can be approached. Indeed, a long-standing suspicion of ideologies which dress themselves up as paths to political freedom or personal salvation has been an important motive in undertaking this study of the representation and treatment of Aborigines. That same suspicion leads me to view the current interest in representation with interest, but also caution. There is a danger that in breaking down big ideological prisons, we may simply construct an array of smaller ones: that in *describing* of our ways of knowing we may begin *prescribing* them.

A Note on Language

In recent times Aborigines have begun using indigenous terms to describe themselves as a people. Emerging from the eastern states, 'Koori' has become the most widely used pan-Aboriginal name and is gaining favour with the national media. Aboriginal people in South Australia commonly use the term 'Nunga' to describe themselves. However, in some regions of the state, tribal names such as Kurna and Ngarrindjerri - with particular cultural and geographical associations -

²⁵ P. M. Rosenau, *Post-Modernism and the Social Sciences*, Princeton, 1992, pp. 114-116. See also Richard Campbell, *Truth and Historicity*, Oxford, 1992, pp. 402-7, 435.

are preferred. With the conventions of Aboriginal self-identification still evolving, and problematic, I have opted for a conservative approach. Throughout this work I have used 'Aborigine' as the noun describing the 'original inhabitants of Australia' and 'Aboriginal' as the adjective. In passages where contemporary attitudes are being examined, and the original language is an important indicator of those attitudes, I have used contemporary descriptors or epithets in inverted commas. In some instances, where an individual's attitudes or beliefs are more extensively paraphrased, I have dispensed with inverted commas entirely.



'undoubted lords of the soil'

. . . I had another reason which made me less forward to enlarge his Majesty's dominions by my discoveries. To say the truth, I had conceived a few scruples with relation to the distributive justice of princes upon those occasions. For instance, a crew of pirates are driven by a storm they know not whither; at length a boy discovers land from the top-mast; they go on shore to rob and plunder; they see an harmless people, are entertained with kindness; they give the country a new name; they take formal possession of it for the king; they set up a rotten plank or a stone for a memorial; they murder two or three dozen of the natives, bring away a couple more by force for a sample, return home, and get their pardon. Here commences a new dominion acquired with a title by divine right. Ships are sent with the first opportunity; the natives driven out or destroyed; their princes tortured to discover their gold; a free licence given to all acts of inhumanity and lust, the earth reeking with the blood of its inhabitants; and this execrable crew of butchers employed in so pious an expedition, is a new colony, sent to convert and civilize an idolatrous and barbarous people.

Jonathon Swift, *Gulliver's Travels* (1726), pp. 316-317.

Waste and Unoccupied?

Early in the morning of 15 August 1834 an Act to erect the Colony of South Australia was passed by the British House of Commons. The Act made no provision for the rights of the indigenous inhabitants of the proposed colony. Indeed, the British capitalists who drafted the Act went so far as to declare the land 'waste and unoccupied'.¹ This did not mean that the vast tracts of land being annexed were actually unoccupied. The definition of the region as 'waste and unoccupied' was essentially legalistic: by all the principles recognized by a 'civilized' people, so their argument proceeded, the region was *terra nullius* - 'no person's land'.

By the middle of the eighteenth century a set of conventions had emerged among the great maritime powers of Europe - Britain, France, Holland and Spain - by which

¹ Brian Dickey & Peter Howell, *South Australia's Foundation: Select Documents*, Adelaide, 1986, p. 43.

empire could be claimed in the New World. The indigenous inhabitants might be persuaded to accept foreign overlordship. Alternatively a region could be purchased from the people thought to be its rightful owners. Lastly, an area judged to be *terra nullius* could be claimed unilaterally, based on first European discovery. To stake a formal claim to such territory, the initial step was to signify first discovery by erecting cairns or by making inscriptions; the next step was to establish a preliminary right of possession by formally claiming it for the sovereign from whom a commission was carried. This proclamation was accompanied by a ceremony such as raising the flag. The final confirming step was to occupy the region within a reasonable time. The central question was by what criteria a region should be judged *terra nullius*.²

The theories of what constituted actual possession were expressed by the social philosophers of the Enlightenment. Locke, for instance, in his *Two Treatises of Government*, argued that property derived ultimately from man's labour, that 'the fruit or venison which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his'.³ Property *in land*, however, derived from man mixing his labour with the earth and thereby removing it from the 'common state of nature':

Whatsoever, then, he removes out of the state Nature hath provided and left it in, he hath mixed his labour with it, and joined to it something which is his own, and thereby makes it his property. It being by him removed from the common state nature placed it in, it hath by his labour something annexed to it that excludes the common right of man.⁴

Furthermore, argued Locke, man was obliged to subdue the earth:

² Much of this discussion of *terra nullius* is derived from Alan Frost's article 'New South Wales as *terra nullius*: the British denial of Aboriginal land rights.' *Historical Studies*, vol. 19, 1981, no. 77.

³ John Locke, *Two Treatises of Government*, London, 1986, chap. 5, p. 26.

⁴ *ibid.*, chap. 5, p. 27.

God gave the world to man in common, but since He gave it them for their benefit and the greatest conveniences of Life they were capable to draw from it, it cannot be supposed He meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational (and labour was to be his title to it) . . . ⁵

The foundation of Locke's argument can be traced to the Book of Genesis: after creating heaven and earth, the firmament and all the living creatures, God created man:

he said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.⁶

Man not only had the ability to 'replenish and subdue the earth', he was actively enjoined to do so by thinkers such as Locke. This argument, distinguishing between property obtained from the 'common state of nature' and property acquired by man 'mixing his labour with it', was used by Cook when he staked Britain's claim to eastern Australia. The land, according to Cook, was 'in the pure state of Nature, the Industry of Man [having] had nothing to do with any part of it'.⁷ Such arguments for dispossession were often repeated in the early years of the South Australian colony - as they were throughout the continent.

While the question of the way in which indigenous people used land was central to any judgments about whether that land was *terra nullius*, there were other considerations. Were there forms of government and systems of law? Did the people possess a system of religion? Did they erect permanent dwelling places or engage in commerce? The Aborigines of Australia, in the view of the British, had none of these,

⁵ *ibid.*, chap. 5, p. 34.

⁶ *St. James Bible*, Genesis, chap. 1: 28.

⁷ Quoted by Frost, 'New South Wales as *terra nullius*', p. 520.

so they were judged to have barely advanced beyond 'the state of nature'.⁸ The idea of indigenous people living in, or near, an absolute 'state of nature' comes from the concept, popular in the eighteenth century, of the 'great chain of being'. This hierarchical scheme ordered all living things in a scale from the simplest creatures at the bottom, to God at the apex. Man was nearest to God, but the races of man were divided according to their degrees of civilization. Europeans were judged closest to God, while the 'Hottentots' and other 'savage peoples of the world' were ranked so low as to almost merge with the monkeys.⁹ The belief allowed the biblical injunction to subdue the earth and all its creatures to be tacitly extended to those races of man considered by the imperial powers of Europe to be nearly at the level of 'brute creatures'.¹⁰

Given the absence of any reference to the Aborigines in the South Australia Act of 1834, or in the parliamentary debates about it, what attention did the colonial planners give to the Aborigines in the country they were annexing? The various books and pamphlets produced, extolling the benefits of the new colony, briefly discussed the indigenous inhabitants of the region. Extracts from explorers' journals and interviews with whalers and sealers who had spent time on the southern coast of Australia were quoted. These suggested that the Aborigines were peaceful and no impediment to settlement.¹¹ A pamphlet circulating in 1835, entitled *New Colony in South Australia*, stated: 'The natives of Australia are a feeble, and when treated with kindness, they have proved an inoffensive people'.¹²

8 Frost, 'New South Wales as *terra nullius*', p. 515.

9 A. Lovejoy, *The Great Chain of Being*, Cambridge, 1966, pp. 183-207.

10 H. Reynolds, *Frontier*, Sydney, 1986, pp. 109-111.

11 *Outline of the Plan of a Proposed Colony to be founded on the South Coast of Australia*, London, 1834, p. 71.

12 Colonial Office Records, South Australia, Rowland Hill to Grey, 23 July 1835, CO 13/3. See also *South Australian Register*, 24 October 1849, in which the colonist James Jolly refers to a pamphlet by Lawrence about the new colony which stressed the innocuousness of the Aborigines.

A week before the South Australia Act was passed, the inaugural meeting of the South Australian Literary Association was held at Adelphi House in London. The Association had been formed by leading members of the South Australian Association to promote and discuss issues connected with the colony. In September 1834, Dr Wright presented a lecture on 'Phrenology and the Natural Character of the Aborigines of South Australia', and the following month Robert Gouger presented a paper on the treatment of the Aborigines, which he illustrated with 'copious extracts from the most approved authors on the subject'.¹³ In November, Dr Litchfield gave a lecture on the natural history of South Australia that drew an interesting parallel between the British and Roman empires. Litchfield expressed the hope:

that Britain in colonizing this Country would follow the example of her own benefactor and prototype, ancient Rome, and succeed in raising the natives from their present savage and wretched condition to one of civilization and comfort.¹⁴

A contrast between the empires of the Romans and the British was not uncommon during the first half of the nineteenth century, and the notion that the British had a Holy Mission to raise 'savage people' from their 'lowly state' was a leading justification for the dispossession of indigenous peoples.

The planners' discussions concerned the 'nature' of the Aborigines, largely avoiding the issue of their rights. A telling indication of the South Australian Association's attitude toward the Aborigines comes from a colonist who, many years later, recalled Association literature which 'trumpeted that the aborigines were a peculiarly harmless, an inoffensive race, the lowest in the class Mammalia; and above all, too few in number to be formidable'.¹⁵ The people who planned the colonisation of South

¹³ Minutes of the South Australian Literary Association, 19 September 1834 & 3 October 1834, State Records GRG 44/83.

¹⁴ *ibid.*, 7 November 1834.

¹⁵ *South Australian Register*, 24 October 1849.

Australia were not exceptional in their disregard for the rights of indigenous people. Indeed, their presumptions had a long history in colonisation.

The Background to Colonial Policy

According to R. H. W. Reece, for the first fifty years of Australian settlement colonial policy toward the Aborigines was 'embodied in the instructions given to Captain Arthur Phillip and his successors'.¹⁶ Drawing upon the instructions issued by Charles II to the Council of Foreign Plantations in July 1770, Governor Phillip was directed:

To endeavour by every means in his power to open an intercourse with the natives, and to conciliate their good-will, requiring all to live in amity and kindness with them; and if any of our subjects should wantonly destroy them or give them any unnecessary interruption in the exercise of their several occupations, it is our will and pleasure that you do cause such offenders to be brought to punishment, according to the degree of the offence.¹⁷

These are sentiments rather than injunctions. Phillip was to 'endeavour' to 'conciliate their good-will' and protect them from 'unnecessary' interference, but nowhere is the relationship between Aborigines and the State defined in any legal sense. As Reece points out, the possession of Australia was justified by right of discovery and the Aborigines were not regarded as a conquered nation with their own rights and traditions. In theory, Aborigines were British subjects, but it would be another 50 years before that status would be legally defined. In the interim, Reece argues, "'protection" was a fiction' and race relations were characterised by a 'curious blend of philanthropy and arbitrary force'.¹⁸

When Aborigines gathered in large numbers near Parramatta in April 1801, Governor King ordered that they be 'driven back from the settlers' habitations by

16 R. H. W. Reece, *Aborigines and Colonists: Aborigines and Colonial Society in New South Wales in the 1830s and 1840s*, Sydney, 1974, p. 104.

17 *ibid.*

18 *ibid.*

firing at them'. Later that year similar orders were issued to protect wheat crops at George's River.¹⁹ Circumstances such as this led Lord Hobart in 1805 to raise the question of the Aborigines' legal status. The Judge-Advocate of New South Wales, Richard Atkins, told him that the Aborigines were technically under the protection of His Majesty's Government, but asked how they could plead in a court of law when they did not understand the proceedings. He considered that they were generally incapable of being brought before the criminal courts either as criminals or witnesses: 'it would be a mocking of Judicial Proceedings, and a Solicium in Law'.²⁰ The Judge-Advocate concluded that, 'the only mode at present when they deserve it, is to pursue them and inflict such punishment as they merit'. Reece states that the British government was satisfied with the implications of this pronouncement.²¹

Circumstances were much the same twenty years later. Following the deaths of settlers in the Hunter River district of New South Wales, Governor Darling advised landholders that they should take 'vigorous measures for their own defense' and that the government would assist them. Darling had the backing of the British government. In an 1825 despatch, Lord Bathurst wrote:

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.²²

Circumstances were much the same in Van Diemen's Land. In the late 1820s Governor Arthur began contemplating a plan to 'settle the Aborigines in some remote corner of the island' where they would be fed and clothed but beyond the

19 *ibid.*, p. 107.

20 *ibid.*, p. 108.

21 *ibid.*

22 *ibid.*, pp. 112-13.

limits of which 'they should be made to understand they will cease to be protected'.²³ From the arrival of the First Fleet until the late 1830s the relationship of the Aborigines to the State was ill-defined. In essence, Aborigines were subjects of the Crown when they acquiesced to its dictates, but when they did not they were treated as being beyond the ordinary reach of the law.

In the mid-1830s evangelical philanthropists, fresh from their recent victories against slavery, turned their attention to the rights of indigenous people in British colonies. One leading campaigner was Thomas Fowell Buxton who, just six weeks before the passage of the South Australia Act, addressed the British House of Commons on the need for an inquiry 'into the state and condition of the aboriginal tribes of countries, in and adjacent to, colonies under the dominion of Great Britain'.²⁴ In every colony settled by the British, he argued, 'the native inhabitants, instead of being benefited, were injured by our presence among them'.²⁵ Buxton drew attention to the situation in Australia, North America and Africa. Spring Rice, the Colonial Secretary, supported the call for an inquiry.²⁶ While it would take another year for the Commons to return to the subject, the resultant inquiry was to have a considerable impact on the foundation of South Australia.

On 1 August 1834 a circular despatch, making reference to Buxton's call for an inquiry, was sent by the Colonial Secretary to the colonies. In January 1835 Governor Arthur responded by reflecting upon the disastrous consequences of colonization on the Aborigines of Van Diemen's Land. In reference to the proposed colony in South Australia, he observed that 'every effort, I submit, ought to be made, to come to an understanding with the natives'. Discussing the virtual war of extermination that had occurred on the island, he wrote:

23 Quoted by C. D. Rowley, *The Destruction of Aboriginal Society*, Melbourne, 1978, p. 46.

24 *House of Commons, Parliamentary Debates*, 1 July 1834, p. 1061.

25 *ibid.*

26 *ibid.*

it was a great oversight that a treaty was not, at that time, made with the natives, and such compensation given to the Chiefs, as they would have deemed a fair equivalent for what they surrendered.²⁷

Arthur's report arrived in the Colonial Office on 6 July 1835. Little more than a week later, on 14 July 1835, Buxton again addressed the Commons on the subject of the 'treatment of Aborigines in British Settlements'. Buxton talked of the 'cruel oppression which has been practised on the unhappy individuals in question by depriving them of their lands and other property'.²⁸ While drawing particular attention to the violence occurring at the Cape of Good Hope, he made reference to the situation in the Australian colonies and adverted to Governor Arthur's recent report in which the Aboriginal survivors 'complained that the white men had rooted them out of the soil'.²⁹ The question of 'native proprietary rights' had become a focal issue, along with the broader question of the treatment of Aborigines.

With the establishment of Lord Melbourne's administration in 1835, the influence of the Evangelicals moved beyond the floor of the House and into the bureaucracy, where they dominated the Colonial Office. Lord Glenelg, formerly Charles Grant, became Secretary of State, Sir George Grey was appointed Parliamentary Under-Secretary, and James Stephen deputy to the Permanent Head, and two years later Permanent Head.³⁰ All were members of the Church Missionary Society, while Grey and Stephen were closely associated with Buxton's anti-slavery campaign. In 1836 Buxton established the British and Foreign Aborigines' Protection Society which included Grey among its members.³¹

27 Colonial Office Records, Tasmania, 27 January 1835, Arthur to Spring Rice, CO 280/55.

28 *House of Commons, Parliamentary Debates*, 14 July 1835, p. 549.

29 *ibid*, p. 550.

30 H. Reynolds, *The Law of the Land*, Melbourne, 1987, p. 97.

31 Reece, *Aborigines and Colonists*, p. 130.

The Colonial Office and the Colonization Commissioners

In July 1835 Sir George Grey, the Under-Secretary, wrote to the South Australian Colonization Commissioners quoting Governor Arthur's report and asking what provisions had been made for the welfare of the Aborigines.³² The secretary, Rowland Hill, made some soothing but essentially platitudinous noises but, as Torrens later admitted, this was the first time the Commissioners gave the question of Aboriginal welfare serious attention.³³ By December 1835 the insistence of the Colonial Office on the question of Aboriginal welfare, and specifically Aboriginal proprietary rights, became a major issue for the colonial planners.

Criticism of the new colony's disregard for the Aborigines began to appear from other sources. In July 1835 an anonymous article in the *Westminster Review* drew attention to the fact that nothing in the colony's promotional literature dealt with 'payment to the native inhabitants, the owners of the soil'. The author also stated that it was false to say that the land was waste and unoccupied. Hunting grounds, claimed the author, would be

found there as everywhere else, to be the property of particular tribes. If the natives, therefore, who occupy the lands of the new colony are not to be hunted down like wild beasts, a troublesome and expensive process . . . they must be paid for their lands.³⁴

The article was of concern to the emigrants, and was addressed by the South Australian Literary Association in two meetings during August 1835. The Literary Association had been formed to promote the colony and to discuss problems likely to be faced by colonists in their new home. At one meeting Gouger suggested that a 'Society for the protection of the Aborigines of South Australia' be formed and that

³² CO 13/3, Rowland Hill to Grey, 23 July 1835.

³³ *House of Commons, Sessional Papers, 1836, 7, no. 538, Report of the Select Committee on Aborigines (British Settlements)*, p. 512.

³⁴ Reynolds, *Law of the Land*, p. 104.

lectures on the subject be given. The other meeting asked the lawyer Charles Mann to read a paper in response to the article.³⁵

In early December 1835, Colonel Torrens, the chairman of the Colonization Commission, wrote to the Colonial Office requesting that 'various instruments be issued which must precede the proposed emigration'.³⁶ Foremost among these instruments was a commission under the Great Seal, giving effect to the Letters Patent, which established the limits of the Province. The Colonial Office was bemused by this request, as Stephen noted:

Parliament have usurped this Brand of the Old Prerogative of the Crown, by authorizing the King to do that which he could have done without their aid. They then proceed to accomplish most of what remains. What is left for H. M. to do I cannot imagine.³⁷

Stephen also stressed that once the commission was granted the South Australia Act would be incapable of amendment or revocation by the King. How, he asked, could the King fix the boundaries of a *terra incognita*, and how could it be done with due regard to the 'present proprietors of the Soil or rulers of the Country?'³⁸ Grey's response was to reiterate his concerns over the power these instruments would give the Commissioners. He observed that the territory extended far into the interior of New Holland and might 'embrace in its range numerous Tribes of People whose proprietary Title to the Soil, we have not the slightest ground for disputing'. He added that, before His Majesty could approve anything:

he must have at least, some reasonable assurance that He is not about to sanction any act of injustice towards the Aboriginal natives of that part of the Globe. In drawing the Lines of demarcation for the new Province or provinces, the Commissioners therefore, must not proceed any

35 GRG 44/83, 7 & 14 August 1835.

36 CO 13/3, Stephen to Gardiner, 10 December 1835.

37 *ibid.*

38 *ibid.*

further than those limits within which they can shew, by some sufficient evidence, that the land is unoccupied, and that no earlier and preferable Title exists.³⁹

This was a serious blow to the planners of the colony, seemingly so close to the completion of their preparations. According to John Brown, the Emigration Agent, Torrens was 'exceedingly depressed by the communication' and 'very nervous'.⁴⁰ Torrens suggested that the emigrants be told that there would be a delay, but his colleagues thought it better not to make the information public. In the ensuing weeks Torrens and his companions re-examined their correspondence and combed their collective libraries to find out what had been the response to such circumstances in other colonies.⁴¹

Besides recording the emotional response of the Commissioners, Brown also gave his opinion on the practicality of only settling territory 'unoccupied by the Natives'. He doubted that the indigenous people could be considered as legally occupying the territory in the first place:

What is to be the interpretation of the word "occupy" is the question. The act itself declares the ground to be waste and unoccupied, and this question, if raised at all, ought to have been raised before it was passed. But it is not occupied according to any law regulating possession which is recognised by civilized people.⁴²

Brown believed that the question was being officially raised so that the Colonial Office, if questioned on the subject, could point to 'efforts being made'. Brown also poked fun at the notion of bartering for land with the 'natives', suggesting that

39 CO 13/3, Grey to Torrens, 15 December 1835.

40 John Brown, *Diary*, 17 December 1835, Mortlock Library Nos. 36-37, p. 75.

41 *ibid.*

42 *ibid.*, 16 December 1835, p. 74.

buying the land with 'a few hatchets or Old clothes, may be a purchase in one sense, but is decidedly a Jew's bargain'.⁴³

In December 1835 Torrens presented the first of a number of responses to requests by the Colonial Office for details of attitudes toward Aboriginal welfare in general, and Aboriginal proprietary rights in particular. In reporting the plans of the Commissioners, Torrens made four main points regarding the welfare of the Aborigines. First, the settlers would treat native animals as the property of the Aborigines - if the Aborigines left the settlers' sheep alone. Second, if in 'occupying waste lands' in the vicinity of Aboriginal tribes, settlers drove native animals away, they would be responsible for establishing depots where provisions would be dispensed as a form of compensation. Third, medical dispensaries would be set up to provide relief and, finally, inducements would be offered to persuade adults to send their children to school. Torrens had much more difficulty responding to the question of proprietary rights. How, he asked, without considerable expense and great disadvantage to the emigrants, could the question be settled? Torrens pointed out that the Act had declared the land 'waste and unoccupied', and that it required them to proceed using 'all due diligence'. He warned that any

delay & uncertainty, which would arise, if the suggested inquiry were now to be entered upon, would be considered by those with whom the Commissioners have dealt, and by the parties who propose to emigrate, as a serious breach of faith and would lead to very injurious consequences.⁴⁴

Torrens went on to point out that Aboriginal proprietary rights had never before been recognised in Australia. 'It has invariably been assumed', he argued, 'that the unlocated tribes have not arrived at that stage of social improvement, in which a

⁴³ *ibid.*

⁴⁴ CO 13/3, Torrens to Grey, December 1835.

proprietary right to the soil exists'.⁴⁵ He pointed out that in every colony in Australia extensive public lands were being daily sold without the least consideration being given to question of Aboriginal proprietary rights. Having thus argued that the Commissioners saw little evidence of native title, they were nonetheless willing to make two concessions. First, they offered to insert in the Letters Patent a proviso reserving any lands to which the Aborigines were deemed to be 'in actual occupation or enjoyment'; and, second, they suggested that 'positive orders' be given to the colonial Commissioners of Lands to protect Aboriginal property rights 'should such a right be anywhere found to exist'.⁴⁶ The letter concluded with a claim that the colony was, after all, being settled by 'a virtuous population' of free settlers that would be a positive boon to the Aborigines when compared to other Australian colonies.⁴⁷

On 7 January 1836, Torrens submitted a more polished version of the Commissioners' plan for the protection of the rights of the Aborigines, one that included for the first time a proposal to appoint a Protector of Aborigines. According to this plan, upon the completion of a survey of any portion of land, and before declaring it open to public sale, notice would be given to the protector 'whose duty it will be to ascertain whether the lands thus surveyed or any portion of them are in the actual occupation or enjoyment of the natives'.⁴⁸ If shown not to be occupied, the land would be opened to public sale. If occupied, the land would not be offered for sale unless the Aborigines surrendered their right of occupation by a voluntary sale to the Colonial Commissioners. Where they chose not to surrender their rights 'it will be the duty of the Protector of the Aborigines to secure to the natives the full and undisturbed occupation or enjoyment of those lands and to afford them legal redress against depredations and trespassers'.⁴⁹

45 *ibid.*

46 *ibid.*

47 *ibid.*

48 Colonial Office Records, South Australia, Torrens to Glenelg, 7 January 1836, CO 13/4.

49 *ibid.*

This plan seemed to satisfy most of the Colonial Office's demands: it offered the appointment of an officer solely devoted to the welfare of the Aborigines, and it promised to recognise Aboriginal proprietary rights. But there was also a sense of cynical manipulation, a willingness to offer the Colonial Office anything provided the Commissioners could get their enterprise under way. All the offers to recognise Aboriginal proprietary rights, for instance, were conditional on such rights 'being found to exist'. Looked at from a purely practical point of view, any authentic action by the Commissioners to recognise Aboriginal lands was commercially suicidal. It is clear from the back-room bargaining that they were never serious about the offer. Brown was quite relaxed when he recorded in his diary that Torrens had put before 'the Board a plan for the Aborigines which simply confined itself to the reservation of all lands actually in their occupation'.⁵⁰ It is unlikely that he believed any lands would be found to be 'in actual occupation'. The cynicism was apparent in discussions about the selection of a protector.⁵¹ Colonel Torrens spoke to Brown saying that if the government was going to appoint a protector 'the commissioners were exceedingly anxious that the office should be in the hands of one who in addition to his fitness for the particular duties of it, thoroughly understood the principles of the Colony'.⁵² The aspect of the protector's powers that particularly worried the Commissioners was his right to veto the selection of land said to be occupied by the Aborigines. The Commissioners did not know that a decision had already been made to appoint George Augustus Robinson, or his son, or both.⁵³

The Colonization Commissioners decided to make an effort to win the support of Buxton, one of the leading 'Saints in the House of Commons', to use Brown's sneering

50 Brown, *Diary*, 7 January 1836, p. 87.

51 *ibid.*, 6 January 1836, p. 86 & 12 January 1836, pp. 90-91.

52 *ibid.*, 7 January 1836, p. 87.

53 Colonial Office Records, South Australia, Crawford to Buxton (attached memo), 7 January 1836, CO 13/5.

phrase, and thereby increase the pressure on the Colonial Office.⁵⁴ Brown visited him at home at Northrepp's Hall on 8 and 9 January 1836. He tried to persuade Buxton that the plans of the Commissioners and colonists 'had been uniformly to exercise every degree of humanity in their power without the interference of any legal enactment'.⁵⁵ He also tried to impress upon Buxton the notion that South Australia was to be settled by 'superior colonists' and that if the expedition did not land in the coming season another year would pass in which the whalers would operate unchecked by any legal authority. Buxton was said to be pleased by the thought of the colony being established by a 'better class of settlers', but he balked at the idea of Brown serving as protector and also serving under the Commissioners.⁵⁶

On 11 January 1836 the Colonial Office wrote to the Commissioners stating, among other things, that the right to appoint protectors should be reserved to the Crown. Lord Glenelg believed that there would be no difficulty in getting parliamentary approval but he was not convinced that these new arrangements were 'consistent with the terms of the existing statute'.⁵⁷ To resolve the dilemma Glenelg proposed that:

If this difficulty must prevail so as to render the Act of Parliament incapable of Amendment, except at the expense of a breach of faith with the settlers, then it would be Lord Glenelg's clear opinion, that the Settlement itself should be postponed, until all necessary alterations in the Statute had been effected.⁵⁸

Two other amendments were proposed which angered the Commissioners. These were a provision for the 'revocation and renewal . . . of the various instruments to be

54 Brown, Diary, 4 January 1836, p. 84 & 7 January 1836, p. 87.

55 *ibid.*, 8 January 1835, p. 87.

56 *ibid.*

57 CO 13/4, Glenelg to Torrens, 11 January 1836.

58 *ibid.*

issued under the Royal Authority', and the reservation to Treasury of 'so much of the Sales of Land as may be necessary to supply the deficiency of other Public resources'.⁵⁹ Glenelg did, however, suggest that the settlement might go ahead if a letter was sent to all existing and future emigrants, informing them that the Act might be amended at a later date.⁶⁰

The news stunned Torrens. He is reported to have said 'that the Colony was pretty well ended' if the objections of the Colonial Office were not withdrawn.⁶¹ On the day the letter was received Torrens arranged an appointment with Sir George Grey and forcibly presented the colonists' objections. In the first instance, he stressed, they could not countenance any 'appropriation of the Land Fund', a fund designed to support the emigration of labourers to the colony. Second, while the settlers were anxious for the Aborigines to be protected, the proposition that notice be given to intending emigrants of possible future alterations to the Act would be a 'fatal measure'.⁶² If these measures were insisted upon Torrens threatened that the Board must immediately resign. As Brown records, Torrens' brinksmanship was successful:

Sir George Grey seemed rather surprised at the non-acquiescence of the Comrs and distinctly declared that the Government had every disposition to forward the Colony & permit its establishment as soon as possible. Col. Torrens is of the opinion that by standing firm the Col. Office will not insist upon these objections.⁶³

Somewhat more relaxed after Torrens' meeting with Grey, the written response of the Commissioners was confident: they stood firm on their opposition to Treasury reserving part of the proceeds of land sales but, in the interests of the protection of the Aborigines, they conceded that amendments might have to be made to the Act.⁶⁴

59 *ibid.*

60 *ibid.*

61 Brown, *Diary*, 12 January 1836, pp. 90-91.

62 *ibid.*

63 *ibid.*

64 CO 13/4, Torrens to Grey, 16 January 1836.

While the Colonial Office and the Colonization Commission locked horns over the details of the colony's establishment, the emigrants were growing increasingly restless. Believing that departure was imminent, they had resigned their jobs, disposed of stock, and engaged labourers. They were losing patience and money. Robert Thomas, a purchaser of land in the colony, wrote to the Colonial Office a few days after Torrens' confrontation with Grey, and explained the difficulties he and the other emigrants were facing while the expedition was delayed. He complained that while New South Wales was being settled by 'men of the most abandoned character', respectable families were being denied 'such a privilege except to a limited extent, lest they should interfere with the aboriginal tribes of that vast Island'.⁶⁵ Thomas expressed the colonists' incomprehension of the Colonial Office's objections:

I confess myself at a loss to comprehend how a few strolling savages, very few in comparison to the extent of Country they inhabit, entirely ignorant of the arts of civilized life, and not only without the means but absolutely averse to cultivating the Land, and who if they may be said to possess a small portion of it today, by erecting their rude huts, will abandon it tomorrow, how can such persons be called its actual proprietor? or what wrong can it do to them if others till the land they know not the use of, and the luxuriance of which is now a waste, but is capable of maintaining many thousands of the overabundant population of Great Britain in comfort and affluence, and may soon become a valuable acquisition to the Mother Country, with these and many other considerations, I think it exceedingly unfair, if not an absolute breach of faith, that the colonists should now be put to the expense and inconvenience of further delay, by such frivolous pretences.⁶⁶

He concluded by stating that if Lord Glenelg was motivated by humanity, he could rest assured that the colonists were moved by the same principles and that they saw it as their duty to bring Christianity and civilisation to the Aborigines.⁶⁷

⁶⁵ CO 13/5, Thomas to Stephen, 16 January 1836.

⁶⁶ *ibid.*

⁶⁷ *ibid.*

The pressure brought to bear by the Commissioners and emigrants bore fruit. On 21 January 1836 the Colonial Office wrote an apologetic letter to Torrens withdrawing most of their objections and asserting that any inconvenience suffered had been occasioned

by the entire novelty of the scheme, by the very peculiar structure of the Act of Parliament, and by the necessity of averting from the Aborigines of that part of New Holland the calamities under which that race of men have been overwhelmed by the other British Settlements in Australia.⁶⁸

The Colonial Office did not entirely surrender. It insisted that provisions for the protection of the Aborigines be included in a future Act of Parliament, and Lord Glenelg directed the 'Attorney and Solicitor' to investigate 'by what methods the powers with which it is proposed to invest the protector can be effectually conveyed to that office'. The cherished Letters Patent and Order in Council, the metaphorical keys to the Kingdom, were promised to the Commissioners.⁶⁹ The Letters Patent were approved on 19 February, and the Order in Council four days later.⁷⁰

A bill to amend the South Australia Act of 1834 was indeed drafted and printed about this time. The amendments were almost entirely directed at making provision for the Aborigines of South Australia. Paragraph 3, defining the extent of the colony by Letters Patent, concluded with the assertion that

. . . nothing in the said Letters Patent contained should affect or be construed to affect the Rights of any aboriginal Natives of the said Province, to the actual Occupation or Enjoyment in their own Persons,

⁶⁸ CO 13/4, Grey to Torrens, 21 January 1836.

⁶⁹ *ibid.*

⁷⁰ Dickey & Howell, *South Australia's Foundation*, p. 75.

or in the Persons of their Descendants, of any Lands therein then actually occupied or enjoyed by such Natives.⁷¹

Paragraph 9 gave the Commissioners authority to assign Aboriginal lands:

And be it further enacted, That it shall be lawful for the said Commissioners to assign or allot any Part of the Lands of the said Province to the Aboriginal Natives thereof free of any Price, and to make such Regulations for the Occupation and Enjoyment of the Lands so assigned and allotted as the said Commissioners may see fit, and also to make such Compensation to the said Aboriginal Natives as to the said Commissioners shall seem just in Compensation for their Interests in any Lands now occupied by them in the said Province; and any such Compensation shall and may be paid out of the Produce of Lands sold or to be sold by the Commissioners in the said Province.⁷²

Paragraph 10 specified that land title was only valid if derived from the Commissioners,

Saving only the Rights of the aboriginal Natives to the actual Occupation and Enjoyment in their own Persons or in the Persons of their Descendants, of the Lands actually occupied or enjoyed by them at the time of the Date of the said Letters Patent.⁷³

Although it never became law, the bill indicated the desire of the Colonial Office that Aboriginal proprietary rights be protected - a desire also spelled out in the legally ineffectual Letters Patent.

Regarding the Aborigines, the only matter still to be resolved was the appointment of a protector, an office that a number of the prominent emigrants, including Brown and Stevenson, applied for, clearly hoping to render the post neutral by having it

71 CO 13/5. Draft of a Bill to Amend an Act to empower His Majesty to erect South Australia into a British Province or provinces, and to provide for the Colonization and Government thereof. c. 1835.

72 *ibid.*

73 *ibid.*

filled by an ally.⁷⁴ Lord Glenelg was determined that the office be 'in every respect unconnected with and independent' of both the local government and the functionaries of that government.⁷⁵ In this regard Glenelg wrote to Governor Arthur in early February asking if either of the 'Messrs. Robinson' could be persuaded to accept the position of Protector of Aborigines. He appeared to have little doubt at this time that one would accept the post.⁷⁶

The sly operators among the Commissioners had made provision for the appointment of a hostile protector. John Brown noted on 1 February 1836, almost as an afterthought, that about a fortnight previous the Commissioners, 'by way of protecting themselves against any encroachment of the Protector of Aborigines, passed and sealed an Order of the Board declaring all the lands in the Colony open to Public Sale'.⁷⁷ This 'Order of the Board' was passed at the height of the dispute over the power of the protector to veto land sales. It is quite clear that the Commissioners had very little concern with the indigenous inhabitants of South Australia, where their rights - principally rights to the land - impinged upon the claims of the emigrants.

First Report of the Colonization Commission

A plan for the treatment of the Aborigines in the new colony was set out in the first annual report of the Colonization Commissioners.⁷⁸ The report began by placing the proposed settlement in the context of other colonial enterprises whose recent histories had been bloody. This colony was to be different: 'far from being an invasion of the rights of the Aborigines', the Commissioners argued that it was a necessary displacement of violent and lawless Europeans - squatters, pirates and

⁷⁴ CO 13/5, Grey to Stevenson, 30 April 1836; Brown, Diary, 8 January 1836, p. 87.

⁷⁵ CO 13/5, Grey to Spearman, 30 January 1836.

⁷⁶ CO 13/3, Glenelg to Arthur, 11 February 1836.

⁷⁷ Brown, Diary, 1 February 1836, p. 91.

⁷⁸ *House of Commons, Sessional Papers*, 1836, 39, no. 426. First Annual Report of the Colonization Commissioners for South Australia, p. 8.

runaway convicts - by 'industrious and virtuous settlers'.⁷⁹ The report also offered a guarantee that the settlers would respect Aboriginal proprietary rights 'wherever such a right may be found to exist'.⁸⁰ It was claimed that the Colonial Commissioners had been given distinct instructions to the effect that no land was to be disposed of which had not first been ceded by its original owner, and due compensation paid. Where land was voluntarily ceded by Aborigines, they should be 'permanently supplied with subsistence, and with moral and religious instruction'.⁸¹ Presuming that the cession of land would be the natural order of events, the report detailed how the colonists proposed to deliver the promised recompense. As settlement spread outwards, the Aborigines in each new district occupied would be supplied with 'asylums':

These asylums shall consist of weatherproof sheds, at which the natives may at all times obtain gratuitously shelter and lodging superior to those found in their rudely constructed huts, and may receive, not gratuitously, but in exchange for an equivalent in the form of labour, food and clothing superior to their ordinary means of subsistence.⁸²

The operation of these asylums, it was imagined, would 'accelerate the prosperity of the Colony, by training the Aborigines to habits of useful industry, and by bringing a supply of native labour to aid the efforts of the settlers'.⁸³ The final proposal was the creation of a fund through the sale of land to support this system. For every 80 acre allotment sold, one fifth of the land ceded would be 'reserved as a reserve for the use of the Aborigines':

The mode of determining which of the five equal parts shall be reserved for the Aborigines shall be as follows: the proprietor in possession shall be allowed the first choice of two of the five parts, and then the

79 *ibid.*
80 *ibid.*
81 *ibid.*
82 *ibid.*, p. 9.
83 *ibid.*

Protector of the Aborigines shall have the right to select the reserve out of the remaining three parts.⁸⁴

While seeming to reserve one fifth of all land sold for the Aborigines, the plan actually reserved the income of that land which would be leased for an unspecified period. The income produced would, the report argued, 'constitute a permanent fund for the endowment of schools and establishments for the benefit of the Aborigines'.⁸⁵

The concluding passage of the report stated the colonists' claim to be the benevolent carriers of civilization. The Aborigines were depicted as existing perpetually on the verge of starvation, bereft even of the 'implements of the chase' and, in their notions of industry and the possession of property, unable to 'manifest the instinctive apprehensions of some of the inferior animals'. By the settlers coming among them, the Aborigines

will be lifted up from this degradation; they will be gradually reconciled to labour for the sake of its certain reward; they will be instructed in the several branches of industry, and they will possess in their reserves property increasing in value as the colony expands. Colonization thus extended to South Australia, though it should do nothing for the colonists, and nothing for the mother country, would yet deserve, in its influence upon the Aborigines, Lord Bacon's character of "blessed work".⁸⁶

For all intents and purposes this report characterised the Aborigines as sub-human, without a culture, their minds *tabula rasa*, awaiting the glorious imprint of British civilization.

84 *ibid.*

85 *ibid.*, pp. 9-10.

86 *ibid.*

Buxton's Select Committee

As the first South Australian colonists were sailing to their new home, a select committee of the House of Commons was receiving evidence on the condition of Aborigines in British settlements. In February 1837, less than two months after Hindmarsh had read his proclamation claiming South Australia for the Crown, the committee's final report was tabled. Written by Buxton and revised by Grey, it embodied the humanitarian orthodoxy that would infuse British policy toward Aborigines for many years to come. In Buxton's words, it would overcome the evils that had arisen from the past 'uncertainty and vacillation of our policy'.⁸⁷

The report began by observing that Britain, more than any other nation, had placed herself in communication with the 'uncivilized nations of the earth'.⁸⁸ Her policy had not only sacrificed many thousands of lives but continued to 'influence the character and destiny of millions of the human race'.⁸⁹ Buxton noted that the impact of colonisation had been disastrous for indigenous people:

Too often, their territory has been usurped; their property seized; their numbers diminished; their character debased; the spread of civilization impeded. European vices and diseases have been introduced amongst them, and they have been familiarized with the use of our most potent instruments for the subtle if violent destruction of human life, viz. brandy and gunpowder.⁹⁰

Buxton argued that in its dealings with indigenous people British policy should be informed by two considerations: British ability to confer the blessings of civilization upon the 'uncivilized', and the inability of the 'uncivilized' to resist their encroachments. Buxton stressed that indigenous people had a 'plain and sacred right' to their soil, and that Europeans had not only intruded upon that soil uninvited,

87 *House of Commons, Sessional Papers, 1837, 7, no. 425. Report of the Select Committee on Aborigines (British Settlements), p. 77.*

88 *ibid.*, p. 3.

89 *ibid.*

90 *ibid.*, p. 5.

acting as if they were the 'undoubted lords of the soil', but had then proceeded to punish the original inhabitants for presuming to 'live in their own country'.⁹¹

The report reviewed the state of relations in all British colonies, ranging from Newfoundland to Van Diemen's Land. For the Australian colonies, whose inhabitants were described as 'the most degraded of the human race', Buxton paid particular attention to the evidence of Bishop Broughton and Dr Lang. They argued that only Christianity would check 'the progress of extinction' that was occurring in the colony of New South Wales.⁹² The beneficial effect of Christianity was a key theme of the report. A large section was devoted to the benefits of 'fair dealing and Christian instruction' for the Aborigines. According to Buxton the evidence showed that imparting the benefits of civilisation alone produced only failure; the truths of the gospel needed to be taught as a necessary prelude to civilisation. The only means to avoid the present evils and to impart the blessings of civilisation was through 'the propagation of Christianity, together with the preservation, for the time to come, of the civil rights of the natives'.⁹³

The report concluded by proposing nine 'general regulations' together with a number of 'specific regulations' to suit the circumstances of particular colonies. The first regulation was that the protection of the Aborigines should be vested in the executive government, or the governors of the colonies, because vested interests rendered local legislatures too capricious in their judgements. It was suggested that contracts for service be limited to no more than twelve months to avoid the emergence of a form of slavery. It was proposed that the sale of ardent spirits be prohibited and that it be illegal for Her Majesty's subjects to acquire land from the Aborigines, and to acquire new territories, without the sanction of an Act of

91 *ibid.*, p. 5.

92 *ibid.*, p. 12.

93 *ibid.*, p. 45.

Parliament. Treaties should not be entered into. Given that the colonies grew largely from the proceeds acquired from the sale of land, it was suggested that colonial governments had an obligation to use a proportion of the revenue raised to provide for the religious instruction and protection of the Aborigines. Previous provisions for the punishment of crime were thought defective and it was suggested crimes committed by Aborigines should be viewed with some leniency given their ignorance of British law. The final recommendation was that missionary activity be encouraged.⁹⁴

The specific recommendations for the Australian colonies were prefaced by the observation that the Aborigines were 'the least-instructed portion of the human race' and that their land had been taken 'without the assertion of any other title than that of superior force'.⁹⁵ However unjust the encroachments, the report argued, the clock could not be turned back, and the least that could be done was to give the Aborigines the full protection of British law. The importance of the legal status of the Aborigines was stressed by highlighting recent events in the Australian colonies where Europeans had acted toward the Aborigines 'upon the principle of enforcing belligerent rights against a public enemy'.⁹⁶ The report recommended the appointment of protectors who would study the customs and learn the language of the Aborigines, acquire their confidence, and ascertain what forms of industry were 'least foreign' to their disposition. They should reserve such lands for the Aborigines as may be necessary for their support and, so long as agriculture was anathema to them, provide them with the means to support the 'chase' without interference. The protectors should act as coroners in cases involving Aborigines, and have the powers of a magistrate. Regarding the legal system, the protectors should work with the government in establishing a provisional code for the regulation of the Aborigines

94 *ibid.*, pp. 77-81.

95 *ibid.*, p. 83.

96 *ibid.*

until such time as civilisation rendered such a code unnecessary. Finally, protectors should make periodic reports to the government.⁹⁷

Many of these recommendations had already been included in the provisions guiding the establishment of South Australia. The recognition, however unspecific, of Aboriginal land title was expressed in the Letters Patent and the instructions to the Resident Commissioner. The idea of reserving a portion of the revenue of land sales for the protection and maintenance of Aborigines was expressed in the Colonization Commissioner's first report. The Colonial Office had already insisted on the appointment of a protector, and the separation of that office from the colonial government. Finally, the importance of Christianity had also been underlined.

'The same only different'

A point historians often repeat is that South Australia was the 'colony that was to be different' in its treatment of Aborigines.⁹⁸ The truth of the matter is that the colonial planners had no intention of being different. This is evident in the silence of the South Australia Act on the subject of Aborigines and in the absence of any serious discussion of the subject by the leaders of the colonial venture. It was an accident of timing that saw humanitarians in the ascendancy, and in the Colonial Office, before the colony was settled. It was the pressure they exerted that produced the humanitarian sentiments in the colony's foundation documents and speeches. It was another accident of timing that saw the passage of the South Australia Act before the influence of the Colonial Office humanitarians could be brought to bear.

The Letters Patent and Order in Council seemed to give clear indications of the British government's attitude to Aboriginal rights. In defining the extent of the new Province, both documents contained the rider that nothing

⁹⁷ *ibid.*, pp. 85-86.

⁹⁸ Rowley, *The Destruction of Aboriginal Society*, chap. 5.

shall affect or be construed to affect the rights of any Aboriginal Natives of the said Province to the actual occupation or enjoyment in their own Persons or in the Persons of their Descendants of any Lands therein now actually occupied or enjoyed by such Natives.⁹⁹

This seems a clear recognition of Aboriginal rights to their land, whereas in fact it was hollow rhetoric. It left open the question of what constituted 'actual occupation'. Also, and decisively, the unamended South Australia Act of 1834 declared the Province 'waste and unoccupied' and this Act had precedence over the Letters Patent.¹⁰⁰ Letters Patent had been the usual tool used by the British in establishing new colonies, but South Australia had been established by an Act of Parliament - a novel procedure. It is an irony that when the British Government seriously attempted to protect the rights of an indigenous people an Act it had itself passed, and a coincidence of timing, hamstrung its efforts.

Nonetheless the colony was established when the moral sentiment of the age favoured a deeper concern for the welfare of indigenous people. A constantly repeated theme was the need to 'protect' the Aborigines, especially those of the Australian colonies, who were described, for instance, as 'defenceless' and 'too weak and too ignorant to defend themselves':

Such, indeed, is the barbarous state of these people, and so entirely destitute are they even of the rudest forms of civil polity, that their claims, whether as sovereigns or proprietors of the soil, have been utterly disregarded.¹⁰¹

The implication is that while it was unfortunate that the Aborigines were dispossessed, it was entirely predictable, given the state of their society. Nonetheless,

⁹⁹ Dickey & Howell, *South Australia's Foundation*, p. 75.

¹⁰⁰ Castles & Harris, *Lawmakers*, pp. 7-8.

¹⁰¹ Report of the Select Committee on Aborigines (British Settlements), 1837, p. 82.

the government's responsibility involved more than protection - it entailed a form of paternalistic control. Given the previously ill-defined legal status of Aborigines, part of that control, as expressed in the report of Buxton's Select Committee, entailed the definition of Aborigines as British subjects - a categorisation that presumed the irrelevancy of Aboriginal culture. As important as the physical dispossession of the Aborigines was, the perceived worthlessness of Aboriginal society provided the rationale for the subsequent treatment of the Aborigines in the colony.

British Land, British Subjects

. . . the law of nations - a law that provides not for the safety, privileges, and protection of the Aborigines, and owners of the soil, but which merely lays down rules for the direction of the privileged robber in the distribution of the booty of any newly discovered country.

Edward Eyre, *Journals of Expeditions of Discovery*, 1845, p. 175.

This chapter examines the way in which the government, in the light of pre-settlement discussions, defined the status of Aborigines in the new colony of South Australia. Was prior occupation of the land recognised? Were traditional laws and customs governing Aboriginal society allowed to continue in operation? The discussion is in two parts, the first dealing with Aboriginal proprietary rights, the second with Aboriginal legal status.

Aboriginal Proprietary Rights

The Shadow of the South Australia Act

The question of recognising Aboriginal proprietary rights to land, which figured so prominently in discussions with the Colonial Office before the departure of the first colonists, was not seriously tackled in the colony until July 1840. The main reason for this delay was the slow progress of the land surveys and the initial failure to settle the position of protector.¹ William Wyatt was the first protector to have a commission from the Executive Council which spelled out his instructions. The second of those instructions required that he protect the Aborigines 'in the

¹ A. Grenfell Price, *The Foundation and Settlement of South Australia, 1829-45*, Adelaide, 1924, p. 95.

undisturbed enjoyment of their proprietary rights to such land as may be occupied by them in any especial manner'.² Like all preceding promises to recognise Aboriginal prior title, the phrasing left ample scope for interpretation. In this instance, however, an accompanying commentary made clear what was considered to be an 'especial manner':

If, on becoming acquainted with the habits and customs of the Aborigines, you should find that in any part of the country they are in the practice of making use of the land for cultivation of any kind, or if they have a fixed residence on any particular spot, or if they should be found to appropriate any piece of land to funereal purposes, you are required to report such a fact to the Colonial Government without loss of time, in order that means may be taken to prevent its being included in the survey for sale.³

The very document requiring Wyatt to protect Aboriginal proprietary rights, defined prior title in such a way as to exclude any such recognition.

In May 1838 the preliminary surveys of Districts A, B, and E were finally completed and opened for selection. Wyatt had no illusion that the Aborigines occupied any land in the 'especial manner' set out in his instructions, but he felt it his duty to apply for a reservation of land 'to be applied to the benefit of the aborigines'.⁴ He approached the governor for instructions regarding the reservation of lands and was encouraged to take his case to the resident commissioner.⁵ He did so, only to be told by Resident Commissioner James Fisher that 'as the Act of Parliament admitted of no reservation of the kind, my application was useless'.⁶ The Act referred to was the South Australia Act of 1834, which deemed the Province to be 'waste and unoccupied'. All the pressure applied by the Colonial Office and all the pious

2 *South Australian Register*, 12 August 1837.

3 *ibid.*

4 *Southern Australian*, 5 June 1839.

5 Colonial Secretary's Office, In Letters, State Records GRG 24/6/103/1838.

6 *Southern Australian*, 5 June 1839.

promises of the commissioners amounted to nothing. With the Act in force, not only were Aboriginal proprietary rights not recognised, but neither the governor nor the protector could make reservations of land on the Aborigines' behalf.

The division of authority between the governor and the resident commissioner was the cause of much political strife that continued until Governor Hindmarsh was recalled and the powers of the resident commissioner were vested in the governor. As Resident Commissioner, the new Governor, Gawler, was given advice by the colonization commissioners concerning the recognition of Aboriginal proprietary rights. Essentially reiterating the intentions expressed in the Letters Patent, he was instructed that 'no land which the natives may possess' should be offered for sale 'until previously ceded by the natives to the commissioners', and that the protector was to furnish evidence to substantiate the sale.⁷ Furthermore, an Act to Amend the South Australia Act was passed by the British Parliament on 31 July 1838, while Gawler was in transit to the new colony. Among the amendments was a clause, foreshadowed by Sir George Grey in his discussions with the colonization commissioners prior to the settlement of the colony, which apparently recognised Aboriginal proprietary rights. The passage defining the extent of the Province included the following condition:

nothing in the said Letters Patent contained shall affect or be construed to affect the Rights of any aboriginal Natives of the said Province to the actual Occupation or Enjoyment in their own Persons, or in the Persons of their Descendants, of any Lands therein then actually occupied or enjoyed by such Natives.⁸

Once again the question of what 'actually' constituted 'occupation or enjoyment' was left open.

⁷ Colonisation Commissioner's, Instructions to Resident Commissioner, State Records GRG 48/1/1/1838, 25 May 1838.

⁸ An Act to Amend an Act of the Fourth and Fifth Years of His Majesty, empowering His Majesty to erect *South Australia* into a *British Province* or Provinces, 31 July 1838 (1 & 2 Vic., c. 60).

The 'Selection Controversy'

The question of Aboriginal proprietary rights again came to the fore when Districts D and F were opened for selection in July 1840. Before the owners of preliminary land orders were invited to make their selections, Governor Gawler allowed Protector Moorhouse to make certain reservations of land on behalf of the Aborigines.⁹ It would appear that Moorhouse applied two criteria to his selections: applications by Aboriginal people for land in their respective districts, and a judgment based on the perceived requirements of the Aboriginal clans that he had defined.¹⁰

The governor's action in allowing Moorhouse to make these selections raised a storm of protest among the holders of preliminary land orders. On 9 July 1840 a group of owners and owners' representatives led by David McLaren, Manager of the South Australia Company, and including former Resident Commissioner Fisher, sent a letter of protest to the Assistant Commissioner Charles Sturt. They complained that their denial of first choice in Districts D and F was inconsistent 'with the condition on which these orders were obtained in England' and they requested that the protector's choices be annulled and that he choose again after the owners had made their selections.¹¹

In response Gawler mounted an eloquent defence of Aboriginal land rights while, at the same time, making it clear why the colony denied prior title. Gawler began by expressing his surprise that these men, 'well acquainted with the history of the establishment of the colony, should consider any rights which any European possesses to the lands of the province as preliminary to those of the Aboriginal

⁹ *Southern Australian*, 28 July 1840.

¹⁰ *ibid.*

¹¹ *ibid.*

inhabitants'.¹² In authorising the reservations of land, Gawler claimed to be acting upon the Royal Instructions to the governor, in addition to his instructions as resident commissioner:

The Royal Instructions command that they shall be protected in the free enjoyment of their possessions; that injustice and violence towards them shall be prevented; that all measures which may appear to be necessary shall be taken for their advancement in civilization; and the commissioner's instructions direct that they shall not be disturbed in the enjoyment of the lands over which they may possess proprietary rights, and of which they are not disposed to make a voluntary transfer.¹³

The governor argued that the colony's intention to show strict regard to the rights of the Aborigines was well-known. He drew the disputants' attention to the sentiments expressed in the first annual report of the colonization commissioners. He pointed out that the Aborigines possessed 'well defined and distinct proprietary rights', but denied legal recognition of Aboriginal title on the basis of 'the degree of knowledge to which they have attained' - a condition that would put them at a disadvantage if treaties or bargains were entered into. The nub of the argument was that the government, in reserving land, had taken it upon itself to act as custodians on behalf of the Aborigines:

The course which the Governor and the Resident Commissioner has preferred to take is that of directing the Protector of the Aborigines to select such land for the natives, in moderation, as he may deem likely to be necessary for their future use, support, and advancement in civilization: such land being afterwards secured in the Governor, and Council, and the Protector of the Aborigines, as trustees.¹⁴

The landowners and their representatives responded by questioning the legality of the governor's decision, claiming that their purchases were made in good faith prior

12 *ibid.*

13 *ibid.*

14 *ibid.*

to the settlement of the colony, and on conditions that could not be altered after the fact. They were doubly aggrieved that the owners of sections in Districts A, B, and E had not been disadvantaged in this way. Following further complaints, the Governor again answered through his assistant commissioner. The 'great question' at issue - whether the Aboriginal inhabitants or the preliminary purchaser had first right of selection - was 'one of bare justice'. On the legality of his decision he claimed, as before, that he was acting as governor and resident commissioner on the conviction that:

*The aboriginal population of this province have an absolute right of selection prior to all Europeans who have settled in it during the last four years, of reasonable portions of the choicest land, for their especial use and benefit, out of the very extensive districts over which, from time immemorial, these aborigines have exercised distinct, defined, and absolute rights of proprietary and hereditary possession.*¹⁵

This argument was again followed by the assertion that the reservation of land on the Aborigines' behalf, as opposed to its sale through the making of treaties or bargains, was predicated on the assumption that the land would be used by the Aborigines and would become a medium of their eventual civilisation. This was made clear in the concluding remarks of the assistant commissioner's letter:

It should be added that His Excellency has the intention of bringing the land reserved for the natives into immediate operation. Those portions which they do not require for their present use will be let for their benefit until they themselves shall be able to turn the whole to advantage by personal labour and management.¹⁶

In responding to the assertion that no preliminary selections were made in the first surveyed districts, A, B and E, Gawler, as if attempting to rub salt into the land

15 *ibid.* (Italics in original).

16 *ibid.*

owners' wounds, claimed that this had been an unfortunate oversight and that it had since been 'repaired by subsequent fortunate opportunities'.¹⁷

The public response was by no means in the Gawler's favour. A correspondent writing to the *South Australian Register* in July 1840 argued that the Aborigines had no proprietary rights whatsoever and, in any case, 'it is impossible to admit that they are legally entitled to priority of selection, or that the waste land of the province for any purpose whatsoever - public or private - can be appropriated but in the manner directed by the South Australia Act'.¹⁸ The protector and missionaries also came under fire for allegedly planting these notions about land ownership in the minds of the Aborigines. Moorhouse's response to this accusation was published in the *South Australian Register*:

With regard to the insinuation of the writer, whose letter you embody in the leading article, that the claims of the natives to proprietorship in the land, are "cuckoo notions" which the Protector and Missionaries "have instilled", I beg to say, that it is as incorrect as it is illiberal. We are quite ready to prove the antiquity of their territorial rights and ideas concerning these, whenever properly called upon to do so.¹⁹

The 'selection controversy' brings out a number of important questions. Firstly, the governor, protector, and missionaries were convinced that the Aborigines did have clearly defined notions of property in land. Secondly, it was the government's policy to declare reserves rather than enter into treaties or bargains. Thirdly, the reserves were granted on the condition that they be actually worked by the Aboriginal owners - they were perceived as a medium of civilisation.

17 All correspondence between the land owners and Governor was published in the *South Australian Register*, 28 July 1840, and the *Southern Australian*, 1 August 1840.

18 *Southern Australian*, 1 August 1840.

19 *Southern Australian*, 8 August 1840.

Ownership Acknowledged; Rights Denied

By the time the selection controversy arose the government had a distinct, if unsophisticated, understanding of Aboriginal land ownership. During the dispute Gawler wrote to George Fife Angas in England outlining his understanding of the issue:

The natives have (and if it had been disputed by the preliminary proprietors I should have fully proved it) very distinct and well defined proprietary rights. These rights afford them protection from other tribes & bodily support - they hunt game upon, catch fish in & eat the food of their own districts just as much as the English gentleman kills the deer & sheep upon, or fishes in, his private park. The property is equally positive & well-defined & the lowest degree of respect that ought to be shown to it is of giving them through their representatives, a choice of land suitable for their future appointed location.²⁰

As he had done in his dispute with the owners, he again stressed that making treaties would be pointless as 'they have no notions that would enable them to comprehend or appreciate such arrangements'.²¹

As if to press home the point, Moorhouse discussed the issue of Aboriginal proprietary rights in his second quarterly report for 1840. He argued that contrary to popular opinion the Aborigines of 'Australasia' did possess 'territorial rights, families holding certain districts of land which pass from father to sons, never to daughters, with as much regularity as property in our country'.²² He also indicated, although from what source is unclear, that families were able to barter their land for land in other districts. He gave the example of King John, a prominent Adelaide Aborigine, whom, he claimed, exchanged his land - the districts of Adelaide, Glenelg, Sturt

20 George Fife Angas, Inward Correspondence, Gawler to G. F. Angas, 10 July 1840 (1543-1558), Mortlock Library PRG 174/1.

21 *ibid.*

22 Protector's report, 27 July 1840, *House of Commons, Sessional Papers*, 1843, 32, no. 505, Papers Relative to the Affairs of South Australia, p. 325.

River and Hurtle Vale - for 'Ugaldinga' and 'Maitpunga' plains.²³ The nature of Aboriginal land ownership was also discussed in Christian Teichelmann and Clamor Schurmann's book on the Aboriginal language of South Australia which was published at this time. In the book the word *Pangarra* was defined as 'a district or tract of country belonging to an individual, which he inherits from his father.'²⁴

It is clear from these examples that there was no question about the actuality of Aboriginal land ownership. The issue was how that recognition was to be acted upon. Gawler, believing that the Aborigines would not properly understand treaties entered into for their land, and that they would inevitably be the losers in any such bargains, advocated the declaration of reserves. The conditions attached to the granting of these reserves were that the Aboriginal owners should reside upon, and cultivate, the land in a European fashion. Prior title was *theoretically recognised* by those people whose responsibility it was to examine the issue, but it was *legally denied* on the basis that it was impossible to negotiate with 'savages'.

As Moorhouse proudly pointed out in his discussion of Aboriginal proprietary rights, the first land claim under this new regime was made by Encounter Bay Bob. Bob had had a long association with the whalers and sealers at Encounter Bay and had acted as a guide for the governor when he visited the district.²⁵ It was evidently on the trip to Encounter Bay with the governor that the question of the land grant was mooted. In Moorhouse's words, Encounter Bay Bob was the first to

give us a distinct idea of their hereditary laws, and he described to me a piece of ground which was his birthright; the part he mentioned had been selected by holders of preliminary land-orders, but he expressed a willingness to give that up, provided his Excellency the Governor

23 *ibid.*

24 C. G. Teichelmann & C. W. Schurmann, *Outlines of a Grammar, Vocabulary, and Phraseology, of the Aboriginal Language of South Australia*, Adelaide, 1840, p. 36.

25 *Southern Australian*, 23 January 1840.

would let him have some equally good in exchange. I laid Bob's claims before His Excellency, who, I am glad to say, listened to them at once, and allowed three sections in the district of Encounter Bay to be reserved. I am of opinion that Bob will cultivate a portion of his as soon as a missionary is stationed in that neighbourhood to instruct and encourage him.²⁶

It was clear that the land was not to be granted gratuitously; Bob was expected to cultivate it. This was the general rule, as Moorhouse pointed out:

Other reserves have been allowed in different parts of the province, which are intended ultimately to be apportioned to such families as belong to the respective districts. The quantity reserved is not great, amounting only to a fractional part of the whole. I hail this as a propitious event - an event which the Aborigines of this province will, at a future period, fully appreciate, and one which all real philanthropists will rejoice to hear.²⁷

By September 1840 at least 11 sections were reserved for Aborigines; three at Encounter Bay, one at Currency Creek, three near Yankalilla, and four in the Special Survey of the sources of the Onkaparinga.²⁸

At the time of the selection controversy South Australia had severe financial problems, and Lord Glenelg had appointed a Select Committee of Inquiry to examine its affairs. Among the issues discussed was the policy adopted toward the Aborigines. Though a number of people spoke on the issue, the most telling evidence was that given by George Fife Angas, one of the colony's large land owners but also a noted humanitarian. Asked about the condition of the Aborigines, Angas claimed that 'no measures for their amelioration have been adopted' - something which he put down to the 'deficiency of the Act'.²⁹ Angas argued that the preamble's declaration that South Australia was 'waste and unoccupied' did not even recognise

26 Protector's report, 27 July 1840, Papers Relative to the Affairs of South Australia, 1843, p. 325.

27 *ibid.*

28 Colonial Secretary's Office, In Letters, State Records GRG 24/6/528/1840.

29 *House of Commons, Sessional Papers*, 1841, 4, no. 119, Select Committee on South Australia, p. 210.

the existence of the Aborigines, and that section six, declaring all lands open for public sale, made the selections of land for Aborigines, sanctioned by the governor, positively illegal. He argued that, as the law stood, Aborigines were an 'unauthorised body in the colony and while it remained so no measures whatsoever are likely to be adopted for their improvement'.³⁰ The South Australia Act certainly did have the effect Angas described while it was in force. Resident Commissioner Fisher's peremptory dismissal of Wyatt's claim for reserve land illustrates this, but by Gawler's time an amended Act was in operation, and it explicitly recognised Aboriginal title to the land in wording similar to that contained in the Letters Patent.³¹

Asked how the deficiencies of the Act might be corrected, Angas suggested that 'a certain portion of the unsold lands should be set apart for the use of the natives, not to exceed in aggregate one-tenth proportion'.³² Of this land each tribe would have a portion upon which they would be located and supervised by a missionary. Furthermore, small portions of land, 10 to 30 acres, should be given to Aborigines 'when they showed a disposition to cultivate it', and this portion might be added to 'in the ratio of their good conduct and industry'.³³ Like Gawler, the protector and the missionaries, Angas' recognition of the justice of Aboriginal claims to the land was not a recognition of prior title *per se*. Land was important as a means to an end - the eventual civilisation and Christianisation of the Aborigines.

Angas' evidence before the Committee was reflected in the recommendations made. Resolution 9 dealt with the reservation of land, giving Her Majesty authority 'to

30 *ibid.*

31 An Act to Amend an Act of the Fourth and Fifth Years of His Majesty, empowering His Majesty to erect South Australia into a British Province or Provinces, 31 July 1838 (1 & 2 Vic., c. 60). Transcript of Letters Patent published in Brian Dickey & Peter Howell, *South Australia's Foundation: Select Documents*, Adelaide, 1986, p. 75.

32 Select Committee on South Australia, 1841, p. 217.

33 *ibid.*, p. 218.

reserve, and set apart within the said Province, for the use of the Aboriginal Inhabitants thereof, any Lands which it may be found necessary so to reserve and set apart for the occupation and subsistence of such Aboriginal Inhabitants'.³⁴ Resolution 17 suggested that half the funds raised from the sale of public lands be set apart for conveying emigrants to the colony, with the remainder forming part of general revenue for other purposes, including, for the Aborigines, 'a sum equal to such percentage upon the receipts from the sale of Land, as Her Majesty by Order in Council may from time to time think fit to direct'.³⁵ These new provisions were incorporated in the Waste Lands Act of 1842, setting the new ground rules for the reservation of land for the Aborigines.

At about the time the Select Committee was sitting, the Colonial Secretary, Lord John Russell, received Gawler's despatch describing the selection controversy. By his reply he obviously did not agree with Angas' assessment that the reservations made with Gawler's approval were illegal:

I approve of the arrangement adopted as far as it extends but adverting to the very small portions of land assigned to the Aborigines out of extensive districts, I am of opinion that a more liberal provision should be made for their support.³⁶

This advice was received by October 1841, and Moorhouse, at Governor Grey's instigation, immediately commenced the creation of 'more extensive reserves' for the Aborigines.³⁷ Some years later Moorhouse reflected on his discussions with Grey about the reservation of land:

34 *ibid.*, Resolution 9, p. xxi.

35 *ibid.*, Resolution 17, p. xxii.

36 Governor's Office, Despatches (Despatches from the Colonial Office to the Governor), Lord John Russell to Governor Gawler, State Records GRG 2/1/1/1841, 28 March 1841.

37 Aborigines Department, Protector's Letterbook, State Records GRG 52/7, 31 December 1841.

These reserved sections were intended 1st to settle the natives upon them, provided any natives could be induced to settle and 2ndly Provided they would not, for some time to come, it was thought that a revenue might be produced by letting them and the proceeds were applied to the use of the natives.³⁸

Most of the land gazetted as Aboriginal reserves was let to Europeans and the revenue raised subsidised the operations of the Aborigines Department.³⁹ The justification was that the land was being held in trust for the Aborigines until such time as they were ready to use it.⁴⁰

Reservations continued to be made until September 1842, ceasing, it would appear, when the Waste Lands Act of 1842 came into operation. In June 1844, Moorhouse several times asked Grey about setting aside reserves. In his first approach he observed that since the 'present Act' came into operation no reserves had been made for the Aborigines.⁴¹ At this time a number of reserves were actually sold to Europeans.⁴² Reserves were still occasionally made as need arose: in 1847, for instance, a series of reserves were made along the coast at Wellington, intended to secure fishing grounds for the Aborigines in an area where Corporal Mason, soon to be appointed sub-protector in the district, was located.⁴³

The colonial government's attitude to Aboriginal land rights was clearly defined by the end of the first decade of settlement. Despite the fact that a form of indigenous title was acknowledged to exist, the government refused to recognise it on the grounds that it did not conform to a 'civilised' definition of title. Furthermore, land would only be granted if the occupier used it in a way that conformed to a 'civilised'

38 *ibid.*, 13 February 1848.

39 *South Australian Parliamentary Papers*, 1860, no. 165, Report of the Select Committee of the Legislative Council upon the Aborigines, appendix, p. vi.

40 *ibid.*, pp. 45 - 47.

41 GRG 52/7, 11 June & 26 June 1844.

42 *ibid.*, 12 February 1845.

43 *ibid.*, 19 July 1847.

understanding of land use, or if the use of the land was supervised either by protectors or, as was increasingly the case during the 1850s, missionaries.

Aboriginal Legal Status

British Subjects

The Proclamation formally establishing the Province, besides enjoining the colonists to respect the law and to conduct themselves with 'industry and sobriety', placed great emphasis on the conduct of relations with the Aborigines. The governor told the settlers of his intention

to take every lawful means for extending the same protection to the Native Populations as to the rest of His Majesty's Subjects, and of my firm determination to punish with exemplary severity, all acts of violence and injustice which may in any manner be practised or attempted against the Natives, who are to be considered as much under the safeguard of the law as the Colonists themselves, and equally entitled to the privileges of British subjects. I trust therefore, with confidence to the exercise of moderation and forbearance by all classes, in their intercourse with the Native Inhabitants, and that they will admit no opportunity of assisting me to Fulfill His Majesty's most gracious and benevolent intentions towards them, by promoting their advancement in civilization, and ultimately, under the blessing of Divine Providence, their conversion to the Christian faith.⁴⁴

At the first sitting of the Supreme Court in May 1837 Chief Judge Sir John Jeffcott reiterated the sentiments contained in the Proclamation. He quoted at length from the first report of the colonization commissioners, drawing particular attention to the bloody history of previous colonial enterprises. Stressing the colonists' obligations toward the Aborigines he said:

⁴⁴ *South Australian Register*, 3 June 1837.

They have been declared British Subjects - As such they are entitled to the full protection of British law, and that protection, while I have the honour of filling the situation which His Majesty has been pleased to confer on me, shall be fully and effectually afforded to them. I will go further and say, that any aggression upon the Natives, or any infringement on their rights, shall be visited by greater severity of punishment than would be in similar offences committed upon white men.⁴⁵

The emphasis that both Hindmarsh and Jeffcott placed on *protection* is significant. Previous colonial policy was regarded as capricious, as having given licence to the inhumane treatment of the Aborigines.⁴⁶ In the light of that experience, the accordance of British subject status to the Aborigines was regarded as a magnanimous gesture, meant to place clear legal restraints on the behaviour of the settlers.

The other side of this coin was the denial of Aboriginal autonomy. Aboriginal customary law was rendered null and void when it was seen to impinge on the 'orderly working' of colonial society. The presumption was that Aboriginal society was so degraded that whatever laws governed its operation were worthless and should and would be swept away by the 'superior civilisation'. The House of Commons Select Committee on Aborigines (British Settlements) noted in its 1837 report the variety of indigenous cultures under its dominion and observed:

It is obviously difficult to combine in one code rules to govern intercourse with nations standing in different relationships towards us. Some are independent communities; others are, by nature of treaties, or the force of circumstances, under the protection of Great Britain, and yet retain their own laws and usages; some are our subjects, and have no laws but such as we impose.⁴⁷

45 *ibid.*

46 *House of Commons. Sessional Papers, 1837, 7, no. 425, Report of the Select Committee on Aborigines (British Settlements), p. 77.*

47 *ibid.*, p. 76.

It was into the last category that the Aborigines of Australia fitted. It was seen as a necessary part of the 'civilising process' that they be forced to accept their subjugation to the new order.

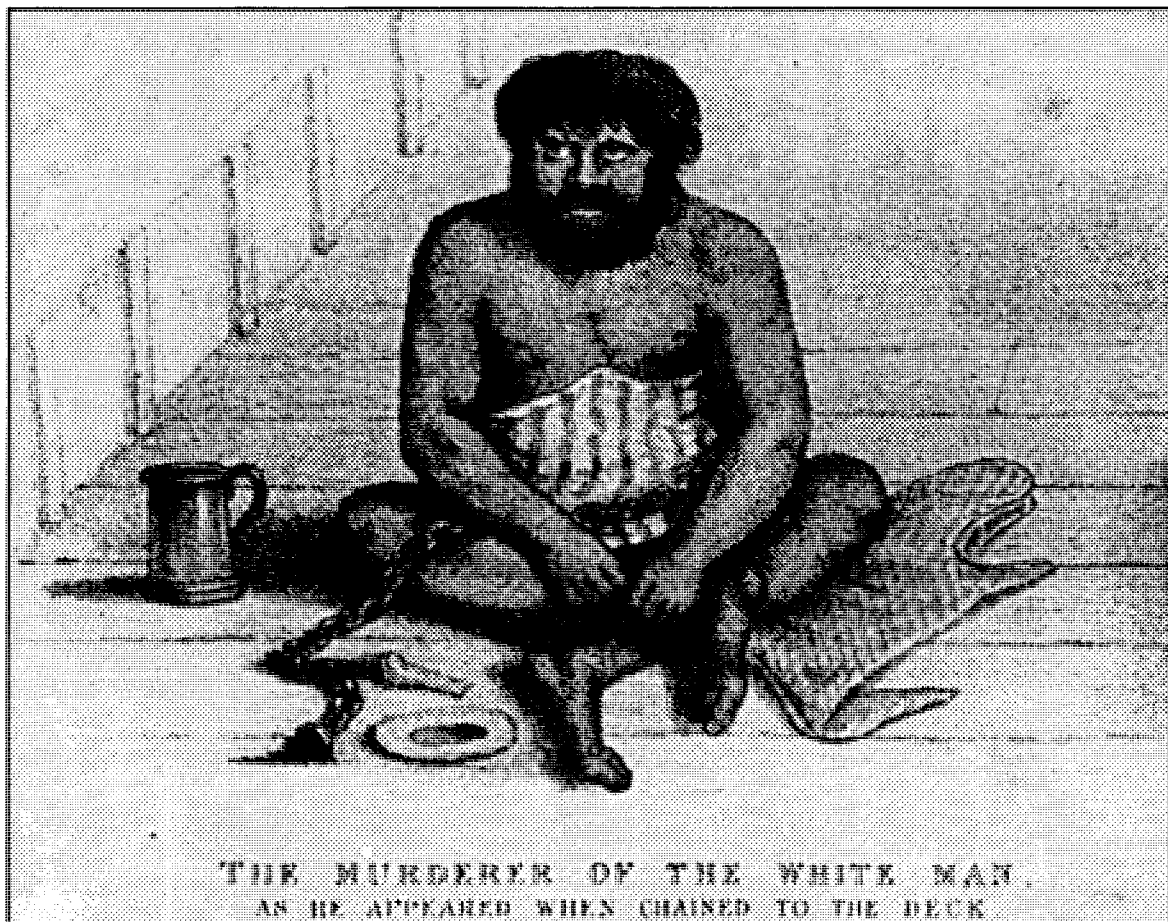
The realities of settlement, however, rendered the notion of treating Aborigines simply as British subjects highly problematic. Language and cultural differences alone required that the authorities adopt novel procedures to render Aborigines amenable to the law. Aboriginal resistance to the white intruder sometimes saw the colonial authorities treat Aborigines not as subjects but, in the diplomatic language of the day, as distinct nations against whom 'belligerent rights' might be exercised. Perhaps most significant of all was the extent to which community attitudes subverted whatever good intentions the colonial authorities expressed.

The False Dawn

In the first few years of settlement the question of Aboriginal legal status was uncontroversial and the settlers were full of self-congratulation at the seemingly smooth extension of their dominion. The first Aborigines to appear before the Supreme Court did so as plaintiffs rather than defendants. Hoare and Moon, the proverbial drunken sailors, were charged with stealing a jacket and some weapons from the hut of some Aborigines at Glenelg. Through their interpreter, the straitsman Cooper, the Aborigines asked that the men be let off, which the judge took as 'proof of the correctness of these poor creatures dispositions'.⁴⁸

The first serious case to come before the authorities arose in June 1837 when Driscoll, a whaler, was killed by Reppindjeri, or 'Black Alick', at Encounter Bay in a fight over the whaler's treatment of one of Reppindjeri's wives. According to John Bull, much later, 'the sailor had been guilty of very bad conduct, and had criminally assaulted

⁴⁸ *South Australian Register*, 8 July 1837.



THE MURDERER OF THE WHITE MAN.
AS HE APPEARED WHEN CHAINED TO THE DECK.

Plate 1. Reppindjeri in chains on the deck of the 'South Australian'.

one of the women'.⁴⁹ Reppindjeri was apprehended for the murder and held chained aboard a ship in Encounter Bay for four months while the authorities tried to determine what to do with him. Apart from the novelty of trying Aborigines in a British court, the central issue was whether or not the oath could be administered to an Aborigine and his evidence accepted in court. While Reppindjeri remained shackled aboard the ship (Plate 1), Hindmarsh wrote to England for advice while Protector Wyatt investigated whether or not the Aborigines had a recognisable belief in God.⁵⁰ The Aborigines Committee, previously appointed by the governor to discuss just such issues, considered the matter early in 1838 and Wyatt reflected on their deliberations in his first report for that year:

From our knowledge we must conclude that the only approach to a religious belief on the part of the natives is an indistinct idea of a future state of existence by no means amounting to a conception of future rewards and punishments. They are thus excluded from giving evidence in any cases, and the benevolent intention of treating them altogether as British subjects cannot for this reason be carried into effect.⁵¹

The dilemma was not resolved on this occasion as, on the night of 18 December 1838, Reppindjeri reportedly escaped the custody of the Sergeant of Marines and was never heard of again. Wyatt did not express excessive concern at this turn of events, saying that the Aborigines had already 'condemned him for the act' and believed that he deserved his punishment.⁵²

In March 1838 Enoch Peglar was killed on the banks of the River Torrens while sleeping off the effects of a drinking binge (Plate 2). Wyatt explained Peglar's murder by citing a number of incidents during the previous day in which his actions had

49 J. W. Bull, *Early Experiences of Life in South Australia*, Adelaide, 1884, p. 66.

50 A. Castles & M. C. Harris, *Lawmakers and Wayward Whigs*, Adelaide, 1987, p. 11.

51 Colonial Secretary's Office, In Letters, State Records GRG 24/1/69/1838.

52 GRG 24/1/3/1838.

caused insult to the Aborigines.⁵³ A search for the killers was undertaken and two Aboriginal men were arrested the following day. The suspects were put in irons and held under guard in a tent but during the night they escaped.⁵⁴ Once again the opportunity to test the status of Aborigines in a British court was lost.

It was neither government policy, nor the 'good character' of the settlers that accounted for South Australia's relatively peaceful early years. The truth is that the Aborigines were simply overwhelmed by the sheer weight and concentration of European settlement. The slow progress of the surveys meant that it was not until the early months of 1839 that the settlers began radiating outwards from Adelaide.⁵⁵ Nor should it be a surprise that Aboriginal resistance to European settlement thereafter became a constant feature of frontier life. What had been occasional and scattered clashes between the Aborigines and settlers were becoming more routine by the summer of 1838-1839. In March 1839 a Supreme Court grand jury described a growing sense of resentment toward the Aborigines, owing to the damage done by grass fires that were being set, and the increasing frequency of attacks on sheep and cattle, and asked that the Aborigines coming into Adelaide be disarmed.⁵⁶ The press sensed the growing tension too: an editorial observed that 'the mind of the lower class is gradually getting embittered against the native population, and it requires but a spark to bring into active ignition the flammable materials around us'.⁵⁷

On 21 April 1839 William Duffell, a shepherd in the employ of the Colonial Secretary, Osmond Gilles, was murdered at his station on the River Torrens, about 7 miles north-east of Adelaide.⁵⁸ While Inspector Inman and his party were searching for

53 GRG 24/1/69/1838.

54 Bull, *Early Experiences*, p. 67.

55 Grenfell Price, *Foundation and Settlement*, p. 95.

56 *South Australian Register*, 23 March 1839.

57 *Southern Australian*, 27 March 1839.

58 *ibid.*, 24 April 1839.



PROCLAMATION.

BY His Excellency John Hindmarsh, Knight of the Royal Hanoverian Guelphic Order, Captain in the Royal Navy, Governor and Commander-in-Chief of Her Majesty's Province of South Australia.

WHEREAS I HAVE HEARD WITH PAINFUL REGRET, that an Inquest was held yesterday on the body of a man, who, it is strongly suspected, has been murdered by one of the Aborigines, and likewise, that a Person was yesterday speared by another of them; *And whereas* there is reason to believe, after the long and friendly intercourse that has subsisted between the Colonists and the Aborigines, that these outrages have been induced by some previous aggression on the part of certain Colonists, at present unknown: *Now therefore*, I, the Governor, do strictly command and warn all Her Majesty's subjects within this Province, to abstain from any hostile measures whatever against the said Aborigines; and especially not to use or threaten to use fire-arms; but to remember at all times, that the native population are under equal protection of the laws, and are to be regarded and treated, and are liable to the same punishments in all respects, as Her Majesty's other subjects. The advantages which may be derived by treating the Aborigines with kindness, notwithstanding what has recently occurred, must be evident; for by retaliating injuries with a race of beings, who never discriminate when seeking revenge, the unoffending may suffer for the wrongdoer.

BUT I, THE GOVERNOR, will nevertheless adopt every measure, and afford the Colonists all the protection in my power to preserve their lives and properties; and the Colonists may therefore repose with confidence in the exertions and protection of Her Majesty's Government.

GIVEN under my Hand and Seal of the Province aforesaid, at Government House, Adelaide, this Tenth Day of March, in the year 1838.

L. S.

J. HINDMARSH,

Governor.

By His Excellency's Command,

T. BEVES STRANGWAYS,

Colonial Secretary pro tem.

God Save the Queen!

Plate 2. Proclamation, 10 March 1838. Governor Hindmarsh warning the settlers against taking the law into their own hands and stressing the status of Aborigines as British Subjects.

Duffell's killer they discovered that another shepherd, James Thompson, had been killed, and his partner beaten, on Hallett's run near the Para River.⁵⁹ These events evoked a sense of crisis and in the following days a series of attacks on settlers were reported in the press.⁶⁰ The later reports eventually proved false, but were sufficient encouragement for parties of young men to ride around the countryside terrorising any Aboriginal group they came upon

by charging and putting to flight such families of natives as they found assembled around their fires. This may have been very manly and heroic, but it was not precisely the way to inspire the blacks with feelings which will benefit small parties of our fellow colonists, where they shall chance to fall in with large and armed parties of natives.⁶¹

In May 1839 Yerr-i-cha (George) was put on trial for the murder of William Duffell, while Porloobooka (Williamy) and Monichi Yumbina (Peter) were tried as accessories. The advocate-general argued that it was important that the accused be found guilty and punished as it would set an example to the whole Aboriginal population. The jury found Yerr-i-cha guilty and he was sentenced to be hanged. His alleged associates were found not guilty.⁶² Three men accused of murdering James Thompson were tried shortly afterwards and Wang Nucha, or Tommy Roundhead, was found guilty and also sentenced to be hanged.⁶³ The pair were executed on 31 May 1839 in front of the iron stores in the parklands, behind the site of the Aborigines Location.⁶⁴ The idea that an execution would have a tempering effect on the Aborigines had been expressed in a meeting of the Executive Council as early as Driscoll's murder two years previously.⁶⁵ The *South Australian Register* reported the impact of the execution on the Aboriginal witnesses, noting:

59 *ibid.*, 1 May 1839.

60 *ibid.*, 1 May 1839 & 10 May 1839; GRG 24/1/319a/1839.

61 *Southern Australian*, 10 May 1839.

62 *South Australian Register*, 25 May 1839.

63 *ibid.*

64 *South Australian Register*, 1 June 1839.

65 Castles & Harris, *Lawmakers*, p. 13.

. . . the example thus shown them will act as a terror to them, and will be a means of deterring them in future from interfering in any way with the property or lives of the settlers.⁶⁶

The practice of executing Aborigines in their own country before an assembly of their countrymen became a tenet of policy in following years - it was a form of 'civilisation by tuition'.

In the newspaper accounts of the trials the issue of how an oath was administered was not raised. The reports gave no details of the defence case but, as the judge later noted, Defence Counsel Jickling argued that the prisoners were 'persons not cognizant of and not amenable to the English law'.⁶⁷ Judge Cooper responded by arguing that the accused had been in friendly contact with the settlers, and had acquired European names:

In my summing up, I drew the attention of the jury to the circumstances I have just noticed, as shewing the partial domestication of the native prisoners, and told them that as we had assumed a dominion here in which the native prisoners appeared to have acquiesced - that as the offence for which they were tried was against nature - one for which they themselves would have inflicted the punishment of death, I felt it my duty not to allow the objection to prevail.⁶⁸

These cases seemed to confirm the status, but not the rights, of Aborigines as British subjects. It was not until the events surrounding the wreck of the *Maria* that the question of the relationship between Aborigines and the State was seriously raised.

⁶⁶ *South Australian Register*, 1 June 1839.

⁶⁷ GRG 24/1/131/1841.

⁶⁸ *ibid.*

The Maria 'Massacre'

On 25 July 1840 the police at Encounter Bay received news that a ship had been wrecked on the south coast and that the survivors had been murdered while attempting to return overland to Adelaide.⁶⁹ The ship was the brig *Maria* which had departed Adelaide for Hobart on 7 June 1840 with a crew of ten, and sixteen passengers.⁷⁰ The Marine Surveyor, Captain Pullen, who was working at Encounter Bay at the time, together with Dr Richard Penney, a policeman, and three Aborigines, Encounter Bay Bob, One-Armed Charley and Peter, immediately set out to search for survivors. They found a number of bodies buried in the sand, and Aborigines in possession of clothing and other articles believed plundered from the murdered Europeans. After searching for over a fortnight Pullen's party returned to Encounter Bay and his report was forwarded to the authorities in Adelaide.⁷¹

Governor Gawler then called a special meeting of the Executive Council to discuss an appropriate response. Judge Cooper and Advocate-General Hanson argued that the crime had been committed 'beyond the reach of the ordinary British law'.⁷² It was asserted that, being unable to take the oath, any Aboriginal evidence would be inadmissible and there would be no European evidence to support it anyway. Given what he saw as the district's history of 'brutal and unprovoked' crimes, and judging the events to have occurred 'beyond the reach of ordinary British justice', Gawler believed,

. . . there remained for me, in conformity with usage in Great Britain, the course of considering the district in question as in a disturbed state, and of proceeding on the principles of martial law. This course I adopted.⁷³

69 *South Australian Register*, 1 August 1840.

70 G. Jenkin, *Conquest of the Ngarrindjeri*, Adelaide, 1979, pp. 56-57.

71 *South Australian Register*, 15 August 1840.

72 *ibid.*, 19 September 1840.

73 *ibid.*

Gawler claimed that it was the unanimous decision of Council not to make the adoption of the 'principles of martial law' public for fear that it would injure the reputation of the colony.⁷⁴

Against this background instructions were issued to the new Police Commissioner, Thomas O'Halloran. O'Halloran was told: 'The object of your expedition is to apprehend, and bring to summary justice, the ringleaders in the murder, or any of the murderers (in all not to exceed three) . . .' He was instructed to avoid bloodshed in their capture but, if he had to 'resort to extreme force against the whole tribe', he would not be held accountable. Upon their capture, the suspects were to be carefully examined as to their guilt by all members of the expedition and, if found guilty, they were to be hanged or shot on the spot.⁷⁵

Troopers under the command of O'Halloran, and in the company of Captain Pullen and others, including the three Aborigines who had led Pullen's earlier reconnoitre, left Adelaide on 15 August. Upon reaching their destination they found ample evidence of the violence: blood-stained clothing, cutlery in the huts of Aborigines, the scattered leaves of a bible, mail, and part of the ship's log. On 23 August they rounded up 13 men, 2 youths, and 50 women and children, although they later let the women and children go. They then saw two Aborigine men trying to flee by swimming across the Coorong - they were fired upon and wounded. During the interrogation of their captives some of the Aborigines pointed out Moorcangua whom, they claimed, had killed the whaler Roach some two years before. They also implicated Mongarawata as one of the murderers of the *Maria* survivors. On 24 August the two men were tried by the expeditionary party, and everyone, including the three Aborigines, passed verdicts of guilty against them. On the following day

74 *ibid.*

75 *ibid.*

the accused were hanged over the graves of the *Maria* victims at a place called Pilgaru.⁷⁶

On 12 September the *South Australian Register* printed O'Halloran's report and in an accompanying editorial, questioned the legality of his actions. It republished Hindmarsh's Proclamation, pointing out that Aborigines were supposed to be subject to, and protected by, British law. Thus began a public debate over the legal status of Aborigines. On 15 September 1840, the Executive Council met and defended the actions of the governor. The reasoning behind the decision of Council on 12 August, to consider the district in which the violence occurred in a 'disturbed state' and to invoke the principles of martial law, was publicly explained for the first time. Perhaps the most interesting defence was that offered by Advocate-General Hanson who began by asking: in what position do the Aborigines of the Province stand in relation to the Government? He claimed that the doctrine which characterised the Aborigines as British subjects would stand up only under certain conditions. To those who were in constant intercourse with colonial society, exhibited friendly dispositions, and were advancing in civilisation, 'the ordinary forms of our constitution and laws may be beneficially and effectually applied'.⁷⁷ But British law could extend no further than this:

it would be assuming too much to hold that the same maxims and principles must be applied without modification to distant tribes, inhabiting a territory beyond the limits of our settlement, with whom we have never communicated under friendly circumstances, whose language is equally unknown to us as ours is to them, and who betray, in all their intercourse with Europeans, the most savage and brutal hostility - who have never acknowledged subjugation to any power, and who, indeed, seem incapable of being subjected to authority, or deterred from atrocious crimes, except by military force.⁷⁸

⁷⁶ R. Clyne, *Colonial Blue*, Adelaide, 1988, p. 15.

⁷⁷ *South Australian Register*, 19 September 1840.

⁷⁸ *ibid.*

It was necessary if further bloodshed and plunder were to be prevented that tribes such as the Milmenrura, the people accused of the crime, be considered a 'separate state or nation'.⁷⁹ Hanson cited passages from Vattel's *Law of Nations*, an influential book on international law, in which it was argued that those who 'disdain to cultivate their lands, and choose rather to live by plunder, are wanting to themselves - are injurious to their neighbours - and *deserve to be extirpated as savage and pernicious beasts*'.⁸⁰ Hanson argued that the Milmenrura had a history of hostility and it was therefore necessary that measures 'summary and severe were adopted to terrify the whole tribe by a sense of our power and determination'.⁸¹ The crime was regarded 'not as that of *individual British Subjects*, but of a whole hostile tribe, that is a *nation at enmity with Her Majesty's subjects*'. Hanson's defence was completed by an assertion that Hindmarsh's Proclamation was directed more at ordering the conduct of the settlers, than in extending the benefits of the British constitution to all the Aborigines.⁸²

In response the *South Australian Register* characterised Hanson's arguments as the artful side-stepping of a clever barrister - and no more. The editor, George Stevenson, pointed out that the clear intention of the Proclamation, which he himself had worded, was to extend the protection of British law to all the Aborigines of the Province. Rather than 'framing the law' the Proclamation merely stated what was already law - something approved of by the Home Government and already tested in the colony's courts. Stevenson scoffed at Hanson's description of the Milmenrura as a separate nation, pointing out: 'If we treat the Murray tribe as a nation, we must concede to them the right to make their own laws, and what is more, we must deny

79 **ibid.**

80 **ibid.**

81 **ibid.**

82 **ibid.**

the right of the South Australian *nation* to object to these laws, whatever they may be'.⁸³

On 30 September 1840 a bill was introduced in Council to allow Aborigines to be received as competent witnesses in criminal cases. Given Gawler's recent decision to sanction the summary trial and execution of Aborigines on the Coorong, the bill raised the question of the Aborigines' constitutional position, and gave him another opportunity to defend his actions. He characterised the Aborigines' 'proper position in the eye of the law' as a 'question of the greatest difficulty throughout the whole continent of Australia'.⁸⁴ Gawler claimed that while he admired the British constitution, its extension to the Aborigines of South Australia posed difficulties. The constitution, he argued, had gone through a thousand years of development, and

it cannot be fully received or properly appreciated even by civilized nations of an inferior class, much less by the savages of Australia, who stand in the lowest degree in all the earth in religion, government, arts and civilization. In all these respects they are morally, as in material things they are physically, the antipodes of Britain - and it is not an easy thing to make antipodes meet.⁸⁵

Gawler argued that even in Britain there were people under the same incapacity as the Aborigines. 'Atheists, idiots, and very young children' were under the protection of the law, but they were also 'deprived of great liberties and privileges'.⁸⁶ If such people, he argued, were gathered together in an isolated mass, occupying great tracts of country and speaking an unknown language 'our present laws would be in reference to them . . . powerless, and that to have law at all a very great change would be required in the principles and practice of the parent state'.⁸⁷

83 *ibid.*

84 *ibid.*, 3 October 1840.

85 *ibid.*

86 *ibid.*

87 *ibid.*

Gawler defended his actions in much the same language as before, stressing on this occasion that if the murderers had been given the protection of British subjects 'crime would have followed crime, the blacks intermixed among us would have caught the example, other persons of another description might have become emboldened by the impunity enjoyed by the blacks, and even the settled portion of our territory would have witnessed scenes of blood, robbery, and desperate contention'.⁸⁸ His interpretation of the extension of rights as British subjects was that they were conferred 'as a boon and not as a right, in the rate and degree at which they would be beneficial to the natives, and safe for natural born subjects, and not all at once'.⁸⁹

Gawler was not without support outside of Council. The *Southern Australian* steadfastly defended his actions, suggesting that his 'energetic system' of administering the Aborigines was preferable to the systems applied elsewhere in Australia which resulted in a continuation of a cycle of violence between the Aborigines and settlers. It approved of his assertion that the extension of the rights of British subjects to the Aborigines was a boon rather than a right.⁹⁰

The reaction in Britain was unambiguous: when details of the summary trial and execution were received by the Colonial Office the opinion of Crown Law officers was that the governor had acted illegally and that he was liable to be tried for murder.⁹¹ The Aborigines Protection Society in England met and roundly condemned Gawler's actions.⁹²

88 *ibid.*

89 *ibid.*

90 *Southern Australian*, 4 December 1840.

91 GRG 2/1/2/1842, 14 December 1842.

92 *South Australian Register*, 4 December 1844.

Governor Grey arrived to replace Gawler while outbreaks of violence continued to bring into question the nature of the relationship between Aborigines and the colonial authorities. Overlanding parties were being attacked on the Murray River on their way to Adelaide and during April and May 1841 several expeditions were organised to assist them.⁹³ Grey lent his support to one party but made the following statement, clearly in reference to the controversy created by Gawler's earlier actions on the Coorong:

But as, on the other hand, it is possible that these gentlemen have volunteered their services under the idea that a military expedition against the natives would take place, his Excellency thinks it proper to state, that positive instructions have on several occasions been given by Her Majesty's Government to treat the Aborigines of all parts of this continent as subjects of the Queen, within Her Majesty's allegiance, and that to regard them as aliens with whom a war can exist, and against whom Her Majesty's troops may exercise belligerent rights, is to deny that protection to which they derive the highest possible claim from the sovereignty which has been assumed over the whole of their ancient possessions.

To these instructions it is the intention of his Excellency rigidly to adhere; and at the same time that he will endeavour to the utmost of his power to protect the lives and properties of the settlers, he will not authorise the levying of war or the exercise of belligerent rights against the aborigines of Australia.⁹⁴

This statement was a vindication of the stand taken by Stevenson in his editorial attacks on Gawler's actions. It was clear that the Home Government, despite the obvious difficulties, chose to view all Aborigines within the boundary of the Province as British subjects. Nonetheless, as their treatment before the courts would illustrate, Aborigines were regarded as a special category of British subjects, with a legal status much like that of 'atheists, idiots, and very young children' - to use Gawler's telling phrase.

⁹³ A. Pope, *Resistance and Retaliation*, Adelaide, 1989, pp. 86-91.

⁹⁴ *South Australian Register*, 29 May 1841.



Plate 3 a. Governor Gawler

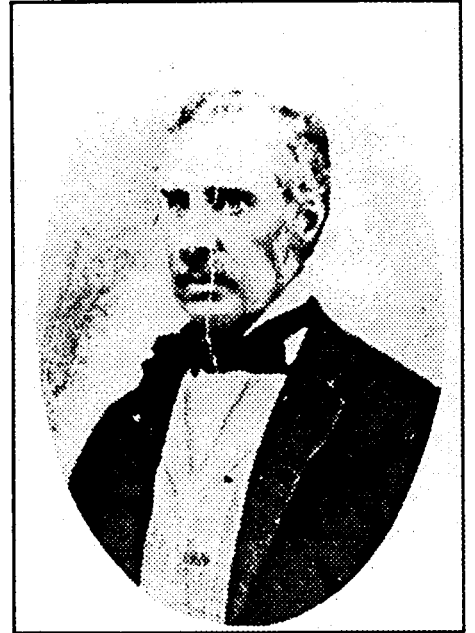


Plate 3 b. Governor George Grey



Plate 3 c. Protector William Wyatt

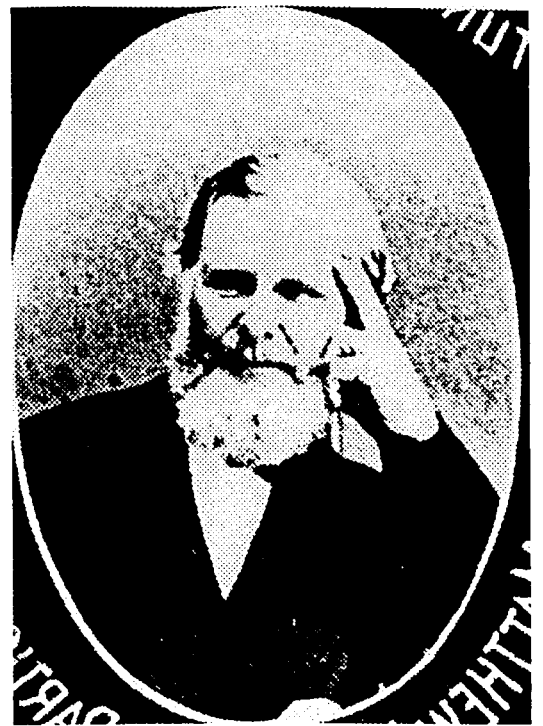


Plate 3 d. Protector Matthew Moorhouse

Legislation

Regarded as incapable of taking the oath and presenting evidence in a court of law any advantage Aborigines might have had as 'British subjects' was highly problematic. The controversy surrounding the *Maria* 'massacre' raised the question of the relationship between Aborigines and the State in the broadest context. At a meeting of the Executive Council on 30 September 1840 the governor tabled a bill to allow Aboriginal testimony to be received in a court of law. Perhaps caught in the cross fire between conscience and duty, Gawler damned the bill with faint praise. In his closing remarks, he said:

being in its object of admitting the evidence of persons unconscious of the obligation of an oath or solemn declaration, a very great departure from constitutional principles, I apprehend it may be necessary to suspend its operation until it shall have received the royal sanction.⁹⁵

Similar legislation had been passed a year before in New South Wales only to be refused royal assent for being at variance with imperial law.⁹⁶ No action was taken on the South Australian bill until 1844.

In 1840 the explorer Edward Eyre was appointed Magistrate and Sub-Protector of Aborigines at Moorundie on the River Murray. His experience in this post demonstrated to him the problems caused by the vague legal status of the Aborigines. In a report in February 1843 he outlined the 'legal disabilities' they suffered:

In declaring the natives British subjects, and making them amenable to British Laws, they have been placed in the anomalous position of being made amenable to laws of which they are quite ignorant, and which at

⁹⁵ *ibid.*, 3 December 1840.

⁹⁶ R. H. W. Reece, *Aborigines and Colonists: Aborigines and Colonial Society in New South Wales in the 1830s and 1840s*, Sydney, 1974, pp. 179-184.

the same time do not afford them the slightest redress from any injuries they may sustain at the hands of Europeans.⁹⁷

He traced the cause of this dilemma to their inability to give evidence in a court of law. They complained, he argued, that their own people were punished for offences but Europeans always escaped. Eyre echoed an argument put forward by Grey, some four years previously, insisting that the situation of the Aborigines was not only unfair in a legal sense, but a bar to their civilisation.⁹⁸ Not only did it prevent them from obtaining justice in cases involving Europeans, it prevented colonial authorities 'protecting them against themselves':

Subject to harsh and violent customs of their own, with the younger and the weaker at the mercy of the stronger, the well-disposed are overruled by the most turbulent, they dare not act in opposition to the wishes of the eldest, more influential of the tribe, without the certainty of punishment and perhaps even death, from which the European cannot protect him, since no receivable testimony can be procured of the aggression.⁹⁹

He foresaw no 'radical change, no permanent improvement of character or conduct' until traditional law was overturned. For this to occur Aborigines had to be made fully amenable to British law. Eyre pointed out that the Imperial Parliament had recently passed an Act enabling the colonies to legislate to accept unsworn testimony.¹⁰⁰ Grey was a receptive governor, having already advocated such a bill in 1840, and in 1844 the Aborigines Evidence Act was passed.

⁹⁷ GRG 24/6/170/1843.

⁹⁸ G. Grey, 'Report upon the best Means of Promoting the Civilization of the Aboriginal Inhabitants of Australia', *Journals of Two Expeditions of Discovery in North-West and Western Australia during the years 1837, 38, 39 under the authority of Her Majesty's Government*, London, 1841, pp. 373-388.

⁹⁹ GRG 24/6/170/1843.

¹⁰⁰ *ibid.* See also An Act to authorise the legislatures of certain of her Majesty's colonies to pass laws for the admission in certain cases of unsworn testimony in civil and criminal proceedings, 1843 (6 and 7, Vic. c. 22), cited in John McCorquodale, *Aborigines and the Law: A Digest*, Canberra, 1987, p. 3.

Although the courts could now receive Aboriginal evidence, they were nonetheless unwilling to attach any 'legislative credibility' to that evidence. This is apparent in two provisos included in the Act. In the first place it was left up to the judge or the jury, under the judge's direction, to decide what 'degree of weight and credibility' they would attach to the information or evidence. In the second place the Act stated that no one could be convicted on 'the sole testimony of any such uncivilized persons'.¹⁰¹ The reason for this seems quite straightforward: the perceived intellectual and moral inferiority of the Aborigines. The editor of the *South Australian Register*, in arguing for the bill's rejection, claimed that 'the habits of lying, on the part of the natives, are notorious' and that 'in their present uneducated and uncivilized state, they carry about them an inherent incapacity for the enjoyment of these privileges'.¹⁰²

In July 1846 an Amendment Bill was introduced that would allow Aboriginal evidence to be received without having to be corroborated by sworn testimony, in all cases excepting those involving death or transportation. In the discussion of the bill in Council, the question was again raised as to what extent Aboriginal testimony could be relied upon. To this end, a report by the protector on the subject was called for. The protector claimed that Aboriginal evidence could be relied upon when it involved Europeans and the witness's own tribe but in relation to 'unfriendly tribes', the witness 'would not hesitate to disregard truth in order that he might injure them'.¹⁰³ This apparently satisfied the Executive and the amendment was passed on 23 July 1846.¹⁰⁴

101 Aborigines Evidence Act 1844 (7 and 8 Vic. No. 8).

102 *South Australian Register*, 17 July 1844.

103 GRG 52/7, 14 July 1846.

104 Aborigines Evidence Act, Amendment Act (10, Vic. No. 5).

Cases before the Supreme Court in 1847 raised the problem of the court's ability to accept unsworn interpreters.¹⁰⁵ This was remedied with the passage of the Aborigines Witnesses Act 1848 which permitted an 'uncivilised' person to act as an interpreter without having to take the oath.¹⁰⁶ In 1849 the Aborigines Testimony Amendment Act 1849 allowed conviction for serious offences on unsworn testimony.¹⁰⁷

Amenability to British Law

While the technicalities of admitting Aboriginal evidence in court were being resolved legislatively, the broader question of the amenability of Aborigines to British law was still being discussed. There were two issues involved. Firstly, to what extent were Aborigines who committed an offence against the colonists amenable to British laws when they had no knowledge of those laws and showed no evidence that they recognised the sovereignty of the invaders? Secondly, what right did the colonists have to interfere in disputes involving only Aboriginal people but in which European laws were broken?

Chief Judge Cooper used his address to the grand jury at the last Criminal Sessions of 1840 to justify the advice he had given to Gawler regarding the amenability of the Milmenrura to British law. Cooper's reason for arguing that he did not have jurisdiction to try the Aborigines was

founded on the opinion that such only of the native population as have in some degree acquiesced in our dominion can be considered subject to our laws, and that, with regard to all others, we must be considered as much strangers as Governor Hindmarsh and the first settlers were to the whole native population, when they raised the British standard on their landing at Glenelg.¹⁰⁸

¹⁰⁵ *South Australian Register*, 18 September 1847, 1 December 1847.

¹⁰⁶ Aborigines Witnesses Act 1848 (11 and 12, Vic. No. 3), sections 2, 7, & 10.

¹⁰⁷ Aborigines Offences Act 1853 (12 and 13, Vic. No. 4).

¹⁰⁸ *South Australian Register*, 19 September 1840.

Cooper had already found two Aborigines guilty of murder and sentenced them to hang, but the distinction here was that by their association with the settlers they had brought themselves under the jurisdiction of British law. With this argument he established a principle that was to guide his treatment of Aborigines before the courts for the next decade. In the 1842 trial of Kertameru for stealing and killing a calf, Defence Counsel Charles Mann maintained that 'the uncultivated state of his client' made it 'difficult to determine upon felonious assault', but the judge insisted that Kertameru's association with Europeans on Hawker's Station was evidence that he had some understanding of European ways and was therefore liable to British justice.¹⁰⁹

The distinction in law between those Aborigines who had no previous contact with Europeans and those who had is apparent in the trial of Wira Maldira and Wekweki for the murder of McGrath on the Coorong. According to the evidence of Matthew Moorhouse, Wira Maldira, or Peter

was the chief instigator in the affair: he had lived for nearly two years with Europeans, and knew our habits and some of our laws, and, in consequence, was more culpable than Wekweki and others who were with him, as no stations had ever been formed in his territory at the time.¹¹⁰

Both men were found guilty of the charge and sentenced to death, but the governor commuted the sentence in the case of Wekweki, presumably on the grounds of his 'uncivilised' nature.¹¹¹

109 *ibid.*, 12 November 1842.

110 *ibid.*, 19 July 1845.

111 *ibid.*

In May 1846 three Aborigines were before the Supreme Court charged with murdering a shepherd in the employ of a settler at Mount Arden. When they were brought up to be arraigned it was revealed 'that they belonged to a tribe, who had previously had no intercourse with Europeans, who were presumed to be altogether ignorant of our Law and Customs, and whose language was in no degree known by Europeans'.¹¹² The judge remanded them for three months in the hope that their language could be learned, or that they might be sufficiently instructed to stand trial. Even then, he

stated very strongly his doubts of their being fit subjects for the jurisdiction of the Court, and suggested for consideration before the lapse of the period, whether they should be put on their trial at all for an offence arising out of their collision with the first Europeans ever entering their territory.¹¹³

Cooper expanded on the subject in a letter to the governor in March 1847. He discussed the difficulties of trying offences involving Aborigines who had no contact with Europeans 'until the moment of the commission of their alleged offence'.¹¹⁴ Under such circumstances Cooper considered it improper to try them according to the forms of British law because they could not be 'deemed cognizant of our assumed dominion over their country or themselves'.¹¹⁵

The press occasionally addressed the question of the Aborigines' status as British subjects. In July 1846, for instance, the *South Australian Register* questioned the justice of Aborigines being 'imprisoned, flogged or hanged' for violating statutes they had never heard of. The editor argued that ration depots, like Eyre's at Moorundie, be set up, from which base an officer might gradually teach them labour and wean them from their former habits. If such a system were in operation, it argued that no

112 Attorney General's Office, Letters received, State Records GRG 1/2, 10 October 1846.

113 *ibid.*

114 GRG 24/1/383.5/1847.

115 *ibid.*

Aborigine would be deemed a British subject 'till he were so far civilised as to understand and talk the language'.¹¹⁶

The idea that the Aborigines, in their attacks on European life and property, were acting in defence of their own life and property and in accordance with their own traditional laws was not an issue. Judge Cooper's dilemma, for instance, was not the question of Aboriginal sovereignty, but their ignorance of British sovereignty. Schurmann raised the point in July 1843 in a letter soliciting mercy for Ngarbi, who was under sentence of death for his part in the murder of Biddle and Stubbs at Port Lincoln. According to Schurmann, Ngarbi was a young man who had no influence over tribal decisions:

Whatever a majority of the older natives decided upon, must be carried out if practicable by the younger men, the whole of the tribe agreed to attack Mr Biddle's station; it was then a tribal (national) decision and he could not have prevented the melancholy attack, had he been ever so disposed.¹¹⁷

The fact that Ngarbi had been friendly with the Biddles in the months leading up to the attack had counted against him in court.¹¹⁸ However, as Schurmann pointed out, it was the elders who exploited the relationship to facilitate their attack and Ngarbi had no influence in the decision. The Executive Council, if it considered Schurmann's plea at all, was not impressed and Ngarbi was hanged on 1 August 1843.¹¹⁹ The fact that Aborigines might have been acting toward the Europeans as a sovereign people with their own laws and customs was of little concern to almost all the colonists.

The right of Europeans to interfere in the operation of customary law among Aborigines was more controversial. Late in 1846 an Aborigine named Larry was

¹¹⁶ *South Australian Register*, 1 July 1846.

¹¹⁷ GRG 52/1, 27 July 1843.

¹¹⁸ *South Australian Register*, 22 July 1843.

¹¹⁹ E. Schurmann, *I'd Rather Dig Potatoes*, Adelaide, 1987, pp. 163-164.

before the Supreme Court charged with the murder of Ronkurri. The case was presented as the first in which an Aborigine was charged with an offence against another of his own race. Larry's defence counsel argued that the court had no jurisdiction in such a case, and he entered the plea that

the prisoner owed no allegiance to British laws. That we had set ourselves down in his country. His offence might be punishable or might not by the laws of his own people, and were we to try him, he might be subject to a second trial by them. This was not a conquered country, nor were there any laws by which we, coming into it, could, without the consent of the natives, try offences among them; though perhaps the law of Nature might justify our doing so for aggressions on ourselves.¹²⁰

The judge refused to countenance the plea, insisting that such cases should be tried like any other, and furthermore that bringing such cases before the court 'would impress upon their minds their amenableness to the law, and teach them the consequences of crime'.¹²¹

In 1851 three Aboriginal men from Yorke Peninsula, Takkarm, Ngulta Wikkania and Kangar Wodli, were charged with murdering Multalta. Charged with involvement in killing a settler at Port Lincoln, Multalta had been on remand in Adelaide when the charges against him were dropped and he was released. Offered no transport back to Port Lincoln, he had no choice but to walk home, and while doing so the Yorke Peninsula Aborigines killed him. Their case first came before Judge Cooper in the Supreme Court on 12 May 1851. In his address to the jury, the judge pointed out the problems involved in indictments against Aborigines involving offences committed amongst themselves, but stressed they must be treated like any other British subjects. The jury's role, he stressed, was simply to assess guilt or innocence. It was his responsibility to take mitigating factors into account. The grand jury was disturbed

¹²⁰ *South Australian Register*, 28 November 1846.

¹²¹ *ibid.*, 25 November 1846.

by the situation it was placed in and on 15 May 1851 it made a presentment to the judge. The jury foreman, A. H. Davis, observed that they had found true bills to answer in two cases in which Aborigines were being tried for murdering other Aborigines. The first case was that of Multalta, who, it was claimed, the Aborigines had treated as a spy might be treated in a European country. The second case was of a woman seriously assaulted by a suitor - but in a fashion said to be customary in Aboriginal society.¹²² In reference to the judge's direction to treat the defendants as British subjects, the foreman stated:

That in so doing many of the Grand Jurors have done violence to their own natural feelings of equity and justice; since, without entering upon the abstract question of the rights which possession once obtained, the superior and more powerful people may justly exercise over those subjected to them - the Grand Jurors conceive that if the subjected tribes be uncivilized men, it is morally incumbent on the superior people, in the first instance, to confine their interference to the mutual protection of both races in their intercourse with each other, and not to meddle with laws or usages having the force of laws among savages, in their conduct towards their own race.¹²³

The jury proceeded to argue that within their distinct communities the Aborigines made laws and adopted usages 'for their own protection and government' and that the limited contact with Europeans since settlement was insufficient to expect knowledge of European laws and usages to be communicated or to justify 'breaking up their own internal system for the punishment of offences to which all their previous traditions and habits give force and sanction'.¹²⁴

This, the jurors continued, raised the real possibility that the imposition of British justice could result in someone being punished for a crime 'which, in the minds of the

122 This was the case of Nam Moing Yu, or Jemmy, charged with assault with intent to murder. In December 1849 he was found guilty and sentenced to one year's hard labour. See *Adelaide Observer*, 8 December 1849.

123 *ibid.*, 16 May 1851.

124 *South Australian Register*, 16 May 1851.

persons punished, was simply the enforcement of their own mode of justice'.¹²⁵ The jury argued that if Aborigines are to be amenable to British laws they should first be made aware of them:

That to compel such conformity (the result in our own social condition of centuries of progressive civilization, under the benign influence of Christianity), during the second decade of our residence, upon a race probably the lowest among mankind, both as to physical and intellectual position, would be an outrage on common sense, as well as a direct act of injustice.¹²⁶

Finally, the jurors asked the judge to 'define the limits within which it shall be the province of British law to interfere between the aboriginal natives in their own social relations'.¹²⁷

Judge Cooper responded by insisting that two separate issues were involved: offences committed by Aborigines against Europeans, and offences committed among Aborigines. The former had to be treated like any other case under British law, for he could not see how Europeans could be made subject to the law and not Aborigines. Cooper noted that in the past he had made it a rule 'not to try persons by our mode of trial who were not cognizant of our existence as a nation'.¹²⁸ Regarding the second issue Cooper simply stated that if the court 'had power to punish the aboriginal natives for offences against Europeans, the question of jurisdiction was settled, and it could try them for offences committed amongst themselves'.¹²⁹ The judge repeated the necessity of instructing the Aborigines as to their standing under British law, and concluded:

125 *ibid.*

126 *ibid.*

127 *ibid.*

128 *ibid.*

129 *ibid.*

. . . there was no more powerful means of civilization to instruct barbarians than teaching them practically the punishments that awaited them at the hands of Europeans for deeds of violence; and therefore the government should avail itself of every means of making all cases of punishment known amongst the natives.¹³⁰

When the Multalta case was actually heard, on 19 May 1851, Fisher, acting for the accused, used the defence that the prisoners 'had no notion of our laws respecting murder, and . . . considered themselves justified, if not bound in duty by their laws, to put strangers to death'.¹³¹ But the judge, consistent with his previous address, refused to question the court's jurisdiction and directed the jury to make their judgment 'as in an ordinary case between Europeans'. The jury took fifteen minutes to find the three accused guilty of murder and the judge sentenced them to be hanged. A fortnight later the governor exercised his prerogative of mercy and commuted the sentences.¹³²

In a letter to the governor, Cooper expressed his unease at trying Aborigines for crimes committed among themselves. He mentioned that he had spoken to the Chief Justice of New South Wales, James Dowling, who told him that he never interfered in cases between Aborigines, and that this was consistent with accounts from other colonies. Cooper saw the problem in this way:

As settlers generally occupy the Country the natives are driven into narrower circles; but they pursue for the most part the same wild and rude kind of life as heretofore; their customs remain the same and so long as they do not trespass against the persons or property of the white race, they are not interfered with. Such I believe has been the manner in which they have been generally treated.¹³³

130 *ibid.*

131 *Adelaide Observer*, 24 May 1851.

132 *South Australian Register*, 7 June 1851.

133 GRG 24/1/383.5/1847.

But he went on to say that bringing the Aborigines to trial for crimes committed among themselves would tend to introduce them 'to the duties of civilized life'.¹³⁴

Grey had provided a rationale for this position early in 1840 in an essay detailing his suggestions for the moral and social improvement of the Aborigines.¹³⁵ While observing that the Aborigines were as 'apt and intelligent' as any other race he knew, Grey asserted that 'from the peculiar code of laws of this people, it would appear not only impossible that any nation subject to them could ever emerge from a savage state' but that no race, however civilised, would 'not be dragged down to a state of barbarism'.¹³⁶ Grey insisted that from the moment Aborigines were declared British subjects they should be taught that 'British laws are to supersede their own' and that any Aborigine suffering under his own laws should have the right of appeal to British law. It was a contradiction in terms, he suggested, to expect the Aborigines to be civilised while they are held 'in thrall' by their 'savage and barbarous laws'. While suggesting that it would be unjust to *strictly* enforce the law it was nonetheless necessary to enforce it:

it would gradually give them a knowledge of the leading points of our criminal code, acquaint them with our judicial forms, awaken their moral faculties, and form another link in that chain by which they may eventually be led on to Christianity and civilization.¹³⁷

'white man's law'

The ideal was to treat Aborigines as 'ordinary' citizens, subject to, and protected by, the same laws as everybody else. As has already been demonstrated, the judiciary bent the rules to take into account such utilitarian problems as cultural difference and language, as well as the perceived intellectual and cultural backwardness of the

134 *ibid.*

135 *South Australian Register*, 18 April 1840.

136 *ibid.*

137 *ibid.*

Aborigines. However, the evidence suggests that the colonists were not willing to accord Aborigines that goodwill, nor treat them as equal before the law.

The settlers subverted the good intentions of government by their willingness to bypass the judicial apparatus and take the law in their own hands. Much of the violence perpetrated against the Aborigines in the 'far country' went unnoticed, yet, when it did come to the attention of the authorities, the settlers maintained that the legal system favoured the Aborigines. A letter published in the *South Australian Register* in September 1849 is characteristic of the settlers' attitude. Under the heading 'The Wars Between the Races', the writer portrayed the government's policy toward the Aborigines as 'that mawkish, squeamish rubbish of misapplied philanthropy'.¹³⁸ In his view it was the settlers who suffered under this system:

At Port Lincoln and Yorke's Peninsula the natives have been robbing, murdering, and mutilating the whites for the last twelve months, as if they were opossums instead of human beings. Yet the moment a white inflicts retributive justice, which the government had denied, he is immediately pounced upon by a horde of distinction-seekers, dragged manacled some hundreds of miles to Adelaide, and confronted with a batch of cannibal urchins who have no idea of either the nature of the proceedings, or of truth, or of evidence, beyond mumbling out "yes," through an interpreter, to every leading question that the eager "maker up of the case" chooses to ask.¹³⁹

Not only were 'Black murderers' let off', the writer argued, but insult was added to injury when they were 'invariably rewarded with, at least, a blanket and tomahawk for each offence'.¹⁴⁰

J. F. Hayward's account of his experiences on the colony's northern frontier in the late 1840s and early 1850s repeated these claims. In his first winter in the north

138 *ibid.*, 8 September 1849.

139 *ibid.*

140 *ibid.*

Aborigines stole sheep from the station he was working at. The depredators were pursued and Charley, 'a noted thief', was captured.¹⁴¹ Hayward was advised by a passing police patrol to take Charley to Burra for trial:

In three days we appeared before the Burra magistrate, named Lang, a recent appointment from home, who acquitted Charley and almost convicted me because I would not promise to take Charley back to his tribe and see him home safe.¹⁴²

Hayward clearly found this experience with the law an unpleasant one and in his many subsequent clashes with the Aborigines he avoided the courts, preferring to establish his authority in his way. In May 1851, for instance, after one of his shepherds was attacked and his sheep stolen, Hayward and his men tracked down one of the alleged culprits. Their captive was tied to a sheep gallows while a 'drum-head court martial was convened'. Hayward restrained the shepherd who had been attacked from administering 'his own idea of punishment' - though he does not describe what that was - and insisted on a 'fair trial'. A verdict of guilty was brought in and 'being a first offence, two dozen lashes with a stockwhip were ordered'. Hayward 'thought it best to be lenient, hoping by kind treatment and firm bearing to show the aborigines that property must be respected'.¹⁴³ By his own account, the justice Hayward usually administered was from the barrel of a gun in the camps of his adversaries.¹⁴⁴

Early in 1852 one of Hayward's hutkeepers, R. Richardson, was killed by Aborigines. Hayward gathered his men and administered his usual justice by raiding an Aboriginal camp and giving them a 'good fusillade'.¹⁴⁵ The presence of police in the

141 J. Hayward, 'Reminiscences of Johnson Frederick Hayward', *Proceedings of the Royal Geographical Society of Australasia*, S.A. Branch, vol. XXIX, 1929, p. 99.

142 *ibid.*

143 *ibid.*

144 *ibid.*, p. 139.

145 *ibid.*

district, however, may have acted as a restraint. The two men accused of murdering the shepherd were captured and taken to Adelaide for trial. According to Hayward, the trial was held up for almost a year for the want of witnesses, 'myself being the chief one'.¹⁴⁶ Hayward refused to attend the trial because he did not want to leave his station 'at the mercy of the wild dogs and natives'.¹⁴⁷ His account of the episode concludes with a sneering observation that the 'murderers' were released with the reward of 'a tomahawk and blanket each', but that shortly after they returned to the district they 'speedily received from some unknown hand the penalty due to their misdeeds'.¹⁴⁸ Hayward's account of the frontier is a detailed study of the way settlers subverted the law by taking it into their own hands.

If an incident did come to the attention of the authorities, evidence suggests that solidarity among the settlers usually made it difficult to obtain sufficient evidence to bring charges against a white person suspected of having committed an offence. Nearly all reports of clashes between Aborigines and settlers, in which Aborigines were killed or wounded, describe the Aborigines as aggressors, with phrases such as 'the deceased turned to throw a spear when I fired'. It was well known that self-defence was a valid excuse for murder, and the suspicion is that a percentage of these stories were concocted after the fact. In 1848, for instance, a settler in the south east named MacKenzie brought a charge against an Aboriginal man and his wife for assaulting him. Further investigation showed that McKenzie had in fact been the aggressor. Christina Smith wrote, 'I think he was the aggressor and consorted with the lubra. McKenzie, with the halfblade of a pocket knife in the conflict fearfully scarred the blackfellow on various parts of his body.'¹⁴⁹ What on the surface appeared to be a case of an Aboriginal aggression against a European is revealed on

¹⁴⁶ *ibid.*, p. 141.

¹⁴⁷ *ibid.*

¹⁴⁸ *ibid.*, pp. 141-142.

¹⁴⁹ C. Smith, *Diary*, Mortlock Library PRG 144, p. 30.

deeper investigation to be the reverse. The very nature of the subject matter makes it difficult to assess the extent to which settlers concocted stories, but there is little doubt that it happened. For instance, during the height of the troubles in the south eastern district in the 1840s the commissioner of police received a report listing a series of atrocities that had allegedly been committed, yet he doubted his ability to bring charges against anyone given 'the secrecy in which these transactions are cloaked'.¹⁵⁰ The District Magistrate, Evelyn Sturt, in listing atrocities committed by the settlers against the Aborigines, was even more blunt. He wrote:

I have here to observe that it is impossible to get at the truth among the rest of the ruffians who infest the neighbourhood and I believe that a wholesale system of murder, has been carried on which it is most difficult to obtain any evidence of . . . ¹⁵¹

Edward Eyre had no doubt that colonists regularly perjured themselves and that the court could do nothing about it. In commenting on the difficulties faced in bringing Europeans to account for aggressions against the Aborigines, Eyre, who was a magistrate at Moorundie for several years, made reference to the 'absurd stories that are generally made up in justification'.¹⁵²

In one of the few cases in which a settler was successfully prosecuted for the murder of an Aborigine - the case of Thomas Donnelly - there is evidence of the peer pressure that would normally have protected whites. While a witness in the Donnelly case was being examined it was brought to the attention of the court that his deposition was incorrect: 'The witness here said certain parties told me I was not to speak the truth'.¹⁵³ Clearly efforts had been made to collude in the presentation of evidence. The case of Donnelly is the exception that proves the rule. Donnelly was an ex-

¹⁵⁰ GRG 24/1/116/1845.

¹⁵¹ GRG 24/6/1906/1846.

¹⁵² E. Eyre, *Journals of Expeditions of Discovery into Central Australia, and Overland from Adelaide to King George's Sound in the years 1840-41*. 2 vols, London, 1845, p. 185.

¹⁵³ GRG 24/6/349/1847.

convict and Smith, the witness reportedly being pressured to perjure himself, was a free settler giving incriminating evidence against the accused. It is significant that the prosecution made much of this fact. Questioned as to his background, Smith answered:

I came from England to Port Phillip:- I was never in the Isle of White. I don't know Islington: or Pentonville: nor Parkhurst. I came out in the Elizabeth from Sommersetshire. I was not sent out as a convict: but as an immigrant.¹⁵⁴

Donnelly was hanged not because he was guilty - many other whites guilty of his crime escaped punishment - but because the solidarity of the whites broke down. He was the *only* European in the nineteenth century South Australia found guilty of a capital offence against an Aborigine.

Settlers' attitudes towards the Aborigines did not usually disappear in a court room. Moorhouse, whose natural instincts were to do his job without rocking the boat, was so appalled at the double standards applied to Aborigines that he spoke out on the subject in October 1849. The catalyst was the verdict of guilty in the trial of the three men charged with the murder of James Beevor near Port Lincoln. Moorhouse asserted that if the three had been Europeans, 'the juries would not from the evidence produced have brought them in guilty'.¹⁵⁵ In the first place, he argued, 'the chief evidence against them was given by natives, a kind of evidence which a few days before had been rejected as dangerous and unsatisfactory when given against Europeans'.¹⁵⁶ Second, the corporal who interpreted the evidence of the defendants had such a poor knowledge of the language that in his translations 'a substantive was

154 *ibid.*

155 GRG 52/1, 8 October 1849.

156 *ibid.*

used for a verb and a possessive for a personal pronoun.¹⁵⁷ His most serious concern however was the 'prejudicial feeling existing in the minds of the juries':

The poor natives meet with little sympathy and compassion before tribunals composed entirely of white men. I am informed that only two of the Grand Jury possessed favourable feelings towards them and before His Excellency and Executive Council decide upon the fate of the condemned prisoners, I would respectfully entreat that these facts may suggest a lenient and merciful procedure. If mercy and forbearance be not entertained by this, the final tribunal, and with such evidence, I must say that I shall have much difficulty in believing the declaration that the Natives enjoy the protection of the British Law.¹⁵⁸

Two of the three men found guilty were hanged at Port Lincoln in November 1849.¹⁵⁹

The other case referred to by Moorhouse was that of Harry Jones and Thomas Morris, charged with the murders of Melaityappa and another Aborigine on Yorke Peninsula. The newspaper account of the trial provides an insight into the community's attitudes toward Europeans charged with offences against Aborigines. The court was crowded with spectators and an 'expression of commiseration for the prisoners and anxiety for the result was visible on every face'.¹⁶⁰ The main evidence against the accused came from an Aboriginal witness who spoke no English, was clearly bewildered by the proceedings, and for whom a policeman - he whom Moorhouse considered had a very poor grasp of the language - acted as an interpreter. Under these circumstances it is hardly surprising that when asked to identify the accused in court he pointed out the wrong man, which the spectators greeted with a 'volley of hisses, accompanied by a stamping of the feet'.¹⁶¹ The case

157 *ibid.*

158 *ibid.*

159 Protector's Report, 8 January 1850, *South Australian Government Gazette*, 17 January 1850, p. 46.

160 *South Australian Register*, 19 September 1849.

161 *ibid.*

collapsed because of the mistrust of Aboriginal evidence, much to the delight of the spectators:

On the liberation of the prisoners, the silence which had been rigidly preserved in the Court during the latter proceedings (and in fact, with one exception, all the day), gave way to a tumultuous expression of satisfaction. The long pent up feelings of the audience found vent in a mighty volley of cheers, which completely put the efforts of the officers of the Court at Defiance. The cheers were repeated outside the Court, and the traders of Hindley-street were startled occasionally by a sudden but simultaneous shout from a very large body of people, who had not separated even at that distance from the Court-house.¹⁶²

With the exception of Donnelly, every European brought before the Supreme Court charged with an offence against an Aborigine was released, essentially because Aboriginal evidence carried no weight and corroborating European evidence was usually absent.

The status of Aborigines, especially those on the frontiers of settlement, was never clearly defined. The clear intention was to accord Aborigines the status of British subjects, but language difficulties and the reality of cultural difference made such an approach patently unjust. On the other hand, the British had no intention of recognising what were classed as 'savage laws and customs'. As Grey and Eyre made clear, it was the colonists' duty to overthrow the 'savage laws and customs' to which the Aborigines were subject if they were to be civilised. The status of Aborigines was defined by what they were expected to *become*, rather than what they *were*. The Aborigines were essentially 'provisional' British subjects; their amenability to British justice a necessary part of the civilising process. In reality, however, even this unsatisfactory definition of their status was undermined, especially on the frontiers of settlement, by general community attitudes which scorned the idea that 'savages'

162 *ibid.*

were equal before the law. The denial of indigenous sovereignty, and the ineffectiveness of British sovereignty, effectively conceded them no status at all.

Outskirts of Civilisation

The characters sketched in this story were . . . far from the settlements, surrounded by some of the fiercest of the native tribes of Australia, and entirely dependent upon themselves. It is not to be wondered at if, under these circumstances, deeds were committed at which humanity shudders. It is generally assumed that the blacks were the aggressors. No doubt they were so, by stealing sheep and cattle; but that was in retaliation for their country having previously been taken possession of, and in this respect it cannot be disputed that the white man was the aggressor.

Simpson Newland, *Paving the Way*, 1893, p. 129.

From an Aboriginal perspective, the settlers were invaders dispossessing them of their land. From a European perspective, they were simply colonists, lawfully establishing themselves in one of Britain's newer possessions. This chapter examines the constructions of Aboriginality evident in the attitudes and behaviour of settlers actively engaged in dispossessing the Aborigines. Particular attention is paid to the way these constructions served to rationalise the violence of the frontier.

First Impressions

Explorers were the first Europeans encountered by most Aborigines. In the early history of South Australian exploration these first contacts were generally benign, often friendly, and the explorers first impressions of the Aborigines were positive. This might be partly explained by the disarming effect of curiosity on both black and white. Just as significantly, exploratory expeditions were vulnerable; small, far from the assistance of their countrymen, and in unfamiliar, often dangerous, country. Under these circumstances it is hardly surprising that efforts were made to conciliate Aboriginal people.

During his southern exploration, between 1829 and 1831, Sturt constantly encountered Aboriginal groups and actively sought their knowledge of the country and their assistance as guides. To smooth his passage through their country he consciously observed Aboriginal diplomatic protocol by approaching each group cautiously and openly, distributing presents, and requesting their assistance.¹ In his journal of the expedition Sturt commented on the nature of this protocol and the importance of Aborigines to the expedition:

They sent ambassadors forward regularly from one tribe to another, in order to prepare for our approach, a custom that not only saved us an infinity of time, but also great personal risk. Indeed, I doubt very much whether we should ever have pushed so far down the river, had we not been assisted by the natives themselves.²

At times Sturt's description of his experiences on the Murray convey the impression not of an intrepid explorer in inhospitable country but of a tourist in the hands of experienced guides. Sturt's conciliatory approach to the Aborigines proved valuable on the one occasion that he feared violence was imminent: as a group of unfamiliar Aborigines was threatening his party an Aboriginal man he had encountered earlier came to his assistance and persuaded the aggressors to retreat.³

Edward Eyre's attitude to the Aborigines while exploring the country between Adelaide and King George's Sound in 1840-41 was much the same. Like Sturt, he took Aboriginal guides with him and made every effort to acquire the assistance of Aboriginal groups he encountered. While travelling near Denial Bay he constantly had Aboriginal people with him, helping him find water. Eyre was fulsome in his praise of the guide 'Old Wilguldy' and the others who assisted his party:

1 C. Sturt, *Two Expeditions into the Interior of Southern Australia*, London, 1833, vol. II, pp. 95, 113, 121 & 126.

2 *ibid.*, p. 126.

3 *ibid.*, pp. 105-108.

To them we were indebted for the facilities we had enjoyed in obtaining water; for without their guidance, we could never have removed from any encampment without previously ascertaining where the next water could be procured; and to have done this would have caused us great delay, and much additional toil. By having them with us we were enabled to move with confidence and celerity; and in following their guidance we knew we were taking that line of route which was the shortest, and the best practicable under the circumstances.⁴

Eyre went on to describe how having been shown water the guides themselves would not take a drink until his own thirst was quenched, and even then only after asking permission. Eyre observed:

Surely this true politeness - this genuine hospitality of the untutored savage, may well put to the blush, for their exclusiveness and illiberality, his more civilized brethren. In how strong a light does such simple kindness of the inhabitant of the wilds to Europeans travelling through his country (when his fears are not excited or his prejudices violated,) stand contrasted with the treatment he experiences from them when they occupy his country, and dispossess him of his all.⁵

Eyre knew only too well that the explorers marked the beginning of the end for the civilisation of the people he was praising. His presence, however benign, announced that the European frontier was not far behind. Indeed, Charles Sturt's account of his exploration provided the catalyst for the settlement of South Australia.⁶

Surveyors, because their work constantly took them into country unoccupied by Europeans, shared something of the vulnerability of explorers, and they practised a similar circumspection. For instance, in describing his work on Yorke Peninsula, J. B. Hughes stressed his efforts not to antagonise the Aborigines. Upon arriving at a camp where only women were present, he made the following observation:

⁴ E. Eyre, *Journals of Expeditions of Discovery into Central Australia, and Overland from Adelaide to King George's Sound, in the years 1840-41*, London, 1845, p. 223.

⁵ *ibid.*, p. 224.

⁶ A. Grenfell Price, *The Foundation and Settlement of South Australia, 1829-45*, Adelaide, 1924, pp. 16-19.

As I have always conceived that a great portion of the hostility shown by the Aborigines to the white men has arisen from real or anticipated acts of violence on their families, I had fully hoped that this visit of ours would have convinced them that we were real friends, as this was the second opportunity of molesting their unprotected females.⁷

In seeking new lands to occupy, the settlers were explorers of sorts but their motives differed from their illustrious predecessors as, at times, did their methods of exploration. John Bull recalled an incident at Port Lincoln while a party was exploring the region for good land. Finding themselves short of water the party

had now to depend entirely on their return journey on the small quantity of provisions which they had in their wallets, and on brackish water, until a black was caught, who was induced to point out some of their watering places in the direction of the new settlement.⁸

This encounter contains none of the reciprocity that accompanied the encounters described by Sturt and Eyre; the 'explorers' needed water, so they simply 'caught a black'. The practice of 'catching a black' to find water was not an uncommon occurrence in the remoter regions of the Australian bush, even in the twentieth century.⁹

When explorers such as Sturt and Eyre travelled, they understood that they were traversing Aboriginal land and they solicited the goodwill of their hosts. As surveyors and settlers moved in the landscape was inexorably transformed into a European domain. Accompanying this shifting balance of power and altering perception of the landscape came a more hostile and utilitarian attitude to the Aborigines. The former hosts became intruders, and the intruders became landlords.

⁷ *South Australian Register*, 26 December 1840.

⁸ J. W. Bull, *Early Experiences of Life in South Australia*, Adelaide, 1884, p. 292.

⁹ H. Reynolds, *With the White People*, Melbourne, 1990, p. 14.

The Ideology of Dispossession

The slow progress of the land surveys meant that the frontier of pastoral settlement did not move far from Adelaide until 1839. Until then the colonists proudly boasted of their good relations with the Aborigines, which they explained by reference to the 'good character' of the settlers and the perceived acquiescence of the Aborigines.¹⁰ Against this apparently peaceful backdrop, the question of Aboriginal proprietary rights, which had figured so prominently in discussions prior to settlement, seemed virtually forgotten.

It was not until the shepherds Duffield and Thompson were killed on the outskirts of Adelaide in 1839, that the question of dispossession became a topic of public debate. Writing in the *Southern Australian*, the editor, Charles Mann, put forth the standard justification for dispossession:

In our opinion, we have exactly the same right to be here, that the older inhabitants have. They at a remote, as we at a later period, were guided here by enterprise or accident. From the moment they arrived, until the present, they have not sought, and therefore not acquired as tribes a property in the soil - nor, as individuals, the ownership of things which grow or roam upon its surface. They have neither erected habitations upon it, nor pierced its bosom to make it minister to their support and comfort. Generation after generation, their thinly scattered tribes have wandered homeless over its fertile districts, unconscious or heedless of the treasures within them. The earth was made for man. We found the country in the state in which ages before the black people had found it - its resources undeveloped, unappropriated!¹¹

Responding to Charles Mann's appeals to legal theory to justify dispossession, a correspondent put the claims of the settlers more bluntly:

It is now in vain to talk about the injustice of dispossessing the natives of part of their territories, though it were granted that they ever

¹⁰ For instance, the comments of the settler John Brown, *Diary*, 13 February 1837, p. 75, Mortlock Library Nos. 36-37; *South Australian Register*, 27 April 1839; *Southern Australian*, 7 April 1843.

¹¹ *Southern Australian*, 8 May 1839.

possessed them; every one of us, by coming here, has, in reality, said that we either had such a right - or, not having the right, that we, at least, had the might, and resolved to exercise it.¹²

He invited any of those who believed they were unjustly taking possession of the country to leave on the next boat home. He rejected as hypocritical the claim that they were acting toward the Aborigines according to 'higher motives', suggesting that 'our conduct toward them, will be, and has been, regulated upon the principle of expediency and self-interest.'¹³ This correspondent reflected the sentiments of almost all the settlers - land and its profitable exploitation drew them to the colony. As the historical-geographer Michael Williams wrote of the Wakefieldian utopia of South Australia: 'Land, and its survey and disposal, was the keystone of the new experiment which aimed at producing a soberly industrious, middle-class society of agriculturalists'.¹⁴

On the frontier, away from the clever words of newspaper editors and the speeches of Exeter Hall philanthropists, utilitarian practice prevailed. Not only were the settlers unconcerned about any rights to the land the Aborigines might have had, they quickly came to view them as trespassers on European land. James Hawker, who established Bungaree station north of Adelaide, described the attitude of the settlers as they were establishing their runs:

The manners and customs of the natives were not known, and no attempt at friendly overtures were considered necessary towards them in the earlier settlement of the northern districts; in fact, they were looked upon as equally detrimental with wild dogs on a run. All means short of extermination were used to drive them away from the runs. . . ¹⁵

12 *ibid.*

13 *ibid.*

14 M. Williams, *The Making of the South Australian Landscape*, London, 1974, p. 24.

15 J. C. Hawker, *Early Experiences in South Australia*, Adelaide, 1899, p. 12.

Samuel Davenport was an early landowner in the isolated south eastern district of South Australia. His voluminous correspondence to his family in England provides an insight into the trials and tribulations of establishing land-holdings in the colonies. In his many letters he never discussed the morality of dispossessing Aborigines of their land. He discussed Aborigines only in connection with the progress of his runs. Writing to his father in February 1846, he observed that the 'blacks are a great drawback at Rivoli Bay . . . They both augment expenses of keep, and leave one at great risk of loss'.¹⁶ Davenport discussed the Aborigines in the same context as the problem of native dogs and scab in sheep. The safety of his sheep and the men who tended them were his primary concern. A landowner's stock represented his main investment and any threat to that investment was a threat to his livelihood.¹⁷ The question that confronted the settlers was not whether dispossessing the Aborigines was moral, but how they would deal with an indigenous people who resisted dispossession and threatened to disturb the smooth progress of settlement.

The Country Of Fear

Fear was an important factor in colouring settler attitudes toward the Aborigines. It was generated by reports of violence, and violence perpetuated both real and imaginary fears. Edward Eyre evokes this atmosphere:

The settler finds himself almost alone in the wilds, with but few men around him, and these, principally occupied in attending to stock, are dispersed over a considerable extent of country; he finds himself cut off from assistance, or resources of any kind, whilst he has heard fearful accounts of the ferocity, or the treachery of the savage . . .¹⁸

16 S. Davenport, 'Letters of Samuel Davenport, chiefly to his father George Davenport, 1842-49', Part V: November 1845 - March 1846, ed. B. S. Baldwin, *South Australiana*, vol. X, no. 2, 1971, p. 67.

17 P. Taylor, *Station Life in Australia*, Sydney, 1988, p. 22.

18 Eyre, *Journal of Expeditions*, p. 170.

The letters and diaries of settlers bear out Eyre's characterisation. Christina Smith arrived at Rivoli Bay in the south east early in 1846. The first stories she heard were about the 'troublesome blacks' and so it is no surprise to read in her diary: 'I hardly enjoyed a full night's sleep for six weeks after landing - dreading they might attack us in the night'. When the Aborigines first appeared at her hut - 'in a friendly manner', she recalled - her husband approached them while she stood in the background with a gun in hand.¹⁹ Samuel Davenport, visiting his property in the same district, described the unease he felt travelling alone in the bush:

I spent one or two dreary cold nights in the bush there - sometimes afraid to light fire, being alone, lest through its guidance myself or horse or both should risk a spearing. I have paced all night by my horse, afraid to let him go or leave him myself, and being surrounded by thicket, kept ready to mount and be off at any alarm.²⁰

Early in 1853 William Wells, a 'new chum', travelled to 'Parnka' station on Salt Creek at the southern end of the Coorong to take up work as a shepherd. An entry in his diary, made shortly after his arrival, gives an insight into the vulnerability and fear experienced by such men:

I was on this little island for a few weeks by myself and very lonely and solitary it was particularly at night, and if I was not monarch of all I surveyed of a truth, there was none my right to dispute like Robinson Crusoe, I had my man Friday, in the shape of poor Pellis the cat, who would follow me up and down, all over the island in my little excursions, my situation was not much more agreeable, by knowing that within a few miles were an encampment of blacks, who could never be brought to associate with the whites, and for whom they had a great aversion, only fancy making an invasion on my little territory some fine night. . .²¹

¹⁹ C. Smith, *Diary*, Mortlock Library PRG 144, pp. 25-26.

²⁰ Davenport, 'Letters of Samuel Davenport . . . Part VI: April - August 1846', *South Australiana*, vol. 16, no. 1, 1977, p. 153.

²¹ William Wells, *Diary*, c. March 1853, Mortlock Library D6735 (L).

Each day Wells' sense of isolation grew, and he was not alone in his feelings: 'none of the whites . . . stop long, a few weeks or months perhaps, then bolt.'²² Frustration at the constant pilfering of his sheep by the Aborigines also grew. Driven to distraction, he wrote of the Aborigines, 'I morally detest the whole race, they are fiends incarnate the very personification of all that is evil with not one redeeming feature.'²³ It is not difficult to imagine such emotional violence being translated into physical violence. After eight months Wells had had enough and returned to Adelaide.²⁴

The fear experienced by individuals on isolated frontiers sometimes took a communal form. At times of conflict on the more marginal frontiers, especially where the balance of power did not overwhelmingly favour the whites, fears were often expressed that the Aborigines would 'join together' and 'rise up' against them. A series of attacks on isolated stations and the murder of a number of settlers in the Port Lincoln district in 1842 terrified the small community.²⁵ The government resident wrote to the authorities in Adelaide asking for protection. He claimed that the settlers were 'excessively alarmed and have all flocked into town with their families, whence some are gone and going over to Boston Island to remain until the District is placed in greater security'. He added that all agricultural activities had been suspended, stations were deserted, stock was running wild in the bush, and wages had quadrupled in an effort to secure labourers.²⁶

Four months later a memorial signed by Port Lincoln settlers was forwarded to the Government, pleading for arms, ammunition and a detachment of the military to protect them:

22 *ibid.*

23 *ibid.*

24 *ibid.*, November 1853.

25 Discussed in detail by A. Pope, *Retaliation and Resistance*, Adelaide, 1989, pp. 93-95.

26 Colonial Secretary's Office, In Letters, State Records GRG 24/6/152/1842.

The entire force employed by Government at Port Lincoln in this Town and District consists of one Sergeant and two Privates of the colonial Police and very few of the inhabitants are provided with efficient means for defence as the table subjoined will shew. But even with these inefficient means it is hardly possible for them to combine for mutual protection, the country stations being detached from each other some miles, and in town the houses are so separated that in the event of a sudden and determined attack by the natives the inmates of each Dwelling might be destroyed in detail.

Your memorialists therefore humbly pray that Your Excellency will be pleased to order a detachment of Military to be stationed here with about twenty-five hand of spare arms for arming the inhabitants in case of necessity that this fine district of the Province may not be abandoned which there is reason to fear will be the case if the present feelings of insecurity among the people be not removed.²⁷

The population of the district, which had already declined because of the economic crisis of preceding years, shrunk even further as people left the district fearing for their lives.²⁸ The settlers did succeed in persuading the government to send assistance, initially in the form of a military detachment of the 96th Regiment under Lieutenant Hugonin.²⁹ In 1842 the Regiment was replaced by a smaller civil force under the command of Major O'Halloran. O'Halloran described the Port Lincoln district as 'a deserted place, more than half the houses have been abandoned, and the remainder are barricaded to protect the occupants against the attacks of the natives.'³⁰ O'Halloran considered that they had no more reason to fear an attack than the residents of Adelaide. James Hawker, who was in Port Lincoln at the same time, considered the district to be in an 'absurd state of panic':

Owing to the attacks on a few stations they imagined that the natives were sure to eventually make a raid on the township, and ludicrous arrangements were made for their safety. The gaol, having a stone wall

27 GRG 24/6/124/1842.

28 M. Davies, 'Settlers and Aborigines at Port Lincoln 1840-1845', *South Australiana*, vol. 18. no. 1, 1979, pp. 24-44.

29 GRG 24/6/236/1842.

30 Bull, *Early Experiences*, p. 299.

surrounding it, was chosen as the best place for retreat. Fabulous stories were continually circulated of bodies of natives having been seen in war costume in proximity to the township. Owners of horses that had strayed a short distance from the township were afraid to go and look for them . . . ³¹

In October 1842 the government resident at Port Lincoln believed that the Aborigines had sent spies into the town during the winter and that the Port Lincoln and Coffin Bay tribes 'had coalesced for the express object of murdering all the whites in the settlement'.³² The tribes may have wished to do this, they may have even discussed it, but the nature of Aboriginal social organisation and economic life rendered such an occurrence improbable. Nonetheless, rumours that the Aborigines would 'join together' and 'rise up' were common in a number of districts during the early years of settlement. Writing during the height of frontier violence in the lower south east in 1847, Evelyn Sturt was expressing such a fear when he wrote that the Aborigines 'are far more numerous and united than I conceived, having lately seen a 'Cooyong' or 'Meeting' at which were upwards of 250 young men'.³³ Similar fears surfaced also in the northern districts following the labour exodus caused by the Victorian goldrush. In a letter to the *Adelaide Observer* in February 1852 a settler signing himself 'Pater' wrote that with the 'adult male population rapidly draining away; towns, hamlets, farms, and out stations almost deprived of protection and the savages openly exulting in the desolation - may not their cry soon be "up and be doing?"'³⁴ Two months later a 'Northern correspondent' wrote to the *South Australian Register* with the news that a settler had been killed and another wounded in his district, adding: 'The fact is, they are *up*, and they will not be easily subdued'.³⁵ He concluded with

31 Hawker, *Early Experiences*, pt. II, p. 4.

32 GRG 24/6/757/1842.

33 GRG 24/6/444/1847.

34 *Adelaide Observer*, 14 February 1852.

35 *South Australian Register*, 7 April 1852.

the observation that the shepherd's death 'was followed by other unavoidable inhumanities'.³⁶

Fear, both individual and communal, encouraged an attitude of 'shoot first and ask questions later'. Eyre claimed that it often resulted in the death or injury of Aboriginal people quite innocently going about their business. Taking as an example an experience at his station on the Murray River, he wrote:

an intelligent and well-conducted native, belonging to Moorunde, was sent by a gentleman at the Murray to a surgeon, living about sixty miles off, with a letter, and for medicines. The native upon reaching this station, which he had to pass, was assaulted and opposed by a man, armed with a musket, and if not fired at (which he said he was,) was at least intimidated, and driven back, and prevented from going for the medicines for the individual who was ill.³⁷

Fear also encouraged settlers to give credence to almost any rumour. The murder of Duffield and Thompson in April 1839 was followed by reports of alleged attacks and atrocities by the Aborigines. The editor of the *Adelaide Observer* pointed out the falsity of these reports but noted that they had encouraged parties of young vigilantes to ride about the countryside harassing any Aboriginal group they came upon.³⁸

'Native Outrages'

By any objective assessment the settlers were invaders upon Aboriginal land, and any Aboriginal violence directed toward them might fairly be described as resistance. However, colonial accounts of frontier violence reverse this picture. The overwhelming majority of newspaper accounts of frontier violence not only portray the settlers as the sufferers - their lives and property threatened - but effectively cast the Aborigines in the role of 'invaders'. Consider, for instance, the reports of clashes

36 *ibid.*

37 Eyre, *Journal of Expeditions*, pp. 465-66.

38 *Southern Australian*, 10 May 1839.

in the far north of the colony in the early 1860s. Police Commissioner Warburton toured the district in 1863 and reported his belief that 'the natives can never permanently inhabit that country in such numbers as to give any reasonable ground for apprehension to the settlers'.³⁹ A newspaper editor commented:

It may be quite true that the natives are not likely to become permanent inhabitants of the country, but they may still do a great deal of harm by making occasional visits in large bodies, and by attacking the settlers at unexpected moments. They are cunning enough to know there is no police protection in the neighbourhood, and that a shepherd with a flock of sheep is no match for thirty or forty armed opponents.⁴⁰

It is as though each pastoral property was an outback Rome and the Aborigines were barbarian hordes circling menacingly.

Reports of frontier violence were typically headlined: 'Outrage by the Natives', 'Native Outrages', or 'Affray with the Natives'.⁴¹ The settlers were typically described as exhibiting stoical restraint in the face of repeated outrages. Reporting an attack on a pastoral property in 1840, a newspaper editor commented that no 'amount of forbearance can stand out against the annoyances they inflict, and fatal collisions under such a system cannot be avoided'.⁴² Two years later, following the deaths of Brown and Lovelock at Port Lincoln, a correspondent expressed a similar sentiment when he noted the 'great forbearance of the settlers in overlooking repeated outrages'.⁴³ Violence against the Aborigines, on the other hand, was rarely reported in the newspapers, except when it was described as self-defence. It is unlikely that a typesetter was ever called upon to lay out the headline 'Outrage by the Colonists'.

39 *Adelaide Observer*, 12 December 1863.

40 *ibid.*

41 Various newspaper accounts, for example, *South Australian Register*, 22 February, 29 September 1840; 22 May 1841; 22 April 1844; 21 February, 3 May, 15 May 1852; 19 January 1853.

42 *South Australian Register*, 22 February 1840.

43 *ibid.*, 2 April 1842.

In modern critiques of the frontier, Aboriginal violence against the settlers is usually described in political terms. Historians write of Aboriginal 'resistance' and portray their techniques as 'guerilla tactics'.⁴⁴ This was not the usual contemporary portrayal. Aborigines on the frontier were commonly described as 'annoying' or 'troublesome', and their attacks those of 'depredators', 'marauders' or 'plunderers'.⁴⁵ More serious violence in frontier districts was sometimes described as 'warfare', but this was the exception rather than the rule.⁴⁶ The vocabulary used in accounts of frontier violence classed Aboriginal activities as criminal rather than political in character. For the settlers to view Aboriginal attacks on life and property otherwise would have been to ascribe a level of social organisation and political consciousness to Aboriginal society that they were not willing to concede.

Aboriginal attacks on settlers were commonly described in terms of their 'savage and instinctive nature'. A correspondent wrote that James Beevor's murder at Port Lincoln in 1849 was 'another instance of the treachery and savage character of the blacks'.⁴⁷ A northern settler explained Aboriginal attacks with reference to their 'treacherous and resolute habits'.⁴⁸ Such assessments reflect a belief in the absence of 'moral restraint', a judgment that Aborigines were so low on the scale of creation that their behaviour reflected animal instinctiveness. In an 1850 report on the Port Lincoln district Government Resident Driver observed that 'Aborigines, like other wild animals, appear to have an instinctive knowledge of the approach of death . . .'⁴⁹

44 H. Reynolds, *The Other Side of the Frontier*, Townsville, 1981, is the best known modern reassessment of frontier violence.

45 See, for instance, *South Australian Register*, 10 November 1838; 2 November 1839; 22 February 1840; 18 September 1847; 6 March 1852.

46 *Adelaide Observer*, 12 December 1863.

47 *South Australian Register*, 16 May 1849.

48 *Adelaide Observer*, 7 May 1864.

49 Protector's Report, 15 October 1850, *South Australian Government Gazette*, 31 October 1850, p. 611.

Such explanations of behaviour denied any sense that Aboriginal actions were motivated by tribal or political decisions.

In 1858 an account of frontier life under the heading of 'Australian Jim Walker' was published in Charles Dickens' literary journal *Household Words*.⁵⁰ Though undoubtedly a yarn spun for effect, the details suggest that it was written by someone with colonial experience. The writer begins his story by stressing the isolation in which Jim worked as a shepherd with his mate Willie, the hutkeeper. It was a 'lonely spot', the author wrote, 'much out of the usual track'. 'Jim's adventure' begins with him returning from his day's work to discover that his mate had been speared to death and that he was alone and surrounded - 'he beheld several dusky forms moving through the thick undergrowth'.⁵¹ Jim barricaded himself in his hut and repelled several attacks with his double-barrelled gun, but was eventually forced to flee into the bush when the Aborigines set his hut alight. With his trusty dog at his side he fled for mile after mile toward the nearest station, every so often being forced to stand and fire at his relentless pursuers. Just as he was about to be 'done in' by the 'savages' men from a nearby station, alerted by his shots, arrived to rescue him and despatch his assailants.⁵²

In this account of an 'affray' the physical appearance of the Aborigines is not described and their motives are not explained, they are simply objects of terror 'out there'. They are not presented as a people inhabiting the country, but almost as part of the bush itself. For instance, in describing Jim's flight to safety, the author wrote:

Although no indication of the natives were apparent, Jim was too well acquainted with their nature and habits to relax his speed. Wily as

50 'Australian Jim Walker', *Household Words*, no. 425, 15 May 1858, pp. 500-504.

51 *ibid.*, p. 501.

52 *ibid.*, p. 504.

serpents, and as noiseless too, they might be close at hand, yet invisible.⁵³

Jim Walker's pursuers are entirely anonymous, not given the basest emotions of anger or revenge, portrayed as an almost supernatural force in the wilds of Australia - as tigers in the jungles of Asia might be portrayed. The author's portrayal of unpredictable, silent assassins, animal-like in the way they moved through their environment, well reflects the way Aborigines were perceived on the frontier.

In the language of the frontier the epithet 'treacherous and cunning' acquired an almost universal currency in accounts of Aboriginal aggressions. Following Beevor's murder in 1849, his uncle wrote:

You may imagine what my feelings were when I learned that my best friend and my only relative in the colony - one on whom I looked as a brother - one who had been on many a hard-fought battlefield - should have perished in such a brutal manner. Had the poor fellow had but a struggle with them, his well-known courage and personal strength would have been a match for a dozen of such miserable wretches; but he fell, I consider, without feeling a pang. I think the first spear, which was thrown from behind, pierced his heart . . . to see a fine fellow like Beevor (I believe you knew him) murdered in so treacherous a manner, makes the blood rise in me.⁵⁴

The attack was treacherous, because the man was killed from behind. It was noted that the victim was a battle veteran, implying that the Aborigines would not have stood a chance in a fair fight. The logic of this account was repeated again and again in accounts of Aboriginal attacks on settlers.

The government resident in the district saw Beevor's murder as an example of how the character of seemingly trustworthy Aborigines could not be relied upon:

⁵³ *ibid.*, p. 503.

⁵⁴ *South Australian Register*, 9 June 1849.

The cause of the outrage appears to me to have arisen from an injudicious reliance on the trustworthy and forbearing character of the natives; their forbearance, especially is kept in constant check by the sheep farmers, who appear to expect that their moral perceptions should be sufficiently vivid to deter them from doing wrong. . .⁵⁵

Even Edward Eyre, in describing his overlanding experiences, considered it dangerous to put too much trust in exhibitions of a 'friendly disposition', saying of the Aborigines 'they are both cunning and treacherous, and frequently refrain from acts of violence only from dread of a superior force.'⁵⁶

Complementing the perception of Aborigines as 'cunning and treacherous' was the belief that their actions were 'cowardly'. This is evident in the account of the murder of Pinkerton's shepherd at Port Lincoln in 1852. A correspondent to the *Adelaide Observer* wrote that the shepherd

seems to have been attacked while asleep, and waddied to death, without the opportunity of offering resistance. The deceased was a powerful, resolute, and active young man, and the Native had long watched for such an opportunity as that which was at length presented.⁵⁷

The settler J. F. Hayward used the following incident to illustrate the cowardice of Aborigines in the northern districts of the colony in the early 1850s. Describing his approach to a camp of alleged sheep-stealers, he wrote:

they saw us and exclaimed in terror my name, "Massa!" jumping on their feet and bolting in all directions, each man seizing a piccaninny and placing him astride on his neck, running over the rough stones and

⁵⁵ Report of Government Resident Charles Driver, 1 July 1849, *South Australian Government Gazette*, 26 July 1849, p. 331.

⁵⁶ *South Australian Register*, 3 February 1839.

⁵⁷ *Adelaide Observer*, 20 November 1852.

creeks as only a native could. They carried these children to save their own lives, knowing that we never fired on such or women.⁵⁸

Evidence of Aboriginal treachery and untrustworthiness achieved iconographic status through incidents in which Aborigines, said to have been kindly treated and on good terms with the settlers, unpredictably turned on their benefactors. The settlers at Port Lincoln were outraged when a teenage boy of a reputedly peace-loving Quaker family was speared to death by Aborigines while his parents were away.⁵⁹ Although there was a report that the boy's brother had previously fired upon Aborigines, the popular view was that the family had treated the Aborigines well.⁶⁰

In the same district, not long afterwards, a station was attacked and three Europeans were killed, while another was badly wounded.⁶¹ In the trial of Ngarbi for the murder of one of the victims, Elizabeth Stubbs, a particularly damning piece of evidence was that she knew Ngarbi and had been friendly towards him.⁶² Ngarbi was sentenced to death and hanged for the murder. The missionary Clamor Schurmann, who worked in the district where the murder took place and acted as interpreter at Ngarbi's trial, wrote to the governor asking for mercy. Significantly, Schurmann described the incident from an Aboriginal viewpoint: not the product of arbitrary and unpredictable behaviour, but a political act, the result of 'a tribal (national) decision . . .'⁶³ Such detached observation was rare. Unlike the gory details of the attack itself, Schurmann's explanation of the events did not appear in the newspapers. What survived in the public mind was another illustration of Aboriginal treachery and untrustworthiness.

58 J. F. Hayward, 'Reminiscences of Johnson Frederick Hayward', *Royal Geographical Society of Australasia, South Australian Branch*, vol. XXIX, 1929, p. 107.

59 E. Schurmann, *I'd Rather Dig Potatoes*, Adelaide, 1987, pp. 115-138.

60 *ibid.*, p. 118.

61 *ibid.*, p. 148.

62 *South Australian Register*, 22 July 1843.

63 Aborigines Department, Protector's Letterbook, State Records GRG 52/7, 27 July 1843.

It was not uncommon for Aboriginal attacks on settlers to be put down to 'covertness'. One writer suggested that the murder of Captain Barker at the mouth of the River Murray was motivated by a desire to be possessed of his 'shiny compass'.⁶⁴ An overlander, explaining why his party was attacked on the Murray River, wrote that 'these unfortunate affairs have originated in the covertness of the natives - not from any decided hostility to the whites, but from an avaricious desire to become possessed of their property'.⁶⁵

Attacks on the stock and property of the settlers was often put down to the 'inherent indolence' of the Aborigines. Moorhouse, for instance, proposed this as an explanation for attacks in the Port Lincoln district in 1842:

It is well known that the New Hollander likes to procure food with the least possible outlay of labour, and if there are 100 natives located near a sheep station where there are only three Europeans to guard the flocks, they prefer an attack upon the sheep, rather than searching after their native game.⁶⁶

This notion was also linked to the idea that Aborigines developed a 'taste for mutton' which they came to prefer over their own game.⁶⁷ One landowner, in the early days of south-eastern settlement, puzzled over why the Aborigines risked their lives stealing sheep when they could easily have despatched his few shepherds and then feasted to their hearts content.⁶⁸ The more sympathetic observers argued that Aboriginal attacks were motivated by need, that the settlers by occupying the

⁶⁴ D. M. Hahn, 'Extracts from the Reminiscences of Captain Dirk Meinertz Hahn, 1838-1839', translated by Dr. F. J. H. Blaess and Dr. L. A. Treibel, *South Australiana*, vol. III, no. 1, 1964, p. 132.

⁶⁵ *South Australian Register*, 16 November 1839.

⁶⁶ Protector's Report, 30 June 1842, Colonial Secretary's Office, In Letters, State Records GRG 24/6/483/1842.

⁶⁷ Hayward, 'Reminiscences', p. 130.

⁶⁸ Davenport, 'Letters of Samuel Davenport . . . Part VI: April - August 1846', *South Australiana*, vol. 16, no. 1, 1977, p. 162.

country had driven away the kangaroos and other animals, giving the Aborigines no choice but to steal from the settlers' flocks.⁶⁹ Indeed, the Government's policy of distributing rations to Aborigines on the fringes of European settlement, implemented systematically from 1846, reflected the belief that attacks on stock were motivated by need.⁷⁰

In some instances settlers showed a grudging respect for the Aborigines. These occurred in connection with the clashes between military and volunteer parties sent to subdue the tribes of the Murray who had been attacking overland parties.

Field, who accompanied Inman's expedition in 1841, wrote:

It is my opinion that it would take a very large party to subdue them without loss of life, as their great activity and courage, combined with their numbers, and the difficult character of that part of the country for those attacks renders them a much more formidable enemy than the colonists generally have any idea of.⁷¹

Major O'Halloran expressed admiration for their sophisticated methods of attack and evasion.⁷² Nonetheless it is significant that these examples arise in situations akin to military expeditions. These men did not brag about shooting Aborigines as they fled from a barrage of fire on the Rufus River, in a massacre that saw more than thirty Aborigines killed as ruthlessly as if they had been lined up against a wall before a firing squad.⁷³ In situations such as this, to talk of their 'courage' and 'ability to stand fire' gave the actions of these punitive expeditions a semi-military validity.

⁶⁹ *Adelaide Observer*, 9 December 1843.

⁷⁰ R. K. G. Foster, 'Feasts of the full moon: the distribution of rations to Aborigines in South Australia, 1836-1861', *Aboriginal History*, vol. 13, pt. 1, 1989, pp. 69-71.

⁷¹ *South Australian Register*, 29 May 1841.

⁷² *ibid.*, 10 May 1841.

⁷³ A. Pope, *Retaliation and Resistance*, Adelaide, 1989, p. 90.

Covert and Systematic Violence

The perceptions discussed in the preceding section dealt essentially with overt frontier violence, almost invariably by Aborigines against settlers. Violence by settlers against Aborigines was rarely reported. The closest that the press of the day came were the oft-reported, but vaguely detailed, threats that people in frontier districts would take the 'law into their own hands' if the government would not protect them. An examination of the records of police, protectors and settlers reveals that the frontier was often the scene of systematic but covert violence against the Aborigines. Edward Eyre, for instance, wrote of

the recklessness that too generally pervades the shepherds and stock-keepers of the interior, with regard to the coloured races, a recklessness that leads them to think as little of firing at a black, as at a bird, and which makes the number they have killed, or the atrocities that have attended the deeds, a matter for a tale, a jest or boast at their pothouse revelries. . .⁷⁴

The details of this 'hidden violence' reveal attitudes toward Aborigines on the frontier that were rarely articulated publicly.

Late in 1839 Alexander Buchanan drove stock to Adelaide on the overland route down the Murray. His diary of the journey provides a unique insight into the blasé manner in which Aboriginal life was taken. On 15 November Buchanan reported that his men were attacked by Aborigines near the junction of the Murray and Darling rivers while loading a dray onto a punt. His men were dispersed on both sides of the river, but were within range and fired upon their attackers. Firing from the opposite bank Buchanan reported killing the 'old chief', at which point the attackers 'all took to the Murray and we kept firing as long as they were within shot. There were five or

⁷⁴ Eyre, *Journal of Expeditions*, p. 170.

six killed and a good many wounded'.⁷⁵ The overlanders then proceeded to burn the canoes and nets left behind. Four days later the party had a few sheep speared. After the party had been assembled and the journey recommenced, Buchanan reported:

five of us rode back to the camp to give the blacks a volley for their attention to us last night, but we were rather late, the blacks having been over and all gone except for one canoe with one man. Him we wounded severely but did not kill him, he being a good way out before we saw him.⁷⁶

Three weeks later, and many miles away, Buchanan quite casually recorded seeing 'a good many blacks on the opposite bank of the river, fired upon them and killed one, the rest made off immediately'.⁷⁷

Toward the end of their journey the party met Governor Gawler and Captain Sturt who had come up the river from Lake Alexandrina. When asked if the Aborigines had been troublesome Buchanan replied 'they had been pretty quiet except at the Darling they had annoyed us a little'.⁷⁸ In his diary he added: 'Did not say we shot any'.⁷⁹

Similar violence was being carried out in the newly settled pastoral districts, and as long as the authorities were many miles off it was a matter of chance whether it came to their attention. Writing of Yorke Peninsula in the mid 1840s a settler noted how he always reported the killing of Aborigines to the police, adding that many 'bushmen came to grief by keeping things of this sort quiet'.⁸⁰ The truth of the matter is that

75 Alexander Buchanan, 'Diary of a journey overland from Sydney to Adelaide with Sheep, July - December, 1839', *Royal Geographical Society of Australasia, South Australian Branch*, vol. 15, 1922-23, entry dated 15 November 1839.

76 *ibid.*, 20 November 1839.

77 *ibid.*, 9 December 1839.

78 *ibid.*

79 *ibid.*

80 J. Watts, *Family Life in South Australia*, Adelaide, 1890, p. 175.

very few came to grief. While inquiring into the murder of an Aboriginal boy in the south eastern in 1846, Evelyn Sturt observed:

It is impossible to get at the truth among the rest of the ruffians who infest the neighbourhood and I believe a wholesale system of murder has been carried on, which it is most difficult to obtain any evidence of.⁸¹

In the same district in 1849 information surfaced that a settler by the name of Brown had murdered some Aborigines. The protector investigated the case and found an Aboriginal witness who had seen Brown and another man, both armed, standing over some corpses. The witness took Protector Moorhouse to the spot where he found the bones of five people that had been exhumed and burned, presumably in an attempt to obliterate the evidence.⁸² The settler was taken into custody and committed on a charge of murder. Brown was discharged because the only evidence came from Aboriginal testimony which, at this time, was insufficient to successfully prosecute a capital case. Christina Smith, a missionary in the district, heard the Aboriginal version from an Aboriginal boy who was living with her family:

After being absent a week, he returned and reported to us the massacre of eleven of the tribe he had visited, by two white men. It appeared from his story the white men had shown no mercy to either the grey-headed old man or the helpless infant on its mother's breast . . . The cause of this unmerciful step being taken was the killing by the natives of a number of sheep, belonging to a settler in the Guichen Bay district.⁸³

The government resident in the district had no doubt about Brown's guilt. In a letter to a friend in Adelaide he wrote 'there is no question of the butchery or of the butcher' and he included a description of the nine people 'murdered by Brown'.⁸⁴

81 GRG 24/6/1906/1846.

82 Protector's Report, 2 April 1849, *South Australian Government Gazette*, 3 May 1849, p. 205.

83 J. Smith, *The Booandik Tribe of South Australian Aborigines*, Adelaide, 1880, p. 62.

84 Letter written by Capt. Butler, Guichen Bay, to Capt. Bagot, 31 May 1849, Mortlock Library D. 3746/1-3.

The significance of this incident is twofold. In the first place James Brown, who later became wealthy from his pastoral interests and was a renowned benefactor in his community,⁸⁵ was obviously little troubled at the thought of murdering nine people, five of whom were children. Secondly, his deed might well have gone undiscovered had it not been for the chance passing of an Aboriginal man.

In 1885 a correspondent writing to the *Adelaide Observer* provided details of earlier violence against the Aborigines in the north of the colony. He gave examples from his own experience and from stories he had heard in the district. In one instance he related an episode in which Aborigines had taken him to the graves of friends and relatives killed in a 'wholesale shooting bout of men, women and children'.⁸⁶ His most telling story concerned an Aboriginal reserve that had a large waterhole upon it which 'a certain squatter set greedy eyes upon'.⁸⁷ Prefacing his story with the observation that Aborigines who killed their own people were exiled from their community, under fear of fatal retribution, he wrote:

Our squatting friend knowing of this engaged several blacks as stockmen, and giving them revolvers forced them to shoot down their countrymen, thus securing their allegiance to him for their own safety. He next sent out an invitation to all the blacks to meet at this waterhole, and intimated that he would be very kind to them, and give them plenty of damper, flour, etc. The bait was too much for the poor blacks, who assembled and were then set upon by the squatter and his black stockmen and others, and the blacks were no more. He then applied for this reservation on the grounds that the blacks did not use it, and it was granted to him.⁸⁸


Examples such as these indicate that Aboriginal life was valued very cheaply.

85 R. Cockburn, *Pastoral Pioneers of South Australia*, Adelaide, 1927, vol. 1, pp. 140-41.

86 *Adelaide Observer*, 5 December 1885.

87 *ibid.*

88 *ibid.*



At times violence was genuinely psychopathic. In the account of his central Australian expedition, Charles Sturt wrote of a man called Miller whom he claimed 'had a thirst for blood'. In one instance, an emigrant named Cameron was talking to an old Aboriginal man on the bank of the river when Miller walked up and 'going behind Cameron put a pistol under his arm and shot the old fellow dead upon the spot.'⁸⁹ The old man he killed had been a guide for Sturt on his 1830 expedition to the outlet of the Murray River and had guided other parties as well.⁹⁰ Sturt related two other episodes: the first concerned Miller's cold-blooded murder of a man who had guided him across a marsh, and the second detailed how he had bashed in the skulls of a women and her child.⁹¹ There is no evidence that he was called to account in any of these cases.

After the murder by Aborigines of a number of settlers near Port Lincoln in 1842, the government despatched a detachment of soldiers under the command of Lieutenant Hugonin to the district to track down the perpetrators. In early May they killed an unknown number of Aborigines at Pillaworta station and then summoned the missionary Clamor Schurmann to identify one of the victims. Schurmann discovered that they had decapitated one of the corpses:

The soldiers and policemen stuck the head on a pole and put it on an old pig sty, forcing a short clay pipe between the teeth. I remonstrated with the Lieutenant against the impropriety of such conduct but could not prevail upon him to put a stop to it.⁹²

Evelyn Sturt reported a similar incident in the south east several years later. A settler whom Sturt described as a 'very bad character' reportedly gave an Aboriginal companion a gun and persuaded him 'to shoot an old man, who was camped close to

89 C. Sturt, *Journal of the Central Australian Expedition, 1844-45*, edited and introduced by Jill Waterhouse, London, 1984, p. 29.

90 *ibid.*

91 *ibid.*

92 Schurmann, *I'd Rather Dig Potatoes*, p. 154.

the station' and then gave him a knife 'with which he cut off his head, which Curren hung on a nail at his hut'.⁹³ In 1844 Moorhouse investigated a report that some Aborigines had been killed at Brown's Mount Bryant station in the mid-north. According to the justice of the peace, who received the initial report, the shepherd Carter had told him that he had 'fought the blacks, killed a man and woman, the woman was with child, and he set a bulldog upon her, which tore open the belly and womb - he took the child out of the womb and gave it to the dog to eat'.⁹⁴ The story Moorhouse received when he arrived was much more sedate and he returned to Adelaide not with Carter, but an Aboriginal boy who had survived the clash only to be apprehended - with the aid of quail shot - for sheep stealing.⁹⁵

When called upon to explain these 'fearful scenes of horror and bloodshed' - to use Eyre's phrase - the colonists usually blamed the unsavoury class of men attracted to the frontier. It was a common perception that the frontier was peopled by villainous characters: ex-convicts, and men who, in escaping their own dark past, were drawn to the isolated and lawless boundaries of European society. Charles Sturt argued that settlers often established their runs with every intention of treating the Aborigines fairly, but 'it more frequently happens, that the men who are sent to form out stations beyond the boundaries of location, are men of bold and unscrupulous dispositions, used to crime, accustomed to danger, and reckless as to whether they quarrel, or keep on good terms with the natives who visit them'.⁹⁶ Many contemporary observers noted the high percentage of former convicts among the frontier labour force. Samuel Davenport, travelling to his new run in the lower south east in 1846, was alarmed at the character of district:

93 GRG 24/6/1906/1846.

94 GRG 52/7, 7 October 1844.

95 *ibid.*

96 C. Sturt, 'An account of the sea coast and interior of South Australia', in *Journal of the Central Australian Expedition, 1844-45*, p. 190.

With old convicts, chiefly, for shepherds and hutkeepers, travelling to a country where no restraint of laws existed, where your sheep might be left to the wild dogs and natives, your overseer murdered, the perpetrators (ere justice could overtake them) living unsuspected hundreds of miles in the interior of New South Wales - with these risks made more than possible from the number of villainous characters who swarm to these new districts - I felt ground for alarm.⁹⁷

In 1846 Christina Smith notes that most of the bullock drivers and shepherds at Rivoli Bay were

"old hands" that had done "time" in Van Dieman's Land. I've heard many of them relate the cruelty they endured and the brutalising effect it had on them. One of them named Donnely showed my husband his lashed, scarred back.⁹⁸

This Donnelly was the only person hanged for killing an Aborigine in colonial South Australia. His ex-convict status and his perceived brutality apparently weakened the bonds of solidarity that usually protected the frontiersmen. The lower south east was regarded as a notorious haven for such characters, but the other frontiers had their share of ex-convicts. As early as 1840, while investigating the shooting of two Aborigines by a shepherd near Hutt River north of Adelaide, Matthew Moorhouse observed that the shepherd was a convict and added that 'old convicts take care to be alone when they shoot at the Aborigines . . .'⁹⁹ Moorhouse implied that a 'tradition' existed among these men about how to treat Aborigines. In the northern districts of the colony more than a decade later, the pastoralist J. F. Hayward claimed that his men were the 'offscourings of the colony, old lags or convicts, who had pitched on the farthest out-station to avoid being followed by police'.¹⁰⁰ The existence of these characters on the frontiers of South Australian settlement suggests that traditions of

⁹⁷ Davenport, 'Letters of Samuel Davenport . . . Part VI: April - August 1846', *South Australiana*, vol. 16, no. 1, 1977, p. 142.

⁹⁸ Smith, *Diary*, p. 26.

⁹⁹ Colonial Secretary's Office, In Letters, State Records GRG 24/1/542/1840.

¹⁰⁰ Hayward, 'Reminiscences', p. 88.

how to 'treat the blacks' were being passed on by the 'old hands' from the earlier colonies, and that that tradition was characterised by brutality.

But to explain the excesses of the frontier simply in terms of the character of a particular class of people is to miss the truth. Samuel Davenport was troubled by the violence of his men but, for the sake of his property and employees, resigned himself to the situation. Writing of the Aborigines during a visit to his Rivoli Bay run in the winter of 1846, he pondered the dilemma:

These poor beings are much shot, and no one sees how to avoid it. Your shepherds won't risk their lives - they will protect their master's property; whilst the blacks insist on threats and theft; and so arms are used, and no one there to report their use (though this, I am sure, is the case).¹⁰¹

While these characters may have offended the sensibilities of the well-bred station owners, they were nonetheless preferred to the 'Jemmys' fresh off the boat from England who, it was generally agreed, were not up to the privations of frontier life.¹⁰² The attitudes and sometimes the behaviour of 'old lags and convicts', was, in the very least, underpinned by the attitudes of the men who employed them, as it was by community attitudes in general.

An illustration of these underlying community attitudes is apparent in one perception of frontier violence which classed it as a sort of sport. This attitude is apparent in J. F. Hayward's account of his life in the north of the colony during the 1850s. Hayward eulogised bush life. He wrote, 'there was sense of freedom in the unfenced country, the immense plains, and the miles of dense mallee scrub that was exhilarating'.¹⁰³ He wrote of his 'campaigns' against the Aborigines with the same

101 Davenport, 'Letters of Samuel Davenport . . . Part VI: April - August 1846', *South Australiana*, 1977, vol. 16, no. 1, p. 153.

102 Hayward, 'Reminiscences', pp. 88-89.

103 *ibid.*

sense of pleasurable excitement with which he described kangaroo hunts and the other attractions of the bush:

These campaigns against the niggers gave a zest to the wild life I led. At first their craft and cunning in stealing and concealing their line of march and camp were too much for me, but a very few pursuits ("campaigns," I used to call them) brought us equal, till at last, with a smart blackfellow to track, Williamy by name, whom I fed and kept at the homestead, there was no dodge they could devise over the rocky or scrubby range, or indeed any wile, that I was not equal to, and at last their superior.

...

There was an excitement in this 'nigger-tracking' that was not wholly disagreeable, and the occasions of my rescuing and bringing back most of the stolen sheep I grew to like, and in after years to deplore that no such excitement remained.¹⁰⁴

To Hayward this was obviously a 'sport', nonetheless it was one that, by Hayward's own account, resulted in the death and injury of many Aboriginal people.

Writing of an episode on Yorke Peninsula in late June 1850 Edward Snell records how he and a companion set off on horseback to track down a man who was said to have murdered a shepherd. He wrote that 'though we sighted him twice we couldn't get near enough for a shot', adding: 'Tulta had murdered a shepherd named Scott and may be legally shot with a clear conscience'.¹⁰⁵ The sense conveyed is that 'Tulta' was a wild dog whom they were obliged to put down. Snell was an educated man who took an interest in Aboriginal culture and yet he was not in the least troubled at the thought of summarily shooting this man.

104 *ibid.*, pp. 89-90.

105 T. Griffiths, *The Life and Adventures of Edward Snell: the Illustrated Diary of an Artist, Engineer and Adventurer in the Australian Colonies 1849 to 1859*, Melbourne, 1988, p. 123.

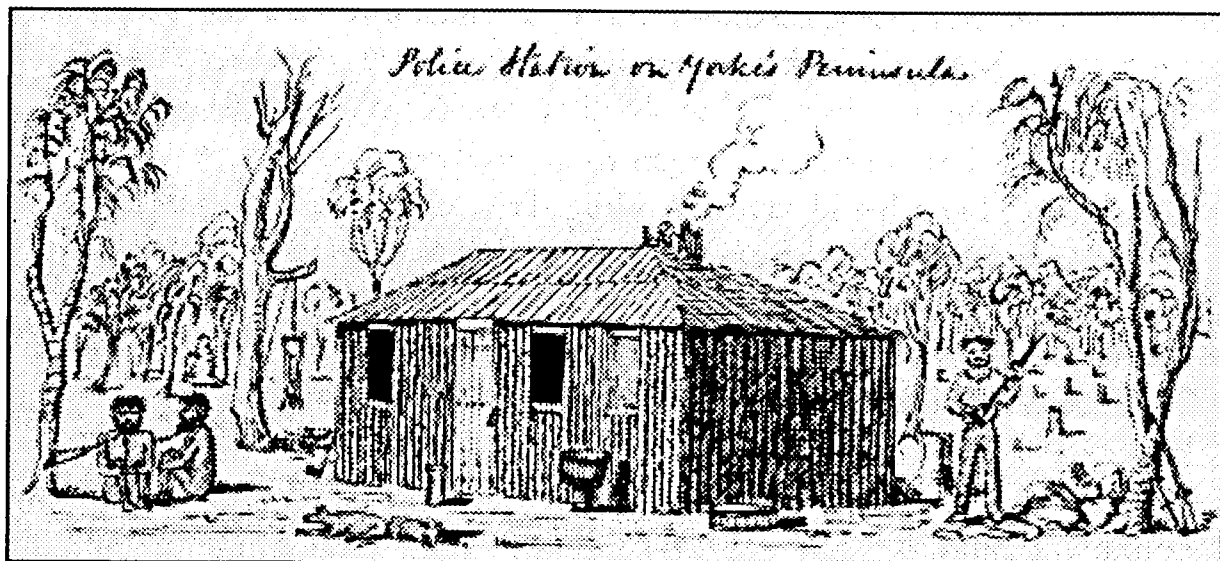


Plate 4 a. Police Station on Yorke Peninsula, Edward Snell, 1850.

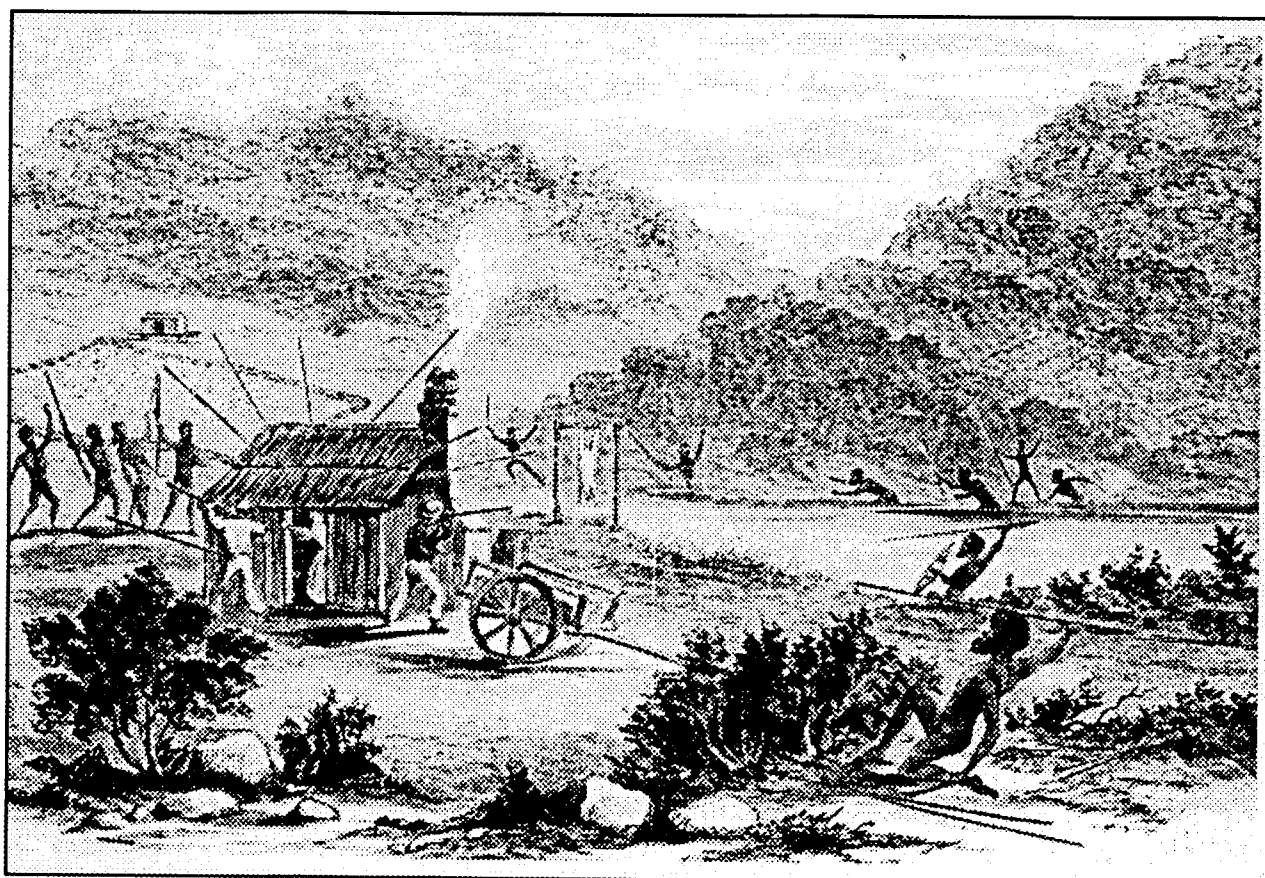


Plate 4 b. Murder of Biddle and two others by Port Lincoln Natives. Newspaper illustration based on a watercolour painting by W. A. Cawthorne, 1848.

In 1844 W. A. Cawthorne was given the opportunity of going on a trip into the country with the artist and adventurer George French Angas. He noted in his diary how overjoyed he was at the proposed expedition, adding:

We shall both go on horseback. I shall take a gun and bullets, perhaps shoot a kangaroo, or a blackfellow, I don't care which. I think I should have a better chance at the latter than the former.¹⁰⁶

Cawthorne had spent much of his two to three years in Adelaide studying the Aborigines, he wrote of them as his friends, and yet saw 'shooting a blackfellow' in the same light as 'shooting a kangaroo'. In the context of the times there was no contradiction in this. Cawthorne, in the comfort of his Adelaide home, was romanticising bush life; in his imagination that life involved riding through the wilderness, hunting the native animals and getting into 'scrapes with the blacks'. What Cawthorne imagined as the romance of the bush was the very life that men like Hayward and Snell experienced and celebrated in their diaries and reminiscences.

'How to handle the blacks'

As colonial experience grew with each surge of the frontier, and as it became increasingly clear that the Aborigines, where they could, would resist the encroachments of the invaders, the Europeans developed strategies of 'how to handle the blacks'. Many settlers agreed that it was good policy to keep the Aborigines 'at a distance' in the early phase of settlement. In his epitome of race relations on the frontier, Edward Eyre encapsulated the attitude of a typical colonist setting up his station: feeling isolated from help, his men dispersed over the countryside, and having heard dire accounts about the 'treachery of the savage' the settler

comes to the conclusion, that it will be less trouble, and annoyance, and risk, to keep the natives away from his station altogether; and as soon as they make their appearance, they are roughly waved away from their

¹⁰⁶ W. A. Cawthorne, *Literarium Diarium*, 15 February 1844, Mortlock Library PRG 489/1.

own possessions: should they hesitate, or appear unwilling to depart, threats are made use of, weapons perhaps produced, and a show, at least, is made of an offensive character, even if no stronger measures be resorted to.¹⁰⁷

As long as the Aborigines held the Europeans in dread and did not discover the booty secreted in the settlers' huts, so the argument went, they would not be tempted to approach. Samuel Davenport's instructions to his overseer in the newly settled Rivoli Bay district, were based on this attitude:

The overseer had strict orders about the blacks, which I hope he will attend to. By never allowing them by day to settle near the stations nor familiarise themselves with the shepherds, their arms, or the contents of the huts, etc., great risks are avoided.¹⁰⁸

This was a view given official sanction by the Protector of Aborigines. In one of his reports for 1842, devoted almost entirely to the problem of frontier violence, he made the point that the Aborigines generally believed that Europeans were Aborigines returned from the dead and that 'so long as these impressions have remained the natives have seldom attacked the whites'.

It seems desirable therefore that the stations in the interior should hold as little intercourse as possible with the natives, and those who persist in enticing the women are not entitled to so much sympathy as they claim; their familiarity with the natives has no justifiable plea; it conveys to the natives the fact of their being nothing but men and can be beaten, overcome and murdered by the same means as the natives themselves.¹⁰⁹

Among the oft-cited techniques for 'keeping them at a distance' was the use of dogs. Christina Smith related the attitude of a local shepherd who claimed that many people did not understand 'how to manage the darkies':

¹⁰⁷ Eyre, *Journal of Expeditions*, p. 170.

¹⁰⁸ Davenport, 'Letters of Samuel Davenport . . . Part V: November to March 1846', *South Australiana*, vol. 16, no. 1, 1971, p. 68.

¹⁰⁹ GRG 24/6/483/1842.

My plan is, to keep a good pair of dogs to run them down, until they catch them by the flesh, and make them roar like calves when they are attacked by the dogs. If they are treated in this manner, I'll warrant that in a few days there will not be one found on the run. Where I stop I have hunted them off in this manner for many a mile.¹¹⁰

In her first weeks of residence at Rivoli Bay Smith expressed her fears at the possibility of being attacked by the Aborigines and was given assurance by a French sailor in the district who had trained his dog to do circuits around his hut. According to the sailor, his dog Boatswain would not 'suffer them to come near'.¹¹¹ Some twenty years later, in the north of the colony, the same principles were being applied. Hayward wrote of two mastiffs on the station, both 'powerful and ferocious animals', who 'probably saved us often from an encounter with natives'.¹¹²

Frontier lore also held that firearms were an indispensable part of the frontiersman's wardrobe. Following two murders in pastoral districts in the early 1860s, a correspondent signing himself 'An Old Settler' wrote:

I was shepherding for above two years on the same runs, and during that period never met with the slightest annoyance from the natives nor did any of my mates; but we were well armed. I constantly carried a small but effective pistol in my belt, and the blackfellows knew it, and gave me a wide berth.¹¹³

One of the commonest expressions of frontier lore was the necessity of establishing a dominance over the Aborigines. James Crawford overlanded cattle from New South Wales in 1839 and arrived in Adelaide amidst a furore over the murder of the shepherds Duffield and Thompson. Crawford was disgusted at the treatment of the Aborigines. In his opinion they were being indulged with 'childish kindness' and

110 Smith, *The Booandik*, pp. 62-63.

111 Smith, p. 23.

112 Hayward, 'Reminiscences', p. 90.

113 *Adelaide Observer*, 26 April 1862.

petted like the 'mildest human beings', 'but like the a wild beast the Australian native is not to be played with'.¹¹⁴ He blamed the settlers for the trouble that was then occurring, seeing it as a 'culpable want of firmness in checking their first crimes'.¹¹⁵ The importance of establishing a dominance is reflected in the language of the settlers; Crawford talked of 'unflinching firmness', others wrote of the need of 'creating a dread' in the mind of the Aborigines, or more simply, of 'chastising' or 'terrifying' them.

John Bull's account of the murder of the shepherd Duffield, who was working sheep on a station adjoining his own, reads like a parable on the subject of 'how to handle the blacks'. According to Bull, he and Osmond Gilles established a station about 4 miles north of Adelaide early in 1839. Bull's shepherd was a man called Miles who ran the sheep to the west, while Gilles' shepherd was Duffield, running sheep to the east. At the insistence of Miles, Bull furnished him 'with a gun and a brace of small pocket-pistols'.¹¹⁶ In the opinion of Bull he 'held the blacks in such dread that he would not allow them to come near him'.¹¹⁷ Bull then contrasted this to the attitude of Duffield who

acted on all occasions in a confiding manner with the natives, and gave every encouragement to them, allowing them to walk about with him, saying, when his mate remonstrated with him, "Poor creatures, we are taking their country from them!" but he put his trust in them once too often. He never carried arms.¹¹⁸

Jane Watts described the overseer on her family's Yorke Peninsula run during the 1850s as 'just the sort of man for a new country' because he was a 'determined,

114 J. C. Crawford, 'Diary of J. Crawford: Extracts on Aborigines and Adelaide 1839-1841', *South Australian*, vol. IV, no. 1, 1965, p. 12.

115 *ibid.*

116 Bull, *Early Experiences*, p. 69.

117 *ibid.*

118 *ibid.*



Plate 5 a. The Marauders, S. T. Gill, c. 1854 - 1863.



Plate 5 b. The Avengers, S. T. Gill, c. 1854 - 1863.

resolute fellow'.¹¹⁹ Watts claimed they were in the district for twelve months before the Aborigines 'made their first onslaught.'¹²⁰ The overseer, Penton, pursued the 'marauders' into the scrub and when one allegedly turned to throw a spear, Penton killed him with a single shot. Watts claimed that they never had trouble on the station after this time. In the same period a shepherd was killed at the nearby Hardwicke Bay run. Watts wrote:

If he had not shown the white feather they would not have touched him. He had his gun with him, but unfortunately took to flight as soon as he fired it off, and they gave chase and speared him as he ran.¹²¹

The overseer Penton pursued the marauders and eventually came upon their camp where a 'scrimmage' ensued, resulting in the death of the ringleader.¹²²

In relating earlier experiences on the shores of Lake Albert, Watts tells the story of a young hutkeeper, the son of a Edinburgh physician. Watts claimed that he 'did not shine as a hutkeeper in the far bush' because he allowed too many sheep to be stolen, so he was given his notice. This apparently had a good effect on the boy because the very next night he saw two Aborigines in the yard stealing some sheep:

He had his double-barrelled gun in his hand, and let drive at them right and left, so that instead of getting fat mutton for their suppers they got something more indigestible, in the shape of a charge of shot each. This seemed to have a remarkably good effect on him, for he became quite a smart hand, and after a short time could do just what he pleased with the blacks. Instead of retaliating they were always ready to do his bidding by getting him fish, ducks, &c.¹²³

119 Watts, *Family Life*, p. 174.

120 *ibid.*

121 *ibid.*, p. 175.

122 *ibid.*, p. 176.

123 *ibid.*, p. 167.

Many observers explained the trouble in the Port Lincoln district in the early 1840s as a consequence of the timidity of the settlers. The editor of the *Adelaide Examiner*, Dr William Penney, put down the behaviour of the Aborigines in the district to 'the lamentable negligence of the former settlers in allowing robberies to take place almost every week with impunity, and the want of courage displayed by others . . .'¹²⁴ John Bull, in reflecting on the troubles in Port Lincoln and other districts, distilled the moral in the following passage:

where the blacks, having taken advantage of a few individuals venturing to occupy lonely places, have killed them, safety for succeeding parties has not been secured until a dread has been created in the minds of the offending tribe by speedy and severe punishment inflicted on the offenders and accomplices, and on those who sheltered them. It is a fact that cannot be denied that there has been no safety for the lives and properties of the whites until such a dread has been established.¹²⁵

Hayward's account of his experiences as a pastoralist in the north reflect most of these ideas. Hayward claimed that his 'campaigns' against the Aborigines were a necessary, and ordinary part, of frontier life:

In every case that I missed sheep I at once followed them, camping when no longer their traces were visible, and at dawn again at them, till I rescued my sheep or punished the thieves.¹²⁶

In Hayward's words, the Aborigines had to be 'chastised', or 'terrified' otherwise their would be no end to the attacks on his stock and property. Hayward indicates the ordinariness of the violence when he observed that had he kept a diary 'it must have repeated itself every week in "Visits to flocks and stations" and "Occasional hunts after niggers" '.¹²⁷ Henry Tilbrook, a neighbour of Hayward's, had a similar

¹²⁴ *Adelaide Observer*, 5 August 1843.

¹²⁵ Bull, *Early Experiences*, p. 309.

¹²⁶ Hayward, 'Reminiscences', p. 147.

¹²⁷ *ibid.*, p. 92.

attitude. Recalling the events of 1865, and fears that the Aborigines would be 'troublesome', he wrote:

I every day approached their camps in the rocky creek-bed and blazed away at the boles of the large gum trees that grew there. That kept them in awe.¹²⁸

In justifying dispossession the settlers portrayed themselves as the natural and just owners of the soil by virtue of their alleged social and intellectual advancement. This perspective inverted the reality of settlement by casting Aborigines as intruders on European soil. It was an orientation that constructed the Aborigines as aggressors and enabled settlers to regard Aboriginal violence as criminal, rather than political, behaviour. Furthermore, the numerous references to the instinctive and unpredictable characteristics of the Aborigines - to their 'savage' nature - saw them represented as a sort of sophisticated fauna; not owners of the country, but almost part of the country itself. By 'alienating' Aborigines, viewing them as less than human, violence was made more acceptable.

¹²⁸ Henry H. Tilbrook, *Reminiscences, 1889-1923*, vol. 1, pp. 289-90, Mortlock Library PRG 180/1-4.

Civilisation and Christianity

Whilst it cannot be doubted that by our advent among them, and by our occupation and profitable culture of this fair and fruitful portion of the earth's surface, which they, in their savage ignorance, had used only as hunting grounds and battle fields, we are acting in consonance of the benevolent designs of the Author of the whole human family; just as certainly as it is a fact, also, that they have rights which we are bound to respect, and that humanity, not less than interest, imperatively demands our best efforts to reclaim them from the abject condition in which we have found them, and to substitute better things for the savage enjoyments with which we have necessarily interfered.

South Australian Register, 26 June 1845.

The View From Above

At the time South Australia was settled, England regarded itself as the foremost nation on earth. It was a great maritime power whose ships plied every ocean and whose dominion was spreading across every continent. In the face of European revolutions its stable, constitutional monarchy was held up as an example to the world. It was a wealthy nation and a leader in industrialisation and scientific achievement. Comparisons were often drawn with the Roman Empire in attempts to illustrate the heights to which Britain had risen.¹ Intellectuals of the day were not shy in their self-congratulatory prose: in 1839 one essayist wrote that the English were:

the greatest and most highly civilized people that ever the world saw. . . have carried the science of healing, the means of locomotion and correspondence, every mechanical art, every manufacture, everything that promotes the convenience of life, to a perfection which our ancestors would have thought magical . . . the history of England is emphatically the history of progress.²

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- 1 Minutes of the South Australian Literary Association, 7 November 1834, State Records GRG 44/83.
 - 2 Sir James Mackintosh, 'Critical Essays', 3, p. 279, quoted in Walter E. Houghton, *The Victorian Frame of Mind*, London, 1957, p. 39.

The ideology of progress was a fashionable notion in early Victorian England, and an important aspect of the broader picture of civilisation. It was a conception of history in which each age built on the advances of the last, and man ascended toward a presumed perfectibility.³ Mankind itself - as represented by the Victorian Englishman - was imagined to have emerged from a brutish, cave-dwelling childhood to a maturity that was reflected in marvels of contemporary civilisation.⁴

Intertwined with these notions of civilisation and progress was Christianity. From one perspective Victorian Christianity was seen in the context of progress, as the most sophisticated understanding of the workings of God, far ahead of the religions of the Middle East and Asia on a scale of spiritual sophistication. From another point of view Christianity was regarded as the motor of civilisation, through which God guided mankind toward perfectibility.⁵ In 1839 the editor of the *Southern Australian* synthesised these ideas in a speech which sought to justify the colonists' right to control and guide the Aborigines:

progression was the very law of our being - and to rebel against its dictates, was to rebel against the Creator. As a result of this law, he shewed that we were carrying out on the soil of South Australia the will of Omnipotence, by the introduction of a better mode of civilisation.⁶

In this view the colonists had not only a right but an obligation to settle in South Australia. Grey echoed this view with his eschatological argument that God had placed the Aborigines on the continent of Australia and then directed the arrival of Europeans to undertake their salvation.⁷

³ *ibid.*, pp. 28-33.

⁴ Charles James Napier, *Colonization, Particularly in South Australia*, London, 1835, Reprints of Economic Classics, New York, 1969, pp. 147-148.

⁵ J. Woolmington, "The civilisation/Christianisation debate and the Australian Aborigines," *Aboriginal History*, vol. 10, pt. 2, 1986, p. 92.

⁶ *Southern Australian*, 24 April 1839.

⁷ George Grey, *Journals of Two Expeditions of Discovery in North-West and Western Australia . . . with Observations on the Moral and Physical Condition of the Aboriginal Inhabitants, &c. &c.*, London, 1841, pp. 221-224.

Given this vision of man and history, it is hardly surprising that the English viewed the Aborigines as Ignoble Savages, living out a degraded existence at the geographical and moral antipodes of the world. The evangelical spirit which shaped this negative image was also the source of the strongest humanitarian sentiment. It was generally agreed that the juggernaut of civilisation was having a disastrous impact on indigenous people, and that the British had a responsibility to look after the welfare of their new subjects.⁸ In an address to an assembly of Aborigines in Adelaide in November 1838, Governor Gawler made the paternal nature of that responsibility abundantly clear:

Black men -

We wish to make you happy. But you cannot be happy unless you imitate good white men. Build huts, wear clothes, work and be useful.

Above all you cannot be happy unless you love GOD who made heaven and earth and men and all things.

Love white men. Love other tribes of black men. Do not quarrel together. Tell other tribes to love white men, and to build good huts and wear clothes. Learn to speak English.⁹

Aborigines were characteristically portrayed as children of nature whom the more mature civilisations had a responsibility to nurture and raise.¹⁰ Not only did their perceived immaturity render absurd the idea of recognising their political autonomy, it justified colonial attempts to strip them of their cultural identity. This view is evident in the first report of the South Australian colonisation commissioners which depicted the Aborigines as little better than 'inferior animals' and promised to raise them up from their degradation.¹¹ Colonisation would be a boon to rather than an

⁸ *House of Commons, Sessional Papers, 1837, 7, No. 425, Report From the Select Committee on Aborigines (British Settlements), p. 5.*

⁹ *South Australian Gazette and Colonial Register, 3 November 1838.*

¹⁰ For instance, see *Southern Australian, 3 November 1838.*

¹¹ *House of Commons, Sessional Papers, 1836, 39, no. 426, First Annual Report of the Colonization Commissioners for South Australia.*

imposition on the Aborigines. The first interim protector in the colony, George Stevenson, wrote:

The exchange we have to offer to the poor savage for his fertile, but to him unproductive plains, is to instruct him in the arts of cultivation - to take away his waddy and his spear, and to put in his hands the hoe and the sickle - to bring him step by step within the range and influence of civilization; but above all to arouse him from the brutish condition in which he now sleeps - to wean him from the very depths of heathen ignorance to the light of the gospel.¹²

The commitment to transform the Aborigines from savagery to civilisation, from heathenism to Christianity, was considered a benevolent act, explicitly contrasted with the violence of previous colonial enterprises.¹³

Civilisation by Tuition

The first report of the South Australian colonisation commissioners, produced prior to settlement, envisaged a system of 'asylums' for the Aborigines, spread throughout the colony. At these locations food, clothing and shelter would be provided 'in exchange for an equivalent in the form of labour'.¹⁴ By this plan, Aborigines would be trained in 'habits of useful industry' and become a source of labour for the settlers.¹⁵ Stevenson reiterated this plan when he proposed the reservation of 640 acres of land near the capital and similar reservations near all other towns. He also called for the construction of a house for the protector, accommodation for the Aborigines, school rooms for the students and, to facilitate industrial and agricultural training, buildings to house farming equipment, and carpentry and blacksmith shops.¹⁶

12 Colonial Office Records, South Australia, Stevenson to Hindmarsh, 9 December 1837, CO 13/7.

13 First Annual Report of the Colonization Commissioners for South Australia, 1836, pp. 8-10.

14 *ibid.*, p. 9.

15 *ibid.*

16 CO 13/7, Stevenson to Hindmarsh, 9 December 1837.

Practical efforts at civilising and Christianising the Aborigines began when Captain Walter Bromley replaced Stevenson as protector in April 1837.¹⁷ Bromley was given permission to occupy an area along the banks of the River Torrens that had been reserved for the first Botanical Gardens.¹⁸ At this site a house was built for the protector and half a dozen huts for the Aborigines.¹⁹ Bromley spent much of his time trying to gain the confidence of the Aborigines by supplying them with food. In the opinion of the government, Bromley was not equal to the task and in July 1837 was invited to resign for reasons of 'physical and mental imbecility'.²⁰

Not until William Wyatt's appointment as protector in August 1837 did the 'Native Location', as it was generally called, begin to take shape.²¹ Located by the Torrens opposite Adelaide Gaol, the Location took up about 14 acres of Parkland Reserve.²² By June 1838 an acre of land had been fenced, containing a school house, store house, and residence for the interpreter. Twelve huts for the Aborigines were built and rations of biscuit, sugar and rice were being regularly distributed.²³

With the arrival of the first full-time Protector of Aborigines, Dr. Matthew Moorhouse,²⁴ efforts at 'civilisation by tuition'²⁵ were undertaken. In October 1839 Moorhouse outlined his plan to 'make the whole location a garden'.²⁶ He allocated plots of the garden to 20 different people and persuaded them to assist in planting crops of potatoes, turnips, carrots and cabbages, hoping that their efforts would

17 *South Australian Gazette and Colonial Register*, 5 April 1837.

18 Colonial Secretary's Office, In Letters, State Records GRG 24/1, 8 May 1837.

19 *ibid.*, 29 June 1839.

20 CO 13/7, Hindmarsh to Glenelg, 2 August 1837.

21 *South Australian Register and Colonial Gazette*, 12 August 1837.

22 *House of Commons, Sessional Papers*, 1843, 32, no. 505, Protector's Report, 9 October 1839, Papers Relative to South Australia, 1843, p. 320.

23 GRG 24/1, 1 April & 1 July 1838.

24 *South Australian Government Gazette*, 11 July 1839, p. 1.

25 This apt phrase is used by C. D. Rowley in *The Destruction of Aboriginal Society*, Melbourne, 1976, p. 86.

26 Protector's Report, 9 October 1839, Papers Relative to South Australia, 1843, p. 321.

encourage others to participate. He also reported that some people were assisting in fencing and the building of houses.²⁷

In October 1838 the civilising efforts at the Location were augmented by the arrival of the Lutheran missionaries, Clamor Schurmann and Christian Teichelmann. The idea of sending the missionaries arose in 1837 when Pastor Ludwig Kavel approached George Fife Angas about the possibility of his persecuted Prussian Christians emigrating to South Australia. During their discussions the question of the Aborigines arose and Kavel suggested that the Evangelical Lutheran Missionary Society of Dresden had men who might be willing to carry their mission to Australia.²⁸ Under Angas' patronage, Schurmann and Teichelmann departed for the colony aboard the *Pestonjee Bomanjee* from London in May 1838, in the company of Governor-Elect, Colonel George Gawler.²⁹

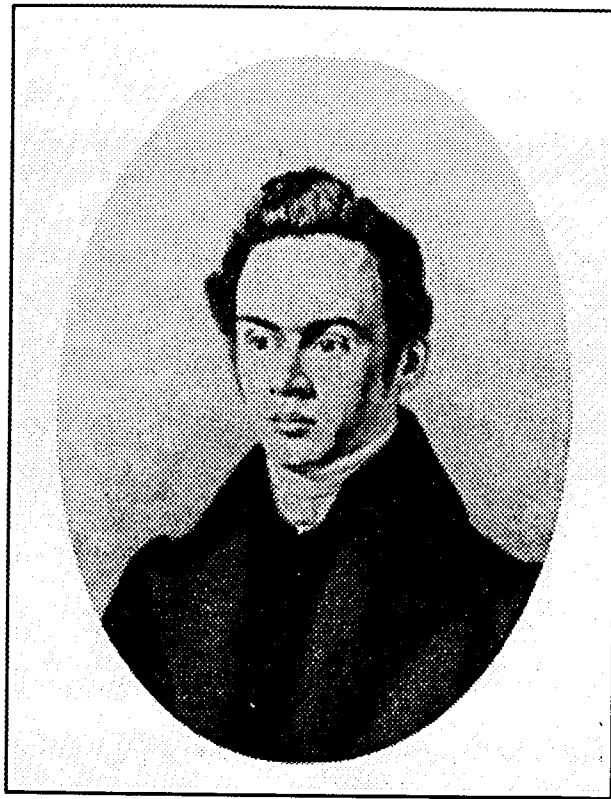
Shortly after their arrival in the colony, Schurmann and Teichelmann moved into houses at the Aborigines Location and, under the initial guidance of William Wyatt, set about studying the language and culture of the Aborigines. At the same time they assisted the protector in teaching the Aborigines to build houses and cultivate the land. Their early evangelical efforts gave them reason for confidence. In June 1839 Schurmann believed he had made a breakthrough when, using the local mythological figure of *Munaintjerlo* as a synonym for God, he related the Christian story of creation, the expulsion of Adam and Eve from the Garden of Eden, and Christ's crucifixion and resurrection. Schurmann was overjoyed at the reception his preaching received:

Their joy about this news was clearly shown, not only by words and miens, but also by hearty, loud laughter. After this unusual experience

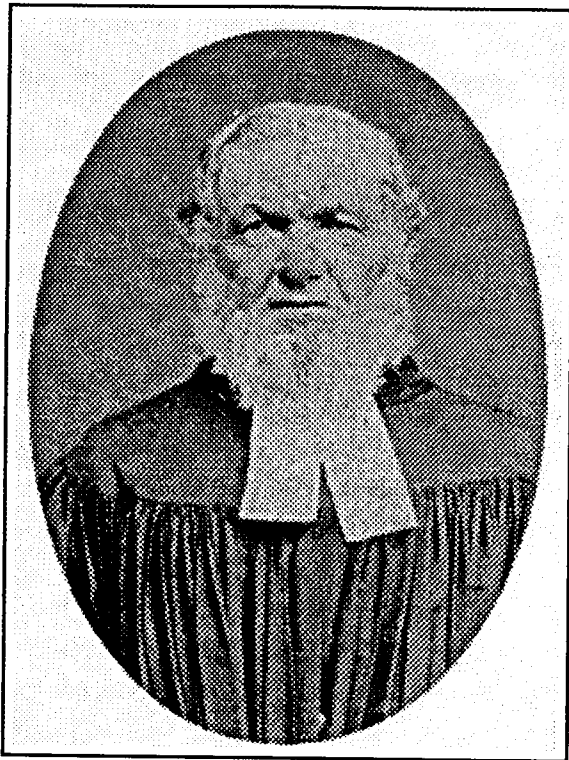
27 ibid.

28 Jurgen Tampke & Colin Doxford, *Australia, Willkommen*, Sydney, 1990, p. 25; E. Schurmann, *I'd Rather Dig Potatoes*, Adelaide, 1987, pp. 15-16.

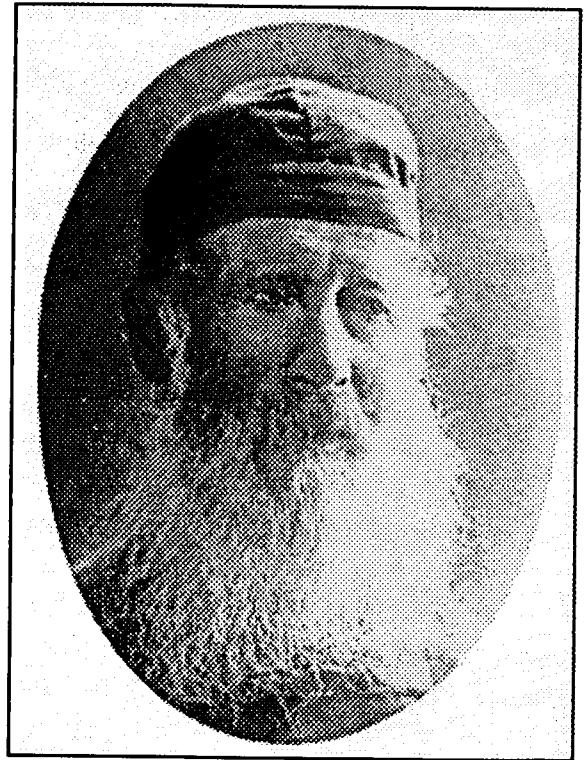
29 ibid., p. 19.



6 a. H. A. E. Meyer.



6 b. Clamor Schurmann.



6 c. Christian Teichelmann.

for them, they went home and I accompanied them. In my presence they told of their discoveries and I was an audience to witness their unbounded joy. My proposition, soon to build a Munaintjerlo house where we could sing on Sundays like the white people and Teichelmann and I would talk, found joyful approval. May the Lord, through the experience of these two evenings, help us to succeed in preaching His teaching.³⁰

The Lutheran missionaries found their relationship with the colonial authorities a constant source of discomfort. Even before they arrived in Australia it was clear that their philosophy differed markedly from the government's. The key differences were revealed in Schurmann's record of conversations with Gawler while they were sailing to the colony. While dining with the Governor-Elect the question of the best way of educating the Aborigines was raised. Gawler suggested that their ends would be best served by bringing the Aborigines 'nearer the larger towns', but the missionaries opposed this idea, arguing that 'if the natives blended with the Europeans, the language of the natives could be lost'.³¹ Schurmann could not see how he could carry out his task if the people to whom he was ministering were scattered among the towns - his hope was to concentrate them in communes. 'Why shouldn't they be kept separate', argued Schurmann, 'when Nature already keeps them separate from Europeans?'³² In a summary of their conversation, Schurmann noted Gawler's antipathy at the idea of separating Aborigines from the broader community:

The intention to keep the natives separated was not only wrong, but needed the government's approval. Did I know that we stood under the control of the protector of the natives? That such a protector existed, I knew, but I didn't know that he controlled our activities. However I hoped that his control would be such that it was easy to bear. They would not approve the people becoming politically involved. My plans had nothing to do with politics. Angus, whom I

30 C. Schurmann, *Diary*, 6 June 1839. Typescript held by the Aboriginal Heritage Branch, Dept. of Environment & Planning (SA).

31 *ibid.*, 19 June 1838.

32 *ibid.*, 1 September 1838.

consider to be a good Briton, had recommended them! It wasn't for me to decide, whether my plans concerned the government or not.³³

Inadequate financial support from their patron and their society in Dresden forced the missionaries into a dependence on the government that undermined both their ambition and autonomy.³⁴

In this early period government policy aimed to achieve gradual integration through a process of 'cultural retraining'. It was intended that efforts be directed at all Aborigines, the adults being instructed in practical activities such as agriculture and labouring, the children educated in school, while the missionaries spread the truths of the gospel to all. The Aborigines were encouraged rather than forced to participate in activities at the Location. At this time, at least, coercion seemed incompatible with the ideals evident in declaring Aborigines British subjects. There was a presumption that once exposed to the 'self evident' benefits of civilisation the Aborigines would, in time, willingly blend into colonial society. Governor Gawler, for instance, opposed the idea of separating Aborigines from colonial society, arguing instead that by mixing with the settlers, working for them, and learning by example they would be more rapidly integrated.³⁵ Grey promoted a similar approach in a paper entitled *Report upon the best Means of Promoting the Civilization of the Aboriginal Inhabitants of Australia*, in which he suggested gradually introducing the Aborigines to the colonial economy by rewarding European employers and Aboriginal employees.³⁶ The plan, written in 1840, so impressed the Colonial Office that it was forwarded to all the colonial governors. The early integrationist expectations of the authorities are best illustrated in the principles which underlined the establishment of Aboriginal reserves in 1840. Governor Gawler faced severe public criticism for setting aside

33 *ibid.*

34 J. Harris, *One Blood, Two Hundred Years of Aboriginal Encounter with Christianity: A Story of Hope*, Sutherland, NSW, 1990, pp. 326-328.

35 Schurmann, *Diary*, 19, 20 June & 1 September 1838.

36 Grey, *Journals of Two Expeditions*, pp. 385-387.

prime land for Aborigines. He defended the declaration of the reserves on the grounds that they would only be granted to Aboriginal people who farmed them in the European manner and until then they would be leased back to the colonists.³⁷ The hope, if not the expectation, was that an Aboriginal yeomanry would emerge.

Civilisation and Christianisation

The process of reforming the Aborigines was usually described under the heading of 'civilisation and Christianisation'. The two terms were often used interchangeably and, at the broadest level, meant the eradication of 'savage manners and customs' and the adoption of 'civilised' ones.³⁸ More commonly, however, they were seen as two facets of a general reform process - different approaches to the task of social engineering. There was serious debate in colonial society about whether the reformation of the Aborigines was best accomplished by first overturning their 'heathen beliefs' then exposing them to the truths of the gospel, or whether their 'savage lifestyle' should first be replaced through instruction in the arts of civilised life.

The advocates of the Christianity-first argument believed that only the 'truth of the gospel' could overturn the 'superstitious practices' of the Aborigines and prepare the ground for civilisation.³⁹ The editor of the *Southern Australian* stressed the importance of Christianisation while offering advice to the newly appointed Protector, Matthew Moorhouse:

early endeavours should be made to put our generally inoffensive barbarians in possession of that knowledge which at once expands the mind, exalts the character, softens and directs the passions, and brings in its train the blessings of civilization, order, industry and refinement.⁴⁰

³⁷ *Southern Australian*, 28 July 1840.

³⁸ Woolmington, 'The civilisation/Christianisation Debate', p. 90. An article in the *Southern Australian*, 29 November 1842, illustrates this interchangeability.

³⁹ For the sentiments of Gawler on this see *South Australian Government Gazette*, 22 April 1841, p. 6.

⁴⁰ *Southern Australian*, 26 June 1839.

The author insisted that Christianity had been the 'pioneer of civilisation' throughout the world. The idea that civilisation followed, rather than preceded, Christianity had been strongly argued in the 1837 report of the House of Commons select committee, and colonial supporters of the position freely quoted from that inquiry.⁴¹

Unsurprisingly, the strongest advocates of the Christianity-first position were the missionaries and their colonial supporters, but in the early years of the colony they had their secular supporters. In the winter of 1838 the interim Protector, William Wyatt, depressed at the lack of progress being made in civilising the Aborigines, was moved to observe that 'the only means which can be permanently successful is first to teach them the simple and sublime doctrines of Christianity, and that to begin by any other method is truly to commence at the wrong end'.⁴²

Advocates of the civilisation-first position, while in all likelihood Christians, tended to regard the reformation of the Aborigines as a pragmatic issue in which the conversion of the heathen was secondary to their pacification. The editor of the *South Australian Register* typified this view when, in criticising the work of the Protector, he suggested that 'before attempting to teach them Christianity, he ought to have taught them to till the ground'.⁴³ Another commentator believed that effort was being wasted by teaching Aboriginal children to recite - parrot-fashion - passages from the Bible, and that emphasis should be placed on practical skills such as digging, sowing and reaping. In this view civilisation was synonymous with pacification and the alternative was not Christianisation, but wholesale murder.⁴⁴ A third correspondent believed that educating the Aborigines to conform to European laws and customs, constraining them and teaching them to work, was the only alternative to standing

41 *ibid.*, 3 November 1838 & 5 February 1841.

42 GRG 24/1/142/1838, 1 July 1838.

43 *South Australian Register*, 6 February 1841.

44 *Adelaide Observer*, 18 January 1845.



Plate 7 a. Aboriginal girls going to Trinity Church, by W. A. Cawthorne, c. 1844.



Plate 7 b. Governor Gawler's feast, Martha Berkeley, 1838.

by and watching while they were shot down like 'so many wild beasts'.⁴⁵ Civilising the Aborigines was presented as the humane way of ensuring the safety and security of the colonists.⁴⁶

The editor of the *Adelaide Examiner*, Dr Richard Penney, dismissed the work at the Location as no more than 'a paraphernalia of outward show' designed to impress the Home Government.⁴⁷ He questioned the missionaries' assertion that 'nothing but continued and perservering teaching of the Gospel could recall them from their degraded position and depraved state', insisting that the Aborigine 'cannot be *preached* into a civilized man'.⁴⁸ Penney pointed out that the Encounter Bay Aborigines had long experienced European ways through their contact with the whalers and sealers, that they worked for Europeans without the prompting of missionaries or Protectors and, despite their poor moral example, the whalers and sealers had 'stimulated the natives to industry'.⁴⁹ Penney advocated a plan, reminiscent of Grey's earlier proposition, of giving inducements to settlers who employed Aborigines.⁵⁰

Resistance to Civilisation and Christianisation

The optimistic expectations with which operations were commenced at the Aborigines Location were soon frustrated by the indifference of the Aborigines. While they did some work in the gardens, helped build houses, and listened to the missionaries' sermons, they did so on their own terms, coming and going as they pleased. It is apparent that they saw the activity at the Location as being for their benefit, a form of compensation for the loss of their land. According to Teichelmann, the Aborigines believed that the colonists had 'driven away their food' and what was

45 *Southern Australian*, 8 May 1839.

46 *ibid.* 18 November 1842.

47 *Adelaide Examiner*, 16 November 1842.

48 *ibid.*, 24 September 1842.

49 *South Australian Register*, 21 November 1840.

50 GRG 24/1/363/1841.

being provided for them at the Location was only fair compensation.⁵¹ Of their indifference to working at the Location, he wrote:

Only when they had no other opportunity to supply their necessities they worked, or when the unfavourable weather was pressing upon them, or a desire to live like Europeans, or to please them, they gave their assistance in preparing for their own conveniences; of course motives which after they had ceased could have no more effect upon their industry. It is not a mere assertion, but a fact which we experience every day, that they say - why do you give us no food, no clothing? why do you not build us houses? when will you till our ground? and whenever it occurred that Europeans wrought for their comforts, they ridiculed them, and refused to assist, though they should get provisions.⁵²

Moorhouse became increasingly depressed at the lack of success in civilising the Aborigines. In February 1842 he wrote that he was unable to convince the Aborigines 'that their supplies would be much more certain and more creditable, if produced by cultivation from their own ground'.⁵³ The houses provided for the Aborigines, in the hope that they would adopt 'settled habits', were used within an existing cultural framework. Moorhouse complained that one house was occupied for a few weeks, after which the family went bush and the house became a 'repository for spears, shields, etc.'⁵⁴ In this period the Protector had few coercive powers to force the Aborigines to work. The Aborigines, on the other hand, could still earn an independent subsistence from hunting and gathering, occasional government rations, odd jobs, or begging.

The evangelical efforts of the missionaries met with as little success. Schurmann was largely silent on the Aboriginal response to preaching, very occasionally recording

51 C. Teichelmann, *Aborigines of South Australia. Illustrative and Explanatory Note on the Manners, Customs, Habits and Superstitions of the Natives of South Australia*, Adelaide, 1841, p. 6.

52 *Southern Australian*, 26 June 1841.

53 Colonial Secretary's Office, In Letters, State Records GRG 24/6/32/1842.

54 Protector's Report, 14 January 1840, Papers Relative to the Affairs of South Australia, 1843, p. 323.

hostility, but preferring to grasp onto any evidence that the Christian message was getting through. Teichelmann on the other hand was more open in recording the Aboriginal response which, in his estimation, ranged from indifference to contempt and anger. Teichelmann reported that he had some difficulty assembling the Aborigines, but once that was achieved he witnessed them drift away as he began to lecture them on their vices. If they remained, they showed contempt in sarcastic and ironic responses to his badgering:

In conversations on scriptural subjects they are either quite indifferent, asking for nothing but food, or ridicule us, or behave offensively, or reply: - We are wicked, we shall be thrown into the fire pit; we do not believe Jehovah's word; we will not obey, and so on.⁵⁵

At other times the Aborigines tried to be tolerant, but were driven to anger by the missionaries' intolerance. Teichelmann told of how he spoke to two recently initiated men, telling them that they should fear Jehovah and not the 'Red Kangaroo' - the Red Kangaroo, or Tandanya, was the principal Dreaming of the region. One of the pair became very angry and replied:

why do you charge us with a lie, i.e., reject our opinion, we do not charge you with lies; what you believe and speak of Jehovah is good, and what we believe is good. We replied that only on one side the truth would be, and that side was ours. Very well, he answered, then I am a liar, and you speak the truth, I shall not speak another word, you may now speak.⁵⁶

In explaining the inaccessibility of the adults to religious instruction, Teichelmann observed, 'they are naturally proud and wise in their own estimation, and express themselves perfectly satisfied with the tradition of their forefathers'.⁵⁷ In the same report, from June 1842, he claimed that while some of the children attended the Sabbath, the adults were often entirely absent. Furthermore, as they increasingly

55 Teichelmann, *Aborigines of South Australia*, p. 12.

56 *ibid.*, p. 13.

57 *Southern Australian*, 7 June 1842.

directed their religious teaching at the children, they met with 'scorn, anger and opposition' from the adults.⁵⁸

The failure of these early efforts at the Aborigines Location resulted in the government abandoning the idea of civilising and Christianising all the Aborigines at the Location, choosing instead to direct their efforts at the children. As early as December 1839, Schurmann recorded discussing with Moorhouse the 'claims and hopes' of the Aborigines, and of the protector's attitude he wrote:

It is an old story that he cannot or does not want to comprehend the legitimate claims of the natives, but I have never before heard him express his despair at ever being able to educate them. He has abandoned any hope of making useful people of the older natives. I asked if that was his earnest conviction? He repeated it, so I asked for what reason a protector would be necessary? He said to protect them from insult. When I said that the police could do that just as well, he said that they are hostile to the natives. He tried to justify his views, but it seems to me that a man with such principles could never answer his conscience to be protector of the natives. In the course of our conversation we agreed that I would try to teach all the new born, on condition that food must be available for them.⁵⁹

Support for this shift in focus also came from the Colonial Office in England. Late in 1840 the Colonial Secretary, Lord John Russell, sent a despatch to Governor Gipps in New South Wales which proffered advice on Aboriginal policy. The despatch, which was forwarded to other colonial governors, including Grey, also contained a report by the Church Missionary Society on their efforts in New South Wales. The despatch was written in September 1840 and published in the *Southern Australian* in July 1841.⁶⁰ One of the six recommendations read: 'The best chance of preserving the unfortunate race of New Holland, lies in the means employed for training

58 *ibid.*

59 Schurmann, *Diary*, 16 December 1839.

60 *Southern Australian*, 27 July 1841.

children'.⁶¹ This process was to include teaching them to read and write and 'the fundamental truths of the Christian Religion', as well as instructing them in agricultural practices, trades, and the domestic arts. 'Thus early trained', wrote Lord Russell, 'the capacity of the race for the duties and employments of civilized life, would be fairly developed'.⁶² This advice was reflected in the approach adopted toward the children in the Native School at the Location.

Educating the Children

The first school for Aboriginal children was officially commenced at the Location in December 1839, under the direction of Clamor Schurmann.⁶³ The school day began at nine o'clock with religious instruction after which the children were arranged in classes for lessons in reading and writing. After further religious instruction they were released from class at lunchtime. In the afternoon they were again assembled and 'occupied in translating their language into English'.⁶⁴ The Dresden missionaries placed great store on instructing the children in their native tongue, and in the early years of the Location school this policy was supported by the protector, who claimed that efforts at instructing them in English 'had a repulsive effect, rather than an attractive one'.⁶⁵ The institution was a day school and the students were sent home to their parents in the evening with rations.⁶⁶ Attendance in the early years was small, averaging a dozen students in the first three years.⁶⁷ The protector was concerned at the irregularity of attendance, the students often leaving with their families as camps were shifted. In February 1842, Moorhouse wrote:

61 Governor's Office, Despatches (Despatches from the Colonial Office to the Governor), State Records GRG 2/1, Nos. 14 & 132, 4 September 1840.

62 *ibid.*

63 Schurmann, *Diary*, 23 December 1839.

64 Protector's Report, 20 February 1841, Papers Relative to South Australia, 1843, p. 326.

65 *South Australian Government Gazette*, 23 March 1843.

66 E. Eyre, *Journal of Expeditions of Discovery into Central Australia and Overland from Adelaide to King George's Sound, in the years 1840-41*, 2 vols, London, 1845, p. 435.

67 *South Australian Government Gazette*, 23 March 1843.

The parents are great hindrances to the improvement of the children, and will continue to be so for several generations unless some decisive measures are adopted, to separate in a degree, the one from the other.⁶⁸

In June 1843, to counteract the influence of the parents, the day school was converted into a boarding school.⁶⁹ Furthermore, the policy of inducing parents to place their children in the school with rewards of food and blankets began to give way to a practice of taking children 'in direct opposition to the wishes of the parents'.⁷⁰ As Edward Eyre pointed out, the absence of the children hampered the hunting and gathering ability of the family. Eyre recorded the attitude of an old Aboriginal man to this treatment of their children:

I have often heard the parents complain indignantly of their children being thus taken; and one old man who had been so treated, but whose children had run away and joined him again, used vehemently to declare, that if taken any more, he would steal some European children instead, and take them into the bush and teach them; he said he could learn them something useful, to make weapons and nets, to hunt, or to fish, but what good did the Europeans communicate to his children?⁷¹

This policy of removing children from their parents was advocated by the South Australian Aborigines Missionary Society. Its proponents justified it by arguing that given 'the low moral feelings possessed by the natives, it would not involve, in their case, the infraction of any essential law of humanity'.⁷²

In August 1840, Schurmann and Teichelmann were joined by two fellow Dresden missionaries, Heinrich Meyer and Samuel Klosé.⁷³ Less than a month after their arrival Governor Gawler directed Schurmann to proceed to Port Lincoln as Deputy

68 Colonial Secretary's Office, In Letters, State Records GRG 24/6/32/1842, 10 February 1842.

69 Eyre, *Journal of Expeditions*, p. 436.

70 Protector's Report, 4 January 1844, in *South Australian Government Gazette*, 11 January 1844, p. 14.

71 Eyre, *Journal of Expeditions*, p. 438.

72 *South Australian Register*, 26 November 1842.

73 Schurmann, *I'd Rather Dig Potatoes*, pp. 105-106.

Protector and Klosé took over his responsibilities at the school.⁷⁴ The task of establishing a school at Encounter Bay, a task which Schurmann had been looking forward to, was put in the hands of Heinrich Meyer, who with his wife and two children moved to the district in late October.⁷⁵

Meyer immediately began learning the language and teaching in the open air. Early in 1843 he applied for a section of land on which to build a house, and additional land to cultivate. According to Moorhouse he wanted 'to make an attempt at locating the Natives and induce them to practise habits of industry'.⁷⁶ Agreement was initially reached to grant him a lease of 20 acres on which he could build his house, on the condition that he use it for no other purpose than as a location for the Aborigines speaking the Encounter Bay dialect and only so long as his missionary activity continued.⁷⁷ By December 1843 plans were under way to build a school house. Some assistance was received from local settlers who provided provisions, and from the government who granted him £20 for rations of meat, sugar and blankets. Meyer estimated that he could board an average of seven children at the school in the first year of its operation.⁷⁸ The school was ready for occupation in late October 1844.⁷⁹

In June 1846 a petition was presented to the government 'soliciting aid . . . for the natives of the district'.⁸⁰ Meyer wanted to erect huts for the Aborigines and was unable to raise sufficient funds from the settlers in the area. While Moorhouse supported the request he also commented that experience in Adelaide suggested that they would not be regularly occupied. There is no evidence that these huts were ever

74 Eyre, *Journal of Expeditions*, p. 431; *South Australian Government Gazette*, 5 December 1844.

75 Aborigines Department, Protector's Letterbook, State Records GRG 52/7, 28 October 1840.

76 *ibid.*, 31 January 1843.

77 *ibid.*

78 *ibid.*, 9 December 1843; Protector's Report, 4 January 1844, *South Australian Government Gazette*, 11 January 1844, p. 14.

79 GRG 52/7, 19 October 1844.

80 *ibid.*, 10 June 1846.

built, but the school continued until March 1848 when Meyer left to become 'Pastor of a German congregation in the North'.⁸¹

Almost nothing is known of Meyer's work, either as missionary or teacher, during his seven and a half years at Encounter Bay. He was financially supported to some extent by his own missionary society, but regular calls for public donations and grants from the government indicate that his operations were carried out with limited support. His ethnographic account of the Aborigines, *Manners and Customs of the Encounter Bay Tribe*, gives no clue as to his success in teaching or in his evangelical efforts. A few months after the closure of the Encounter Bay School the possibility of establishing another school in the district at Wellington was discussed. Moorhouse preferred the idea of having the children of the district sent to the Native School in Adelaide. Although some of the children from the district may have spent time at the school in Adelaide, it was decided not to establish a new school in the district.⁸²

According to Moorhouse, Christian Teichelmann severed his connection with the Native School in May 1841, although for the next eighteen months he continued to attend the Location on the Sabbath, addressing any adults and children he could assemble on religious subjects.⁸³ In November 1842 he set himself up on a block of land at Happy Valley and attempted to persuade Aborigines to settle there with him. Although some stayed with him for a short period, his efforts failed.⁸⁴

Early in 1842 the government considered the possibility of establishing a new Aborigines Location and Native School in the mid-north. Moorhouse visited the area to scout for a site, but nothing came of the proposal.⁸⁵ One reason for this was that

81 *ibid.*, 21 March 1848.

82 *ibid.*, 16 December 1848; 12 January 1849.

83 *ibid.*, 6 February 1845.

84 *Southern Australian*, 18 April 1843 & 21 March 1848.

85 GRG 52/7, 26 February 1842.

the government had to contend with a new problem: increasingly frequent visits to Adelaide by Aborigines from the River Murray. The first visit occurred in the summer of 1842-43, at which time Moorhouse reported that the school was virtually deserted because all the Adelaide people had fled the city.⁸⁶ In his report for the first quarter of 1843, the protector summarised the difficulties he faced:

Unless there can be something done to keep the Murray Natives from Town, I am afraid the school will make little progress for the future. The Adelaide natives dare not live here regularly because the Murray people are becoming more numerous as to be completely master of the territory. We find it almost impossible to assemble the children speaking different languages in one school; if we persuade the Murray children to attend, the Adelaide children will not attend with them, and if the Murray children are kept in a separate room, they are abused by the Adelaide adults, and accused of obtaining food in a territory, to which they have no hereditary right.⁸⁷

In December 1842 the Kaurna, with allies from Encounter Bay, fought a battle with the interlopers on the outskirts of Adelaide, in which one person was killed and seven wounded.⁸⁸ Initially the government attempted to keep the Murray people out of Adelaide, but in April 1844 a new Native School, specifically for the children of the Murray River Aborigines, was established at Walkerville. In its first year the Walkerville School catered to 70 children. It was run along similar lines to the Adelaide Native School, although the students were taught in English.⁸⁹

'Moral Patients'

The apparent failure of the efforts at the Location gave rise to considerable public debate on the question of civilising the Aborigines. A variety of plans were proposed, most of which advocated greater coercion, segregation and institutionalisation. The idea of segregating the Aborigines was advocated by settlers who took a utilitarian

86 GRG 24/6/495/1843.

87 *ibid.*

88 GRG 52/7, 6 April 1843.

89 GRG 52/7, 16 May 1844.

rather than moral approach to civilisation and Christianisation. As early as May 1839 a correspondent to the *Southern Australian* advocated the use of physical force to round up the Aborigines and send them off to Kangaroo Island - thus confined they would be treated as 'moral patients' until they could be trusted with their freedom.⁹⁰ These suggestions were inspired by recent events in Tasmania where George Augustus Robinson had gathered up the remnant of the Tasmanian population and transferred them to Flinders Island. Robinson's claims of success in civilising and Christianising the Aborigines initially led the British government to hold him up as example to colonial Governors. Later inquiries, however, revealed his claims to be vastly exaggerated.⁹¹ The idea of some form of segregation continued to be advocated and in 1842 the Protector costed a proposal to establish a Native School on Kangaroo Island, but the idea was not pursued.⁹²

Models were drawn from systems of penal reform, and military organisation and discipline. One colonist proposed compelling the Aborigines of Adelaide to live in barracks, where scholastic instruction would be blended with industrial training.⁹³ He drew parallels with the systems of instruction for juvenile vagrants in England. The author, and other correspondents, commented favourably on the operation of a Native Police force in Port Phillip, suggesting that it inculcated habits of regularity and attention.⁹⁴ Advocates of these plans justified the 'mild coercion' involved by arguing that 'we must behave to them as we would to our own children, and compel them to acquire such habits as will fit them to become industrious members of society'.⁹⁵

90 *Southern Australian*, 8 May 1839.

91 V. Rae-Ellis, *Black Robinson: Protector of Aborigines*, Melbourne, 1988, pp. 166-175.

92 GRG 52/7, 6 April 1842.

93 *Southern Australian*, 18 November & 2 December 1842; *South Australian Register*, 26 November 1842.

94 *South Australian Register*, 26 November 1842.

95 *Southern Australian*, 18 November 1842.

By the mid 1840s government policy toward the Aborigines was beginning to find direction. Edward Eyre's 'The Manners and Customs of the Aborigines', published in 1845, foreshadowed most of the key elements of government policy in the following decades. Like Grey before him, Eyre believed that it was important to break down the traditional lifestyle of the Aborigines while at the same time providing compensation for the dispossession of their land and resources.⁹⁶ To this end he advocated dividing the country into districts at the core of which would be sections of land reserved for the Aborigines.⁹⁷ In each of these reserves would be a station run by an experienced man - a missionary, protector or magistrate. He argued that rations should be distributed gratuitously 'to gain such an influence or authority over the Aborigines as may be sufficient to enable us to induce them to adopt, or submit to any regulations that we may make for their improvement'.⁹⁸ Under such a system, he believed their wandering habits would gradually be restrained. He suggested that a system of rewards be used to encourage the Aborigines to give up their own ways and adopt a European lifestyle. For instance, rewards would be given to parents for giving up the initiation of their children, as well as for allowing them to attend school. He also suggested that the young men be encouraged to work as shepherds and stockkeepers.⁹⁹

Active attempts at civilising and Christianising the Aborigines would focus on the children. He stressed the importance of separating them from the influence of the adults. He believed that once the children commenced school, their parents should not be allowed to withdraw them. Indeed, he proposed legislation which would make the protector legal guardian of all school age children, thus giving sanction to what was an illegal practice of taking children from their parents and placing them in

⁹⁶ Eyre, *Journal of Expeditions*, pp. 482-484.

⁹⁷ *ibid.*, p. 484.

⁹⁸ *ibid.*, p. 480.

⁹⁹ *ibid.*, p. 492.

school.¹⁰⁰ He was against instructing them in their own language, arguing that it only encouraged their attachment to traditional ways. Once they had reached a suitable level of instruction, he wanted them to be apprenticed. Conscious of previous experience of this sort, in which the Aborigines eventually returned to their people, even after long periods at school or in trades, he suggested that after their apprenticeships were over they be encouraged to marry and live in a village that could be established nearby, where they could live under the influence of a missionary.¹⁰¹

Under this plan only the children would be subject to institutional control. The integration of the adult population would occur within the broader community, through concentrating them in defined areas and encouraging them to enter the colonial economy as pastoral workers. Such a scheme involved greater control over the Aboriginal population, and a degree of segregation. Eyre recommended that the Aborigines be restricted to their particular districts and discouraged from living in populated regions.¹⁰² Many of these recommendations became tenets of government policy in following years. Eyre was an associate of both Governor Grey and Protector Moorhouse and it is likely that his recommendations reflected rather than fashioned the direction policy was taking.

Native School Establishment

In 1845 it was decided to adopt the proposal for a Central Government School which Moorhouse had outlined in 1843.¹⁰³ The shift in policy seems to have been prompted by the constant complaints about the influence of the adults on the children at the Aborigines Location in Adelaide, and the dangerous condition of the Walkerville

100 *ibid.*

101 *ibid.*, pp. 490-492.

102 *ibid.*

103 Colonial Secretary's Office, In Letters, State Records GRG 24/90/374/1843; GRG 52/7, 19 December 1845.

School.¹⁰⁴ In 1846 the government combined the students from the Aborigines Location school and the Walkerville school at a new institution on Kintore Avenue called the Native School Establishment.¹⁰⁵ Henceforth Aboriginal children from all the settled districts were to be taught at the new school. Teaching the Aborigines in their own language was abandoned - besides the practical difficulties of requiring teachers to understand a variety of Aboriginal languages and dialects, it was argued that such a practice only confirmed the children in their 'original feelings and prejudices'.¹⁰⁶ The style of instruction adopted was that of the British and Foreign Bible Society.¹⁰⁷ The system was non-denominational, yet essentially religious in character, with stress placed on religious instruction through the study of the scriptures. According to Moorhouse, the mornings were devoted to 'reading, writing, arithmetic, geography and other mental exercises' while the afternoons were given over to manual labour - 'the boys in digging the garden, or cutting firewood and the girls in making garments under the schoolmistress' charge'.¹⁰⁸

Moorhouse described the operation of the school in a letter to the Victorian Chief Protector, George Augustus Robinson, in July 1849. At this time the children were divided into three classes. The first, and least advanced, was instructed through the 'Pestalozzi method of using pictorial representation to impart instruction'.¹⁰⁹ The second class, described as moderately advanced, could easily read their lessons, write words and sentences, add numbers and were acquainted with scripture history. The third and most advanced class could both read and write, they understood the scriptures, could do simple arithmetic and, in Moorhouse's estimation, were 'equivalent to European children having similar advantages'.¹¹⁰

104 GRG 52/7, 29 May, 11 June, 14 September, 19 October 1844 & 31 January 1845.

105 *ibid.*, 14 June 1846.

106 Eyre, *Journal of Expeditions*, pp. 442-443.

107 A. Barcon, *A History of Australian Education*, Melbourne, 1980, pp. 71-72.

108 GRG 52/7, 10 May 1849.

109 *ibid.*

110 *ibid.*

Moorhouse claimed that 32 boys and 42 girls had been educated, that is, 'have been taught to read the Bible, to write, and to go through the common rules of arithmetic as well as sew and dig'.¹¹¹ The highest attendance at the Native School was 92 children in the winter of 1847. Until the school began to wind down in the early 1850s winter attendances averaged between 50 and 60 students, with summer attendances about half that number.¹¹²

By the end of the 1840s, lack of financial support and philosophical differences with the government saw the Dresden missionaries move away from Aboriginal welfare and into general pastoral work. Only the Clamor Schurmann laboured on. He was posted to Port Lincoln in 1840 as deputy protector, arriving at a time of serious racial tension in the district. During his time as deputy protector he constantly struggled to reconcile his secular duties with his missionary calling.¹¹³ He continued his efforts to establish the mission he had envisaged before coming to the colony. He tried to attract government support for the establishment of a native school, well away from towns and pastoral stations. The school would be the centre-piece of a self-supporting agricultural settlement where the Aborigines of the district would be concentrated. In soliciting funds from his Society in Germany for the establishment of the mission, he wrote:

All that is required is a District of Land, if possible isolated, draught oxen, agricultural implements, and provisions for one year. Delay will render such a settlement more difficult as the people accustom themselves to wander about among the Europeans instead of roving through the waste country, as may be seen in the Adelaide tribes.¹¹⁴

111 *ibid.*

112 These figures are derived from the Protector's Reports, published in the *South Australian Government Gazette*.

113 E. Schurmann, *I'd Rather Dig Potatoes*, p. 152.

114 *ibid.*, p. 171.

In his presentation to Governor Grey, he argued that the alternative was to continue the burden on the public purse until such time as 'the whole race became extinct'.¹¹⁵ His society promised him £100 if the government matched the grant. Grey however, thought £1500 would be necessary to establish his mission, and the funds were not forthcoming.¹¹⁶ Dispirited, Schurmann left the district in 1846.¹¹⁷

Schurmann moved to Encounter Bay and bought a farm near Heinrich Meyer. He married and appeared resigned to giving up his missionary calling until Moorhouse offered him the position of Interpreter in the Port Lincoln district.¹¹⁸ He accepted and returned to the district in 1848 during an outbreak of racial violence that uncomfortably paralleled his introduction to the district eight years before. His missionary hopes seemed finally realised when in November 1849 the government asked him to establish a Native School at Port Lincoln.¹¹⁹ Schurmann opened his school on 1 May 1850, the government resident reporting, 'the season of the year is propitious to the undertaking, and parents as well as children appear favourably disposed towards the institution; which, in my opinion will prove a very great amelioration of their miserable condition'.¹²⁰

Attendance at the school averaged 25 students during the first year of its operation. Schurmann approached the task in a manner similar to that adopted a decade before at the school in Adelaide, teaching the students in their own tongue, and combining scholastic and religious instruction. The botanist Charles Wilhelmie spent some time with Schurmann in the summer of 1851 and recorded his favourable impressions of the school. The 24 children at the school were said to be making good progress in reading and writing, reported Wilhelmie, 'which was rendered the more easy to

115 *ibid.*, p. 165.

116 *ibid.*, p. 178.

117 *ibid.*, p. 179.

118 *ibid.*, pp. 182-183.

119 *ibid.*, pp. 191-192.

120 Protector's Report, 9 July 1850, *South Australian Government Gazette*, 18 July 1850, p. 433.

them by the advantage that all the information was by this most excellent man conveyed to them in their own language'.¹²¹

From Tuition to Control

Early experience at the Aborigines Location led the authorities to give up attempts at civilising the general Aboriginal population through institutional indoctrination. With the commencement of the Native School Establishment, and support for Meyer's school at Encounter Bay and later for Schurmann's school at Port Lincoln, active efforts at 'civilisation and Christianisation' were directed almost exclusively at the children. It was still a presumption that the authorities could not permit traditional Aboriginal society to operate within the new colonial order. The European community was offended by Aboriginal people wandering naked through the streets, and by what they regarded as the immorality of ceremonial performances. Again and again commentators complained of the 'wandering habits' or 'roving vagabondage' of the Aborigines which disturbed the social order.¹²² They called for a social policy that could control Aborigines; that would civilise them insofar as it pacified them.

Following the violence on the overland route along the Murray river in 1841, Governor Grey appointed Edward Eyre to the post of Resident Magistrate and Protector of Aborigines. Setting himself up at Moorundie, near present day Blanchetown, he had instructions to suppress the violence between overlanding parties and the Aborigines and to undertake the 'civilisation and improvement of the natives'.¹²³ Grey outlined the plan he was to follow:

I have directed Mr Eyre to bring into operation a system of periodical distributions of flour to the natives; - this distribution being made

121 Schurmann, *I'd Rather Dig Potatoes*, p. 195.

122 *Southern Australian*, 11 November 1842 & 18 April 1843; *South Australian Register*, 26 June 1845.

123 Governor's Office, Despatches, Governor Grey to Lord John Russell, State Records GRG 2/5/52/1841.

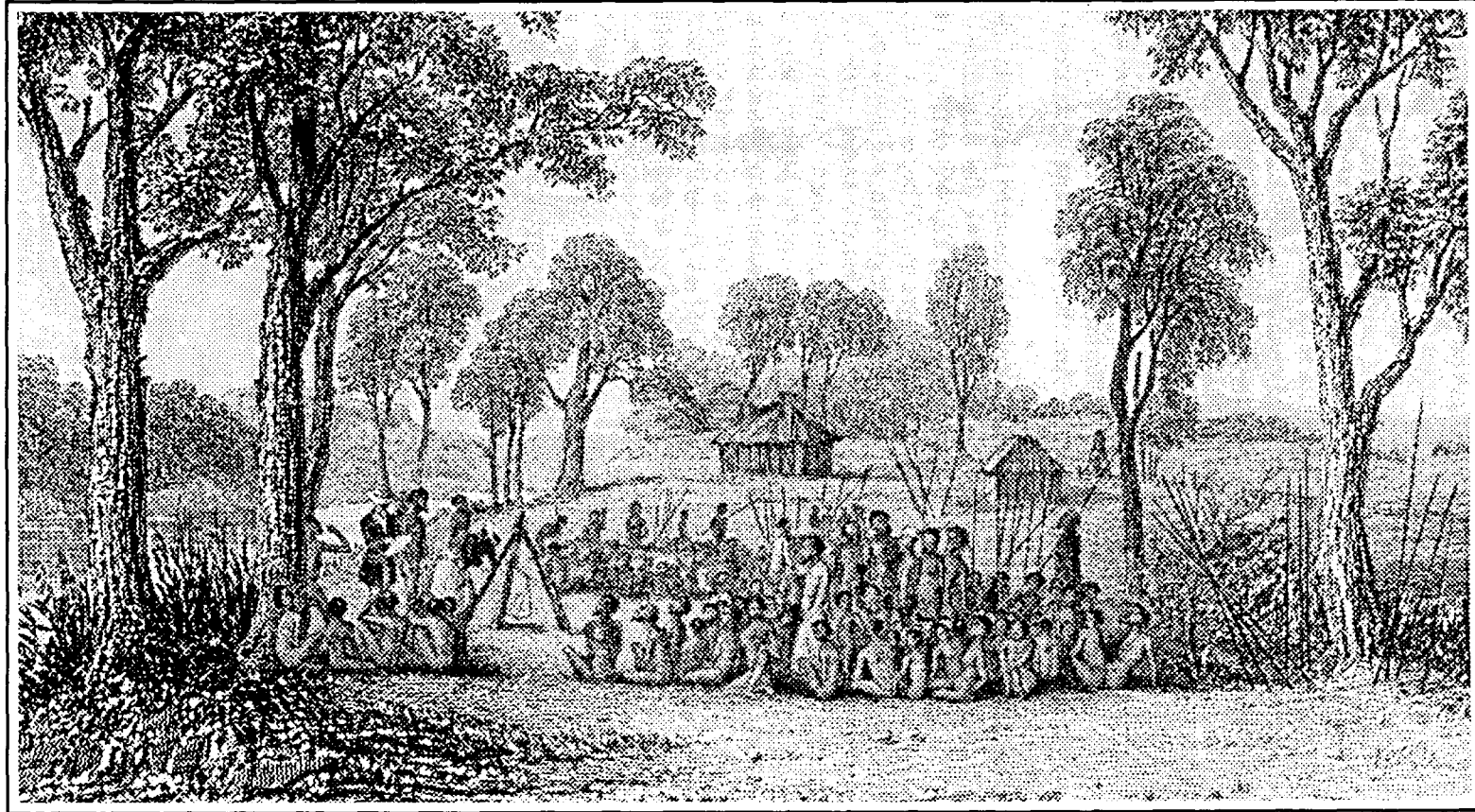


Plate 8. Edward Eyre distributing flour at Moorundie, George Hamilton, 1845.

dependent upon their good conduct. They are to assemble on every other full moon, for the purpose of receiving these presents. Opportunities will be thus afforded them of bringing under Mr Eyre's notice any grievances, under which they may be suffering; and he, at the same time, can impart to them any regulations or directions for their guidance.¹²⁴

A similar system was introduced at this time in Port Lincoln, in response to the escalating violence in the district. Besides being a means of pacifying a district, the authorities saw these depots as a bridge between the two cultures, outposts at which the 'civilisation and improvement of the natives' could be initiated. The white consensus was that the system brought into operation at Moorundie was a success, Eyre himself claiming that while he had been in the district there had been no serious occurrences of violence.¹²⁵

In 1847, with violence increasing as the pastoral frontier expanded into the mid-north and south-east, Governor Robe decided to introduce a general system of ration distribution based on the Moorundie model. Protector Moorhouse recommended the following system:

that the distribution of flour should take place once a month (at the full moon) that at the outstations 4lbs should be issued to each adult and 2lbs to each child under 12 years and a registry kept of all who attend.¹²⁶

In addition to the depots at Moorundie and Port Lincoln, seven others were established: Mount Remarkable and Bungaree in the north, Lake Bonney and Wellington on the River Murray, Guichen Bay and Mount Gambier in the South East, and Encounter Bay. Following a policy Grey had earlier established, Moorhouse also recommended the suspension of rations in cases of misconduct.¹²⁷

124 *ibid.*

125 Eyre, *Journal of Expeditions*, pp. 464, 478.

126 GRG 52/7, 5 March 1847.

127 *ibid.*

This network of depots was gradually expanded as new districts were opened up. It became the principal means by which the government administered the Aboriginal population of the colony. It was decidedly a system of social control. In the first instance, it was designed to concentrate local Aboriginal populations and counteract their 'wandering habits'. It was hoped that the material support offered would remove the temptation for local groups to attack settlers' flocks, and plunder their huts. Surveillance was a key element in the plan; the officer was required to maintain and submit to the Aborigines Department a record of attendance, births and deaths, and the general health and conduct of the people. Furthermore, by coming into regular contact with the local Aboriginal community, the officer in charge of distributions, usually a policeman, gained a growing familiarity with his charges. As the pastoral districts became more settled and Aboriginal populations more marginalised, dependence on food and medicines grew. This dependence gave the officer increasing control: individuals and groups could now be more effectively punished for infractions by the withdrawal of rations, while compliant behaviour could be rewarded. The depots were also conduits through which information and instructions could be passed.¹²⁸

The essential principle of this system, which was to concentrate and control local Aboriginal populations, had been mapped out by Edward Eyre and drawn from his experience at Moorundie. In his 'Suggestions for the Improvement of the Aborigines' the use of rations was the key element of his plan:

I believe that the supplying them with food would gradually bring about the abandonment of their wandering habits, in proportion to the frequency of the issue, that the longer they were thus dependent upon us for their resources, the more binding our authority would be . . .¹²⁹

128 R. K. G. Foster, 'Feasts of the full moon: the distribution of rations to Aborigines in South Australia, 1836-1861', *Aboriginal History*, vol. 13, pt. 1, 1989, pp. 73-75.

129 Eyre, *Journal of Expeditions*, p. 483.

Eyre had also advocated dividing the colony into districts and appointing sub-protectors. Though not instituted in the elaborate way Eyre had conceived, regional sub-protectors were appointed as the need arose.¹³⁰

In the 'civilisation and Christianisation' of the Aborigines, the ration depots, under the control of sub-protectors and police, operated as 'half-way' houses between the cultures. They did not manifest the more optimistic evangelical ideals of the early days of settlement but through their operation they did help break down the traditional cultural order, and encouraged the transition of Aborigines to the margins of the European economy.

After School

By the end of the 1840s the relatively successful operation of the Native School Establishment presented the protector with a new problem, how to effect a smooth transition from school to the colonial work force. Up to May 1849, Moorhouse had put twenty two boys into apprenticeships or trades: six as joiners, four as government messengers, four as gardeners, and others as tanners, blacksmiths, assistants to the harbour master, and sailors.¹³¹ Girls were put into domestic service.¹³² Although some stayed in their jobs for between 12 and 24 months, Moorhouse complained that all eventually left and returned to their families. According to the protector, the problem was that 'every child on arriving at puberty went into the bush - the boys to be initiated into the secrets of manhood and the girls to live with their husbands'.¹³³ As early as 1846 Moorhouse had suggested marrying the older boys and girls and then employing them as couples - in the short term the couples would be provided with their own rooms at the Native School

130 Foster, 'Feasts of the full moon', pp. 70-71.

131 GRG 52/7, 10 May 1849.

132 *ibid.*, 14 March 1846.

133 *ibid.*, 10 May 1849.

Establishment. The plan lapsed when it was discovered that, being unbaptised, the colonial chaplain could not marry them and, without the permission of their parents, nor could the Deputy Registrar.¹³⁴

The apparent solution to the protector's problems came in 1850 when Archdeacon Hale proposed setting up a Training Institution at Port Lincoln, as 'a receptacle for such children as have been educated in the Adelaide School'.¹³⁵ The idea reportedly arose in discussions between Moorhouse and Hale in the years following the Archbishop's arrival in 1848, although Eyre had suggested a similar plan in 1845.¹³⁶ Moorhouse's earlier plans to marry the children, in an effort to keep them from the temptation of returning to their own people, were also implemented. In recommending the Archbishop's plan to the government, Moorhouse wrote that every attempt to civilise the children would fail unless they were removed from the influence of their parents and friends:

This Training Institution would accomplish a separation, would marry them at suitable ages, would induce them to raise their food and would remove them from the influence of evil advisers. None would be taken against their wishes but I am of opinion when the Institution is formed the difficulty of procuring volunteers could be overcome when they find that marriage will be allowed.¹³⁷

The plan received the approval of Governor Young in August 1850 and by September, Hale, his European assistants, and five Aboriginal couples from the Adelaide School were already in the Port Lincoln district.¹³⁸

134 *ibid.*, 14 March, 30 April 1846.

135 *ibid.*, 26 June 1850.

136 Eyre, *Journals of Expeditions*, pp. 490-492.

137 GRG 52/7, 26 June 1850.

138 M. Hale, *The Aborigines of Australia, being an Account of the Institution for their Education at Poonindie, in South Australia*, London, 1889, p. 14.

An initial plan of setting up the institution on Boston Island was abandoned when it was found to have insufficient water. Hale subsequently applied for, and was granted, some sections of land north of Port Lincoln at Poonindie.¹³⁹ Bishop Augustus Short enunciated the main principles Hale applied to the running of the Institution:

isolation, industrial education, as well as the usual schooling; marriage, separate dwellings, hiring and service for wages; gradual and progressive moral improvement based upon Christian instruction, Christian worship, and Christian superintendence.¹⁴⁰

It was to be 'a Christian village of South Australian natives, reclaimed from barbarism', isolated not just from traditional Aboriginal influence, but also from the worst examples of white society.¹⁴¹ With the establishment of the Training Institution at Poonindie the humanitarian ideals of the evangelicals, which had been enunciated at the foundation of the colony, seemed finally to be realised. Here was a system in which the Ignoble Savage could be remodelled and live from cradle to grave as a civilised and Christian member of colonial society.

The establishment of Poonindie sounded the death knell of Schurmann's nearby establishment. By early 1852 the government planned to cancel Schurmann's position. Governor Henry Young, a strong supporter of the new Anglican establishment at Poonindie, said that Schurmann's school

was good as far as it goes and if nothing better could be had would be well worth keeping up at its present cost. It keeps the children away from their parents and prevents them becoming savages, but it is not entitled to more than this negative merit.¹⁴²

139 P. Brock & D. Kartinyeri, *The Rise and Destruction of an Aboriginal Agricultural Settlement*, Adelaide, 1989, pp. 4-5.

140 Quoted in Brock & Kartinyeri, *Poonindie*, p. 13.

141 *ibid.*

142 Schurmann, *I'd Rather Dig Potatoes*, p. 193-194.

Schurmann received an offer from Meyer to join him at a new Lutheran establishment near Portland in Western Victoria and, seeing the writing on the wall, he accepted. In January 1853 he handed his school over to the care of Archdeacon Hale and left the district for the last time.¹⁴³

As a training institution Hale's preference was for inductees who had previous schooling, ideally at the Native School Establishment in Adelaide. In addition to the original intake of 11 students, there were intakes in October 1850 and June 1851.¹⁴⁴ However, after the first group was sent from Adelaide, the parents of children at the Adelaide school began to resist these abductions. In April 1851, in response to an inquiry from Pastor Kavel about some girls from the Adelaide School passing through the town of Langmeil, the protector wrote:

The adult natives have decided that no girls, for the future shall be allowed to remain at School, seven volunteered to go over to the Training Institution at Port Lincoln with young men of suitable age for their husbands and many others would go if Archdeacon Hale had funds for supporting them. The adults are aware of this and are remarkably vigilant in keeping the girls out of our reach.¹⁴⁵

Because of this Moorhouse reported an average attendance of only 3 girls out of a total of 29 in the first quarter of 1851.¹⁴⁶ In the last six months the only children attending the Native School were reported to be two part-Aboriginal girls.¹⁴⁷ Coinciding with these problems was a sudden and dramatic increase in the demand for Aboriginal labour caused by the exodus of Europeans to the Victorian goldfields. In December 1852 and again in March 1853, Moorhouse reported that the school had

¹⁴³ Protector's Report, 15 March 1853, *South Australian Government Gazette*, 24 March 1853, p. 193.

¹⁴⁴ Brock and Kartinyeri, *Poonindie*, p. 16.

¹⁴⁵ GRG 52/7, 5 April 1851.

¹⁴⁶ Protector's Report, 15 April 1851, *South Australian Government Gazette*, 17 April 1851, p. 265.

¹⁴⁷ Protector's Reports, 8 July 1852 & 22 December 1852, *South Australian Government Gazette*, 15 July 1852, p. 426 & 23 December 1852, p. 774.

not been reopened because so few children were in town, as they were finding employment as stockkeepers, shepherds and farm labourers. He wrote:

The scarcity of European labourers causes the native children to be in great demand as shepherds, &c., and I think we shall not have, for many months a sufficient number in town to justify us in re-opening the school.¹⁴⁸

Through the agency of the protector and the police, the government itself was actively directing Aboriginal people to districts where their labour was required. The establishment of Poonindie, followed up by the unexpected demand for Aboriginal labour, led to the closure of the Native School Establishment in June 1853.

Moorhouse's final report on the school read:

As there was no probability of the Adelaide school being reopened, in consequence of the arrangement made with Archdeacon Hale, the buildings are being converted into an asylum for the destitute poor.¹⁴⁹

While the establishment of a model Christian village at Poonindie seemed to mark a high point of the evangelical ambitions, in reality it marked the defeat of those ambitions. The hope was that the Aborigines could be instructed in the arts of civilisation and Christianity and take their place among the working class population of the colony. However, Aboriginal resistance and a lack of commitment among the colonists saw this hope become narrower and narrower in focus. The government increasingly concentrated on controlling the Aboriginal population rather than educating them. Moorhouse, who was so intimately involved in these civilising efforts, was depressed at what he saw as their failure and the seemingly dismal prospects of the Aborigines. Asked during the 1860 Select Committee, what new system might be adopted to benefit the Aborigines, he replied:

¹⁴⁸ Protector's Report, 24 May 1853, *South Australian Government Gazette*, 2 June 1853, p. 363.

¹⁴⁹ Protector's Report, 13 July 1853, *South Australian Government Gazette*, 28 July 1853, p. 500.

I don't see that a very different one could be adopted. As far as educating the native in civilization, I believe, in most instances, it is utterly hopeless. The only thing that can be done for them is to soften down their life, and, by humanely treating them, to make it as easy as possible.¹⁵⁰

¹⁵⁰ *South Australian Parliamentary Papers*, 1860, 3, no. 165, Select Committee on the Aborigines, p. 96.

'Manners none; customs, beastly'

... to believe that man in a savage state is endowed with freedom either of thought or action is erroneous in the highest degree. He is in reality subjected to complex laws, which not only deprive him of all free agency of thought, but, at the same time by allowing no scope whatever for the development of intellect, benevolence, or any other great moral qualification, they necessarily bind him down in a hopeless state of barbarism, from which it is impossible for man to emerge, so long as he is enthralled by these customs ...

George Grey, *Journals of Two Expeditions of Discovery*, 1841, p. 218.

The Ignoble Savage

When Captain Cook wrote in 1770 that the Aborigines of Australia lived in a 'pure state of nature' and were far 'happier than we Europeans'¹ he was expressing the ideal of the Noble Savage; a view which idealised man in a state of nature living with simple and satisfiable material wants.² Rousseau rejected the Hobbesian conception that the state of nature was a state of war, arguing instead that the uncomplicated society of 'natural man' promoted harmony and equality.³ It was a view used by intellectuals to argue that the social inequality of their society was not the natural order of things. By the end of the eighteenth century, however, the idea had been turned on its head and replaced by the more pervasive image of the Ignoble Savage, of man sunk to the lowest state of human existence, not freed but enslaved by his 'primitivism'.⁴ Bernard Smith⁵ and John Mulvaney both argue that the emergence of this view of the Ignoble Savage was linked to the rising influence

¹ J. C. Beaglehole (ed), *The Journals of Captain James Cook: The Voyage of the Endeavour 1768-1771*, Cambridge, 1955, p. 399.

² A. Moorehead, *The Fatal Impact; the Invasion of the South Pacific, 1767-1840*, Sydney, 1987, pp. 59-68; B. Smith, *European Vision and the South Pacific, 1768-1850*, London, 1960, pp. 6, 242-253.

³ Jean-Jacques Rousseau, 'A discourse on the origin of inequality', in *The Social Contract and Discourses*, translation and introduction by G. D. H. Cole, London, 1973, pp. 49-51

⁴ D. J. Mulvaney, 'The Australian Aborigines 1606-1929: Opinion and Fieldwork', in S. Janson & S. Macintyre (eds), *Through White Eyes*, Sydney, 1990, pp. 10-12.

⁵ Smith, *European Vision*, pp. 242-253.

of Evangelical Christianity whose missionary societies 'stressed the abomination of savage society . . .' ⁶ The influence of the Evangelicals grew with their campaign against slavery and, after success in that field, they shifted their attention to the state of indigenous societies. The 1837 Select Committee, investigating the condition of Aborigines in British settlements, was dominated by Evangelical Christians. Its report classed the inhabitants of New Holland as 'the most degraded of the human race.'⁷ Unlike the romantic picture of man in a state of nature, the image of the Ignoble Savage conceded the Aborigines no redeeming virtues and rendered them as objects of pity and candidates for religious and social reformation. At the time South Australia was settled these were the views that shaped British perceptions and underpinned early colonial descriptions of the Aborigines.

The Early Colonial Ethnographers

In the first decade of settlement in South Australia a variety of books, pamphlets and articles were written describing Aborigines and their society. Before examining the constructions of Aboriginality that emerge from these accounts, it is instructive to consider who the authors were, and their motives. The most important ethnographers of the period were those individuals who, by profession or avocation, were engaged in the task of 'civilising and Christianising' the Aborigines, most notably the protectors, other colonial administrators, and missionaries. This fact points to the essentially utilitarian nature of their work: they were studies which sought to answer very practical questions about the indigenous people they encountered as they commenced their occupation of the country. Utilitarianism does not, of course, explain all the work produced. A simple fascination for the exotic characterised the writings of some explorers and travellers, while genuine 'scientific' curiosity is evident in the work other writers. However, in a period when the practical concerns of settlement were paramount, these were secondary matters.

⁶ Mulvaney, 'The Australian Aborigines', p. 12.

⁷ *House of Commons, Sessional Papers, 1837, 7, No. 425, Report from the Select Committee on Aborigines (British Settlements)*, p. 10.

When the 1837 Select Committee recommended the appointment of protectors to look after the welfare of the Aborigines it suggested that these men 'cultivate a personal knowledge of the natives' and acquire an 'adequate familiarity with the native language'.⁸ If they were to work for the welfare of the Aborigines, to guide them towards habits of civilised life, they needed an understanding of their culture. When William Wyatt's duties as protector were spelled out by the government, the first of them was to 'ascertain the number, strength and disposition of the different tribes, more especially of those in the vicinity of the settled districts.'⁹ The language has a military tone, as though Wyatt were being instructed to gather intelligence about the enemy. Indeed, 'intelligence gathering' was one of the principal functions of the early colonial ethnographers. This aspect of the protector's duties is elaborated in a section of the instructions in which the protector was authorised to hire an interpreter to assist him:

By sending or accompanying him into the interior, you will be able to ascertain the strength and disposition of each tribe in the vicinity, a point of great importance, not only in regard to the safety of the parties engaged in the country surveys, but also to those settlers whose business may compel them to reside in the interior.¹⁰

Wyatt was also enjoined to acquire a knowledge of the native tongue so that the Aborigines might be made 'to appreciate our modes and habits, our moral and political laws, and our intentions. . .'.¹¹ The protector's instructions stressed the utilitarian purpose of studying Aboriginal society.

8 Report from the Select Committee on Aborigines (British Settlements), 1837, p. 83.

9 *South Australian Register*, 12 August 1837.

10 *ibid.*

11 *ibid.*

One of the earliest questions Wyatt was asked to investigate was whether the Aborigines had a belief in God.¹² This was motivated not by an interest in their souls, but in the smooth operation of the legal system. Without a belief in a supreme creator, or a 'future state of rewards and punishments', the Aborigines were unable to give evidence in a court of law.¹³ Wyatt examined this question in three of his early reports and eventually concluded, after a meeting with the Aborigines Committee early in 1838, that they had no such belief. He observed as a result that Aborigines could not give evidence in court and that the 'benevolent intention of treating them altogether as British Subjects' could not be carried into effect.¹⁴ The implication was that the government would have to find another way of facilitating the participation of Aborigines in the legal system.

The other question that Wyatt was required to investigate was the nature of Aboriginal land ownership. This was a question which the Colonial Office had stressed, and which had caused such anxiety among the colonists prior to settlement. Perhaps conscious of the interests of their political masters at home, the governor and his Executive instructed Wyatt to protect the Aborigines 'in the undisturbed enjoyment of their proprietary rights to such land as may be occupied by them in any especial manner'.¹⁵ The commentary accompanying the instructions specified what was deemed to be an 'especial manner': land which was used for cultivation, upon which they had 'fixed residence', or which was used for 'funereal purposes'. The very document in which the protector was enjoined to protect Aboriginal proprietary rights, enunciated the principles by which they could be denied. Wyatt knew this only too well and decided not to pursue the matter as 'it had hitherto appeared that

12 A detailed account of such inquiries is recorded by David McLaren in his Journal, 1 October 1837, Mortlock Library PRG 790/2.

13 Protector's reports in Colonial Secretary's Office, In Letters, State Records, GRG 24/1/389/1837; GRG 24/1/3/1838; GRG 24/1/69/1838.

14 *ibid.*

15 *South Australian Register*, 12 August 1837.

the natives occupy no lands in the especial manner contemplated in the instruction'.¹⁶

In February 1839 the editor of the *Southern Australian*, Charles Mann, questioned Wyatt's effectiveness as protector. After giving a potted history of the office, the editor argued that the protector

should extend his knowledge both of their numbers, habits, differences and dialects, so as to be always in advance of the inhabitants of the province, and to render the introduction of the colonists at once facile and devoid of danger.¹⁷

In the light of more frequent attacks on stock and the Aboriginal practice of firing the countryside, the article was prompted by fears that violence between Aborigines and settlers was imminent. Those fears seemed justified when less than a month later two shepherds were killed by Aborigines on the Adelaide Plains.¹⁸ Following the murders a public meeting was held to discuss the situation. Much of the debate concerned the role of the protector, and Wyatt was sharply criticised. Some critics put the violence down to Wyatt's alleged neglect of his office, and in one instance asked 'what more do we know of the native tribes than we did in Augt., 1837?'¹⁹ Charles Mann pursued the same line when he addressed the meeting:

Has anyone happened to have heard of any instance in which the Protector has resided among the aboriginal tribes to ascertain their numbers - their habitat - their purposes, and by the knowledge thus acquired to protect both the colonists and the natives from such aggressions?²⁰

16 *ibid.*, 18 May 1839.

17 *Southern Australian*, 27 February 1839.

18 A. Pope, *Retaliation and Resistance, Aboriginal-European Relations in Early Colonial South Australia*, Adelaide, 1989, pp. 57-64.

19 *Southern Australian*, 10 May 1839.

20 *ibid.*

The concerns expressed at the public meeting were echoed in letters to the newspapers. One correspondent suggested that the protector provide a account of the manners and customs of the Aborigines, focussing particularly on their mental capacity, general character, and religious beliefs:

An answer to these questions is, I conceive, absolutely necessary to enable anyone to frame laws for the natives, and to know what inducements to hold out to secure the observance of those laws. Without some such preliminary investigations we shall in vain attempt the physical, mental, or moral instruction of the natives. Indeed the attempt would be presumptuous, as it certainly would be foolish and fruitless, to frame laws for a people, whose manners, customs, and capabilities were perfectly unknown to us.²¹

Not only the government but the community in general expected the protector to make a study of the Aborigines and make the results available to all who were interested. The information was seen as vital for the protection of the settlers and the success of their pastoral enterprises. Recording information about Aboriginal society for 'academic' purposes may have been a by-product of such research but it was not the principal motive.

In 1839 the British Government appointed Dr Matthew Moorhouse South Australia's first full-time Protector of Aborigines. He arrived in the colony in June, while the controversy over the function and effectiveness of the protector was still fresh.²² Moorhouse's instructions required him to spend 'a great part of his time' among the Aborigines, and to 'make himself acquainted with their language and dialects, their customs, their habits, their prejudices, their tribes, their numbers, and peculiar districts, and with all other particulars concerning them which may be of importance'.²³ Furthermore, he was specifically required to keep a 'detailed journal of all his proceedings' which was to be laid before Council every quarter. The

21 *ibid.*, 8 May 1839.

22 *South Australian Government Gazette*, 11 July 1839, p. 1.

23 *ibid.*

appointment of Moorhouse led the editor of the *Southern Australian* to express confidence that they might soon acquire more definite information about the 'number', 'strength' and 'distinctive peculiarities' of the tribes around Adelaide.²⁴

Moorhouse's first ethnographic description of the Aborigines, co-authored by Christian Teichelmann, was completed late in 1841 and printed in the *South Australian Register* and *Southern Australian* in January 1842. A sequel was contained in his third quarterly report for 1843,²⁵ and in 1846 he published a vocabulary and grammar of the 'Murray River Language'.²⁶ These early reports were an important source of information on the Aborigines. Although the ethnographic content was limited to assessments of their 'moral character' and brief references to various social practices, the reports dealt in some detail with the distribution of the Aboriginal population and the state of their relations with the colonists.²⁷ This was precisely the sort of information that both the government and the settlers were seeking.

In beginning their work of bringing Christianity to the 'heathen', the Dresden missionaries set about learning the language of the Aborigines, as directed by their society and their patron.²⁸ In a conversation with Governor Gawler, while sailing to Australia, Schurmann revealed that their society had instructed them to study the language so that they could translate 'the catechism and the Bible into their language'.²⁹ Like their secular counterparts, an early interest of the missionaries was the religious ideas of the Aborigines, especially those concerning a Supreme Being. Finding an Aboriginal equivalent for Jehovah, they believed, would enable them to

24 *Southern Australian*, 26 June 1839.

25 Protector's Report in Colonial Secretary's Office, In Letters, State Records GRG 24/6/1234/1843.

26 M. Moorhouse, *A Vocabulary and Outlines of the Grammatical Structure of the Murray River Language*, Adelaide, 1846.

27 Protector's Reports, 9 October 1839, 14 January 1840 & 27 July 1840, in *House of Commons, Sessional Papers*, 1843, 32, No. 505, Papers relative to the affairs of South Australia, pp. 320-326.

28 C. Schurmann, *Diary*, 4 June & 1 September 1838, Typescript held by Aboriginal Heritage Branch, Dept. of Environment and Planning (SA).

29 *ibid.*, 1 September 1838.

bridge the cultural gap that separated them from their subjects.³⁰ The missionaries' efforts to understand the language and beliefs of the Aborigines were motivated by a desire to undermine and ultimately destroy what they considered superstitious and pagan beliefs.

Teichelmann, Schurmann and Meyer wrote the main ethnographies of Aborigines in early colonial South Australia. Teichelmann and Schurmann produced linguistic studies of the Aborigines in the Adelaide region in addition to general descriptions of their culture.³¹ In addition, Schurmann wrote on the Aborigines of the Port Lincoln region.³² Meyer's studies were confined to the language and culture of the Aborigines of the Encounter Bay region.³³

The other main source of ethnographic writing occurs in what might broadly be described as 'travel books' - ranging from the accounts of explorers to emigrants' guides. Edward Eyre's work was particularly important. Taking up most of the second volume of his 1845 *Journals of Expeditions of Discovery* is a monograph titled 'An Account of the Manners and Customs of the Aborigines and the State of their Relations with Europeans'.³⁴ It was one of the more insightful accounts of Aboriginal culture produced to that time. Eyre drew on his experiences as a magistrate and sub-protector at Moorundie, his explorations, and information from Protector Moorhouse. He possessed a knowledge of Aboriginal society rivalled by few contemporaries. His decision to publish an account of the Aborigines was probably

30 *ibid.*, 5 June 1838.

31 C. G. Teichelmann & C. W. Schurmann, *Outlines of a Grammar, Vocabulary and Phraseology of the Aboriginal Language of South Australia*, Adelaide, 1840; C. G. Teichelmann, *Aborigines of South Australia. Illustrative and Explanatory Note on the Manners, Customs and Superstitions of the Natives of South Australia*, Adelaide, 1841. Both men also produced ethnographic accounts that were published in the colonial press during the early 1840s.

32 C. W. Schurmann, *A Vocabulary of the Parnkalla Language as Spoken by the Natives of Spencer's Gulf*, Adelaide, 1844 & *The Aboriginal Tribes of Port Lincoln*, Adelaide, 1846.

33 H. A. E. Meyer, *Vocabulary of the Language Spoken by the Aborigines of South Australia*, Adelaide, 1843 & *Manners and Customs of the Aborigines of the Encounter Bay Tribe*, Adelaide, 1846.

34 E. Eyre, *Journals of Expeditions of discovery into central Australia and Overland from Adelaide to King George's Sound, in the years 1840-1841*, 2 vols., London, 1845.

influenced by George Grey whose account of his own explorations also included a detailed description of Aboriginal society. Although most of Grey's information derived from his experiences in Western Australia, he was Governor of South Australia at the time most of these other ethnographic works were being produced, and his opinions on Aboriginal culture were influential.

Among the other 'traveller's tales' which contained accounts of the Aborigines, the most significant was George French Angas' *Savage Life and Scenes in Australia and New Zealand*.³⁵ Although the substantial parts of Angas' observations depended on information gleaned from informed locals,³⁶ his account is nonetheless a significant portrayal of Aboriginal society. A scattering of other accounts of Aborigines come from the public journals of the day, or from writings which, although unpublished in their day, nonetheless fill out the contemporary picture of Aboriginal society.

Aboriginal 'Manners and Customs'

While not the product of an established discipline with a fixed methodology, the form and content of these early ethnographies were shaped by well-entrenched preconceptions of the 'primitive', and refined by local issues arising out of settlement. These preconceptions generated a standard range of questions which the authors endeavoured to answer. What position did the Aborigines occupy in the 'human family'? In comparison to Europeans, were they intelligent and what was their moral condition? What form of land use did they practise, and did they have a recognisable form of land ownership? How did they organise themselves socially and politically? What religious beliefs did they have? Finally, were they capable of being civilised and Christianised? All these issues had a bearing on the way colonial society

35 G. F. Angas, *Savage Life and Scenes in Australia and New Zealand*, 2 vols, London, 1847.

36 For instance, Angas' description of the Kuri dance between pages 102 and 108 of *Savage Life and Scenes* is quoted verbatim from an account provided for him by W. A. Cawthorne, but the source is not indicated. See R. Foster (ed), *Sketch of the Aborigines of South Australia: References in the Cawthorne Papers*, Aboriginal Heritage Branch, S.A. Department of Environment and Planning, Adelaide 1991, pp. 96-97.



Plate 9. Frontispiece to South Australia Illustrated, G. F. Angas, 1846.

conducted its relations with the Aborigines and, more particularly, framed social policy concerning them. At the particular level, they addressed practical matters such as land ownership, language and religious beliefs. At the general level, they were concerned with the nature of Aboriginal society as a whole, with its inherent 'worth'.

One of the first questions asked by the early colonial ethnographers concerned the intellectual capacity of the Aborigines. Edward Eyre stated that the popular perception of the Aborigine was that he was 'the lowest and most degraded of the human species, and is generally considered as ranking but little above the members of the brute creation'.³⁷ The author of *South Australia in 1842*, which was essentially a promotional pamphlet for the new colony, wrote that though the Aborigines possessed some natural abilities 'these poor creatures are sunk to the very lowest point of mental destitution'.³⁸ Other observers saw the presumed 'simplicity' of their language as a reflection of their intellectual capacity, suggesting that it made it difficult for them to grasp complex ideas.³⁹ George French Angas applied the popular nineteenth century science of phrenology to his assessment of Aboriginal intelligence. Of Aboriginal men he wrote:

Their heads are not wanting in the perceptive facilities, though in the reflective they are deficient. The skulls of the women are worse than those of the men; they are elongated and very narrow, the development of the intellectual organs being remarkably small.⁴⁰

In 1839 a correspondent sent an Adelaide newspaper his suggestions regarding the treatment of Aborigines, and included a list of the things the colonists needed to learn about the Aborigines. What, he asked, was their attachment to each other, did they possess combative dispositions, were they revengeful and cunning, were they proud, or vain, honest or kind and could they 'readily imitate the manners and

37 *ibid.*, p. 153.

38 *South Australia in 1842*, p. 23.

39 *Southern Australian*, 18 April 1843.

40 G. F. Angas, *Savage Life and Scenes*, p. 80.

customs of others'. With this knowledge the colonists would be in a better position to know what inducements to use to secure the compliance of the Aborigines. The writer did not spell out his belief that the Aborigines were intellectually inferior, but it was implicit in his questions; he presumed desires, passions and prejudices were the dominant characteristics of the 'savage mind'.⁴¹

Many early ethnographers, however, rejected the opinion that the Aborigines were intellectually inferior. Eyre wrote:

It is not that the New Hollander is not as apt and intelligent as the men of any other race, or that his capacity for receiving instruction, or appreciating enjoyment is less; on the contrary . . . [there are] many instances on record, of the quickness with which natives have learned our language, or the facility with which temporarily they have accommodated themselves to our habits and customs.⁴²

Eyre quoted the opinion of Protector Moorhouse who claimed that the children were 'as apt as European children'.⁴³ The missionary observers shared this view, Teichelmann, for instance, pointing out how easily they picked up skills such as building houses, plastering and fencing.⁴⁴

Yet the prevailing opinion was that Aboriginal intellect was retarded by their moral condition. Teichelmann commented favourably on their mental endowments but added, in regard to 'their moral state, they are, in many instances, almost upon a lower scale than the beast, doing and performing considerably, what beasts will instinctively do'.⁴⁵ Moorhouse argued that the Aborigines' intellect was not so limited as was generally represented, but that 'these powers are united so intimately

41 *Southern Australian*, 8 May 1839.

42 Eyre, *Journals of Expeditions*, p. 422.

43 *ibid.*

44 George F. Angas, Inward Correspondence, C. Teichelmann to G. Angas, 21 December 1840, Mortlock Library PRG 174/1.

45 Teichelmann, *Aborigines of South Australia*, p. 5.

with unconquerable indolence, that the ingenuity they possess cannot be satisfactorily brought into operation; hence the received opinion - utter incapacity'.⁴⁶

These assessments of the 'debased' moral character of the Aborigines proved very important in framing social policy in the colony. The assessment that Aborigines had inherent intellectual potential gave grounds for optimism; the agents of civilisation and Christianisation convinced themselves that their subjects could be 'raised up'. The debased moral character of the Aborigines, apparent in their traditional 'manners and customs', provided the malignancy that had to be operated on. Grey expounded the argument in an article on the framing of social policy for the Aborigines:

They are as apt and intelligent as any other race of men I am acquainted with; they are subject to the like affections, passions and appetites as other men; yet, in many points of character, they are, apparently, totally dissimilar to them; and from the peculiar code of laws of this people it would appear not only impossible that any nation subject to them could ever emerge from a savage state, but that even no race, however highly endowed, however civilized, could remain long in a state of civilization, if submitted to the operation of such barbaric customs.⁴⁷

Grey used this assessment to argue that colonial authorities had no obligation to recognise customary practice in Aboriginal society, because those practices retarded their advancement in civilisation. This provided a rationale for actively breaking down traditional Aboriginal society.

Of their social organisation, Teichelmann claimed that Aborigines were divided into large families, or 'republican tribes', and that several such families or tribes spoke a

⁴⁶ Protector's Report, 20 February 1840, Papers Relative to the Affairs of South Australia, p. 326.

⁴⁷ 'Report upon the best Means of Promoting the Civilization of the Aboriginal Inhabitants of Australia', which Grey submitted to the Secretary of State for the Colonies, Lord John Russell, in June 1840. Printed in G. Grey, *Journals of Two Expeditions of Discovery in North-West and Western Australia . . . with Observations on the Moral and Physical Condition of the Aboriginal Inhabitants, &c. &c.*, London, 1841.

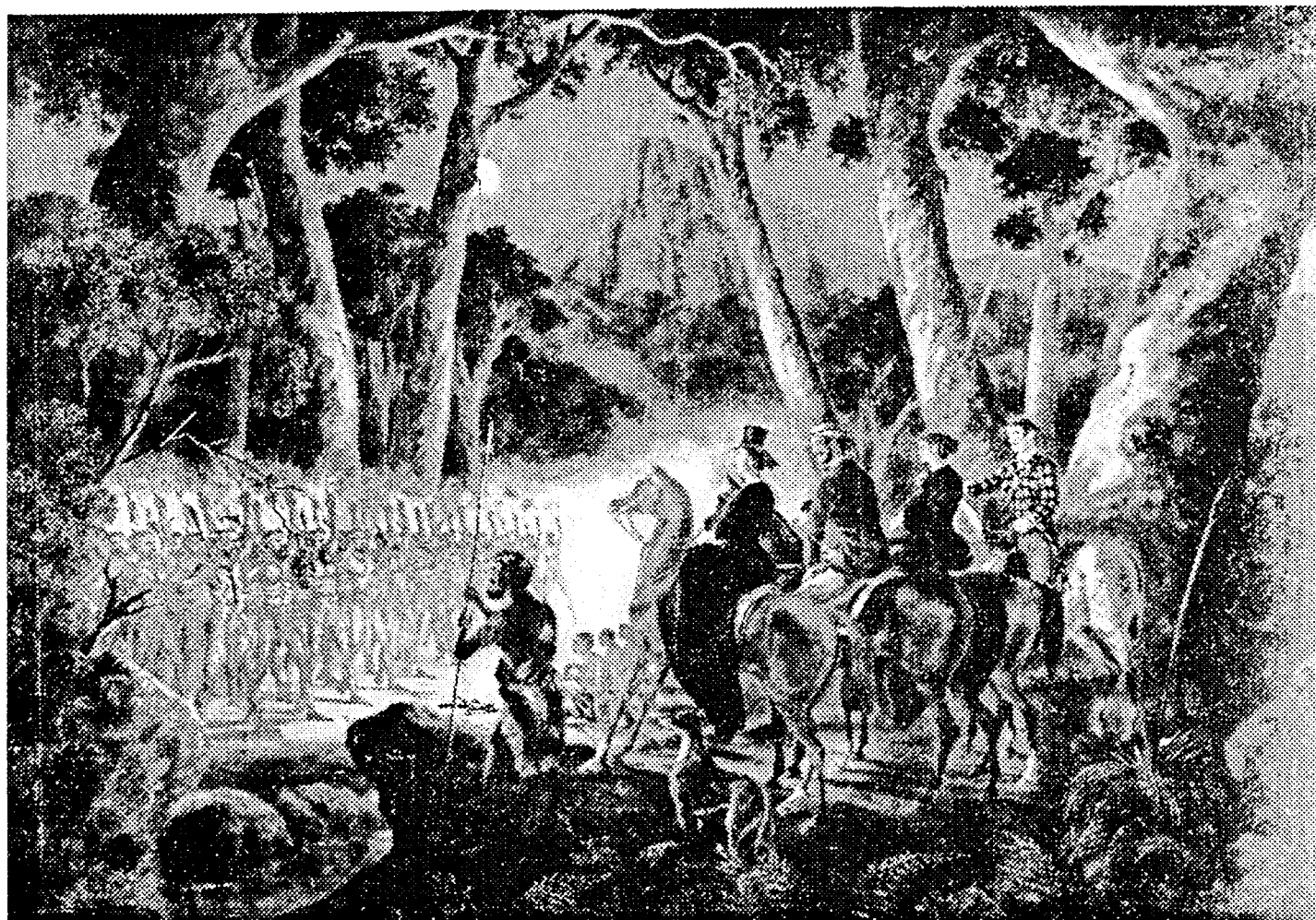


Plate 10. Corroboree, John Michael Skipper, 1840.

common language, but with their own dialects.⁴⁸ Most observers agreed that they had no 'chiefs' or leaders, although they conceded that the elders - *burkas* in the Adelaide dialect - had considerable influence.⁴⁹ Schurmann paralleled the role of the *burka* to that of the Latin 'senator'.⁵⁰ The *burkas* were the subjects of considerable white derision. *Mullawirraburka*, or King John, was often cited as an example of such a leader in Aboriginal society. Moorhouse, for instance, observed that his considerable influence was derived from his largesse - funded by his alleged practice of prostituting his wives for money. He also commented on *Mullawirraburka's* excessive indolence, adding that this was a characteristic of the people as a whole.⁵¹ It is perhaps more than coincidence that Teichelmann and Schurmann, in defining *burka*, used the compound words *pinnariburka* and *nittatiburka* as illustrations. They are defined as 'loiterer' and 'idler', respectively.⁵²

The role of women, and their treatment, in Aboriginal society was taken as further evidence of their degraded society. Most observers claimed that women were treated like slaves. Angas wrote that while the men swaggered about like lords, the 'despised and degraded women' followed behind bearing heavy burdens on their back and children astride their shoulders.⁵³ Furthermore, while the women did all the work in preparing camp, they were forced to accept the scraps their men deigned to throw their way.⁵⁴ Most colonial observers paid very little attention to the complex rules of kinship that operated in Aboriginal society. Most saw polygamy as morally contemptible, while the ceremonial exchange of women was portrayed as

48 Teichelmann, *Aborigines of South Australia*, p. 6.

49 *ibid.*; Protector's Report, 14 January 1840, Papers Relative to the Affairs of South Australia, 1843, p. 323.

50 C. Schurmann, 'The Aborigines of South Australia', *The South Australian Colonist*, 10 March 1840, pp. 23-24.

51 Protector's Report, 14 January 1840, Papers Relative to the Affairs of South Australia, 1843, p. 323.

52 Teichelmann & Schurmann, *Outlines of a Grammar*, p. 4.

53 Angas, *Savage Life and Scenes*, p. 82. H. A. E. Meyer, *Manners and Customs*, p. 5.

54 *ibid.*

prostitution.⁵⁵ It was perhaps this sense of moral repugnance that blinkered the missionaries and other observers.

Discussion of the limited and declining Aboriginal population was another common feature of the early ethnographic literature. The account presented by Teichelmann and Moorhouse to the Statistical Society of South Australia in December 1841 typifies the contemporary attitude.⁵⁶ They put the 'scarcity of population' down to incessant warfare, polygamy, illicit intercourse, infanticide and disease, especially dysentery and venereal. In his pamphlet titled *The Aborigines of South Australia*, Teichelmann listed scarification during initiation ceremonies and exposure to the elements as other factors limiting Aboriginal population. Once more, the 'low moral condition' of the Aborigines was invoked as the explanation. The belief that Aborigines would be 'swept away' by civilisation was expressed from the very beginnings of settlement, but it was not until the 1850s that the concept of 'inevitable extinction' became axiomatic. The impact of European settlement was hardly touched upon, indeed some commentators argued that the Aboriginal race had been headed for extinction even before the arrival of Europeans:

This degradation, it is true, may in the course of long years have occurred without our interference. A barbarous race never rises above its original condition if left to itself, and this race may long ago have been marked for extinction.⁵⁷

Sentiments such as these must have been comforting for many settlers. Not only was the apparent decline in the indigenous population explained as an inherent condition of 'barbarous' races, and therefore not their fault, but there would eventually be no indigenous population to trouble them.

55 Protector's Report, 30 September 1843, Colonial Secretary's Office, In Letters, State Records 24/6/1234/1843.

56 The report was published in the *South Australian Register* on 8 January 1842 and in the *Southern Australian* on 11 January 1842.

57 *Adelaide Observer*, 31 July 1858.

An extension of the argument that the Aborigines had no 'chiefs' was the belief that they recognised no subordination, that they were accustomed to live independently and be their own masters.⁵⁸ Teichelmann saw this as a form of licentiousness. He explained it in religious terms when he observed that where there is no obedience to God 'there is much less obedience towards our fellow creatures'.⁵⁹ Eyre put in this way:

There can hardly be said to be any form of government existing among a people who recognise no authority, and where every member of the community is at liberty to act as he likes, except, in so far as he may be influenced by the general opinions or wishes of the tribe . . .⁶⁰

While restrained by his own assertion that there could be no government among a people who recognised no authority, Eyre, nonetheless conveyed a picture of democratic decision-making. He described tribal meetings in which respected individuals rose to speak, where 'the subject is explained, reasons are given for what is advanced, and the result of an opposite course to that suggested, fully pointed out; after this the various members are left to form their own judgments, and to act as they think proper'.⁶¹ In an 1842 newspaper article Dr Richard Penney, who spend some time among the tribes on the Coorong after the Maria massacre, and before the influence of European pastoralism, presented a perceptive description of Aboriginal social organisation.⁶² He dismissed the missionary notions that the Aborigines had no government, arguing instead that Aboriginal society was 'exceedingly systematic' and that there 'is nothing that takes place amongst them, that is not regulated by some rule, or which, on explanation, is not founded on a process of reasoning'.⁶³ Penney portrayed a collectivist identity operating in Aboriginal society:

58 Teichelmann, *Aborigines of South Australia*, p. 6.

59 *Southern Australian*, 26 January 1840.

60 Eyre, *Journal of Expeditions*, p. 315.

61 *ibid.*, p. 318.

62 *Adelaide Examiner*, 16 November 1842.

63 *ibid.*

In small wandering tribes, there exists little feeling of individuality, and an individual is of no consequence personally, but each man represents the importance of his whole tribe. He has no property or feeling, apart from his family and race . . .

The calls, interests, and customs of his tribe, are held paramount to every other consideration, and everything and person, exterior or apart from it, would be sacrificed and disregarded, when brought into collision with them.⁶⁴

Penney's analysis agreed with the views of the colony's Governor, George Grey.

Grey's account of the Aborigines rejected the romantic notions that man 'in a savage state' enjoys freedom of thought and action, arguing instead that he was subject to 'complex laws'.⁶⁵ Grey was damning in his description of Aboriginal social organisation:

While in the savage condition we find the female sex, the young, and the weak, condemned to a hopeless state of degradation, and to a lasting deprivation of particular advantages, merely because they are defenceless; and what they are deprived of is given to others, merely because they are old and strong: and this is not effected by personal violence, depending upon momentary caprice and individual disposition . . . but by traditional laws and customs, which are by them considered as valid and binding as our laws are by us.⁶⁶

Such laws, argued Grey, bound the Aborigines 'in a hopeless state of barbarism, from which it is impossible for man to emerge, so long as he is enthralled by these customs'. As their intelligence was said to have been incapacitated by their moral degradation, so too their traditional laws and customs prevented their social advancement.⁶⁷

64 *ibid.*

65 George Grey, *Journals of Two Expeditions of Discovery in North-West and Western Australia...with Observations on the Moral and Physical Condition of the Aboriginal Inhabitants, &c. &c.*, London, 1841, p. 218.

66 *ibid.*, p. 219.

67 *ibid.*, p. 218.

Explorers, protectors and missionaries all agreed that the Aborigines had a clearly understood system of land ownership. Protector Moorhouse, prompted by a public dispute over the reservation of land on behalf of the Aborigines, explained the nature of Aboriginal land ownership in his report for the first half of 1840:

We find - what the Europeans thought the Aborigines of Australasia did not possess - territorial rights, families owning and holding certain districts of land which pass from father to sons, never to daughters, with as much regularity as property in our own country. They go further than this: occasionally, one family will barter their territory for a district belonging to another family, as in the case of King John, who formerly belonged to the districts of Adelaide, Glenelg, Sturt River and Hurtle Vale, and he exchanged them for Ugaldinga and Maitpunga plains.⁶⁸

As was argued in Chapter 2, this evidence was not thought sufficient to justify the recognition of Aboriginal land tenure, although it did engender a sense of moral obligation to provide some compensation for the loss of land.

Accounts of Aboriginal hunting and gathering practices and of their material culture dominate the early descriptions of Aboriginal society, perhaps for no other reason than they were the most obvious aspects of the culture. Observers did not need a knowledge of Aboriginal dialects, or even to spend much time with Aboriginal people, to describe a kangaroo hunt, a fish trap, or a wurley.

It was generally agreed that hunting and gathering was a 'primitive' mode of production, that the Aborigines had not even ascended to the level of herders, much less agriculturalists. One author referred to their 'scanty coverings', their 'temporary residences of the simplest kind', and their food as 'precarious in the extreme'.⁶⁹ There is a sense of economic determinism in descriptions of Aboriginal life. Teichelmann, for instance, observed that it was because the 'natural products of the soil were so

⁶⁸ Protector's Report, 27 July 1840, *Papers Relative to the Affairs of South Australia*, 1843, p. 325.

⁶⁹ *South Australia in 1842*, p. 22.

scanty' that the Aborigines were forced constantly to move their encampments.⁷⁰ Implicit in such descriptions is that the Europeans, as agriculturalists and pastoralists, had freed themselves from the tyranny of nature, while the Aborigines were forced to wander over the earth eating whatever they could find, living in the rudest shelters, and employing the most basic of weapons.

Edward Eyre, drawing on his experiences as an explorer and his time as a sub-protector at Moorundie, argued that the economic life of the Aborigines was generally rich and varied. After listing the variety of plant and animal foods available to the Aborigines at Moorundie, he commented that many sources of food 'are not only procurable in abundance, but in such vast quantities at the proper seasons, as to afford for a considerable length of time an ample means of subsistence to many hundreds of natives congregated at one place'.⁷¹ This allowed an easy lifestyle: 'I have found that the natives could usually, in three or four hours, procure as much food as would last for the day, and that without fatigue or labour'.⁷² Grey held a similar view of the richness and diversity of the natural resources used by the Aborigines.⁷³ Others interpreted this lifestyle differently: Moorhouse, for instance, regarded it as indolence and further evidence of low moral character. In accounting for attacks on settlers in the Port Lincoln district in 1842, he wrote:

It is well known that the New Hollander likes to procure food with the least possible outlay of labour, and if there are 100 natives located near a sheep station where there are only three Europeans to guard the flocks, they prefer an attack upon the sheep, rather than searching after their native game.⁷⁴

In these early views of Aboriginal economic life and material culture, it is notably the 'town-based' observers who describe the Aborigines as living a precarious existence,

70 Teichelmann, *Aborigines of South Australia*, p. 7.

71 Eyre, *Journal of Expeditions*, p. 251.

72 *ibid.*

73 Grey, *Journals of Two Expeditions*, chap. XIV.

74 Protector's Report, 30 June 1842, GRG 24/6/483/1842.

while those who spent considerable time with the Aborigines in their own environment, such as Grey and Eyre, portrayed their 'subsistence' as rich.

One of the few aspects of Aboriginal culture which early colonial observers reserved for admiration was the physicality of the male lifestyle - their skill and ingenuity as hunters, and their athletic prowess in combat. In describing an Aboriginal man and boy, George French Angas evoked images of the noble savage:

One of the men we saw was an individual of noble bearing : he trod the soil as though he were its possessor. There was no fear - no begging for flour and tobacco - no crouching to the white man : he stood before us in all the dignity of the savage - tall, erect and strong. Tchadkai, a fine youth, was at his side, with his long black hair streaming in the wind, and his neck surrounded with ornaments of reeds strung upon the sinews of a kangaroo. This child of the desert looked at us with wonder. He put his wild dog across his shoulder, and pointed his spear towards the east, signifying that his home was there.⁷⁵

Eyre advised that to appreciate the Aborigines fully they had to be observed in their own environment, where one would witness 'the fearless courage and proud demeanour which a life of independence always inspires'.⁷⁶ Observing the sad remnant of the Aboriginal population in the 1850s, commentators looked back with nostalgia to the 'once lithe, active figure of the black man' in early Adelaide.⁷⁷

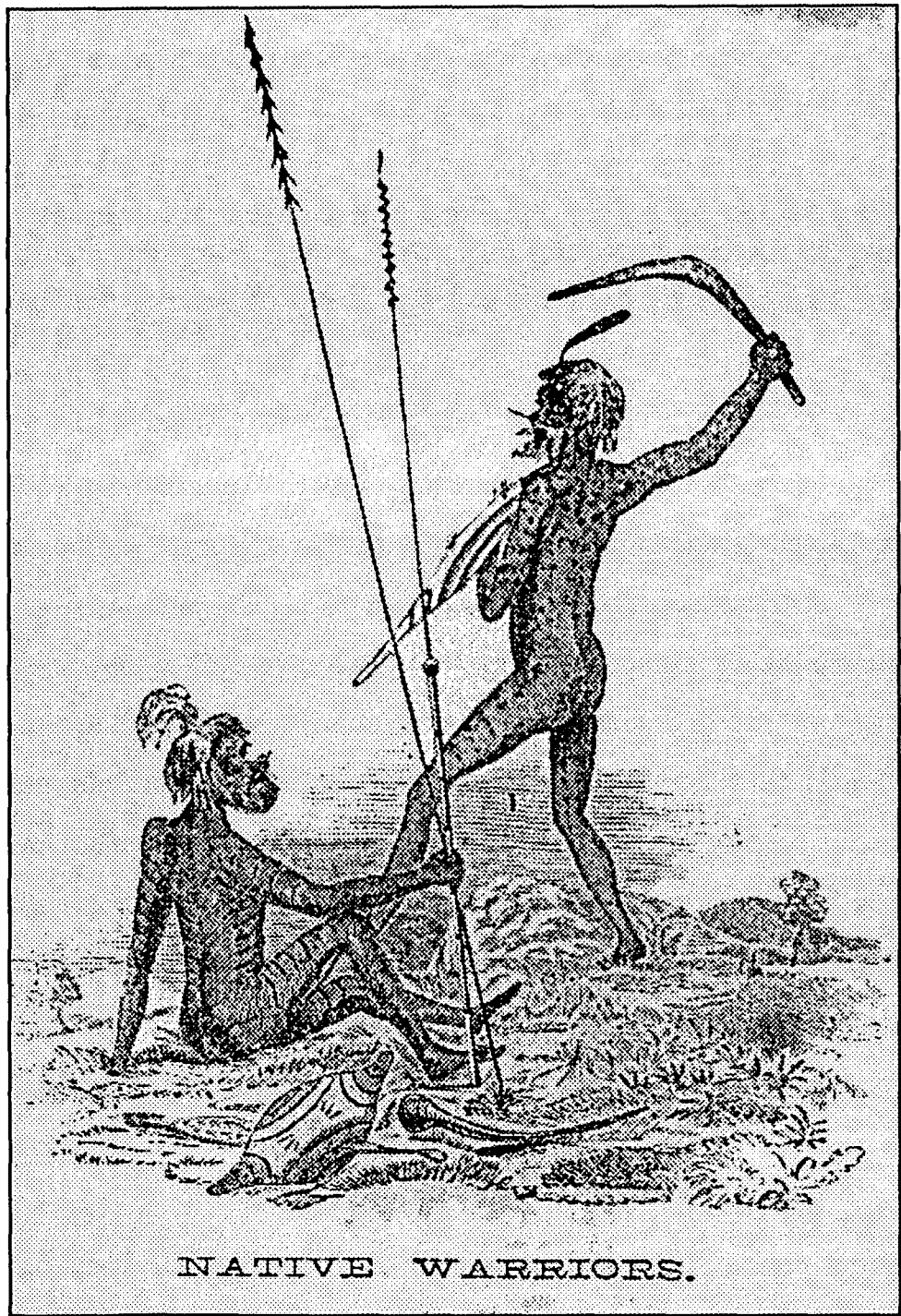
In his descriptions of Adelaide during the early 1840s, William Cawthorne revelled in the muscularity of Aboriginal life, describing in great detail the numerous Aboriginal fights and ceremonies he witnessed. In his diary he marvelled at the accuracy with which spears were thrown and the agility displayed in evading them.⁷⁸ Cawthorne was so taken by this image that he painted it (Plate 12). In his description of Aboriginal fights and the organisation of the combatants, he drew

⁷⁵ Angas, *Savage Life and Scenes*, p. 72.

⁷⁶ Eyre, *Journal of Expeditions*, p. 415.

⁷⁷ *Adelaide Observer*, 31 July 1858.

⁷⁸ W.A. Cawthorne, Sketch of the Aborigines of South Australia. Mitchell Library Acc. No. A1447, chap. 1.



NATIVE WARRIORS.

Plate 11. *Native Warriors*, illustration accompanying an article by W. A. Cawthorne in *The Illustrated Adelaide Post*, 1867.

parallels to Roman phalanxes.⁷⁹ Such classical resonances remained with Cawthorne. In the 1860s one of Cawthorne's sketches, entitled 'Native Warriors' (Plate 11), was published as an engraving in *The Illustrated Adelaide Post*, and in the accompanying text which describing an Aboriginal fight in the 1840s, he wrote:

it is a spectacle that realizes in the most vivid manner the Homeric heroes; for native battles, with line opposing line, and where each man selects his man, come nearer to the descriptions of the Illiad than any European struggle with guns and cannon.⁸⁰

Another observer of Aboriginal life in the early 1840s was Dr Richard Penney.⁸¹ He recorded his observations in various newspaper articles and in a serialised poem entitled 'Spirit of the Murray' which contains, in verse form, one of the earliest records of Lower Murray Aboriginal mythology.⁸² In a commentary that accompanies the poem, Penney praised the 'intelligence, courage and ingenuity' of the Aborigines of the Murray and compares their situation to that of the ancient Britons when colonised by the Romans.⁸³ He observed that the British proudly claim descent 'from the insurgent barbarians under Caractacus and Boadicea, who were painted with 'woad' and clad in skins, and . . . were a very similar people, in external appearance, at least, to the race around us'.⁸⁴ In the poem Penney admired the manliness of his Aboriginal boat crew and in almost elegiac fashion romanticised the rough bush life of sleeping under the stars, cooking meals over a campfire, and hunting game.

Observers admired Aboriginal skills as hunters, gatherers and trackers. Eyre wrote:

79 W. A. Cawthorne, *Literarium Diarium*, 21 December 1842. Mitchell Library, Acc. No. A103.

80 *The Illustrated Adelaide Post*, 23 April 1867.

81 A. A. Lendon, 'Dr. Richard Penney (1840-44)', *Proceedings of the Royal Geographical Society, SA Branch*, vol. 31, 1929-30, pp. 20-32.

82 Written under the pseudonym Cuique, 'The Spirit of the Murray' was published in five parts in the *South Australian Magazine*, vol. 1, 1842, pp. 292-298, 389-394, 467-472, vol. 2, 1842, pp. 18-23, & 1843, pp. 331-336.

83 *The South Australian Magazine*, vol. 1, 1842, pp. 467-68.

84 *ibid.*

Many methods of obtaining the various articles of food, are resorted to by the natives, some are very simple; some exceedingly ingenious; whilst others require great tact and skill; and not a few exercise to their fullest extent those qualities, which they possess so greatly, and prize so highly, such as quickness of sight, readiness of hand, caution in arranging plans, judgment in directing them, patience in waiting for the result, endurance in pursuing, and strength in holding fast.⁸⁵

He was particularly taken by the great perceptive powers of the Aborigines, by their ability to see and hear things at a great distance, to track stray animals, and follow the most indistinct paths.⁸⁶ Admiration for the 'perceptive powers' or 'natural abilities' of the Aborigines was a double-edged sword: the implication was that they were inherent talents, the products more of instinct rather than intelligence.⁸⁷

The historian James Urry noted the perception of Aborigines as 'savage sportsman' in the early history of New South Wales and traced the validation of this image to the practice of hunting as a respectable pastime among the English gentry.⁸⁸ In the 'Spirit of the Murray' Penney devoted a number of verses to the 'manly sports on Murray side', describing the use of dogs to bring down kangaroos, and the use of firearms, by his Aboriginal crew, to hunt the great variety of wildlife along the Coorong.⁸⁹ Even Gawler, in describing the nature of indigenous property rights, drew parallels with the English gentry when he wrote that the Aborigines:

hunt the game upon, catch the fish in and eat the food of their own districts, just as much as the English gentleman kills the deer and sheep upon, or the fish in, his private park.⁹⁰

85 Eyre, *Journal of Expeditions*, pp. 256-259.

86 *ibid.*, p. 217.

87 *South Australia in 1842*, p. 23.

88 J. Urry, 'Savage Sportsmen', in Ian & Tamsin Donaldson (eds), *Seeing the First Australians*, Sydney, 1985, p. 55.

89 R. Penney, 'The Spirit of the Murray', Vol. 2, 1842, pp. 18-23.

90 Angas, Inward Correspondence, 10 July 1840. Mortlock Library PRG 174/1.

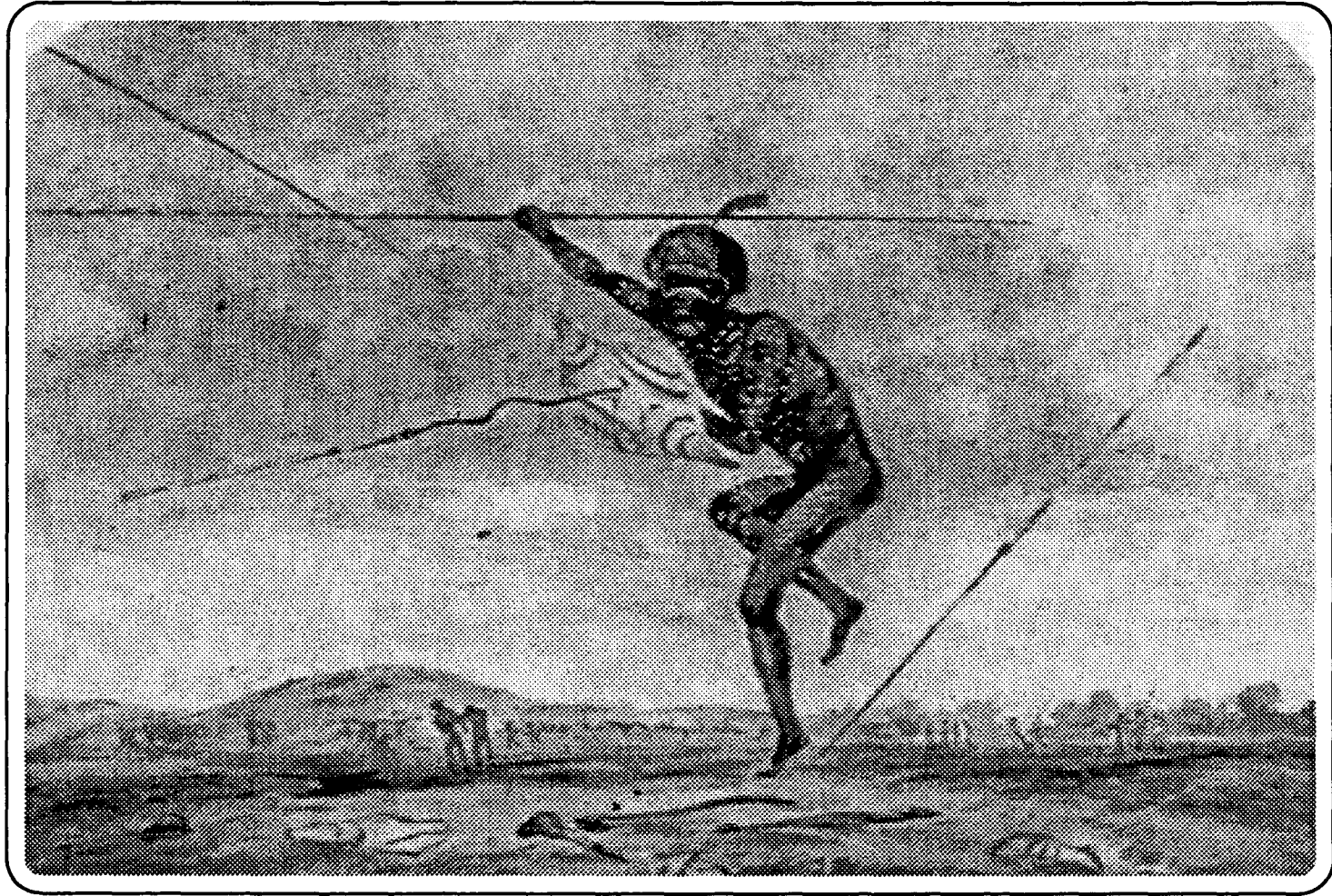


Plate 12. Aborigine defending himself against spears, W. A. Cawthorne, 1844/45.

The 'savage sportsmen', as Urry points out, was a localised image of the Noble Savage and one which enjoyed only brief favour.⁹¹

Respect for the physical aspects of Aboriginal culture contained elements of the 'hard primitivism' that Cook had praised in an earlier era. It is significant that all the illustrations here come from 'secular' observers and that they celebrate characteristics of 'manliness', such as hunting skills and athleticism. These were aspects of life with which the settlers, who were predominantly young and male, easily identified. These views, however, were not alternatives to the pervasive image of the Ignoble Savage (Plate 14) - they were simply flickers of light in the darkness. Angas immediately followed his description of the noble bearing of two Aborigines with a lengthy account of cannibalism and a description of a decrepit Aboriginal woman - 'another gloomy picture of the lowest grade of our species'.⁹² One senses the moral atmosphere of the time, moulded by the dour religiosity of evangelism, restraining the enthusiasm of these observers and pulling them back to more acceptable intellectual positions.

Religious beliefs were among the earliest aspects of Aboriginal culture investigated by the protectors and missionaries. The government needed to know if the Aborigines had a belief in a Supreme Being, or a future state of reward and punishment, so that they could decide whether or not an oath could be administered to them in a court of law.⁹³ The missionaries, on the other hand, wanted to know the nature of the beliefs they would be overturning, and what aspects of those beliefs they might exploit to facilitate that process.⁹⁴

91 Urry, 'Savage Sportsmen', p. 65.

92 Angas, *Savage Life and Scenes*, p. 75.

93 For instance, the quarterly reports of Protector Wyatt, GRG 24/1/389/1837; GRG 24/13/1838; GRG 24/1/69/1838.

94 C. W. Schurmann, 'The Aborigines of South Australia', *The South Australian Colonist*, 10 March 1840, pp. 23-24.

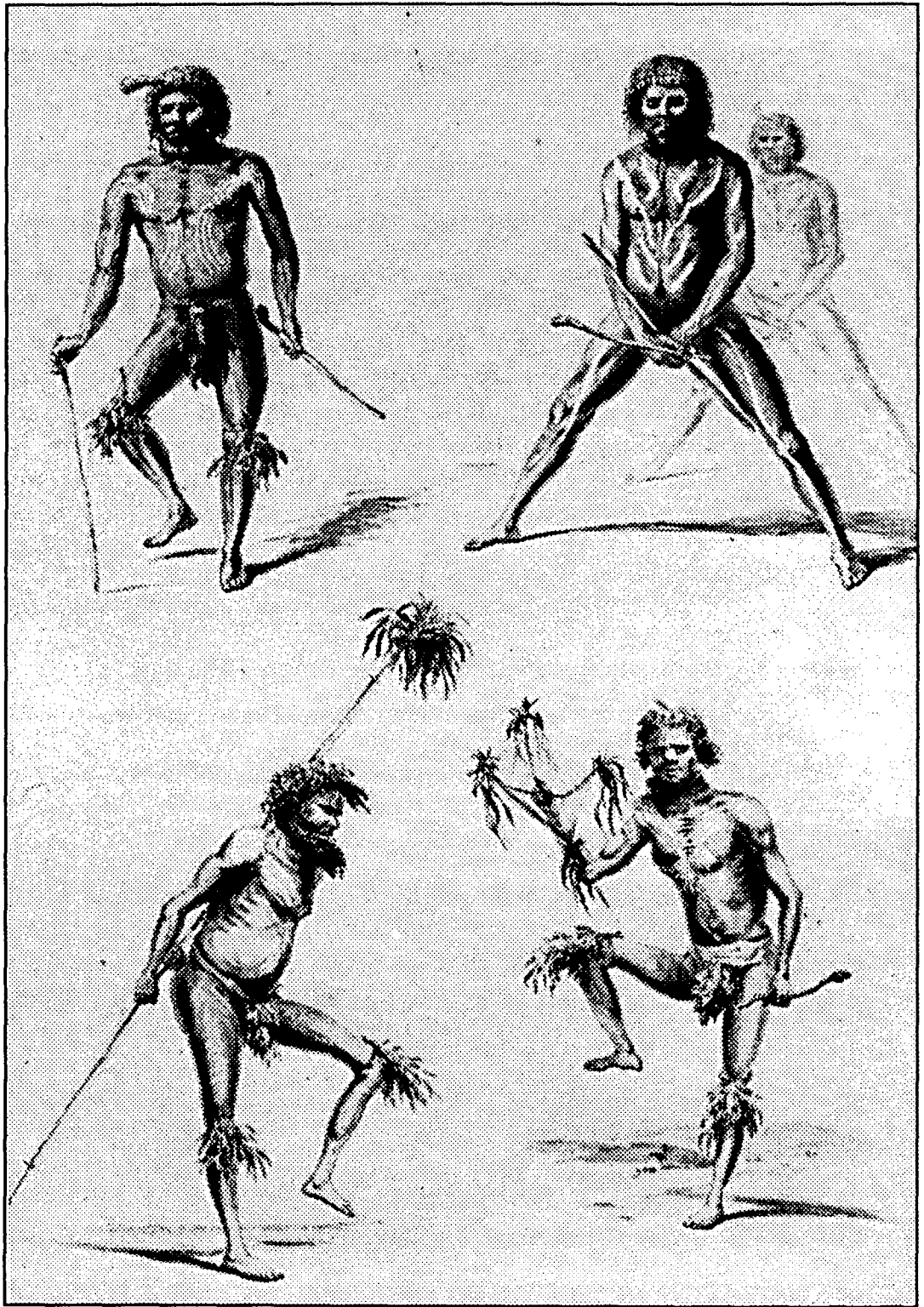


Plate 13. Portraits of Aboriginal Inhabitants, G. F. Angas, 1844/45.

Most observers saw no evidence that the Aborigines worshipped God, they found no evidence of idolatry, and they came to the conclusion that they had no religion. Both Teichelmann and Schurmann saw evidence of rudimentary explanations of the 'visible world' in Aboriginal myths about creation and the relationship of man to the natural world, in their funeral practices, and in their beliefs in an afterlife.⁹⁵ They would not concede that these amounted to religious beliefs. Claiming that they worshipped nothing superior to themselves, Teichelmann observed:

From the visible world they derive their existence; from the visible world they expect good and evil, and the whole creation again they believe to have under their controul. Therefore, we cannot expect to find morality or any idea of final and individual responsibility amongst them; and we have met in them, with nothing but superstition and human endowments abused to more than brutish desires.⁹⁶

The religious beliefs of the Aborigines were being judged according to a narrow contemporary understanding of religion: one that required a Supreme Being, or First Cause, a belief in future reward and punishment, and a moral code to guide one through the temporal darkness.⁹⁷ These elements are implicit in Teichelmann's account of his preaching:

. . . we told them first of the Creation of all things and Jehovah the Creator, of our dependence on him, our obligations to him, of our disobedience and so on; for they seem to have no idea of sin at all, the conviction of which is so necessary to represent to the sinner the saviour by whom he can be freed from them.⁹⁸

In the view of the Dresden missionaries it was the absence of belief in future punishments and rewards, of final Judgment, that accounted for the moral debasement of the Aborigines. Evidence for that debasement was seen in their polygamy, sexual promiscuity, infanticide, 'superstitious murder', sorcery and

95 *ibid.*; Teichelmann, *Aborigines of South Australia*, pp. 8-9.

96 Teichelmann, *Aborigines of South Australia*, p. 11.

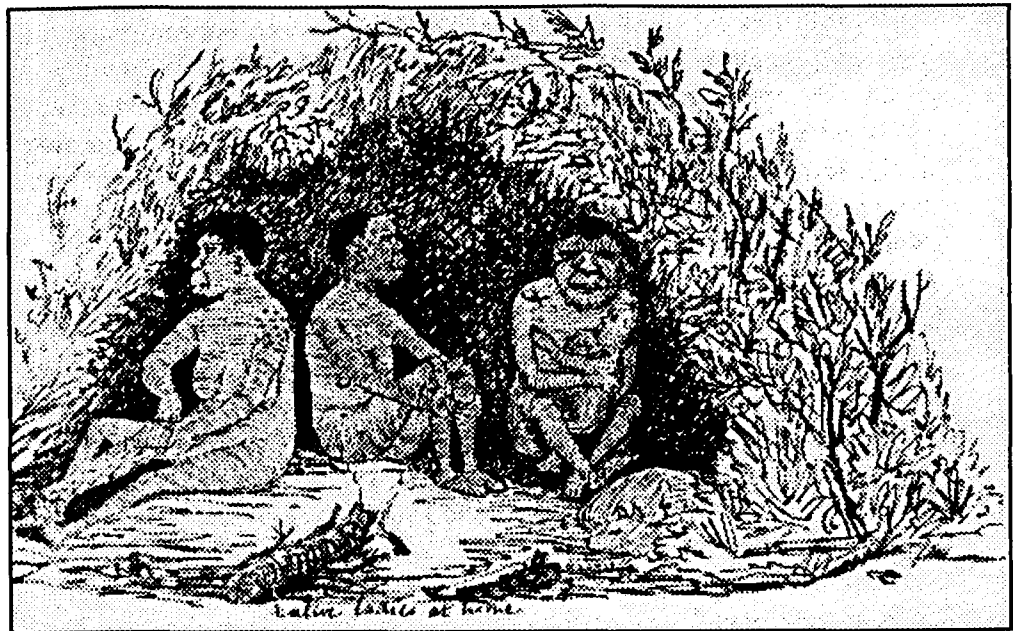
97 Tony Swain, *Interpreting Aboriginal Religion*, Adelaide, 1985, pp. 11, 29.

98 Angas, Inward Correspondence, 21 December 1840, Mortlock Library PRG 174/1.



Snell observed: 'The miserable wretches were squatted down inside many of them asleep, some of them ill and dying of disease, absolutely rotting away piece meal'.

Plate 14 a. Natives of South Australia, Edward Snell, 1849.



Snell observed: 'They were filthy dirty and stunk abominably and as usual had their hair cropped close to their skulls'.

Plate 14 b. Native Ladies at Home, Edward Snell, 1850.

indolence.⁹⁹ That such abominations were practised was bad enough; what was worse, in Schurmann's opinion, was that they were 'not stigmatised with that inward remorse and general disdain and horror' to which such 'crimes' in Christian countries were subject.¹⁰⁰ These practices were the source of Teichelmann's judgment that their beliefs were 'nothing but superstition and human endowments abused to more than brutish desires'.¹⁰¹

This view reinforced the notion that the Aborigines existed in a 'state of barbarism'. It was a 'primitive society' whose members were, 'almost upon a lower scale than the beast, doing and performing considerably, what beasts will instinctively do'.¹⁰² How did observers account for this? In the universal scheme of things, what were the origins of such a society? The Dresden missionaries surprisingly gave very little attention to this subject in their writings. Newspaper articles discussing the Aborigines, most notably those in the *Southern Australian*, drew upon the notion of the 'great chain of being', an idea that saw life range from the simplest to the most complex, and within which races were ranked according to their degree of civilisation.¹⁰³ Others thought that Aboriginal society had degenerated from a higher state.¹⁰⁴

Eyre hinted at the scientific explanations that would become more common in the last quarter of the century. In attempting to explain the diversity of Aboriginal languages, traditions and material culture, he surmised that the Aborigines first peopled the continent in the north-west and then branched out into three directions,

99 Teichelmann, *Aborigines of South Australia*, p. 8; C. W. Schurmann, 'The Aborigines of South Australia', in *The South Australian Colonist*, 10 March 1840; Meyer, *Manners and Customs*, p. 5.

100 C. W. Schurmann, 'The Aborigines of South Australia', in *The South Australian Colonist*, 10 March 1840.

101 Teichelmann, *Aborigines of South Australia*, p. 11.

102 *ibid.*, p. 5

103 *South Australian Register*, 23 January 1851.

104 *ibid.*

producing north-western, central and south-eastern cultural blocs. He suggested that each 'offset' appeared to

retain fewer or more of the original habits, customs, etc., of the parent tribe in proportion to the distance traversed, or its isolated position, with regard to communication with the tribes occupying the main line of the route of its original division; modified also, perhaps, in some degree, by the local circumstances of the country through which it may spread.¹⁰⁵

Such a view sketched the perceived degradation of Aboriginal culture according to environmental factors, while presuming that the degradation proceeded from an already primitive base.

A sophisticated explanation of Aboriginal origins was presented by George Grey. Grey dismissed the claims of the 'deistical writers' who argued that man began in a barbarous state and then ascended 'step by step' until 'he mounted the pinnacle of civilisation'.¹⁰⁶ To demonstrate his argument he referred to Walker's overland expedition in Western Australia, all members of which perished in the wilderness. With rather dubious logic he asked the theorists to explain how a group of intelligent Europeans, well-equipped and experienced in the bush, could perish while 'unarmed, naked and untaught' men, at some remote period of history, could survive and prosper. Nor could Grey accept that the Aborigines had fallen from a state of civilisation. He argued:

That the first natives who were placed on that continent must have been instructed how to provide for their wants, how to form weapons suited to their circumstances, how to select roots, and to capture animals fitted for food, has been demonstrated over and over again . . .¹⁰⁷

Grey's explanation was a theological one in which civilised man, by some sort of revelatory process, was given paternal control over the Aborigines:

105 Eyre, *Journal of Expeditions*, p. 406.

106 Grey, *Journals of Two Expeditions*, p. 220.

107 *ibid.*, pp. 220-221.

I may state my impression that it would seem, from the laws and customs of the natives of Australia, to have been willed that this people should until a certain period remain in their present condition, which is consequently not the result of mere accident, or of the natural constitution of man. From the peculiar nature of their institutions, it was impossible that they could emerge from a state of barbarism whilst these remained in force, and from the tenacity and undeviating strictness with which they are retained, and the strong power they hold over the savage mind, it seems equally impossible that they could have been abrogated, or even altered, until the race subjected to them came into contact with a civilized community, whose presence might exercise a new influence, under which the ancient system would expire or be swept away.

We may, I think, fairly produce this as a proof, that the progress of civilization over the earth has been directed, set bounds to, and regulated by certain laws, framed by infinite wisdom; and although such views may by some be deemed visionary, I feel some confidence that these laws are as certain and definite as those which control the movements of the heavenly bodies.¹⁰⁸

Grey was the governor of a British colony engaged in the physical dispossession of its indigenous inhabitants. The theory he expressed did not simply justify the process, it gave to it a sense of divine mission. It was the responsibility of the colonist to rescue the Aborigines from their lowly state.

An Identity of Absence

A characteristic of these early ethnographic writings is their tendency to describe Aboriginal society in negatives: defining the people by what they lacked, rather than what they possessed. Though not as intellectually backward as popularly assumed, the Aborigines were morally backward. Some writers argued that they had no recognisable government, while others, like Grey, argued that they had 'laws and customs' but that these were so degenerate that they bound them in a state of primitivism. Most observers not only saw no evidence of belief in God, they saw no evidence of religion at all. Aboriginal material life was also described in negatives:

¹⁰⁸ *ibid.*, pp. 223-224.

they had few and rudimentary weapons and implements, their dwellings were no more than a few branches thrown together, and their economic resources were precarious. Even in the few early attempts to describe their origins, they were portrayed as having degenerated through time from a higher state, or as having been placed by God in their lowly position.

In all these accounts Aboriginal society was being explicitly judged against the 'ideal' of European society and values. Aboriginal society was not merely inferior, it embodied the antithesis of British values. Consider the characteristics of Aboriginal life most typically condemned: idleness, sexual promiscuity, absence of authority, lack of discipline, unsettled lifestyle, improvidence and intemperance. These were the very things that the guardians of social and moral order saw themselves struggling against in their own society. In the *Ignoble Savage*, the Victorian mind had a simulacrum upon which their deepest fears could be projected.

In the early 1840s, the doctrines of evangelical Christianity infiltrated the moral and intellectual climate of the period. The presumption was that Aboriginal society had nothing of value to offer, and that the people required rescue from their savage state. While the various accounts of the 'manners and customs' were ethnographic descriptions, they were also implicitly moral tracts. The authors of these works, particularly the missionaries, fully expected that their descriptions would elicit the sympathy of their readers for the degraded condition of their subjects. Meyer, for instance, punctuates his account of the Encounter Bay people with observations in the form of moral exclamations. After his account of beliefs concerning the creative hero *Ngurunderi*, he writes, 'this is what the poor, uninstructed people believe'.¹⁰⁹ After detailing what he describes as polygamy and the exchange of wives, he commented: 'Miserable and degraded beings! When will they throw off these

¹⁰⁹ Meyer, *Manners and Customs*, p. 15

diabolical practices, and become obedient to the laws of our God'.¹¹⁰ Meyer was demonstrating how far these people had fallen, and how much they required redemption. It should also be borne in mind that most of these accounts concluded with discussions of the best means of civilising and Christianising the Aborigines.¹¹¹

Those who came closest to describing the society in its own terms were men such as Eyre, Grey and Penney, men who had lived with Aboriginal people for extended periods of time in an Aboriginal cultural setting. Yet they too had an underlying agenda. This is most apparent in the work of Grey who used his description of Aboriginal social organisation and their moral condition to argue for active intervention to break down what he saw as enslaving customs so that they might be replaced with civilised European values.

It is significant that most descriptions of Aboriginal society in early colonial South Australia were written in the first half of the 1840s. Clamor Schurmann's *The Aboriginal Tribes of Port Lincoln*, published in 1846, was the last significant account of Aboriginal society and culture until the 1870s, when interest was rekindled by the emergence of evolutionary theory. This loss of interest reveals an underlying colonial contempt or, at the very least, indifference to Aboriginal culture. It underlines too, the utilitarianism which motivated this early flowering of ethnographic literature - the knowledge was required to facilitate the reformation of the Ignoble Savage. Later, as the government and settlers devised workable strategies to effect the successful dispossession of the Aborigines, there seemed little point in studying a culture that most agreed was far down the road to extinction.

¹¹⁰ *ibid.*, p. 5.

¹¹¹ For instance, Teichelmann, *Manners and Customs*, 1841, pp. 11-13; Eyre, *Journal of Expeditions*, pp. 458-507; and the conclusion to Moorhouse's 1841 'Report on the Aborigines of South Australia', in R. Foster (ed), 'Two Early Reports on the Aborigines of South Australia', *Journal of the Anthropological Society of South Australia*, vol. 28, no. 1, 1990, pp. 47-48.

'Smoothing the downward course'

They are, indeed, a strange people. Without a history, they have no past; without a religion, they have no hope; and without habits of forethought and providence, they can have no future. Their doom is sealed, and all that the civilised man can do, now that the process of annihilation is so rapidly overtaking the Aborigines of Australia, is to take care that the closing hour shall not be hurried by want, caused by culpable neglect on his part.

J. D. Woods, *The Native Tribes of South Australia*, 1879, p. xxxviii.

The Dying Race

In May 1845 over one thousand Aboriginal people attended the Queen's Birthday distribution of rations in the Adelaide parklands - perhaps half this number from the local Kurna tribe.¹ Ten years later the protector reported an average of just six Aboriginal families in Adelaide.² The last significant Kurna camp in Adelaide, on Le Fevre Peninsula near Port Adelaide, was broken up by the authorities in 1859.³ The group of 14 people, some of whom were graduates of the Native School Establishment, were moved to Willunga.⁴ In a public lecture given in Adelaide in April 1864 W. A. Cawthorne observed of the Adelaide tribe, 'at the present moment, I believe not five individuals exist; four years ago, as well as I could ascertain, there was but one family living.'⁵ The decline of the Aboriginal population in the Adelaide region was dramatic, and underscored the public perception that the Aborigines were doomed to extinction. The fate of the Kurna was taken as a symbolic guide to what would happen as settlement spread through the colony.

1 *South Australian Government Gazette*, 17 July 1845, p. 174.

2 *ibid.*, 27 December 1855, p. 978.

3 *Adelaide Observer*, 26 March 1859.

4 *ibid.*

5 W. A. Cawthorne, *Aborigines and their customs*, 1864. MS. Mitchell library Acc. No. B228.

The view that Aborigines were a 'dying race' was a key concept in the second half of the nineteenth century. The idea was not new. Even as the colony was being established the question was discussed by a select committee of the House of Commons.⁶ However, it was not until the 1850s, as the Aboriginal population of the southern settled districts began to decline, that the notion acquired the force of dogma. In ridiculing the idea of the Noble Savage one commentator drew attention to the condition of Aborigines on the streets of Adelaide in 1858 and observed:

This degradation, it is true, may have in the course of long years have occurred without our interference. A barbarous race never rises above its original condition if left to itself, and this race may long ago have been marked for extinction.⁷

An explanation that conveniently absolved the settlers of blame. The statistical fact of Aboriginal population decline, combined with the public perception that it was inevitable and irreversible, elevated the notion to the level of ideology.

Some argued that this process was not altogether an undesirable thing. Speaking in parliament in December 1865, Captain Bagot cited Roebuck's contention that the 'inferior races disappear before the superior nations':

Humanity was progressing; and he did not think it was undesirable that the lowest types should be supplanted by the highest. It was so with animals and no one regretted it; and so it would be with men. Progress was the law of the world, and in obedience to that law the inferior must give place to the superior. That was no reason, however, why the poor creatures should not be well treated while they continued amongst them. They ought to do all they could to smooth their downward course. (Hear.) It was utterly Utopian to think that the blacks could live alongside the higher race. It was both unphilosophical and undesirable to expect it.⁸

⁶ *House of Commons, Sessional Papers, 1837, 7, No. 425, Report of the Select Committee on Aborigines (British Settlements), pp. 10-11, 14.*

⁷ *Adelaide Observer, 31 July 1858.*

⁸ *South Australian Parliamentary Debates, 12 December 1865.*

Like Bagot, many observers argued that the certainty of Aboriginal extinction did not abrogate a responsibility to make the passing of the Aborigines more comfortable. The 'dying race' belief promoted an attitude to policy that encouraged a palliative rather than remedial approach. The work of missionaries, while regarded as laudable, was often dismissed as hopeless. Even the missionaries and their supporters sometimes considered their work a form of racial 'hospice care'. Reverend J. Lyall, addressing the annual meeting of the Aborigines Friends Association in November 1877, 'feared that their efforts on behalf of the natives would be of a very temporary character - that ere long the Aborigines of this colony would pass away and become extinct.'⁹ He expressed the hope that when that time had come they would be able to say they had done their utmost 'to smooth their path and guide many of them to a brighter world on high.'¹⁰ The prevalence of this view cannot be overstated. By the 1880s almost every book and article about the Aborigines was prefaced or concluded with an observation about the 'approaching extinction' or 'inevitable demise' of the Aboriginal race.

The image was especially important in its influence on government policy. By the 1860s the government had adopted a practice of gradual assimilation - although benign neglect might be a more apt description. What policy there was was implicit in administrative action, rather than spelled out in legislation. It was actuated by a sense of moral responsibility to a people whose land the whites had usurped, yet constrained by the certainty of their ultimate extinction.

Indifference Begins

In the early 1850s the colonial government began to lose interest in Aboriginal welfare, a fact signalled by the closure of the Native School Establishment in 1853.¹¹

⁹ *Adelaide Observer*, 17 November 1877.

¹⁰ *ibid.*

¹¹ Protector's Report, 13 July 1853, *South Australian Government Gazette*, 28 July 1853, p. 500.

In 1856 Matthew Moorhouse resigned as protector and was not replaced.¹² The Protector's Office was increasingly seen as irrelevant, and when responsible government was granted in 1857 the new administration decided not to appoint a protector.¹³ The functions of the office, essentially the distribution of rations, were taken over by the Crown Lands and Immigration Office, and the only functionary to survive was Sub-Protector Mason at Wellington.¹⁴ There is a telling symbolism in the fact that the abolition of the Protector's Office coincided with the establishment of responsible government. The founding fathers of the colony made no provision for the Aborigines in their original plans and it was only through the intervention of the Colonial Office that they were forced to make allowances for Aboriginal welfare. The very office of protector had been imposed upon them by the Imperial Government. Now that they were largely in charge of their own destiny, they did away with it.

Yet during the mid 1850s public indignation was aroused by the condition of Aborigines on the margins of an increasingly prosperous colonial society and by the government's apparent indifference to their suffering. In the winter of 1857 a Kapunda resident painted a doleful portrait of the Aborigines of his district. The correspondent contrasted his fortune at being able to sit inside his comfortable house beside a warm fire while outside a miserable assembly of blacks were huddling together against the elements. What, he asked, was being done by 'Christian men' for 'this feeble remnant of a ruined race?'¹⁵ Another correspondent described the scenes of 'wretchedness and destitution' that were being acted out near his house at Wellington on the Lower Murray. The winter, he wrote, 'has been unusually inclement, and I have seen females, aged, sick, blind, cowering and shivering round a

12 *South Australian Parliamentary Papers*, 1860, No. 165, Report of the Select Committee of the Legislative Council upon the Aborigines, p. 99.

13 J. D. Woods (ed), *The Native Tribes of South Australia*, Adelaide, 1879, p. xiv; *South Australian Register*, 9 April 1879.

14 Mason's reports continued to be published in the *South Australian Government Gazette*, for instance, 12 May 1859, p. 419.

15 *Adelaide Observer*, 5 July 1856.

bit of fire in their miserable wurleys, and asking in plaintive accents for food'.¹⁶ While the view of Aborigines as a 'feeble remnant of a ruined race' may have reinforced the belief that they were a dying race, it also spurred genuine humanitarian concern for their welfare.

In 1857 a group of concerned citizens formed the Aborigines Amelioration Committee and began lobbying the government to make better provision for the physical and medical needs of the Aborigines.¹⁷ In the following year they assumed the title Aborigines Friends Association and declared their objective to be 'the moral, spiritual and physical well-being of the natives of this Province'.¹⁸ Shortly afterwards they began to make plans to establish a mission in the vicinity of Goolwa. The influence of the Association, and a specific dispute over the location of the new mission at Point McLeay, led to the subject of the Aborigines being debated in parliament.¹⁹ As a consequence it was decided to appoint a select committee to 'report on the present condition of the natives, and to suggest means by which that condition may be ameliorated.'²⁰

1860 Select Committee

The Legislative Council Select Committee on the Aborigines sat for four weeks during the spring of 1860.²¹ Even though the inquiry was established partly as the consequence of a dispute between John Baker, who sat on the committee, and George Taplin over the site of the Point McLeay mission, its composition was not antagonistic to the Aborigines Friends Association.²² Other committeemen included

16 *ibid.*, 20 July 1861.

17 *ibid.*, 18 July & 1 August 1857.

18 Graham Jenkin, *Conquest of the Ngarrindjeri*, Adelaide, 1979, p. 77; *Adelaide Observer*, 4 September 1858.

19 *South Australian Parliamentary Debates*, 29 October 1858, pp. 471- 476; 4 September 1860, pp. 743-761; 5 September 1860, p. 761.

20 *Report of the Select Committee*, 1860, p. 3.

21 *ibid.*, preface.

22 Jenkin, *Conquest of the Ngarrindjeri*, p. 85.

George Fife Angas whose interest in Aboriginal welfare was of long standing, and Samuel Davenport who was on the board of trustees of the Poonindie Mission.²³ The nineteen witnesses examined included former protectors William Wyatt and Matthew Moorhouse, former sub-protector Henry Minchin and the serving Sub-Protector, George Mason. Among the government officers examined was the former Commissioner of Police Peter Warburton, the Crown Lands Commissioner J. T. Bagot, and the Superintendent of Convicts Frederick Howell. Active members and supporters of the Aborigines Friends Association appearing before the committee included the secretary F. S. Monk, Reverend F. W. Cox and George Taplin. Augustus Short, Bishop of Adelaide, Samuel Davenport and the Reverend Dean Farrell were also supporters of private missionary activity, notably at Poonindie.²⁴ In the context of its time it provided a fair cross-section of opinion. The committee even examined two Aboriginal witnesses from Port Lincoln, Panyarra and Parako - although the evidence they gave was little more than testimony to stage fright.

The standard sequence of questions asked of the witnesses indicate the underlying presumptions about the colony's responsibility toward Aborigines. At the commencement of an examination, a witness was usually asked to compare the present condition of the Aborigines to the condition they were in when contact was first established. In essence, each witness was being asked if the Aborigines had benefited from the presence of Europeans amongst them. The answer was almost invariably negative. The chairman, in response to the pessimistic evidence of Charles Bonney, commented: 'The whole tenor of your remarks goes to show that the natives have lost all and gained nothing by their contact with civilisation'.²⁵ This was the view of most witnesses. Having established that colonisation was having a

²³ George Fife Angas's involvement has been discussed in chapters 1 and 4; for Samuel Davenport's involvement see, *Report of the Select Committee*, 1860, p. 89.

²⁴ *ibid.* See also P. Brock & D. Kartinyeri, *Poonindie: The Rise and Destruction of an Aboriginal Agricultural Community*, Adelaide, 1989, p. 67.

²⁵ *Report of the Select Committee*, 1860, p. 41.

devastating effect on the Aborigines, the committee sought to discover why. Once again the answers were generally consistent: the Aboriginal population was declining and the cause was the impact of European disease, poor living conditions and dangerous tribal practices. Asked if government efforts at ameliorating the condition of the Aborigines were sufficient, the almost unanimous response was in the negative.

The question of how the condition of the Aborigines might be improved was at the heart of the inquiry. Most witnesses urged an improvement in the system of providing for the physical and medical needs of the Aborigines, and suggested that a Protector's Office be re-established, perhaps sub-protectors appointed, and the system of ration distribution expanded. A more contentious question was how far beyond the provision of social welfare the government should go: whether it should actively concern itself with the civilisation and Christianisation of the Aborigines in addition to providing for their material needs. While there was some support for this idea, the balance of opinion was against it. The Reverend Cox, a committee member of the Aborigines Friends Society, was questioned on the issue:

806. What I wish to elicit from you is - whether you consider that it is a part of the duty of the Government to look after the moral and spiritual necessities of the natives, in addition to their physical wants? – I should greatly prefer leaving it in the hands of a private society, which has more directly the object in view.²⁶

It is interesting to contrast the conclusions of the 1860 Select Committee to a comparable inquiry in Victoria the year before. The Victorian Select Committee advocated setting aside reserves that would be operated under missionary superintendence,²⁷ an advisory body, the Central Board for Aborigines, and special

²⁶ *ibid.*, p. 36.

²⁷ Michael Christie, *Aborigines in Colonial Victoria 1835 - 86*, Sydney, 1979, pp. 154-159.

legislation for the protection and management of the Aborigines.²⁸ As a result an Aborigines Act was passed in 1869. The Act created a Board for the Protection of Aborigines which had the power to segregate Aborigines on reserves, protect 'neglected' children, and regulate Aboriginal employment off missions. According to Michael Christie, over fifty percent of the Aboriginal population of the colony were settled on reserves by 1877.²⁹

Despite having the Victorian example before it, the South Australian government did not opt for a segregationist approach. An explanation of this lies in the generally pessimistic tone of the South Australian inquiry. Evidence given to the Select Committee, debates in parliament, and discussions in the columns of newspapers had essentially dismissed the idea that the Aborigines could be remade by a policy of 'civilisation and tuition'. A powerful theme in the evidence of influential witnesses was that the colony's early efforts at civilising and Christianising the Aborigines had been a failure. Matthew Moorhouse in particular painted a depressing picture and argued that the best they could do was to make the passing of the Aborigines more comfortable.³⁰

While the committee supported the efforts of the missionary groups, who advocated the idea of separating the Aborigines from the corrupting influences of white society, mission performances were less than impressive. The trustees of Poonindie were chastised for financial mismanagement, while the mission at Point McLeay, newly established under the auspices of the Aborigines Friends Association, was also criticised.³¹ Furthermore, the evidence presented by members of the Aborigines Friends Association had to be measured against that of experienced men such as Moorhouse, Warburton and Sub-Protector Mason. The attitude of these men is

28 *ibid.*, pp. 158-159, 178.

29 *ibid.*, pp. 178-179.

30 *Report of the Select Committee*, 1860, pp. 94-99.

31 *ibid.*, pp. 6-7, 50-62.

summed up by Mason's statement that 'the best thing the Government can do is to let them alone'.³²

In discussing attempts at 'civilisation and Christianisation', at the Aborigines Location for instance, commentators argued that the Aborigines had shown no inclination to pursue the path of civilisation and that attempts to coerce them would simply result in good money being thrown after bad. In debating the proposal to give financial support to the Aborigines Friends Association, Edward Peake put the dilemma in these terms:

It would be quite useless for the House to vote money for the instruction of the aborigines, or for the Executive to devise means for their instruction, if there were not cordial co-operation on the part of the aborigines. If the aborigines refused to come within the pale of civilised society, and were determined to follow their wild and savage customs, he would ask how it was possible for the civilised community to deal with such a people . . .³³

Perhaps the most representative view of the place of Aborigines in colonial society came from the Secretary of the Crown Lands and Immigration Office, Edward Hitchin. Shortly before the establishment of the Select Committee, Hitchin was ordered to investigate the state of the Aborigines at Poonindie and on the Murray River. The *Adelaide Observer* summarised his views:

The aboriginal tribes cannot be perpetuated as an alien element in our population - antagonistic to all our habits and at variance with all our plans - if we would tolerate them as such they would not exist. They cannot retire *en masse* before the progress of settlement, even if it were desirable to maintain their degraded style of humanity as a permanent institution in the land . . . All we can hope to accomplish is to amalgamate the best specimens of the native races into our own society,

³² *ibid.*, p. 81.

³³ *South Australian Parliamentary Debates*, 29 October 1858, p. 473.

and as for the rest, we can only protect them until they need our protection no longer.³⁴

An indication of how far the wheel had turned is evident in a speech given by George Fife Angas in the Legislative Council in September 1860. Angas had been one of the leading supporters of the liberal-evangelical approach during the early years of settlement. He had been an advocate of the Aborigines in England, giving evidence to the Select Committee on South Australia in 1841, in which he had sharply criticised the colonists for the policy of denying land to the Aborigines, and had personally sponsored the Dresden missionaries to come to the colony.³⁵ By 1860 he had clearly lost faith in this approach. While defending the work of philanthropic associations in their efforts to civilise and Christianise the Aborigines, his view was

that all the attempts to benefit the aborigines had hitherto proved abortive, and his conviction was, that if the natives had been left to themselves and simply educated in the useful pursuits of life it would have been better.³⁶

The views of Hitchin and Angas encapsulated the attitude of the colonial government from this point on.

The alternative to civilisation and Christianisation was for the government to encourage a process of assimilation in which Aborigines would gradually be incorporated into the labour market. Some of the witnesses before the committee declared that the process was already under way and that a good relationship existed between Aborigines and settlers in various districts of the colony.³⁷ Evidence of a

³⁴ *Adelaide Observer*, 26 March 1859.

³⁵ The details of his involvement are discussed in Chapters 1, 2 & 3.

³⁶ *South Australian Parliamentary Debates*, 4 September 1860, p. 744.

³⁷ *Report of the Select Committee*, 1860, for instance, evidence of Augustus Short, p. 2; Warburton, p. 10; Minchin, p. 19; Wyatt, pp. 27-28.

paternal concern for the Aborigines among some of the settlers was presented. Major Warburton was of the opinion that:

Those employed by the settlers, as far as my knowledge and experience go, are exceedingly well treated and cared for, and generally make themselves exceedingly useful . . .³⁸

Not only was segregation not seriously discussed but the idea of assimilation through incorporation in the labour market was embraced by the suggestion that respectable and trustworthy settlers be given the responsibility of distributing rations.³⁹

The committee's report concluded that the Aborigines had lost much and 'gained little or nothing' in their contact with Europeans, that they were fast decreasing in numbers, so much so that their extinction seemed inevitable, and that the government was not doing its duty to ameliorate their condition.⁴⁰ Foremost among its recommendations was that a system of management be established to cater to the physical wants of the Aborigines. It urged the reappointment of a Chief Protector to supervise the general interests of the Aborigines. Following largely the evidence of Moorhouse and Warburton, it argued that 'the strict application of British criminal law to the aborigines of this colony was not in accordance with principles of equity and justice'.⁴¹ To solve this problem it recommended that the protector be given judicial powers enabling him to dispense summary justice on the spot in all but capital cases. The committee recommended the appointment of sub-protectors in the various districts to attend the physical necessities of the Aborigines. Efforts were also to be made to 'eradicate the vile superstitions and barbarous rites' as part of the

38 *ibid.*, p. 10. Similar sentiments expressed by Dr. Wyatt, p. 32; Charles Bonney, p. 41; and George Mason, p. 81.

39 *ibid.*, evidence of Crown Lands Commissioner Bagot, p. 47.

40 *ibid.*, pp. 3-6.

41 *ibid.*, p. 4.

process of inculcating the 'habits and manners of civilized life'.⁴² How this was to be done was not specified. The committee advocated a more dispersed form of ration distribution to avoid the 'evils' of collecting various tribes together at a central depot and the needless multiplication of sub-protectors. This would be achieved by appointing certain settlers in the outlying districts to distribute the rations.⁴³

On the question of land, the committee concluded that the original intention of reserving land for the use of Aborigines had failed, but the plan of reserving a percentage of the income from waste lands for the benefit of the Aborigines appeared a sensible approach. In the long run, no loss would be entailed: 'The melancholy fact has frequently forced itself upon the minds of the Committee, during their examinations, that the race is doomed to become extinct, and it would only be a question of time when these reserves would again revert to the Crown'.⁴⁴

The committee's final point was that success in any efforts to civilise and Christianise the Aborigines could only be achieved if the children were removed from their parents and the influence of their tribe. To achieve this it was proposed that a central elementary school and an isolated training institution be established.⁴⁵

None of these plans were new; by and large, they were simply elaborations of themes pursued in the early 1850s. The plan to re-establish a central school as a feeder for a Training Institution - thus separating children from their parents - was never pursued. The government did provide some support for independent missionary activity but that was as far as it went. The legal system was never altered as envisioned by the committee. The one aspect of the proposals pursued was the re-establishment of the Protector's Office and an expansion of the system of providing

42 ibid.

43 ibid.

44 ibid., p. 5

45 ibid., p. 6.

rations and medical assistance. Thus, after 1860, the government put into place a form of palliative care for a population that it believed would soon die out. The government had stepped away from the active, interventionist presumptions which had characterised the approach of the early evangelical liberals.

The Aborigines Office

In 1861 John Walker, a doctor, was appointed the new Protector of Aborigines.⁴⁶ Requested to make suggestions regarding the establishment of 'a regular system for the relief of the physical and temporal wants of the Aborigines', Walker made a tour of the colony in 1861 and 1862.⁴⁷ His report, finally submitted to government in 1863, largely reiterated the findings of the Select Committee. The new protector commented that it was 'the all but unanimous testimony of the issuers of stores' that the Aboriginal population was decreasing.⁴⁸ The principal causes were disease, infertility and infanticide - factors which he linked to the social conditions and cultural practices of the people. His recommendations were that rations, on a fixed scale, be more evenly distributed, that legislation be introduced to restrict the abuse of liquor, and that blankets, clothing and medicines be made more readily available. In closing he highlighted the good work being done at the Point Macleay mission and recommended that such enterprises be encouraged.⁴⁹

The quarterly reports published during Walker's term as protector reflect an almost exclusively palliative approach to Aboriginal welfare.⁵⁰ The health of the Aborigines was a major theme of the reports, together with such related issues as the problems of alcohol abuse. District by district figures recording births and deaths were

⁴⁶ C. Mattingly, *Survival in our own Land*, Adelaide, 1988, p. 57.

⁴⁷ Protector's Report, 18 July 1862, in Crown Lands and Immigration Office, Inward Correspondence, State Records GRG 35/1/342/1862.

⁴⁸ GRG 35/1/791/1863.

⁴⁹ *ibid.*

⁵⁰ See, for instance, the Protector's Reports, *South Australian Government Gazette*, 20 October 1864; 5 January, 23 March, 29 June 1865; 1 February 1866; 11 July 1867; 20 August 1868.

commonly included - almost invariably indicating a decline in the Aboriginal population. Practical matters such as requests for supplies - fish-hooks or canoes, blankets and medicine - were prominent. Reports and statistics on crime were reported. In practice the network of protectors and ration issuers worked to respond to the practical needs of the Aborigines, while placing them under what was considered paternal surveillance.

Before the reestablishment of the Protector's Office, the system of ration depots had been modest, designed as a response to unsettled frontier districts.⁵¹ After Walker was appointed protector in 1861, the network of depots was dramatically expanded, assuming the nature of a social welfare system. By 1866 there were 58 depots throughout the colony.⁵² The earlier depots had been run mainly by sub-protectors and police, but as the network expanded missionaries, officers of the Crown Lands Department and private citizens were added. Plans to appoint regional sub-protectors had been discussed by the Select Committee but only one appointment was made. In 1866, responding to public calls for assistance during a particularly severe drought, J. P. Buttfield was appointed sub-protector for the north. His district was 'the whole of the settled country north of Mount Remarkable', a responsibility that led him to observe, 'I feel almost appalled at the magnitude of the undertaking . . .'⁵³ Suggestions were occasionally made for the appointment of new sub-protectors, but they were not taken up. In 1867, for instance, it was suggested that a sub-protector be appointed for the south east, but the acting protector claimed this was unnecessary as he could handle the work, and in any case there were already nine rations depots in the district.⁵⁴ The protector recognised the fact that the 'issuers of

51 R. K. G. Foster, 'Feasts of the full-moon: the distribution of rations to Aborigines in South Australia 1836 - 1861', *Aboriginal History*, vol. 13, pt. 1, 1989, pp. 63 - 78.

52 *South Australian Government Gazette*, 11 July 1867, p. 665.

53 Aborigines Department, In Letters, State Records GRG 52/1/115/1866, 5 July 1866.

54 GRG 52/1/209/1867, 9 May 1867.

stores' were effectively sub-protectors, required to report on the condition and needs of the Aborigines in their respective districts.

It is significant that pastoralists were appointed to issue rations. Those selected were mainly in marginal districts with significant Aboriginal populations on or near their stations. Some station owners actively sought the right to distribute rations. When the police station at Franklin Harbour was closed in 1866, a settler wrote to the protector asking to be given rations as the Aborigines 'are very useful as sheep hunters in this scrubby country'.⁵⁵ In 1868 the protector investigated claims of destitution among the Aborigines at Mt Scott which he put down to settler annoyance at not being given rations to distribute:

Great jealousy exists between those who have Aboriginal depots and those who have not, and I am exposed to the charge of partiality when duty renders it necessary for me to refuse compliance.⁵⁶

The system tended to cement a relationship between Aborigines and station communities by subsidising the employment of Aboriginal labour and making the station managers effectively surrogate protectors and policemen. It reflected the sentiments expressed during the 1860 Select Committee, that the best policy was to encourage the gradual assimilation of the Aborigines into the colonial economy.

Land policy was another area in which the government sought to encourage assimilation. A practice of granting leases to men who married Aboriginal women had been instituted in the 1840s by Matthew Moorhouse. In discussing in 1848 the lease of Aboriginal reserve land to Thomas Adams, recently married to an Aboriginal woman, Kudnarto, the protector justified the policy in the following way:

⁵⁵ GRG 52/1/63/1866, 11 June 1866.

⁵⁶ GRG 52/1/387/1868, 30 September 1868.

These reserved sections were intended 1st to settle the natives upon them, provided any natives could be induced to settle and 2ndly Provided they would not, for some time to come, it was thought that a revenue might be produced by letting them and the proceeds were to be applied to the use of the natives. I had many conversations with Governor Grey regarding these sections, more especially upon the almost certainty of the half-caste children being prepared to settle upon them and His Excellency expressed himself ready to allow any who would really occupy and cultivate the lands.⁵⁷

Apart from the racial implications, the policy was designed to encourage the growth of an Aboriginal farming population. In 1867, responding to a request by George Murray for a grant of land under this unofficial policy, the protector received cabinet approval for a continuation of the system.⁵⁸ The policy continued until the 1870s after which time it fell out of favour, perhaps as social disapproval of inter-racial marriages began to grow.

By 1868 the government began to respond favourably to requests from Aboriginal men for grants of land to farm in their own right.⁵⁹ There was some reticence, however, to granting land to part-Aborigines and in approving leases considered too close to the 'corrupting' influence of towns.⁶⁰ Nearly all of the applications were received by men who had been educated in 'native' schools or missions, especially Point McLeay, Poonindie and Point Pearce, and their land was usually in the vicinity of these institutions.⁶¹ Graham Jenkin argues that some of the Aboriginal farmers in the vicinity of the Point McLeay mission enjoyed some success.⁶² Legislative support

57 Aborigines Department, Protector's Letterbook, State Records GRG 52/7, 13 February 1848.

58 GRG 52/1/72/1867.

59 A variety of references under GRG 52/1 from 1868 onwards. Some of the earliest recipients of such grants included John Sumner near Point McLeay (GRG 52/1/248, 19 June 1868), Thomas Adams near Port Lincoln (GRG 52/1/30, 1 February 1869), Napoleon Bonaparte at Strathalbyn (GRG 52/1/26, 31 January 1869), Charles Pritchard and Sam Stubbs near Port Lincoln (GRG 52/1/73 & 74, 24 April 1871) and George Muckray near Wellington (GRG 24/1/247, 23 June 1875).

60 GRG 52/1/40/1868 & GRG 52/1/46/1868.

61 Graham Jenkin discusses the emergence of Ngarrindjeri farmers in *Conquest of the Ngarrindjeri*, pp. 129 - 131.

62 *ibid.*, p. 131.

was given to the process in the Crown Lands Act of 1888, which gave the governor the right to demise up to 160 acres of land to any Aboriginal person or descendant of an Aboriginal person.⁶³

Despite the recommendations of the 1860 Select Committee, the government did not re-establish an institution along the lines of the Native School Establishment, although it did offer some financial, material and moral support to the private missions that sprang up after 1859. Most land missions occupied was gazetted by the government as Aboriginal reserve land.⁶⁴ Some missions received government grants to subsidise their operations. For many years the Aborigines Friends Association received an annual grant of £500 from the government for the operation of Point McLeay.⁶⁵ One-off grants were also made.⁶⁶ In addition, since the missions acted as rations depots, they received supplies of food, clothing and other items to assist them. In 1879, for instance, fifty depots were operating in the colony, including five missions which received more than a third of all stores distributed.⁶⁷

However, the government's support was neither generous nor whole-hearted. In 1879 the protector produced figures which showed that the government's spending on Aborigines amounted to £1-6-7 per head, while in Victoria it was £7-0-6.⁶⁸ The disparity was even greater in 1900 when Victoria spent £11-3-10 per head while South Australia spent £1-9-9.⁶⁹ As missions became increasingly self-supporting, the government was keen to reduce their stores for use in other districts. In 1888 the

⁶³ John McCorquodale, *Aborigines and the Law: A Digest*, Canberra, 1987, p. 67.

⁶⁴ A breakdown of the reserve land occupied by the five mission operation in South Australia in 1879 is provided in the protector's report, 27 February 1879, in *South Australian Government Gazette*, 20 March 1879, p. 791.

⁶⁵ *South Australian Parliamentary Debates*, 22 July 1862, p. 502.

⁶⁶ Point McLeay received £700 to cover debts in 1874, see *South Australian Parliamentary Debates*, 29 July 1874, p. 1138.

⁶⁷ The protector's report, 27 February 1879, provides a detailed breakdown of the stores issued by the department, *South Australian Government Gazette*, 20 March 1879, p. 799.

⁶⁸ *ibid.*, p. 792.

⁶⁹ Governor Tennyson in an address to the Aborigines Friends Association, in Jenkin, *Conquest of the Ngarrindjeri*, p. 218.

protector recommended that the government's aid to Point Pearce be withdrawn on the grounds that it had become self-supporting. Only after protests was it maintained.⁷⁰ Support for Poonindie was reduced in the 1870s when it became self-supporting.⁷¹

The demise of Poonindie is a good indication of the level of government commitment to the Aborigines. As Poonindie began to prosper in the late 1870s the surrounding white community began campaigning to have the mission broken up and the land divided into working men's blocks. The pressure was resisted at first but it continued intermittently during the 1880s. In 1893, during an economic depression, it was argued that unemployed whites in the district would be greatly helped if Poonindie land was opened up for them. The trustees virtually gave up without a fight and Poonindie was broken up. The government was concerned to please its white constituency even if it meant destroying a long established Aboriginal community and scattering its residents to the winds.⁷²

An Era of Benign Neglect

When Protector Walker died in 1868, the government chose not to appoint a replacement.⁷³ Until the office was finally filled again in 1888, a succession of sub-protectors ran the department.⁷⁴ It is apparent that the government had once again lost interest in the Aborigines. The few contemporaries who showed an interest in Aboriginal matters were aware of this, and the reasons why. In Mrs Meredith's 1871 novel *Kooroona: A Tale of South Australia*, one of her characters observes:

⁷⁰ GRG 52/1/67/1888 & GRG 52/1/118/1888.

⁷¹ Protector's Report, 27 February 1879, *South Australian Government Gazette*, 20 March, 1879, pp. 791-792, 799.

⁷² The history of the break-up is told by Brock & Kartinyeri in *Poonindie*; pp. 65-71.

⁷³ Walker's death was reported in *The Advertiser*, 28 September 1868.

⁷⁴ E. B. Scott, formerly Sub-Protector at Moorundie, acted in the position while Walker was ill. GRG 52/1/27.5, 28 January 1867.

the so-called Christian Government of South Australia ignored, as far as pos[s]ible, the existence of the native inhabitants, regarding them and treating them as a degraded race, doomed to die out before the white man.⁷⁵

Throughout the novel, Meredith is critical of the government's Aboriginal policy and argues a 'moral responsibility' position: that having driven the Aborigines off their land, the settlers owed them something in return.⁷⁶

In the introduction to *The Native Tribes of South Australia*, published in 1879, J. D. Woods levelled similar charges against the government:

With the cessation of the Protectorate of Aborigines as the function of a separate staff, all official interest in the native seems to have expired, and nothing is now done for them except periodically to give to them, through the mounted police, flour, tea, sugar, &c., and even this modicum of generosity is administered in a loose and perfunctory manner, owing to the pressure of more urgent duties on those who are in charge.⁷⁷

His allegations were repeated with even greater vehemence in the press. Woods drew attention to the fact that there was no 'Protector of Aborigines', that the sub-protector in Adelaide was little more than a clerical officer, and that while there was a sub-protector in the north he was also a Stipendiary Magistrate. He pointed out that there was no government school for Aborigines, nor a medical officer devoted especially to their welfare.⁷⁸ While Woods was sometimes wrong in the detail, the essence of his criticism - that 'all official interest in the native seems to have expired' - was accurate. Just two years later, during a period of government cut-backs, the Aborigines Department was abolished and its administrative functions continued

⁷⁵ 'Iota', *Kooroona: A Tale of South Australia*, London, 1871, p. 118. Paul Depasquale, in *A Critical History of South Australian Literature 1836-1930*, Adelaide, 1978, claims that 'Iota' was the pseudonym of 'Mrs. Meredith', pp. 157-159.

⁷⁶ *ibid.*, pp. 207-208.

⁷⁷ J. D. Woods (ed), *The Native Tribes of South Australia*, p. xiv.

⁷⁸ *The Adelaide Observer*, 29 March 1879.

under the Crown Lands and Immigration Office - echoing what had happened during the 1850s after the resignation of Matthew Moorhouse.⁷⁹ From the mid 1870s until 1908 the department was run by E. L. Hamilton, initially as sub-protector, but as protector from 1888.⁸⁰

Between the activity generated by the Select Committee in 1860 and discussions concerning a proposed Aborigines Act in 1899, parliamentary debates on the Aborigines were rare. Fewer than 20 questions were put to either house in this forty year period, and two thirds of those questions were asked during the 1860s,⁸¹ usually by supporters of the Aborigines Friends Association.⁸² In the last two and a half decades of the century, fewer than six questions were asked. Most questions concerned localised issues such as requests for drought relief, relief for sick and destitute Aborigines, and financial support for missions and almost invariably elicited brief, matter-of-fact responses from the relevant minister. While some of the questions concerned specific policy, such as land grants and government support of missions, general social policy regarding the Aborigines was rarely discussed. The only conclusion that can be drawn is that Aborigines were a minor issue on the agenda of the colonial administration.

Between the *Aborigines Offences Act 1853* and the *Northern Territory Aborigines Act 1910*, not a single piece of legislation was aimed specifically at Aborigines.⁸³ Numerous sections of other Acts did refer to them. Most of these served to exclude Aboriginal people from restrictions placed on the non-Aboriginal community. The *Dog Act 1867*, excluded Aborigines from the requirement to register their 'hunting

79 *ibid.*, 11 June 1881.

80 Protector's Report, 10 August 1874, *South Australian Government Gazette*, 20 August 1874, p. 1667; *Report of the Protector of Aborigines for the Year Ended June 30, 1908*, Adelaide, 1909, p. 3.

81 Evidence drawn from *South Australian Parliamentary Debates, 1860-1899*.

82 Men such as George Fife Angas, William Peacock and William West-Erskine, all supporters of the AFA, were responsible for raising most of the questions, especially during the 1860s. Graham Jenkin noted this in *Conquest of the Ngarrindjeri*, p. 114.

83 McCorquodale, *Aborigines and the Law*, pp. 66, 68.

dogs'.⁸⁴ The *Fisheries Act 1878* made an exception for Aborigines taking fish for their own use.⁸⁵ The *Fisheries Amendment Act 1893* allowed certain areas to be reserved for the exclusive use of Aborigines.⁸⁶ Foremost among the restrictive provisions were those to prevent the supply of liquor to Aborigines and, toward the turn of the century, the supply of opium.⁸⁷

As early as 1851 the government took measures to provide protection, in theory at least, for Aboriginal people passing through leasehold land occupied by European pastoralists. The issue emerged in the context of claims that Aborigines in the Port Lincoln area were being ill-treated when they tried to pass through leaseholder's property. The Crown Lands Commissioner agreed to insert a clause in leases 'recognising the undoubted right of the natives to dwell upon the land, and to follow their usual customs in search of food'.⁸⁸ The government had no intention of encouraging the maintenance of traditional Aboriginal culture and lifestyle - quite the reverse. These were exceptions made in deference to the difficulties Aboriginal groups faced as European settlement made it more and more difficult for them to sustain themselves by traditional means.

Calls for special legislation to control the Aborigines were heard throughout this period. Shortly after Buttfield was appointed sub-protector for the northern districts he approached the government to legislate to change the way the law applied to Aborigines. He pointed out that the great distance witnesses had to travel to attend court encouraged the settlers to take the law into their own hands. To overcome this problem he urged that Aboriginal people be tried and punished in their own district

84 *ibid.*, p. 66.

85 *ibid.*, p. 67.

86 *ibid.*

87 For instance, *The Licensing Act 1839*, *Licensed Victuallers Act 1863*, *Licensed Victuallers Act, 1869*, *Licensed Victuallers Act 1880*, *The Opium Act 1895*. See McCorquodale, *Aborigines and the Law*, pp. 65-67.

88 *South Australian Government Gazette*, 30 January 1851, p. 79.

and in the presence of their own people, hoping that this would have a deterrent effect. He advocated a tribunal of squatters and the incarceration of offenders in the district. The protector dismissed the idea as being open to partiality and pointed out that the *Summary Offences Act 1853* would meet 'a multitude of cases'.⁸⁹ The *Summary Offences Act* allowed a court presided over by two magistrates to try all offences except those involving the death penalty.⁹⁰ In 1881 a similar call for special legislation was made in response to the more mundane issue of Aboriginal drunkenness in Adelaide, but again the call was rejected with a claim that the force of law was sufficient.⁹¹

Missionaries and their supporting societies were often exasperated by the absence of legislation that would enable them to control the behaviour of their charges. Specific laws, they argued, would enable them to protect a people whose cultural, intellectual and moral characteristics left them open to exploitation. In July 1874 Taplin wrote to the protector requesting special legislation for the Aborigines. He wanted powers to remove half-caste and quadroon children from their parents, to suppress Aboriginal customary practices, compel children to attend school, and restrict their freedom of movement.⁹² No such legislation was forthcoming.

Some ten years later a Hermannsburg missionary wrote to the protector claiming that the Europeans in the district were ill-treating the Aborigines and enticing them from the mission. They wanted to know how they could prevent it. The German Lutheran missionary Kempe wrote, 'as we are quite ignorant respecting the rules of law referring the treatment of the natives by the whites, I most respectfully ask you to write me.'⁹³ Sub-Protector Hamilton's response was to observe that 'in the absence

89 GRG 52/1/82/1867, 24 February 1867.

90 McCorquodale, *Aborigines and the Law*, p. 66.

91 GRG 52/1/51/1881.

92 GRG 52/1/262/1874, 23 July 1874.

93 GRG 52/1/330/1886, 15 October 1886.

of special legislation for the protection of the aborigines, it is difficult to deal effectively with the evils referred to . . .'⁹⁴ Despite the efforts of missionaries such as Taplin and Kempe, and their supporting societies, the government continued to resist the introduction of protective legislation until the early years of the twentieth century. Despite the efforts of missionaries such as Taplin and Kempe, and their supporting societies, the government continued to resist the introduction of protective legislation until the early years of the twentieth century.

Under the influence of liberal-evangelical thinking in England, early social policy had been founded on the optimistic, if naive, presumption that the Aborigines could be 'remade' and a place found for them in the new regime. By the 1850s, however, a profound pessimism had taken hold and it was generally held that, as the Aborigines were 'dying out', it was futile to do more than provide for their physical and medical needs. 'Policy' was defined more by its absence than by its presence. In a brief history of the colony's treatment of the Aborigines published in the *South Australian Register* in 1884, the colonists were congratulated for their 'kindness and humanity' towards the Aborigines, and their earnest efforts at trying to ameliorate their condition. The tone of resignation which pervaded the article was characteristic of the times:

Civilization has driven the native populations from their original homes and their hunting grounds, and everywhere the fate that seemed to await them is extinction. They will not adapt themselves to the altered circumstances of life, and as Nature has made it a law that the fittest shall survive, they perforce disappear. The causes are various. They learn the vices but not the virtues of the white man, they undergo physical deterioration, their natures become susceptible to new forms of disease, and by the combined effects of drunkenness, immorality and constitutional decay, they are hurried into the grave, and no trace of them is left.⁹⁵

94 *ibid.*

95 *South Australian Register*, 20 May 1884.

In an age when almost every article about the Aborigines read like an epitaph, it is hardly surprising that the government chose the easy option of 'smoothing the dying pillow'.

On the Margins of Society

In one or two generations at most, it was said, we should have a race of intelligent and industrious men and women, who would be a credit to the colony, and of great assistance to the settlers. We have been doomed to disappointment. The children trained in our early schools have grown up to be fathers and mothers, and we look in vain for the fulfilment of the prediction. Many say that the present generation is far worse than the last - that the vices of civilization have been grafted on the vices of barbarism, while the virtues of the savage have been altogether unaided by the virtues of Christianity.

South Australian Register, 5 July 1861.

After the frontier period, social constructions of Aboriginality were generated in three main arenas: the mission community, the pastoral industry, and the fringes of society. The missionary view, concerned as it was with reforming and protecting the Aborigines, focussed on the evils of the old ways and the dangers of the new. In their advocacy of paternalism the missionaries stressed the inability of the Aborigines to take care of themselves. The pastoral industry, particularly in the more marginal districts, was heir to the 'frontier tradition' with its stress on the unpredictability of the Aborigines, but regarded Aborigines as a useful source of labour and therefore supported the existing *laissez faire* approach. Representations of Aborigines 'on the fringes of society' drew heavily on the 'dying race' notion and on images of a people 'between two worlds'.

ABORIGINES ON THE MISSIONS

The Revival of Missionary Activity

With the exception of the Anglican establishment at Poonindie, missionary efforts at promoting the spiritual and physical welfare of the Aborigines had fallen away to

almost nothing by the early 1850s. When, however, the government made it clear by the abolition of the protectorate in 1857 that it had lost interest in undertaking the civilisation and Christianisation of the Aborigines, private religious bodies began to establish missions throughout the colony, and to lobby for the promotion of Aboriginal welfare. The most important of these groups was the Aborigines Friends Association, which was responsible for the establishment of a mission under the control of George Taplin at Point McLeay in April 1859.¹

The 1860s saw a string of missions established throughout the colony. In 1865 community pressure led to the establishment of the Point Pearce mission at the top of Yorke Peninsula. In the mid-60s the Lutheran church decided to establish a mission in the area of Lake Eyre, bordering Lake Hope and Cooper's Creek. J. F. Gossling and E. Homann, from the Hermannsburg Missionary Society, were sent from Germany to undertake the work. The missionaries set out from Tanunda in 1866 and by January 1867 had arrived on the Cooper's.² A group of Moravian missionaries, Gottlieb Meissel, Heinrich Walder and Carl Kramer, had arrived a few months earlier. Sponsored by Melbourne Presbyterians, the Moravians had attempted to establish a mission at Kopperamana but Aboriginal resistance saw them retreat to Melbourne in 1868.³ Like the Moravians, the Lutherans experienced trouble with the Aborigines, but they persisted and in 1868 established the Bethesda mission at Killalpaninna.⁴

The Anglican Institution at Poonindie, under the initial control of Archbishop Hale, continued to operate until the 1890s. The original plan, that it would support and protect Aborigines who had been educated in the Adelaide school, was soon

1 Graham Jenkin, *Conquest of the Ngarrindjeri*, Adelaide, 1979, chapter 3.

2 John Harris, *One Blood: 200 years of Aboriginal Encounter with Christianity: A Story of Hope*, Sutherland, NSW, 1990, p. 384.

3 *ibid.*, pp. 385-6.

4 *ibid.*, p. 387.

abandoned and it became a general mission receiving Aborigines from the local population, as well as other districts of the colony.⁵

In 1865 Christina Smith, a devote Presbyterian, established an Aborigines Home at Mount Gambier with the assistance of the Bishop of Adelaide. The establishment was aimed particularly at Aboriginal orphans and half-caste children, but the impact of disease led to the closure of the Home in 1867.⁶ In the same period another Smith established a short-lived native school at Lacepede Bay.⁷ The last mission of significance to be established in the colonial period was Hermannsburg. Once again sponsored by the Lutherans, the Hermannsburg mission was established on the Finke River in the Northern Territory in 1877.⁸

The principles which had guided the work of the Dresden predecessors, also actuated the work of this new wave of missionaries. In 1873, George Taplin wrote:

There are now three classes of natives - the old blacks, who hold fast all the customs of the tribes; the natives who have imitated the worst vices of Europeans and become drunkards and gamblers (these have neither religion nor morality, and are utterly lawless); and, lastly, the Christian natives, who are every year increasing in numbers, and are the healthiest of their race.⁹

In this categorisation Taplin distilled the missionary view of the Aborigines. The first task was to overturn what was regarded as the ignorance, if not evil, of the old ways. The second was to protect the Aborigines from the the worst of white society, from those who had 'neither religion nor morality'. The over-riding objective was to produce 'Christian natives' - lawful, moral and healthy.

⁵ P. Brock & D. Kartinyeri, *Poonindie, the Rise and Destruction of an Aboriginal Agricultural Community*, Adelaide, 1889, chapter 3.

⁶ C. Smith, *The Booandik Tribe of South Australian Aborigines*, Adelaide, 1880, pp. 43-46.

⁷ Protector's Office, In Letters, State GRG 52/1/148/1866, 27 August 1866.

⁸ John Harris, *One Blood*, p. 389-91.

⁹ G. Taplin, *The Narrinyeri*, Adelaide, 1873, p. 7.

'Christianity must wage war against these customs'

Taplin's journal of his mission at Point McLeay is a case study of missionary endeavour. One of its dominant themes is his efforts to free the Aborigines from what he regarded as their bondage to a life of meaningless sensuality. Of his attempts to protect a young man from initiation, Taplin wrote:

It is evident that these customs are the primary cause of their remaining savages for these customs cannot co-exist with civilisation. Nothing is powerful to uproot these customs but religion. Except they are uprooted they cannot be civilized and their destruction as a race is certain.¹⁰

Taplin was quite literal in these views. Throughout his journal he insisted that the 'customs' of the Aborigines were the cause of their decline. He argued that 'Christianity must wage war upon these customs'¹¹ and, in a series of propositions, declared:

That while the sole care of the natives is to gratify their bodily appetites and to preserve their bodies, that such a course is destructive to the body and kills it, and they strikingly bear out the Apostolic statement "If ye live after the flesh ye shall die."¹²

In his private journals, his books, and in his official reports, he constantly stressed the injurious and evil consequences of customs such as initiation, licentiousness, the practice of the 'native doctors', wounds from tribal contests and funeral practices.¹³ It was an enslavement so absolute that at its extreme it reduced people to the level of the brute. In his account of the death of a woman, Taplin went so far as to coin a verb form of the word 'brute' to describe the process:

10 G. Taplin, Journal, 4 January 1860, Mortlock Library PRG 186 - 1/3.

11 *ibid.*, 11 February 1860.

12 *ibid.*

13 Taplin, Journal, 4 January 1860, 11 February 1860, 2-6 January 1861, 21-24 October 1863.

Poor Yanguni died last night. Poor thing, I cannot say there was hope in her death. She seemed quite embruted. I find with some of the natives that the flesh seems to have gained the whole mastery until there seems a closing of all faculty of perception of spiritual truths and they become like the beasts and perish.¹⁴

'The heathen', he wrote, 'perish day by day'.¹⁵ In contrast, these same documents contend that the health of the Christian Aborigines was good and their numbers were increasing.¹⁶ At least this was the view he expressed publicly. At one point in his journal he observed that as soon as someone began to cast off his old ways and became 'pious' they often sickened and sometimes died. He put this down to the 'terrible power of the enemy of souls over the body'.¹⁷

Taplin was not merely struggling against ignorance, he was engaged in a battle between good and evil: 'the condition of these natives shews that there is some infernal agency pushing them on to do things which will destroy them. Their practices while they are in accordance with their tastes are of Satanic suggestion'.¹⁸ It was his belief that only Christianity could deliver them from their impending doom.

In his efforts to overthrow their old ways Taplin was in constant dispute with the old men, doing everything in his power to undermine their authority. In 1866 he celebrated a Christian marriage between Charlotte and Lalinyeri, only to initiate a dispute with a man who had traditional claims to Charlotte.¹⁹ Acting Protector E. B. Scott recognised that Taplin's interference had caused the dispute, but Scott's own superiors gave Taplin support.²⁰ On another occasion he wrote triumphantly of the

14 *ibid.*, 18,19, 20 June 1866.

15 *ibid.*, 21-24 October 1863.

16 Taplin, *The Narrinyeri*, p. 7.

17 Taplin, *Journal*, 22 October 1864.

18 *ibid.*, 11 February 1860.

19 *ibid.*, 27 July 1866.

20 GRG 52/1/27.5, 28 January 1867.

young men who, in defiance of their elders, cut their beards and refused to undergo initiation.²¹ Taplin regarded initiation as the 'devil's baptism'.²² As was the case with most missions, the greatest chance of success lay in winning over the youth. The efforts of the elders to maintain their discipline led him to note: 'It is very evident that if the tyrannical power of the old blacks is not checked, our mission is useless. We may as well give up at once, for as soon as young people become Christians the old blacks try to kill them'.²³ Much of the violence that Taplin complained of as characteristic of 'savage life' was certainly the direct consequence of his interference.

Similar struggles were being waged by other missionaries throughout the colony. In 1865 Christina Smith arranged for the Christian burial of a south east woman. The local Crown Lands Ranger and issuer of rations, Larry Egan, perhaps responding to Aboriginal disquiet, wrote to the protector and suggested that it was 'injudicious to interfere with the customs of the Aborigines with regard to the burial of their dead, a ceremony which is performed by them with great care and solemnity'.²⁴ In response Protector Walker agreed that it was wrong to interfere with 'lawful and harmless' customs but it 'is an important step made towards the civilisation and Christianisation of the black when they involuntarily abandon one of their savage customs and superstitious rites'.²⁵

'wicked white people'

A constant complaint of the missionaries was the allegedly pernicious influence of lower class whites on the Aborigines. The group was constantly charged with introducing the Aborigines to the worst vices of civilisation. In the early years of his mission at Point McLeay Taplin struggled continuously with surrounding settlers. In

21 Taplin, Journal, 5-6 January 1866.

22 *ibid.*, 14 March 1877.

23 *ibid.*, 8 January 1867.

24 Crown Lands and Immigration Office, Inward Correspondence, State Records GRG 35/1/3223/65, 28 November 1865.

25 *ibid.*

1864 he claimed that the Aborigines were being told that the mission was bad for them:

I am also sure that some Goolwa people have been doing all they can to injure us in the eyes of the blacks by telling them we are only servants of the government, and were paid to keep the school as we had. May God turn the hearts of our opponents and grant me meekness and forbearance, for I feel that it is a hard thing to be thus injured by my own countrymen. I say with confidence, and God knows it is true, that these natives are perishing through the evil influence of wicked white people standing in the way of their salvation.²⁶

In the record of his mission, Taplin's battle against ungodly whites share prominence with his struggle against the 'old ways'. He complained of Aboriginal women prostituting themselves and their men turning a blind eye to the practice.²⁷ He frequently berated the Aborigines for gambling and often confiscated their 'gambling implements'.²⁸ He defended the solemnity of the Sabbath by making sure that the children handed in their toys on Saturday evenings so they would not be tempted by the evil of amusing themselves on the Lord's Day.²⁹ He frequently complained of improper and blasphemous language. In June 1877 he noted in his journal:

When Charlie Peake died in the early hours of the morning, he had the effrontery to mutter "Oh! Oh! Oh! God damn it." Some of the school boys heard this too. It is awful. There was no moral sense in the man.³⁰

Matthew Hale at Poonindie made a point of weeding out inmates who, because of their association 'with white men of a low class', were a cause of trouble at the mission.³¹ During the 1880s the northern missionaries, especially those at Finke

26 Taplin, Journal, 2 June 1864.

27 Taplin, Journal, 8 April 1859, 17 February 1867.

28 *ibid.*, 17-18 November 1862, 23 September 1864, 29 October 1867.

29 Taplin, *The Narrinyeri*, pp. 56-60.

30 Taplin, Journal, 16 June 1877.

31 M. Hale, *The Aborigines of Australia being an account of the institution for their education at Poonindie, in South Australia*, London, n.d., p. 23.

River, complained that their inmates were being tempted away from the mission, and that the women were being prostituted by men from surrounding stations.³²

The problems of 'wicked white people' - like the influence of 'savage customs' - involved the question of control. This was why attempts were made to establish missions in isolated locations. Matthew Hale, explaining why the Training Institution was originally located on Boston island, wrote 'our object in choosing the locality was principally seclusion - that we might be cut off from the society of blacks living in their wild state, and protected from the unwelcome intrusions of evil-minded persons amongst the whites.'³³ A similar motive led the German Lutherans to establish their mission in central Australia in the 1860s and 1870s.³⁴ Seclusion was not always possible: both Point McLeay and Point Pearce Missions were established in the settled districts in response to contemporary social needs. Yet even in these cases the reserves upon which they were set were buffers against the surrounding community.

The missionaries had limited means to maintain their control of the Aborigines. The existence of missionary reserves and growing community attachment to them made expulsion a meaningful threat.³⁵ Similarly a growing reliance on mission rations meant that the threat of their withdrawal could have a useful punitive effect.³⁶ Physical restraint and punishment were sometimes resorted to. It was the cause of some controversy and embarrassment when the missionaries on Finke River, who constantly charged the men on surrounding stations with abusing the Aborigines, had the charges levelled at themselves.³⁷ Mount Constable Willshire believed one

32 GRG 52/1/330/1866, 15 October 1886.

33 Hale, *The Aborigines of Australia*, p. 15.

34 Harris, *One Blood*, pp. 382, 384, 389.

35 *ibid.*, pp. 23-24.

36 GRG 52/1/1867/33.

37 *South Australian Register*, 10 January, 2 April, 6 May, 26 May, 30 May 1890.

reason why the Aborigines, both men and women, ran away from the mission was the treatment they received:

I am sorry to see the blacks running away from the missionaries. They tell me that they are so badly treated that they won't stop there. I have seen a lubra chained to a heavy log in the hot sun at the Mission Station. Kemp and Schulz stood there with me, and asked me to tell the lubras not to go away again, which I did. George King, the mailman, has seen four or five at once with heavy chains on both neck and ankles at the mission station. He has also seen the missionaries in the black's camp threatening them with firearms and breaking all their spears up. . . . if a boy or girl go away, they ride after them with long whips and revolvers up and down the Finke. I have seen this myself.³⁸

The government responded by appointing a small commission to go to the area and investigate the claims. Their report to parliament found very little in the charges brought against the pastoralists, besides some evidence of immorality, but it did find support for the claims brought against the missionaries:

there is evidence that on one or two occasions they adopted measures showing a lack of judgment on their part, chains being used to detain certain of the native prisoners on the station, and thrashing was resorted to as a punishment . . .³⁹

The missionaries were excused on the grounds that their actions were 'prompted by the kindest motives'.⁴⁰

By the 1880s, much of the correspondence passing between the various superintendents of Point McLeay Mission and the protector in Adelaide concerned control. The missionaries constantly complained of their people coming to Adelaide where they got alcohol and engaged in begging and whoring.⁴¹ They struggled to

38 *ibid.*, 6 May 1890.

39 *ibid.*, 24 September 1890.

40 *ibid.*

41 GRG 52/1/1890/242; GRG 52/1/1891/284; GRG 52/1/1894/362.

maintain control over the children, whose mothers were taking them out of the school without permission.⁴²

To justify their paternalism it became increasingly common for the missionaries to depict Aborigines as lacking self control, easily led by the ill-intentioned, and incapable of looking after their own affairs - much like children. The representation of Aborigines as children was more than a metaphor. Hale, in arguing that the Aborigines were able to 'receive the Truths of Christianity', underlined his point by insisting that they did so 'with that mind most dear to our blessed Lord - the mind of the little child, with its meekness and docility and truthfulness.'⁴³ In the mid 1880s the missionaries at Finke River wrote to the government asking if there was anything they could do to prevent white men taking their inmates from the mission 'because the natives, being like children, don't know their best'.⁴⁴ On another occasion they sought to justify their flogging of the Aborigines by comparing it to a parent who found it necessary to keep a child 'under the rod'. 'Heathen Aborigines', they observed, were merely 'children in understanding'.⁴⁵ This was the common language that missionary groups, such as the Aborigines Friends Association and the northern missionaries, used to support their argument that legislation should be introduced to give them greater control over their charges.

The Missionary Ideal

Unlike the efforts at Christianisation and civilisation undertaken in the early years of settlement, the work of this second phase was more enduring and provides a clearer insight into missionary aspirations. The missionary ideal is particularly evident in Hale's account of the Native Training Institution at Poonindie. The grand plan was for the settlement to become:

⁴² GRG 52/1/1888/29; 52/1/1889/283; GRG 52/1/1890/262.

⁴³ Hale, *The Aborigines of Australia*, pp. 28, 67.

⁴⁴ GRG 52/1/330/1866, 15 October 1886.

⁴⁵ Quoted in Harris, *One Blood*, p. 395.

a Christian village of South Australian natives, reclaimed from barbarism, trained to the duties of social Christian life and walking in the fear of God, through knowledge and faith in the love of Christ Their Saviour; and the Power of His Spirit.⁴⁶

A description of the settlement in the 1870s implied that these ideals had been met:

What a curious village! No public-house and no gaol or police-barracks! Here in this arcadia the little community, men, women, and children morning and evening, meet in church for prayer and praise. None of its members ever go to law; no drunkenness or crime is here found, and should any little dispute arise it is settled among themselves in a Christian manner . . . Everyone looked fat, happy and clean. One of the laws is that everyone should have a hot bath every Saturday evening, and a cold one as often as he or she likes . . . Every morning the men proceed to their rural avocations - some reaping, some shepherding, some building. Meantime the wives are washing and cooking, and the children learning and playing, and on the Sabbath they listen in their beloved church to their pastor, and chant their *glorias* and anthems and sing hymns in a beautiful manner. Now, who are those people living in such an orderly and exemplary manner? The despised aborigines of South Australia.⁴⁷

This was not merely the projection of an ideal Aboriginal community, but of an ideal Christian community. Throughout his account of the settlement Hale illustrated how the 'habits of civilised life' were being successfully inculcated. We are shown how the small log huts are kept clean and tidy; how the people are clean and neatly dressed; and how they are provident with money, temperate in their behaviour and loving in their relationships⁴⁸ (see also Plate 15). A visitor to the institution in 1856 noted that the inmates were 'conscious of the self-respect which man owes to himself as a rational being', describing them as:

well-clothed (by means of their own earnings), quiet, orderly, deferential yet not servile, supplying the place of my own countrymen (without their vices) in shearing, the plough, with the sickle, as

46 Quoted in Brock & Kartinyeri, *Poonindie*, p. 11.

47 Hale, *The Aborigines of Australia*, p. 91.

48 *ibid.*, pp. 22, 28, 54.

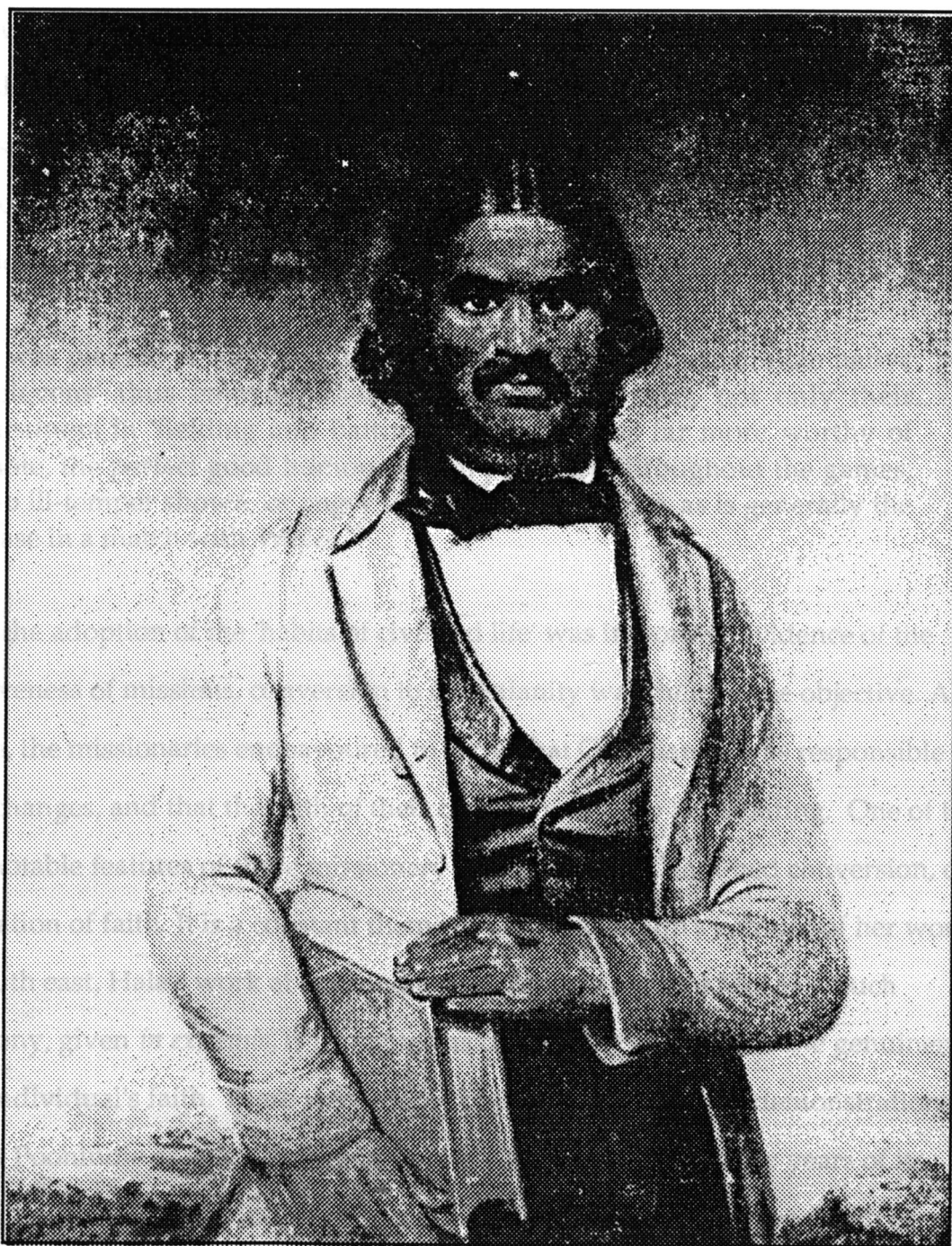


Plate 15. Portrait of Samuel Kandwillan, a Poonindie resident, J. M. Crossland, 1850s.

shepherds, standing out in strong relief from the wild tribes around them, I then felt that the objection was for ever silenced that the Aboriginal is not to be reclaimed.⁴⁹

On a number of occasions the game of cricket was used as a metaphor of the civilised English values that missionaries were attempting to instil (Plate 16). In 1853 Bishop Augustus Short described one of his visits to Poonindie in a letter to the Society for the Propagation of the Bible. As evidence of 'their progress in civilization' he included a description of a holiday cricket match:

I was pleased at watching, with the Archdeacon, two Australian native 'elevens' thus enjoying themselves, and remarked, not only their neatness in 'fielding and batting,' but, what was far more worthy of note, the perfect good humour which prevailed throughout the games; no ill-temper shown, or angry appeals to the umpire, as is generally the case in a match with *Whites*.⁵⁰

While the adoption of the 'habits of civilised life' was important evidence of the effectiveness of missions, conversion to Christianity was their prime objective. Above all else, the missionaries endeavoured to show that Christianity was responsible for these changes, and that the faith of their charges was deep and abiding. One of the most notable features of these missionary accounts is the death-bed conversion, or re-affirmation of faith. It is a constant theme of Christina Smith's account of her work in the south east, Hale's work at Poonindie, and Taplin's at Point McLeay. Such testimony, given *in extremis*, is presented as undeniable evidence of the genuineness of an individual's faith. There were ample opportunities for such demonstrations of faith at Poonindie as mortality was extremely high during the early years of its operation. Hale was able to use the circumstances to demonstrate the depth of Christian feeling within the community:

The test which has been applied to the religious principles of our little community has been of the most severe and searching description in the

49 *ibid.*, pp. 85-86.

50 *ibid.*, p. 56.

great prevalence of sickness and death. And the faith in Christ of these poor children of the desert has been proved to be of no false or hollow character. In the minds of the dying it shone more brightly and clearly as death approached. In the minds of the living it has remained firm and steadfast whilst the hand of death has been busy amongst their companions.⁵¹

The most extreme expression of this attitude was the common missionary view that it was better to live a short Christian life and be prepared for the next world, than to live a long and Godless existence.⁵² Christina Smith's account of the Booandik is principally taken up with 'Memoirs', short biographical sketches of her Aboriginal converts, and their uplifting deaths. Recalling her unpleasant task of reporting the sickness and death that came upon her Home in the second half of 1867, Smith remarked:

But while the details of the report were in one respect gloomy, in another they were encouraging; as, since the opening of the Home, eight black people had passed away, whom I had reasonable hope God accepted into his happiness as believers [in] His Son Jesus Christ.⁵³

Unable to measure her success by the physical well-being of her charges, Smith found consolation in their preparedness for the afterlife.

'One brotherhood of blood'

To Christian missionaries it was axiomatic that God created man in his own image, and that included the 'savage' peoples of the world, such as the Australian Aborigines. While it may not have been a view that presumed their innate equality with other races, it came quite near to doing so. In 1872 Bishop Short used his favourite cricketing metaphor to make a point about the 'identity of the manhood in

51 *ibid.*, p. 71.

52 *ibid.*, pp. 71, 72, 92.

53 Smith, *The Booandik*, p. 46.

the white and black-skinned races'.⁵⁴ Before a match with St. Peter's College, the Bishop compared the hopes and expectations of the Poonindie cricketers with that of Etonians and Harrovians, observing:

that the Anglican aristocracy of England and the 'noble savage' who ran wild in the Australian woods are linked together in one brotherhood of blood - moved by the same passions, desires, and affections.⁵⁵

As much as the missionaries were obliged to regard Aboriginal culture as 'degraded' and 'brutish', they were equally obliged to regard Aborigines as capable of rising above that state. To do otherwise would render their calling a charade. Christina Smith was expressing a common missionary perspective when she challenged the view that the Aborigines were 'too low, intellectually and morally, to be either Christianised or civilised', adding:

True it is, they do not possess the mental strength and grasp of the average European, but they are capable of a high degree of culture; and their moral and religious nature is not too dead to be revived by the warmth and elevating power of the religion of Jesus.⁵⁶

In an atmosphere of social apathy, buttressed by presumptions that the Aborigines were a dying race, missionaries sought to project a positive view of the Aborigines. The writings of Taplin, Hale, Short and Smith all endeavoured to persuade a sceptical community that the Aborigines were capable of social improvement and genuine Christian faith.⁵⁷ Articles under such titles as 'A Trip to Point McLeay' and 'A Visit to Poonindie' regularly appeared in the newspapers as testimony to the

54 Hale, *The Aborigines of Australia*, p. 100.

55 *ibid.*

56 Smith, *The Booandik*, p. 33.

57 The most notable publications were M. Hale, *The Aborigines of Australia being an account of the institution for their education at Poonindie, in South Australia*, London, n.d.; A. Short, *The Poonindie mission described in a letter from Lord Bishop of Adelaide to Society for the propagation of the gospel*, London, 1853; A. Short, *A visit to Poonindie and some accounts of that mission to the Aborigines of South Australia*, Adelaide, 1872; C. Smith, *The Booandik tribe of South Australian Aborigines*, Adelaide, 1880; G. Taplin, *The Narrinyeri*, Adelaide, 1873.

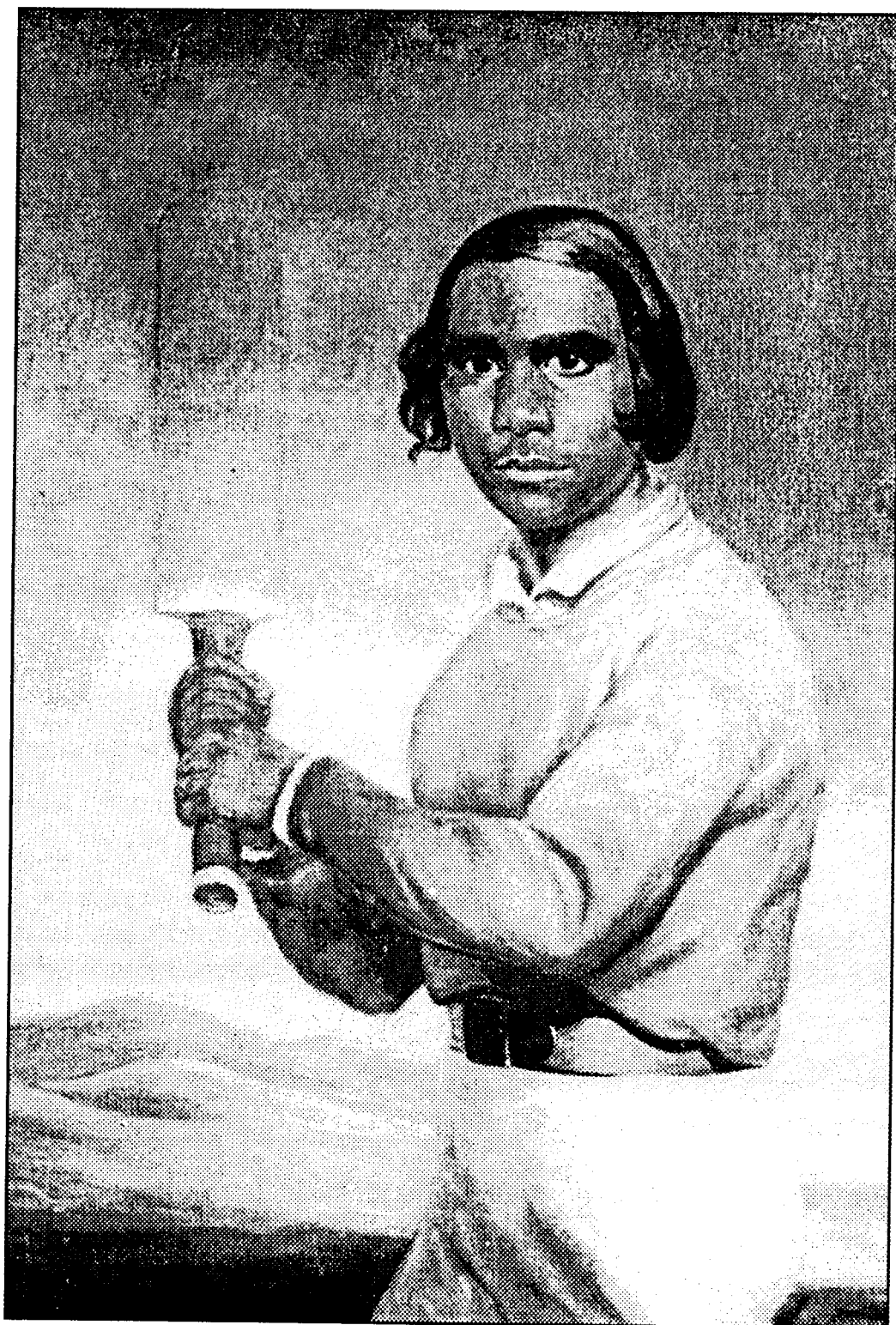


Plate 16. Portrait of Nannultera, a Poonindie resident, J. M. Crossland, 1850s.

progress of the institutions and their residents.⁵⁸ On a number of occasions during the 1880s Aborigines from Point McLeay and Point Pearce were brought to Adelaide to take part in public performances in which their progress was demonstrated. In 1887, for instance, seventy-seven Aborigines from Point Macleay and Point Pearce, under the control of the mission superintendents, Messrs. Taplin and Sutton, were brought to Adelaide to perform in the Exhibition Hall. A wurley was erected on a platform in the hall:

Rush mats and bags, made by the natives, and spears, boomerangs, waddies, swords and shields, and other weapons were distributed over the platform, to make the scene as natural as possible.⁵⁹

The performance began with three 'lubras' seating themselves in the wurley and proceeding to weave a mat with rushes. An old man came onto the stage and began to make a fire with two sticks. Next, six men 'tattooed and in their native costume' appeared 'in a tableau illustrating "Savage Life" with Aboriginal singing'.⁶⁰ The second part of the performance illustrated 'Civilised Life', commencing with a choir of Aboriginal children singing 'Jesus loves me'. According to the correspondent:

The youngsters were very neatly dressed. All the boys wore white trousers, and their neat appearance dispelled any doubts there might have been as to their cleanliness.⁶¹

After the children's choir completed its songs, a number of solo and duet performances were given, including a recitation of 'The British Flag'. The correspondent approved of the performance but was still moved to observe, as if astutely spotting certain racial traits, that 'they are unable to sing as loudly as their

58 For instance, 'A Holiday Visit to Point McLeay', in the *Young Men's Magazine*, Vol. 2, January 1874, p. 5; 'The Aborigines Station at Point McLeay', *South Australian Register*, 20 March 1879; 'A Visit to Point McLeay', *Adelaide Observer*, 11 April 1896; 'A Trip to Hermannsburg', *Adelaide Observer*, 24 August 1901.

59 *Adelaide Observer*, 10 September 1887.

60 *ibid.*

61 *ibid.*

white brethren, or to blend their voices so harmoniously, but they are entertaining in their way'.⁶² After the National Anthem the Aborigines moved to the esplanade where a sham fight was performed, and the entertainment was concluded with 'God Save the Queen.' As if with a sense of relief, the correspondent noted that throughout 'the utmost good humour prevailed, and nothing objectionable or obscene occurred.'⁶³

While these performances may have involved 're-enactments' of 'savage life', from the missionaries' point of view they were illustrations of how far their charges had come under the guiding hand of Christianity. The correspondent reporting the Exhibition performance in 1887 wrote:

It should be mentioned that these natives themselves object to corroborees. Having been brought under the influence of civilization they feel that it is degrading to resort to their old bush life, and on the mission stations coroborrees are entirely discouraged on account of their immoral tendencies.⁶⁴

A correspondent reporting on a similar performance on Adelaide Oval in 1885 complimented the Aborigines on their demeanour and the quality of their English, commenting on how far the Aborigines Friends Association had reclaimed them from their 'wild ways'.⁶⁵

In discussing the constructions of Aboriginality generated by missionaries, it is necessary to consider the extent of missionary influence. In an address to the annual meeting of the Aborigines Friends Association in 1883, the Bishop of Adelaide is reported to have observed:

62 *ibid.*

63 *ibid.*

64 *ibid.*

65 *ibid.*, 6 June 1885.

He believed there were from 6,000 to 7,000 natives in the colony. This association carried out work at Point McLeay, and besides there were mission stations at Point Pierce and Poonindie, while the Lutherans had a station in the North, in the whole of which there were possibly 600 natives being cared for out of the total.⁶⁶

In other words, less than ten percent of the estimated Aboriginal population of the province was being 'cared for' on missions. The majority of Aboriginal people in colonial South Australia had little or no experience of missionary life. But despite their slight direct influence on Aborigines in colonial South Australia, the influence of missionaries on public perception, through their publications and the work of supporting societies such as the Aborigines Friends Association, was considerable. Just as importantly, much of our contemporary understanding of Aboriginal society and race relations comes to us through a dense filter of missionary perceptions.

ABORIGINES IN THE RURAL ECONOMY

'exceedingly useful'

From the earliest days of the colony settlers employed Aborigines in odd jobs such as hewing wood and drawing water (Plate 17), but demand for their services was intermittent and pay was irregular. In Adelaide during the 1830s and 1840s government and missionary agencies endeavoured to train Aborigines in agriculture, and put young men into apprenticeships and girls into domestic service.⁶⁷ These efforts invariably failed not, as some contemporary authorities suggested, because the Aborigines were unwilling or incapable of work, but because they were being placed in an unnatural environment, away from family and friends - from the social and intellectual bonds that made life meaningful to them. Regarded

⁶⁶ *South Australian Register*, 24 November 1883.

⁶⁷ R. K. G. Foster, 'The Aborigines Location in Adelaide: South Australia's first "mission" to the Aborigines', *Journal of the Anthropological Society of South Australia*, vol. 28, no. 1, 1990, pp. 14 & 27.

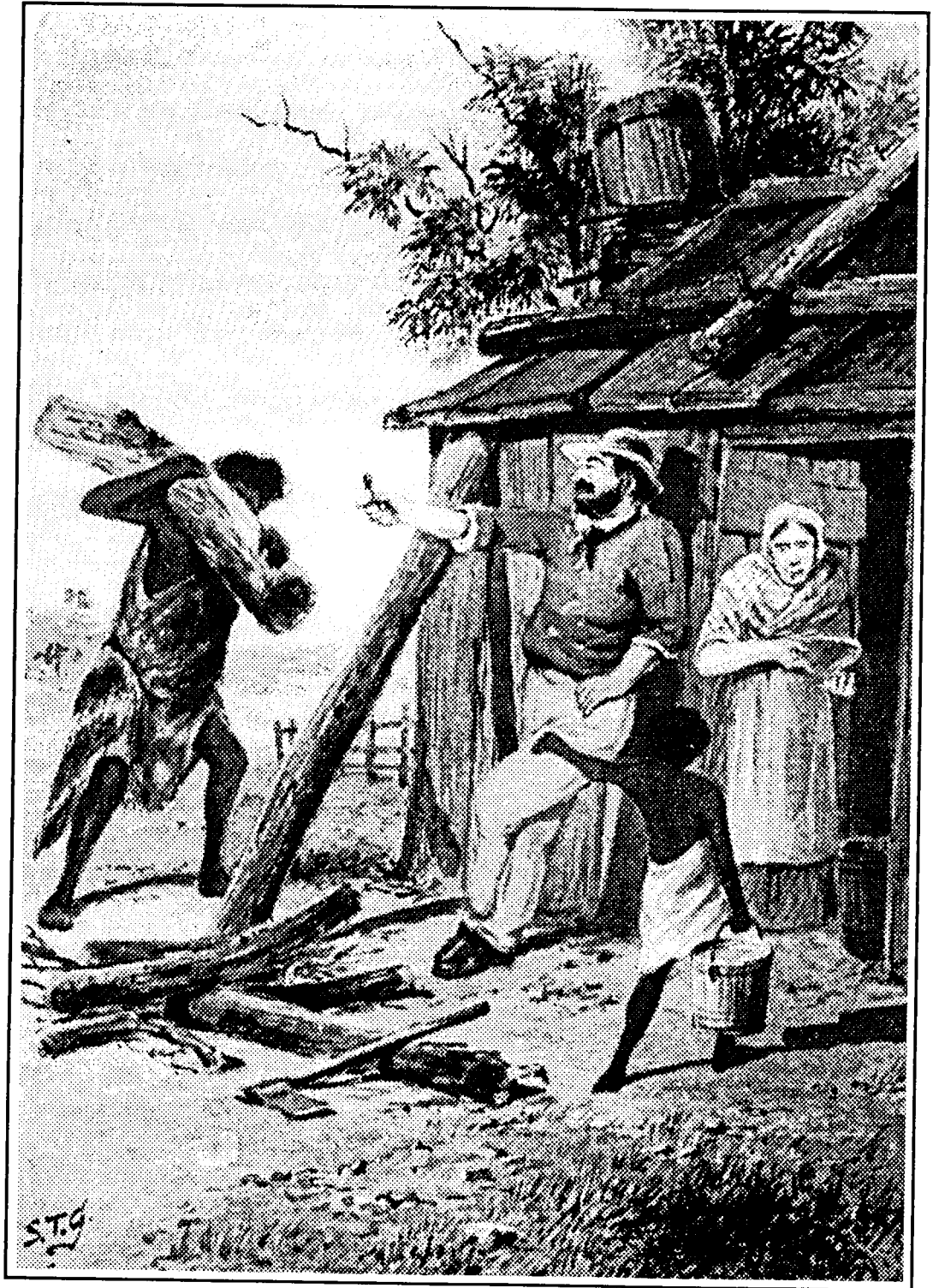


Plate 17. The Colonised, S. T. Gill, n. d.

as intruders in the towns, and moral patients on missions, the only section of colonial society in which they 'had a place' was rural society.

The first genuine demand for Aboriginal labour arose during the Victorian gold rushes of the 1850s. The dramatic exodus of people to the gold fields saw settlers, who only a few years before had been driving Aborigines off their properties, now encouraging them to work with generous offers of rations. A concerned government sought to accelerate the process by confining the distribution of rations to the sick and infirm, thereby hoping to force the able-bodied to work for the settlers.⁶⁸ For a brief period the protector and police even made efforts to round up Aboriginal men and women and direct them to stations where labour was required.⁶⁹ Protector's reports throughout the 1850s frequently noted the importance of Aboriginal labour. Of the northern districts in 1854, Sub-Protector H. Minchin wrote:

it is well known to the whites, that such blacks as are employed, and receive sufficient food and clothing, are not only invaluable for their services, but indispensable at present: the work on many stations being chiefly carried on by natives, and to a great extent among the sheep farmers.⁷⁰

For a period during the 1850s it was reported that most of the shepherding in the south east of the colony was being done by Aborigines.⁷¹

As the disruption caused by the gold rushes began to subside and white labourers resumed their places, the demand for Aboriginal labour declined. Yet a beach-head of sorts had been made; in the southern settled districts at least, Aborigines now

⁶⁸ The impact of gold-rush is discussed in R. K. G. Foster, 'Feasts of the full-moon: the distribution of rations to Aborigines in South Australia 1836-1861', *Aboriginal History*, vol. 13, part 1, 1989, p. 71.

⁶⁹ Protector's Report, 13 July 1853, *South Australian Government Gazette*, 28 July 1853, p. 499.

⁷⁰ Protector's Report, 19 August 1854, *South Australian Government Gazette*, 24 August 1854, p. 619.

⁷¹ Protector's Report, 8 February 1854, *South Australian Government Gazette*, 23 February 1854, p. 150.

constituted a pool of seasonal labour which the settlers could draw upon during shearing and harvesting.

Aboriginal labour proved to be of most value in the northern and western districts of the colony and in central Australia. These harsh and isolated environments, slowly settled and sparsely occupied, encouraged a more enduring interdependence between black and white than was the case in the more closely settled regions of the colony. Aboriginal populations were not swamped by weight of numbers, and the 'openness' of the country gave them somewhat more room to manoeuvre in the face of European occupation. From the settlers' point of view - once the violence of the frontier period had subsided - Aboriginal labour proved attractive in country that did not readily attract European pastoral workers and where economic viability was marginal.

In 1892 the sub-protector of Aborigines in the north underlined the importance of Aboriginal labour:

Nearly all the cattle and sheep stations in distant parts employ from one to a dozen natives, in fact some stations are worked almost entirely by them, and they are found exceedingly useful.⁷²

Many witnesses before the 1899 Select Committee inquiry into the proposed Aborigines Bill stressed the value of Aboriginal labour. Christopher Wade, a sheep farmer of Strangways Springs, suggested that the pastoral industry in the 'outside districts' would have to be abandoned if the Aborigines 'died out' - unless 'coloured immigration' was introduced.⁷³ A decade later Kidman noted that he employed

⁷² *Adelaide Observer*, 16 April 1892.

⁷³ *South Australian Parliamentary Papers*, Minutes of Evidence on the Aborigines Bill, 1899, 2, No. 77, p. 16.

many Aborigines on his stations in central Australia and that without their services 'lots of stations in the interior could not be carried on.'⁷⁴

The principal employment of Aboriginal men was as stockmen, although they were usually described as assistants to white stockmen - 'black boys' in the language of the day. The small core of Aboriginal stockmen were usually joined by their countrymen who camped on the station. Alfred Giles described the usual arrangement:

All stations employed a number of blackboys, varying perhaps from three to a dozen, and there are few of such stations where a small tribe of the unemployed are not permitted to encamp - these mostly consisting of the wives and relatives of the employed boys. The numbers of these unemployed vary considerably. Today there may be a dozen, to-morrow fifty or one hundred.⁷⁵

It was more than just a relationship between employer and employee: the pastoral runs were like feudal estates in which the boss or manager constituted a sort of lord, his white employees liegemen, Aboriginal workers 'bondsmen', and their families serfs. In 1882, for instance, a critic of race relations in Queensland observed that boys were taken from their tribe and treated like 'bondsmen' of the men who employed them.⁷⁶

These relationships between whites and local Aboriginal communities on 'outside runs' often occurred in spite of the attitude of the station managers or owners who saw themselves cast in the role of unwilling philanthropists. In 1865 W. P. Lynch wrote to the *South Australian Register*, describing the relationship between Aborigines and pastoralists in the far north. Responding to claims that settlers ill-treated Aborigines, he asserted that he and other pastoralists, especially in times of drought, found themselves forced to support Aboriginal communities. For this support they

⁷⁴ *Adelaide Observer*, 5 March 1910.

⁷⁵ *South Australian Register*, 20 December 1899.

⁷⁶ *ibid.*, 1 September 1882.

expected work from only a few, but, according to Lynch, they usually found the whole lot clearing out when their services were really required.⁷⁷ The tone of the letter is that the settlers were the ones being 'put upon', that they enjoyed little government support, and that it was not surprising that Aborigines were sometimes 'chastised' for their ungrateful behaviour.

In the more forgiving climate of the south, with its larger pool of white labour, settlers could forgo Aboriginal services and skills, but this was not the case in the 'outside districts'. Despite the early unwillingness of some, relationships between Aboriginal communities and pastoral stations became the rule, largely because the relationship offered Europeans services and expertise not easily acquired otherwise.

'a mutual dependence'

While Aborigines may have provided the settlers in marginal pastoral districts with a ready source of cheap labour, their significance was more than this. The harsh nature of the country made their traditional knowledge of the land a valuable asset. Many settlers, for instance, used Aboriginal information about the country as a way of determining where to settle or where to establish out-stations.⁷⁸ J. F. Hayward, a pastoralist in the Flinders Ranges during the 1850s and 1860s, noted that he was fond of exploring and he always questioned Aborigines 'as to springs and waters in all directions, and the distances to them and position'.⁷⁹

The more general bush skills of the Aborigines were also important. While pastoralists were quick to learn the location of major water sources, with or without Aboriginal help, knowledge of ephemeral sources such as rock holes, or succulent

⁷⁷ *ibid.*, 7 September 1865.

⁷⁸ J. B. Bull, Diary kept while exploring for pasture country north of Streaky Bay, entries for May 1864, Mortlock Library PRG 507/1; T. E. Cook, Diary of expedition of 1857 to explore country north west of Gawler Range under the leadership of Mr S. Hack, Mortlock Library D. 7003 (L).

⁷⁹ J. F. Hayward, 'Reminiscences of Johnson Frederick Hayward', *Royal Geographical Society of Australasia, South Australian Branch, Proceedings*, vol. 29, 1929, p. 111.

plants, was of great value to bush workers. Knowledge of Aboriginal plant foods, while insignificant in the day to day diet of bushmen, became more significant in times of hardship or during extended trips away from the station homestead. In his reminiscences Hayward was mainly concerned to document his thrilling 'campaigns against the niggers', a preoccupation that obscures his observations on the value of Aborigines and Aboriginal knowledge to his life in the bush. He praised the 'Yakka' plant, which he described as one of the few 'blackfellows' vegetables that he enjoyed and often ate. Importantly, while he makes the point that he did not eat many native foods, knowledge of them was useful when 'on the track'.⁸⁰

Writing of his life as a shepherd on Cooper's Creek in the late 1870s, a bushman made the point that he got Aboriginal women to provide him with native foods to supplement what he described as his 'sometimes precarious rations'.⁸¹ Twenty years later the explorer W. H. Hardy, writing of the north west of the colony, noted that once their 'character' was taken into account, the Aborigines could be very useful: 'Nearly every white has his lubra, who will toil all day wood and water carrying, washing clothes, etc. . . .'⁸²

It was perhaps their skill as trackers that made Aborigines of most value to pastoralists, as it was the skill most directly relevant to their occupation. Hardy wrote:

These denizens of the bush are unequalled as horse hunters, as the natives of these parts are undoubtedly the best trackers in the world. No matter where you go, or what you do, they will find you out.⁸³

80 *ibid.*, p. 107-108.

81 *Adelaide Observer*, 30 March 1878.

82 *South Australian Register*, 9 July 1898.

83 *ibid.*

One of the principal tasks of the Aboriginal stockmen was to track down sheep and cattle, or to collect the horses, and numerous accounts of bush life praised the skills of these men at such tasks. Hayward recalled:

Some of the black boys were quick in learning English and riding after stock, and the men were capital trackers of not only horses and bullocks and sheep, but of their own people. I had to keep one on the station for this purpose, and very useful I found him . . . ⁸⁴

Regarding their usefulness in tracking cattle thieves, Hayward noted that it was not until he got himself a 'smart blackfellow' that his 'campaigns against the niggers' became successful.⁸⁵

Aboriginal women in the frontier districts were also important in satisfying the social and sexual needs of the predominantly male population. The extent to which such relationships were coercive or voluntary was never entirely clear. Missionary observers and their supporters always portrayed them as exploitative, while the bushmen themselves, when it was discussed at all, asserted that they were freely entered into.⁸⁶ There is no question that Europeans established their dominance by force and that the ever-present threat of violence must have been a factor in Aboriginal women submitting to the advances of white men, and Aboriginal men acceding to it. Yet there is no reason to doubt white claims that Aboriginal men also offered their women in return for what were to them exotic European foods and luxuries. Forms of sexual exchange in fulfilment of social or ceremonial obligations commonly occurred in Aboriginal society.⁸⁷ Aboriginal objections arose when Europeans failed to understand or ignored the transient nature of the relationship, or when they failed to fulfil their obligations. Europeans often claimed that relations

⁸⁴ Hayward, 'Reminiscences', pp. 98-98.

⁸⁵ *ibid.*, p. 90.

⁸⁶ For the coercive explanation see, for example, *South Australian Register*, 10 November 1882; 8 November, 1890; *Adelaide Observer*, 6 December 1890. For non-coercive explanations, see, *Adelaide Observer*, 30 September 1899; 6 December, 1890; 1 August, 1891.

⁸⁷ A. McGrath, 'Born in the Cattle', Sydney 1897, p. 74.

were not only entered into freely but that Aboriginal women came to prefer European men.⁸⁸ The reasons for this, according to one journalist, were summed up in the words of a woman who told him: 'Me likeum whitefellow; him no knock about; him gib it plenty tucker'.⁸⁹ The significance of these relationships is that they forged social bonds that contributed to a temporary degree of racial interdependence.

The degree of interdependence is perhaps better illustrated by the attitudes and behaviour of whites toward the Aboriginal communities with whom they were in contact. Writing of complaints about the treatment of Aborigines, Ben Rogers provided some telling insights into the relationship between Aborigines and whites on stations in the far north:

There are blacks on all the stations north of the Hergott, and they are treated far better than most of the whites by the Managers of stations; their work is light, chiefly fetching horses in the morning or some other light work. They are fed well, dressed well, and have plenty of time on their hands, so that they are a very lively people, and spend a great part of their time dancing and singing. You will see none of this at the mission station; quite the reverse, sulky miserable wretches, no life in them whatsoever, in fact they are nothing else but slaves, and the sooner this is altered the better it will be for blacks and whites. I am certain if the missionaries had not have interfered with the rites of the blacks they would have been far more peaceably inclined. There are no complaints made about the blacks except by the stations adjoining the Mission Station, and the mission blacks are by far the worst up here.⁹⁰

Other pastoralists and bushman displayed an awareness of the importance of the social and ceremonial aspects of Aboriginal life.⁹¹ In the 1890s, when allegations of ill-treatment were being levelled at pastoralists in outlying districts and moves towards increased segregation and regulation were being mooted, some pastoralists found themselves arguing the Aboriginal case. In 1901 Warburton criticised the idea

88 *Adelaide Observer*, 6 December 1890.

89 *ibid.*, 1 August 1891.

90 *South Australian Register*, 2 April 1890.

91 *ibid.*, 26 May 1890.

that Aborigines be moved onto a 'Grand Mission', suggesting that it arose from interfering missionaries and ignorant southerners. He claimed that the Aborigines did not want to be moved from their own country and forced to live with tribes they did not like. To underline his point he explained how an Aboriginal man had shown him a sacred site and told him not to tell the 'lubras'. Through this action he had been shown how important the relationship between the Aboriginal community and its country was, and some of the reasons why.⁹²

Pastoralists also came to accept the annual departure of Aborigines. They may not have liked it but they understood why it happened, and for the sake of maintaining their relationship they accommodated it. A central Australian settler explained it in this way:

The aboriginal must be free to come and go as he pleases. It will not matter to him how many papers are signed - when the spirit moves him he will take his departure, either to attend some ceremony or to have a spell in his own fashion.⁹³

Another pastoralist, underlining the importance of freedom to the Aborigines, claimed that all but a few 'fairly civilised' Aborigines 'go away on a holiday during the summer months, when they occupy their time as of old in hunting, fishing, corroboreeing, and sleeping', but returned when the cooler weather set in.⁹⁴

By the last quarter of the nineteenth century Aborigines and pastoralists had become, in the words of John Egerton-Warburton, 'mutually dependent on one another.'⁹⁵

While the Aborigines had lost a tremendous amount, they were at least able to remain in their own country, support themselves and their community, and maintain their ceremonial and social life. This seems to have come about largely because they

92 *Adelaide Observer*, 21 December 1901.

93 *ibid.*, 2 December 1899.

94 Minutes of Evidence on the Aborigines Bill, 1899, p. 48.

95 *Adelaide Observer*, 30 September 1899.

were important to the pastoral industry: they were a source of cheap labour, they had desirable abilities, and they were a source of social and sexual comfort to the predominantly male population. Such was rarely the case for long in the more rapidly and closely settled districts of the south. None of this is meant to imply that the relationship was equal, that the Aborigines were treated fairly, and that claims of abuse were unfounded. The simple but crucial point is that the Aborigines were incorporated into the frontier communities and that this was the only section of colonial society where such incorporation occurred.

'the nature of the blacks'

While engaged in the often dangerous task of establishing their runs and their dominance over the owners of the land, settlers' attitudes were initially conditioned by fear and violence. However, as the frontier settled down and relationships with local Aboriginal communities developed, the attitude that they should be 'driven off' and 'kept at a distance' gave way to the notion of 'keeping them in their place'. In this context, most attitudes towards the Aborigines concerned control: rationalising the unequal power relationship that existed, and justifying the way in which Aborigines were treated. The most commonly discussed aspects of the 'Aboriginal character' were alleged treachery, ingratitude, unreliability and laziness - characteristics crucial to the folklore regarding 'how to treat the blacks'.

During the 1860s and 1870s Samuel Gason was a mounted constable in the far north east of the colony, witnessing the violence of the frontier years as well as its 'settling down'. In the mid 1870s, encouraged by the re-emerging interest in Aboriginal culture, he produced a small pamphlet describing the Aboriginal tribes of his district. His introduction included a brief account of the character of the people:

A more treacherous race I do not believe exists. They imbibe treachery in infancy, and practice it until death, and have no sense of wrong in it. Kindness they construe into fear; and, had it not been for the

determination and firmness of the early settlers, they would never have been allowed to occupy the country.⁹⁶

It was believed that displays of friendship on the part of the Aborigines could not be trusted, and that it was not prudent to show kindness as it would in all likelihood be repaid with ingratitude, if not violence. In 1861 a correspondent to the *South Australian Register* underlined this point in his comments on the murder of the shepherd Jones:

Residents near the spot know that the deceased Jones always bore a character for remarkable forbearance with the natives; on previous occasions he had manifested singular gentleness and yet presence of mind in preventing the blacks from destroying the property of his master. This inoffensive man became a victim; and, not face to face with a remorseless foe whom he had enraged and excited to deeds of violence - but speared in the back, without having given any provocation, was treacherously killed.⁹⁷

In 1890 a correspondent described the murder of a European in the far north of the colony in the following manner:

It is not the man who knocks blacks about that suffers from their outrages; it is the unfortunate harmless being, who, relying on his kindness to the cowardly wretches, is not on his guard, and so gives them a chance, and thus meets his death; and what a death! generally to be crippled during sleep, and then tortured to death.⁹⁸

The theme of the defenceless bushman and the treacherous Aboriginal assassin were combined in a poem entitled *The Death-Blow, a Tale of Darkness*, written by the northern pastoralist Robert Bruce:

Oh! ye who dwell in busy towns, where Law, with iron hand,
Guards well your lives and properties, - ye cannot understand

96 S. Gason, *The Dieyerie Tribe of Australian Aborigines; their Manners and Customs*, Adelaide, 1874, p. 11.

97 *South Australian Register*, 24 May 1861.

98 *Advertiser*, 20 February 1890.

The Hardship which a bushman bears, or perils round him spread,
When, in the howling wilderness, he lays his weary head.
So, readers pay attention now, while to you I relate
How one misguided wanderer went blindly to his fate.

The night is dark and overcast, and chilly in the air,
When, by a giant gumtree's foot, is seen a flame's bright glare;
And there, beside it, in his rug, a weary bushman sleeps,
While, with an uprais'd club, a naked savage creeps
Toward the solitary man, with stealthy step and slow,
As with keen, gleaming, vicious eyes he meditates his blow.
But still his victim lies supine, all helpless on the ground,
When crash! the swift descending club a mortal part has found;
And, as the body writhes about, more sounding blows descend;
When, suddenly, the man awakes! and starts right straight on end!
Then nimbly leaping to one side, he cries out, " Well done, Jake!
"Him big one lucky you jump up, and kill 'em that one snake:
"I'm plenty glad I fetch 'em you to track 'em sheep 'long me;
"Here bacca. Now, you ketch 'em smoke, and boil 'em pot of tea."⁹⁹

Bruce employs the image of the stealthy assassin for comic effect, the success of which relies on the pervasiveness of the stereotype.

In 1900 A. D. Sawers, a settler in the Gawler Ranges since 1888, was interviewed about the Aborigines. His sentiments were generally positive: he was impressed by their intellect and the skill exhibited in their paintings and the manufacture of their implements. The only drawback that he saw was their treachery:

you are never sure of your life with them. You will find a blackfellow walking quietly along, and you have nothing to indicate that he had any designs on your life. All the time he is dragging a spear along the grass with his toes. . . This is their worst side.¹⁰⁰

Speaking in parliament in 1910, Thomas Burgoyne expressed a common variation of these sentiments when he said:

⁹⁹ Robert Bruce, *A Voice From the Australian Bush*, Adelaide, 1877, p. 109. Bruce was a pastoralist who had lived and worked in the far north of South Australia since 1858, see Robert Bruce, *Re-Echoes from Coondambo*, Adelaide, 1903, pp. 7-8.

¹⁰⁰ *ibid.*, 21 December 1900.

he knew enough of their nature to let them walk in front because of their propensity to slay black and white if they could gain a trifling benefit for themselves. For a stick of tobacco they would kill a white man.¹⁰¹

The belief that one should 'never let a blackfellow get behind' acquired the status of received wisdom.¹⁰² Not only were Aborigines treacherous, they were unpredictable - capable of being 'overwhelmed by an uncontrollable urge to kill'.¹⁰³

Views regarding the treacherous character of the Aborigines merged with theories about their constitutional incapacity for gratitude. Kindness, it was said, was wasted on them. In 1881, a self-described bushman claimed that the Australian blacks could never be trusted, that the more they were given the more they wanted, the more kindness shown them the greater the ingratitude:

One might, in response to their begging, give them pipes, tobacco, matches, blanket, shirt, and in fact everything he had, only to be privately commented upon by them, as "one fellow _____ fool;" while he whose dealings with them were brief would be spoken of as "boojery" - (good) - in the superlative degree.¹⁰⁴

Mounted Constable Willshire, whose experiences in central Australia spanned many years, frequently commented on the ingratitude of the Aborigines, explaining it in terms of their 'struggle for existence' in the harsh environment of the outback - Aborigines in the better country were somewhat 'less savage', he thought.¹⁰⁵

101 *South Australian Parliamentary Debates*, 13 October 1910, pp. 723-724.

102 H. Reynolds, *Frontier*, Sydney, 1987, p. 77.

103 *ibid.*

104 *Adelaide Observer*, 19 March 1881.

105 *South Australian Register*, 27 January 1898.

It was a general belief that Aborigines were incapable of leading a confined life. Discussing the efforts of missionaries among the Aborigines, and their chances of success, the editor of the *Advertiser* wrote

the weak point is the roving disposition that seems to be inborn. Apparently the instinct of wildness is ineradicable, and with few exceptions they cannot be trained to accept and endure the conditions and habits of civilised life.¹⁰⁶

Edward Bates Scott had a good understanding of Aboriginal society having spent over a decade as sub-protector at Moorundie on the River Murray. In the late 1870s he was superintendent of Yatala Labour Prison and during that time he successfully persuaded the government to remit the sentences of several Aboriginal prisoners on the grounds that confinement represented an extreme punishment for a people used to a free life in the open air.¹⁰⁷ The belief was that Aborigines did not simply prefer freedom to confinement, but that it was an instinctive attitude.¹⁰⁸ Willshire wrote, the 'more attempts are made to overcome this instinct, the stronger the feeling becomes'.¹⁰⁹

The belief that Aborigines could not live a confined life was closely linked to claims that they were unreliable. The view that Aborigines could not be relied upon as workers, that they were liable to depart without a moment's notice, was commonplace from the earliest times of Aboriginal employment. Employers, particularly station managers in regions where traditional aspects of ceremonial and social life continued for a time after settlement, became familiar with the reasons for such behaviour. Evidence of this was revealed during the 1899 Select Committee inquiry into the Aborigines Bill which proposed to regulate the movement of

106 *Advertiser*, 21 December 1897.

107 GRG 52/1/327/1879.

108 Iota, *Kooroona: A Tale of South Australia*, London, 1871, pp. 243 & 246; 'Logic: His Escape and Capture', *Pictorial Australian*, January, 1886, pp. 8-9.

109 W. H. A. Willshire, *The Aborigines of Central Australia*, Adelaide, 1891, p. 12.

Aborigines by licensing employers. Most station owners and managers thought the idea was ludicrous. Warburton wrote:

no white man can keep a black, male or female, if he or she wants to go . . . When a boy or a gin wants to go for a spell, he or she goes, whether you like it or not. You may be busy or short-handed, but that does not trouble the nigger. Sometimes he tells you that he is going - more often he does not. How can one prevent him?¹¹⁰

Indolence was frequently cited as another characteristic of the Aborigines, and it too was explained as being 'inherent' in their nature or a 'natural propensity'.¹¹¹ In a discussion of the character of the Aborigines a correspondent calling himself 'Rufus' wrote:

Our blacks are generally looked upon as an indolent race, but we should have to alter their instincts and their temperaments if we would have them otherwise. Why blame them, then, for being what nature intended them to be? There are some exceptions to the rule of laziness, but these are few and far between.¹¹²

The alleged unreliability and laziness of the Aborigines was put forward to explain why they always needed supervision - it accounted for the relationship between the white stockman and his 'black boy'.¹¹³ White stockmen had little reason to praise the labours and skills of Aboriginal stockmen, as they very likely held down their own wages and, in some regions, were direct competitors for work. This is evident in the comment of a bushman who described them as 'fair workmen', before adding, 'I would sooner have one white man than four of them, but, of course, station-owners go for cheapness and not for work'.¹¹⁴

110 *Adelaide Observer*, 30 September 1899.

111 *South Australian Register*, 7 September 1865.

112 *Adelaide Observer*, 7 August 1897.

113 *Advertiser*, 27 September 1911.

114 *South Australian Register*, 31 December 1889.

'How to treat the blacks'

Accounts of the 'nature' of the Aborigines stressed their unpredictability and unreliability. Consequently folkviews about 'how to treat the blacks' focussed on how to control these imagined characteristics. In 1890 a settler put forward a commonly held view when he wrote:

depend upon it the only way to work a black is to keep a heavy hand upon him, treat him kindly of course so long as he acts straight, above all things treat him justly whether it be a new shirt or a thrashing that he has earned let him have it without fail. He will then respect you, and perhaps in his way faithfully love and serve you. Thus has been my experience, and it has been a long and close one.¹¹⁵

Writing of his experiences working on the overland telegraph during the 1870s, Sidney Herbert expressed the same sentiments:

It is not wise to be too lenient or indulgent with an ordinary native in one's employment, as he is apt to mistake kindness for fear, and will consequently try to take advantage of one.¹¹⁶

Willshire considered a strict approach not only necessary, but something the Aborigines came to expect, and experienced within their own society. Writing of his experience with 'black boys' he repeated the advice that they should be treated 'firmly but kindly' and that there should be 'discipline but no familiarity':

He, like his mother, the lubra, is so accustomed to being kept 'under the waddy' that the habit of obedience grows up with him, but if he finds that his 'boss' is weak in discipline he will take advantage.¹¹⁷

115 *ibid.*, 3 January 1890.

116 Sidney W. Herbert, *Reminiscences of Life in the Northern Territory during the construction of the Overland Telegraph, August 1870 - November 1872*, Mortlock Library D. 6995 (L), pp. 27-28.

117 *South Australian Register*, 27 January 1898.

To show weakness through acts of kindness or compliance, or to display fear in moments of danger, were considered sure ways of losing 'respect' and therefore control.

Even after the settlers had established their dominance in an area there were numerous sources of actual or potential tension: resentment at the European intrusion, the destruction or pollution of sacred sites, the abuse of Aboriginal women, or simply the loss of control of them to white men. At times there was good reason for this fear. Many settlers, for instance, commented on the fact that the worst cattle thieves were not the 'wild blacks' but the 'partly civilised' ones, often former station employees, or 'mission blacks'.¹¹⁸ It may have been that these men, having received abuse at the hands of certain station employees, returned to the bush and used acts of social banditry as a form of payback.¹¹⁹

Discipline and punishment was an important theme in discussions of how to treat the blacks. Charges were commonly levelled at the northern pastoralists that they used flogging as a means of controlling the Aborigines. In his reminiscences Hayward recalled an incident in which he captured a cattle thief and, rather than go to the trouble of involving the police, decided to administer summary justice. A kangaroo court was held and the prisoner was found guilty:

being a first offence, two dozen lashes with a stockwhip were ordered. This I at once administered with a light whip, the captive taking his punishment well, and barely shrinking till the last strokes were received.¹²⁰

118 *Adelaide Observer*, 22 February 1890; *South Australian Register*, 2 April 1890, 26 May 1890, 30 May 1890.

119 McGrath, *Born in the Cattle*, pp. 16-20.

120 Hayward, 'Reminiscences', p. 131.

Hayward considered this treatment lenient, 'hoping by kind treatment and firm bearing' to secure the 'respect' of the Aborigines.¹²¹ Behaviour such as this was encouraged in districts where there was little police presence and the settlers felt they needed to establish their authority. This incident occurred early in the settlement phase, but the use of flogging as a form of punishment continued well after this time. Christina Smith recalled the advice an acquaintance gave her regarding the misbehaviour of an Aboriginal teenager in her care: 'I would take a bullock-whip to him, and make the blood stream about his black shanks'.¹²² In this gentleman's view, Smith was much 'too kind to him and the rest of the darkies'.¹²³

In 1879 a stockman named Mulhall was killed by his 'black boy' Logic while they were riding the boundary of a property in the far north east of the colony. As the story emerged, the 'black boy' had fallen behind and Mulhall had stockwhipped him for the misdemeanour, but as the dispute escalated and Logic became more 'insolent', the stockman shot him in the back. In Logic's own account:

This assault was followed by a severe whipping being inflicted upon your petitioner's back by the deceased with a cattle whip. At sundown your petitioner managed to get on horseback to return to station but being again subjected to a flogging was unable to proceed.¹²⁴

At this point Logic attacked and killed Mulhall. Howard Lawrance, writing in support of Logic, related his experience of the treatment of the Aborigines in this district, concluding with the observation:

what right have we whites to force the blacks to work for them? By what power do they chain them up, ay, and flog them till they drop if

121 *ibid.*

122 Smith, *The Booandik*, p. 54.

123 *ibid.*

124 Colonial Secretary's Office, In Letters, State Records GRG 24/1/2233/1885.

they wish to strive for that liberty which is their birthright and their own habit and association. And yet this is done frequently.¹²⁵

In an article about the Aborigines published in 1889 John Mathews indicates the general attitude toward this sort of treatment when he observed:

It used to be a common maxim among bushmen - "It's no use to hit a blackfellow with your fist he won't feel it," and the corollary was that a heavy boot, or a stout stick, or an iron bolt, or a stockwhip, were legitimate and suitable instruments for hortatory and punitive purposes.¹²⁶

During the 1880s and 1890s 'bushmen' vigorously defended themselves against charges that they ill-treated the Aborigines. One correspondent observed that the Aborigines were 'very huffy and easily offended' and 'if you are a little harsh or overwork them a little they will quickly clear out from you'.¹²⁷

Compared to other sections of colonial society the northern pastoral industry was forced into a degree of dependence on Aboriginal skills and labour, a relationship that gave them access to knowledge about Aboriginal beliefs and practices, and required a certain tolerance towards them, yet remained an uneasy partnership. The nature of the relationship produced tensions and the whites felt themselves vulnerable. This situation helps explain the often contradictory attitudes those in outlying rural districts expressed about Aborigines. On the one hand their regular interaction with Aboriginal people gave them insights into Aboriginal culture that often elicited degrees of respect; on the other, the patent inequality of the relationship and the need to maintain control often produced harsh treatment and correspondingly harsh and repressive judgments to justify it.

125 *Adelaide Observer*, 5 December 1885.

126 J. Mathews, 'The Australian Aborigines', *Journal and Proceedings of the Royal Society of New South Wales*, Vol. XXIII, 1889, p. 390.

127 *South Australian Register*, 31 December 1889.

ABORIGINES ON THE FRINGES OF SOCIETY

'The helpless remnant of a hapless race'

During the 1850s a new perception of the Aborigines began to emerge, particularly associated with the settled districts of the colony, that of a dispossessed and dispirited minority living on the fringes of colonial society. A correspondent to the *South Australian Register* in 1858 was expressing a common attitude when he wrote:

My first glance at the natives on arrival in Adelaide produced a mingled feeling of disgust, sorrow, and pity; for I saw in them the lowest and coarsest vices of civilisation superadded to the degradation of savage life.¹²⁸

Against this new image the portrait of the 'barbarous and savage black' which had once been used pejoratively now took on a certain nostalgic quality. In an editorial ridiculing the romantic notions of the Aborigines that were said to be current in England, a newspaper columnist wrote in 1858 that:

the once lithe, active figure of the blackman has become the diseased, broken-down form that we now see it; that his quick animated eye has become sunken in melancholy; and that his spirit of independence has given place to the whining supplicant manner of the pauper.¹²⁹

These 'projections of melancholy' became a standard representation of Aborigines in colonial society from the 1850s (Plate 20). It was a popular subject of poets.¹³⁰ In the late 1860s Benjamin Hoare employed the theme in his poem 'Tullamoona's Lament':

I am alone - the relic of my tribe,

128 *ibid.*, 6 September 1858.

129 *Adelaide Observer*, 31 July 1858.

130 For other expressions of the theme in verse see: James M. Young, *A Tale of the Early Days of South Australia*, Burnside, c. 1890s, pp. 11-12 & 35-36; R. Wells, *The Gum Tree King: An Australian Legend*, Adelaide 1857, p. 10; 'A Lord of the Soil' in *The Lantern*, 20 August 1887, p. 19.

The helpless remnant of a hapless race;
 My bitter portion but the stranger's gibe
 And jest upon my figure and my face.
 Oh, of the hearts that loved me, not a trace
 Remains to sigh in unison with me;
 No kindly voice can whisper words of grace,
 For all are dust upon the breezes free,
 Save some sad graveless bones that whiten on the lea.

I have survived them all! They called me chief,
 And I am now chief in sorrow - in despair;
 But yet my soul has something of relief
 In musing on the happy days that were,
 When we were free, and great, and not a care
 Otruded on our blisses its alloy,
 Or if aught more than pleasure entered there,
 'Twas but to vary more our rounds of joy -
 In strife, and hunt and spoil to give the brave employ.¹³¹

Typically, Hoare contrasts the dispirited remnant of the Aborigines in contemporary society with their proud traditions before the arrival of the white man. It was also a theme of the visual arts. The *Adelaide Bulletin and Lantern's* almanac and calendar for 1881 had small illustrations for each of the seasons. Winter was represented by a group of Aborigines, dressed in the 'rags of civilisation', enduring the cold and wet on the streets with nothing more for protection against the elements than government-issue blankets (Plate 18).¹³² In the 1890s Oscar Friström painted a portrait of Tommy Walker entitled *The Last of the South Australian Blacks*. Tommy Walker was a well-known Aboriginal identity on the streets of Adelaide during the 1890s, recognisable for his bushy white beard and top-hat.¹³³ In Friström's portrait, Tommy Walker's inward gaze looks to the past, illustrated in the ghostly procession of his tribespeople depicted in the background of the painting (Plate 19).¹³⁴

131 B. Hoare, *Figures of Fancy: A Volume of New Poems. The Maori, The Ambush, and Occasional Pieces by Benjamin Hoare*, Adelaide, 1869, pp. 83-84.

132 'Adelaide Bulletin and Lantern Almanac', published in the *Adelaide Bulletin and Lantern*, folded between 3 February & 10 February 1881.

133 See, for instance, an account of Tommy Walker in the *Adelaide Observer*, 15 January 1898.

134 Reproduced in Margaret Maynard's 'Projections of Melancholy', in Ian & Tamsin Donaldson (eds), *Seeing the First Australians*, Sydney 1985, p. 103.

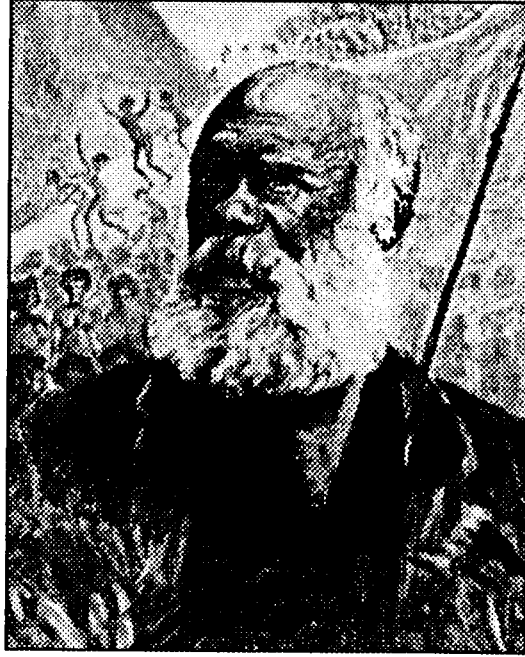


Plate 19 a. Last of the South Australian Blacks, Oscar Fristrom, 1894.

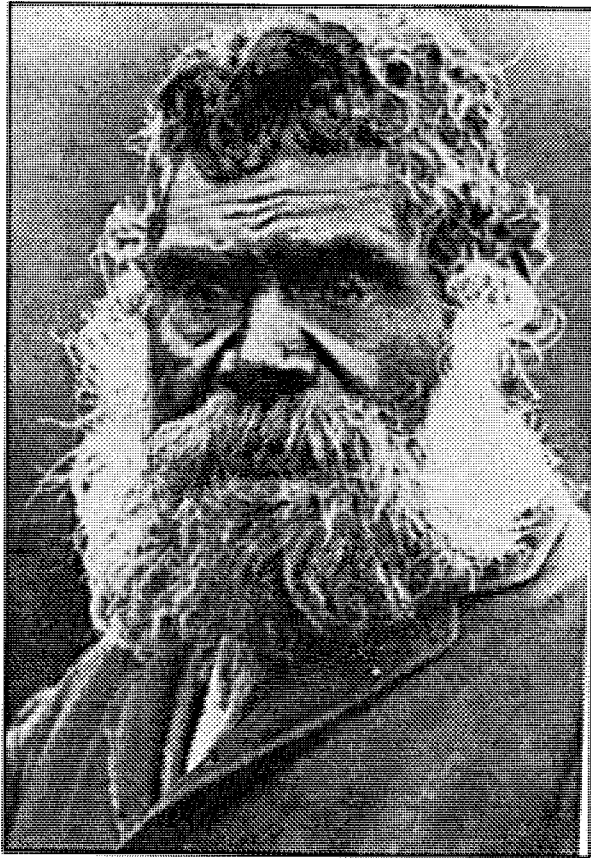


Plate 19 b. Photograph of Tommy Walker, c. 1890s.

These representations of the Aborigines were melancholic depictions of the 'dying race' theme. From the 1890s a more prosaic expression was evident in press reports of the deaths of local Aboriginal identities, usually under a variation of the heading 'The last of the tribe'. The essence of these reports is contained in the following passage recording the death of 'Overland Johnny' in Adelaide in 1896:

DEATH OF AN ABORIGINAL. - We are constantly being reminded that the Aborigines as a people are fast dying out, and it would seem that we are nearing the time when it will be hard to find many of them in the more settled parts of the colony.¹³⁵

There is a literal sense in these reports that the last names are being ticked off a register of an Aboriginal apocalypse.¹³⁶ From a European perspective, the extinction of the Aborigines was a sort of cultural and historical marker, or milestone, by which the progress of Australian society was being measured. This view is supported by the fact that during the same period the press also began documenting the deaths of old colonists.¹³⁷ With each death another link to the wild days of the frontier, and beyond, was being severed. The distinction was that the old colonists were regarded as having laid the foundations of a new society, while the Aborigines were a melancholy reminder of a flawed and dying one.

'The simple-minded aboriginal'

As the century drew to a close Aborigines increasingly became a source of colonial humour, most of which built upon, and reinforced, the notion that they were a simple, child-like race (Plate 21). In 1891 a journalist wrote:

135 *Adelaide Observer*, 25 July 1896.

136 For other examples, see the *Adelaide Observer*, 18 April, 17 October 1896, 13 October 1902; *Advertiser*, 27 February, 13 July 1897.

137 See, for instance, *Adelaide Observer*, 21 November 1891.

A LORD
OF THE
SOIL



NO noble savage you see in him,
This son of the Austral clime;
His race was born in the twilight dim,
In the first faint dawn of time.

His race was born as a beast of prey
Is born in the forest wild;
Beast-like he wandered from day to day,
This ebony-skinned Southern child.

His race has lived on the hunting spoil
They have won by their faultless aim,
And left no record of honest toil,
Nor glorious deeds of fame.

And yet they fought in the days gone by
As well as our fathers fought,
And have not feared in fight to die,
Nor paused for a moment's thought.

They loved and fought as we love and fight
In the days we praise to-day;
Their hearts could tell them of wrong or right,
This race we have wiped away.

They reared no empire of boundless size,
And they built no guns of steel,
Nor towers that reach to the deep blue skies,
Nor vessels of mighty keel.

Happy, until o'er the ocean foam
From Britain the spoiler strayed
To drive them out of their ancient home,
From valley, and plain, and glade.

Now when they wander, a helpless throng,
As dogs may patrol the street,
We treat the race we have done such wrong
As the dirt beneath our feet.

We see the savage without the grace
That legend enshrouds his name,
And judge this son of a fallen race,
And give him alone the blame.

Plate 20. 'A Lord of the Soil', *The Lantern*, 1887.

There is as much lightness of heart about the simple-minded aboriginal as there is in the volatile African negro, who will sing and laugh on the slightest provocation.¹³⁸

The image of simple-mindedness was built on the Aborigines' presumed ignorance of the white man's world. In 1880, for instance, a story was related of 'Billy' being asked to give a donation to Irish famine victims. Billy declined, saying 'Irishman can go and catch 'possum, same as blackfellow'.¹³⁹ It is the sort of humour - 'out of the mouth's of babes' - usually associated with children. In another anecdote an Aborigine who has just returned from prison expressed his surprise that the authorities sent him all the way to Adelaide to 'crack 'em stones', when he could just as well have done it in the north, where he had been taken from.¹⁴⁰

The supposed ignorance of the 'semi-civilised blackfellow' was often underlined in humorous anecdotes about 'new-fangled' devices such as letters, the electric telegraph or the phonograph. A number of stories were told about Aboriginal deviousness being found out by 'paper yabber'. Aborigines were often used to carry letters from one station to another, a task that often carried the reward of flour, sugar or perhaps 'baccy'.¹⁴¹ In one anecdote Aborigines killed a shepherd and then struck upon the idea of taking a page torn from his Bible to the homestead where they would inevitably be rewarded with 'choogah' or 'plour', because 'Paper Yabber say whitefellow gib it'.¹⁴² The overseer at the station, of course, was not taken in and the Aborigines were soon brought to book for the shepherd's murder. The anecdote concluded with the observation that 'the murderer's believed, and told their companions, that the Paper Yabber had betrayed them to the white man and there

138 *Adelaide Observer*, 1 August 1891.

139 *South Australian Register*, 29 March 1880.

140 *Adelaide Observer*, 16 December 1899.

141 See for instance, W. H. Tietkins, *Reminiscences, 1857-1887*, Mortlock Library V. 82, p. 93; Robert Bruce, *Reminiscences of an Old Squatter*, Adelaide, 1902, pp. 173-175; H. H. Tilbrook, *Reminiscences, Series 1, volume 1*, pp. 198-199, Mortlock Library PRG 180.

142 *The Young Men's Magazine*, vol. 2, August 1874 (8), p. 60.

was no escape'.¹⁴³ Similar humour was derived from Aboriginal ignorance of the phonograph and telegraph.¹⁴⁴

Humour was also derived from the incongruity evident in the partial adoption of European, dress, language or manners. In 1862 a columnist in the Mount Gambier newspaper, *The Border Watch*, wrote:

A few aborigines are to be seen "knocking about" on the Mount; and the sight of the lubras is ludicrous, fluttering in the finest "rags of civilisation", and fancying themselves as handsome as the Chief in the Fejee Islands . . . ¹⁴⁵

Robert Harrison, the author of an unflattering description of the colony published in 1862, portrayed the Aborigines as 'miserable specimens who crawl about the villages of the colony' and whose dress sense was characterised by 'a childish partiality for "shocking bad hats"'. . .¹⁴⁶ Adelaide had a number of local characters, such as Tommy Walker, who were the living embodiment of this construction. The *Adelaide Observer* related a story of Tommy Walker trying to cadge money at the races in which particular attention was paid to his dress, especially his top hat, tail coat and bare feet.¹⁴⁷

The innocent but incongruous use of bushman slang was also a source of humour. In 1883 the *Adelaide Observer* told the story of a policeman giving 'Scrubber' a hard time, and in his defence the Aborigine is reported to have said 'You think a fellar a blooming new chum, plaps'.¹⁴⁸ A correspondent, observing the tendency of Aborigines to adopt the bushman's vocabulary, related the following story:

143 *ibid.*

144 Anecdote about the electric telegraph in the *Border Watch*, 15 April 1864 and the phonograph in the *Advertiser*, 25 July 1902.

145 *Border Watch*, 20 July 1862.

146 R. Harrison, *Colonial Sketches*, London, 1862, p. 141.

147 *Adelaide Observer*, 15 January 1898.

148 *ibid.*, 27 January 1883.



Plate 21 a. Relative Values, *The Lantern*, 1884.

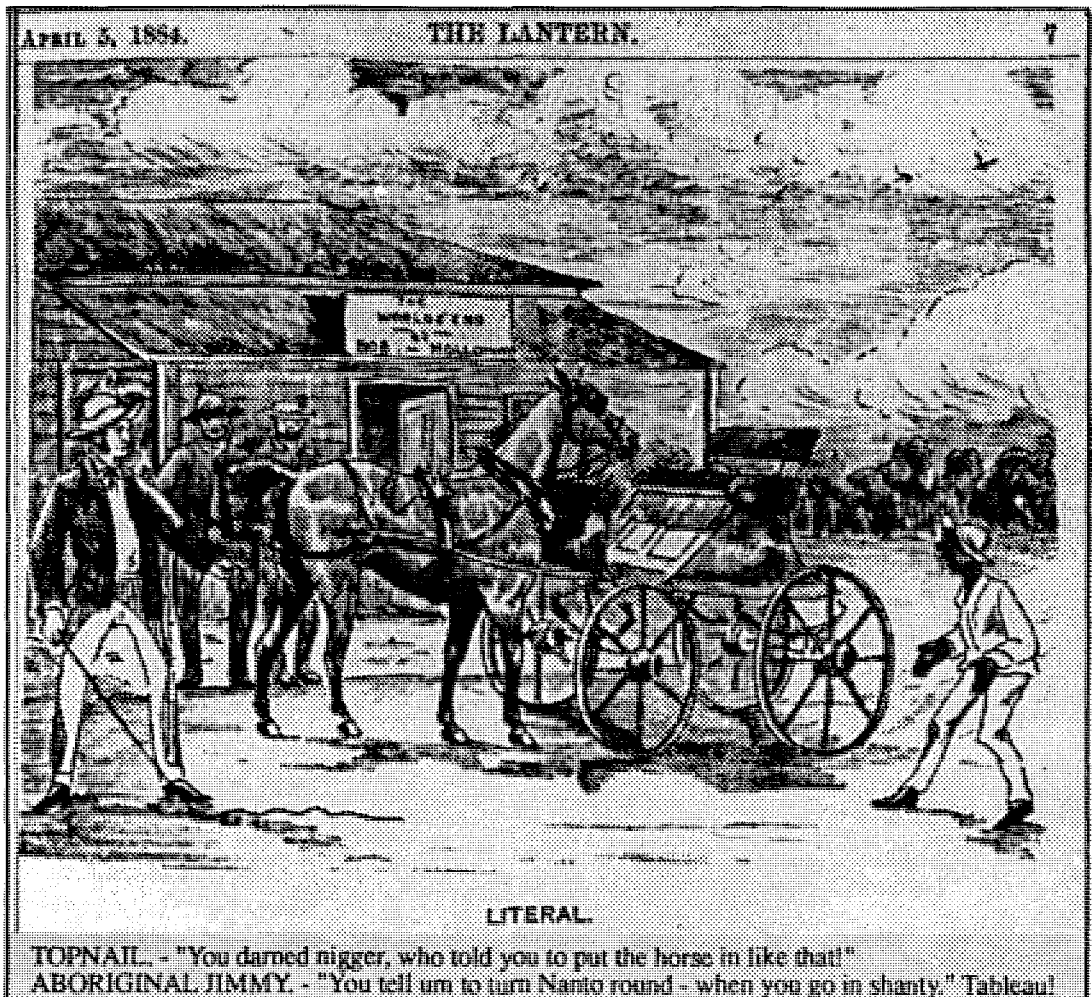


Plate 21 b. Literal, *The Lantern*, 1890.

One blackfellow was asked by the Judge if what he had stated in a previous hearing was true, and he replied, "That one tellum lie." Then on being asked if another statement was also a lie he said, "Me shootum Roger; knock um heels over head," using the vernacular equivalent for the term with perfect faith in its propriety.¹⁴⁹

By the 1880s many of the anecdotes about Aborigines, humorous or not, were coloured with the use of Aboriginal pidgin, a form of language that appeared to bear out presumptions of Aboriginal simplemindedness. A typical example is the following extract from an account, set as a stage play, of Logic's experience on the run:

SCENE.- Somewhere in the North. Troopers and black trackers camped near a range of rocky hills.

LOGIC (the aboriginal absconded from the Stockade, seated in the hollow of an old gum close to the camp) - "Me tinkum dem troopers sit down longa there get big one tuckout. Wish one of dem blacktrackers make a light along a this way."

TROOPER JONES (to call one of the black trackers) - "Say, Jimmy, what namee you callum that one track leading up alonga that one gum?"

JIMMY (grinning) - "Oh, that one he track of horse; no blackfellows track likee that."

TROOPER SMITH - "Oh, just so! but the horse must have been going barefoot, or had his toes out of his boots." [All laugh uproarious]¹⁵⁰

Aborigines were rarely given a 'voice' in the colonial press, but when they were it was usually mediated by Europeans and expressed in pidgin. Ungrammatical, simple in structure, and replete with diminutives, pidgin was the sort of language a child would use, or a simpleton.¹⁵¹

During the 1880s *The Lantern* began to produce cartoons which drew humour from the stereotype of the 'simple-minded blackfellow'. These depictions appeared at the

149 *ibid.*, 1 August 1891.

150 *The Lantern*, 12 December 1885, p. 7.

151 P. Mühlhäusler, *Pidgin and Creole Linguistics*, London, 1986, pp. 25-27.

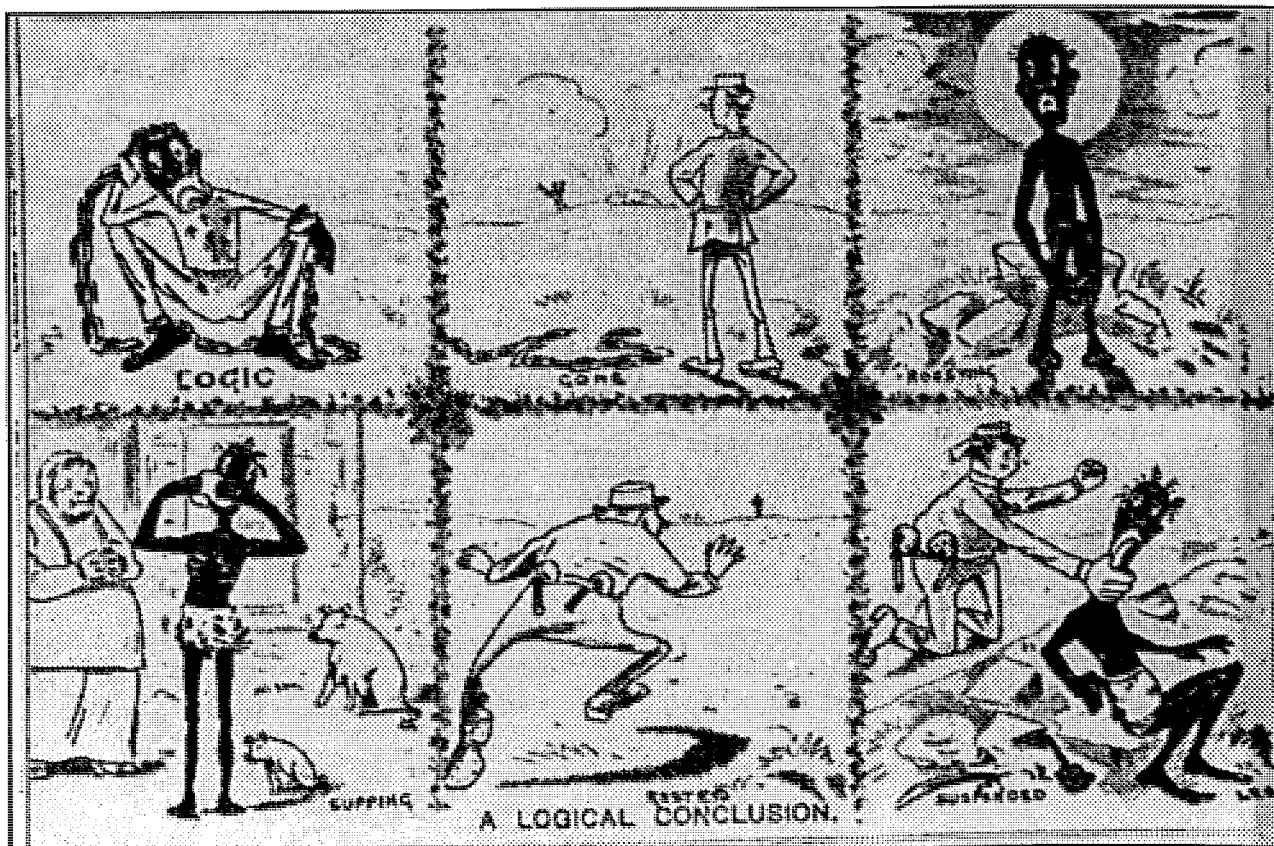


Plate 22. *A Logical Conclusion*, *The Lantern*, 1885. Note that Logic is portrayed in the 'black-face' style of vaudeville.

same time that similar cartoons of African-Americans, drawn from the American or British press, were published. These cartoons portrayed African-Americans as the stereotypical 'Sambo' (Plate 23). Cartoon depictions of Aborigines in the newspapers were sometimes drawn in the same style, and employed the same humour, as the American 'Sambo' stereotype - to the point where, if a cartoon is unsourced, it is difficult to tell whether or not the depiction was of an Aborigine or an African-American (Plates 21b & 22).¹⁵² It is interesting to note that in this period the 'black-face' tradition of vaudeville was a popular entertainment in Adelaide theatres.¹⁵³ Furthermore, Aborigines were increasingly referred to by American terms such as 'Darkie' or 'Nigger'. The extent of this 'generic' representation, in which Australian 'Blacks' and American 'Blacks' were symbolically equivalent, serves to underscore the degree to which they were constructed 'in their absence'.¹⁵⁴

Vices of Civilisation

The construction of Aborigines as a 'miserable remnant' and the patronising view of the comical and simple-minded 'blackfellow' had a dark counterpoint in the image of the cultural 'half-breed' - a class of Aborigines who were usually described as possessing all the vices of civilisation with none of its virtues. As one commentator expressed it:

Many say the present generation is worse than the last - that the vices of civilization have been grafted on the vices of barbarism, while the virtues of the savage have been altogether unaided by the virtues of Christianity . . .¹⁵⁵

152 For instance, cartoons of 'Negroes' in *The Lantern*, 8 November 1884, p. 16; 29 September 1888, p. 22; 24 September 1888, p. 17; 6 April 1889, p. 22; 11 May 1899, p. 19; 29 June 1899, p. 16. Compare these representations to the depictions of Aborigines in 'A Logical Conclusion' (*The Lantern*, 19 December 1885, p. 12) and 'Literal' (*The Lantern* 5 April 1884, p. 7.).

153 Indicated by the advertisements and reviews in the popular press, for instance, the advertisement 'The White Eyed Musical Kaffir' in *The Lantern*, 14 January 1888, p. 8.

154 From about 1890, in *The Lantern* at least, cartoons of Aborigines, for better or worse, took on a more distinctively 'local' appearance.

155 *South Australian Register*, 5 July 1861.



PROTECTIVE AGILITY.

G. WASHINGTON MOKE. - "Great Scott! see dat chicken run!
SON OF ERIN. - "Faith, I'd be more astonished if it didn't."

Plate 23 a. Protective Agility, The Lantern, 1888.



PUZZLED.

"OH, GOLLY! YETH! I WILL ASK HIM TO
MEET ME IN M' GLOAMING."

"MEET HER M' GLOAMING! LOR, I
MUST FIND OUT WHERE DAT IS."

Plate 23 b. Puzzled, The Lantern, 1884.

Cartoon depictions of the 'Sambo' stereotype were reproduced in the local press, presumably drawn from American and British newspapers.

The image acquired its greatest potency in connection with the murder of Mary Rainberd and her two children on their property near Kapunda in March 1861.¹⁵⁶ Five Aboriginal men were charged with the crime and, despite appeals for clemency, all but one were hanged in Adelaide Gaol on Friday 17 June 1861.¹⁵⁷

Commenting upon the murders shortly after the accused were arrested, one observer wrote 'we believe it will be found that the miscreants who perpetrated this crime belong to a class of blackfellows compared with whom the ordinary native is a civilised man - a class who hang about the townships in the interior, and who when not drunk keep themselves from starving by beggary and theft.'¹⁵⁸ The horrible novelty of this crime was that it had allegedly been perpetrated by Aborigines who had probably never known life before the whiteman's arrival. The murder of Biddle, Stubbs and Fasting in the Port Lincoln district some twenty years earlier shocked white society, but there was a sense that it was an inevitable, if unfortunate, product of frontier existence.¹⁵⁹ From a European perspective, the Rainberd murders were regarded as underlining the emergence of a new category of Aborigines, a class who knew life only as dispossessed people on the fringes of white society. An editorial in the *South Australian Register* stressed the fact that the perpetrators had been drunk when the crime was committed, adding:

Who is it that furnishes the infuriating and maddening beverage to these poor creatures, harmless enough when sober, and sends them out with all the physical powers of men, while mentally they are feeble as children and morally less elevated . . . If the aboriginal natives are still to be allowed to roam at will about the unprotected dwellings of our sparse rural population, they must be kept in their natural harmlessness, and not be allowed to be converted into mobs of furious demons. . .¹⁶⁰

156 Account of the trial in *Adelaide Observer*, 18 May 1861.

157 *Adelaide Observer*, 8 June 1861.

158 *ibid.*, 16 March 1861.

159 *South Australian Register*, 22 July 1843.

160 *ibid.*, 15 March 1861.

The 'vices of civilisation' were varied. As the Rainberd case illustrates, foremost among them was alcohol abuse. Recalling her experiences with Aborigines on Hindmarsh Island during the 1850s Sarah Conigrave wrote:

For a while the natives papa employed seemed quiet and inoffensive. It was after they learnt the white men's vices that they became dangerous, when they got drink, and white men were to blame.¹⁶¹

In 1865 a northern pastoralist summarised some other vices:

They have a taste for nothing but what is degrading. No people can be more expert in thieving; none can frame greater falsehoods; and bushman's slang of the most vile description is perpetually on their tongues. They delight to mimic every infamous act, and are perfect in all the vices of our truly uncultivated bushmen. Smoking and card-playing form their greatest attraction; and petty pilferings are to them an inestimable success.¹⁶²

The degradation of the 'semi-civilised black' was often put down to their association with the 'uncultivated bushman' or the 'labouring classes'. Frank Gillen was expressing a common view when he contrasted the 'semi-civilised Aborigine' with his 'uncontaminated' brethren: 'The blackfellow in his savage state is infinitely superior to the semi-civilised natives who haunt the towns all over Australia'.¹⁶³

The Generation of Ignorance

In 1938 W. E. H. Stanner wrote an essay on the place of Aborigines in contemporary Australia society in which he observed:

The 'Aboriginal problem' is, indeed, very far away and unreal to the urban and near-urban populations of Australia, and to their leaders. Few of them

161 S. Conigrave, *My Reminiscences of the Early Days: Personal Incidents on a Sheep and Cattle Run in South Australia*, Perth 1938, p. 23.

162 *South Australian Register*, 7 September 1865.

163 Minutes of Evidence on the Aborigines Bill, 1899, p. 99.

have ever seen a blackfellow. The disappearance of the tribes is not commonly regarded as a present and continuing tragedy, but (for some curious reason) rather as something which took place a long time ago, in the very early days, and so is no longer a real complication.¹⁶⁴

The truth is that this attitude was becoming apparent by the 1860s. In cities and towns, and the more closely populated regions of the south, the impact of disease and social policy made Aborigines numerically insignificant very quickly. In his 1866 history of the colony Anthony Forster wrote that it was 'an unusual thing to see half a dozen natives together in Adelaide', adding 'from all the centres of population they have similarly disappeared'.¹⁶⁵ Their numerical insignificance, in turn, made them a marginal component of colonial consciousness. A columnist in *The Lantern* was expressing a fact when in April 1884 he wrote:

It is not often that the papers devote much attention to the concerns of the aborigines. Two or three cases, however, have cropped up within a few days, which go to show that a few fragments of the aboriginal tribes who remain alive are not looked after as they might be, or as they ought to be.¹⁶⁶

Between the 1860s and 1890s Aborigines were a relatively rare topic of discussion in the colonial press. With the exception of regular reports and self-promotion by groups such as the Aborigines Friends Association, it took sensational murder cases, unusual events or crises to project Aborigines into the spotlight. An indication of the novelty Aborigines had become is demonstrated by the public response to the 'corroboree' performed on Adelaide Oval in 1885. Arranged by missionaries to raise funds, the first performance attracted almost 20,000 people and caused a near riot.¹⁶⁷ As a reporter at the event remarked:

¹⁶⁴ W. E. H. Stanner, *White Man Got No Dreaming*, Canberra, 1979, p. 4.

¹⁶⁵ A. Forster, *South Australia: Its Progress and Prosperity*, London, 1866, p. 432.

¹⁶⁶ *The Lantern*, 5 April 1884.

¹⁶⁷ *South Australian Register*, 30 May & 6 June 1885.

Adelaide people have not now many opportunities of seeing a number of natives in the city. A solitary blackfellow and his lubra come within the city boundaries once in a while, but they are generally regarded as intruders.¹⁶⁸

A curious story from the correspondence of the Protector's Department illustrates the extent of this marginality even in some rural districts. In March 1882, Richard Phelan, police corporal at Redruth Police Station, Clare, reported the existence of a small tribe of 'wild natives' in the mallee country:

There are now five wild natives altogether, one male adult, a fine stalwart fellow, two young women, and two children, all of whom, it is supposed, are the off-spring of Muckra. They are very seldom seen, are very wild, and refuse intercourse with the settlers of the neighbouring Stations. They confine themselves entirely to the Malley country as the heaps of Malley roots in the vicinity of their old camps, from which they got their water, show.¹⁶⁹

According to local legend the 'wild natives' were the descendants of an Aboriginal man named Muckra, who was said to have murdered an Aborigine on the Darling twenty years before and kidnapped his children. He retired to the back-country where he set the boys adrift and kept the girls as his 'lubras'. Corporal Phelan reported the attitude of the locals:

Although the settlers are somewhat afraid of these blacks I have not heard that they ever did any mischief, but it is a pity to see young people in the midst of civilisation, growing up in such a savage state.¹⁷⁰

The Clare district had been occupied for perhaps forty years, but the settlers were genuinely amazed and 'somewhat afraid' by the existence of 'wild natives' in 'the

168 *Adelaide Observer*, 6 June 1885.

169 GRG 52/1/76/1883, 15 March 1882.

170 *ibid.*

midst of civilisation'. The overtones of 'strangeness' make the episode read as if it were a ghost story. Aborigines had not just been rapidly displaced from the settled districts - the civilised landscape - but, virtually, from the very consciousness of its European inhabitants.

These simple facts of demography created conditions that were very important to colonial perceptions of Aborigines. It 'privileged' the views of those who had 'experience' with Aboriginal people: principally those connected with the pastoral industry or the missions. The issue of 'how to treat the Aborigines', as individuals and as a group in colonial society, evolved into a debate carried out largely from the self-interested perspectives of these two parties. Given that most Europeans had little or no experience with Aboriginal people, there was a vacuum in which stereotypes could flourish unchallenged. And these very constructions served to deny Aboriginal people a voice in their own destiny.

The Discovery of Pre-Historic Man

The aboriginal blacks of Australia are exciting the keenest interest among anthropologists and scientific men generally. The feeling which prompts this increasing attention arises from the thought that here we have a picture of primitive man - the ancestor of all the present races of mankind upon the surface of the earth . . . In no other part of the earth do tribes exist who have remained absolutely free from the influence of races of calibre superior to their own. In no other region are the untutored ideas of the human mind - as they probably prevailed in the long distant past when the forebears of Europeans were slowly climbing the hill of evolution - still to be found governing the customs and habits of roaming bands of men and women.

Adelaide Observer, 13 October 1900.

The Discovery of Man's Place in Nature

Early colonial studies of Aboriginal culture were motivated by a mixture of utilitarian concerns and curiosity. The interest, however, was not sustained. After Schurmann's account of the Port Lincoln Aborigines was published in 1846, very little of ethnographic significance was published for a quarter of a century. The decline in interest was mirrored in other colonies, as well as in Europe. In London, for instance, the Ethnological Society, which had been founded in 1843 as a breakaway from the Aborigines Protection Society, struggled with declining membership for the next two decades.¹ In the local context, this loss of interest reflects the insignificance Aborigines had in emerging colonial society. The mechanisms set up to control the indigenous population did not require any deep knowledge of their culture. The hope that Aborigines could be 're-made' in the colonial image was not fulfilled and State-directed efforts at civilisation and Christianisation were soon abandoned - especially as the belief that the Aborigines were dying out gathered momentum. But in the early 1870s there was a resurgence of

¹ J. A. Barnes, 'Anthropology in Britain before and after Darwin', *Mankind*, vol. V, no. 9, 1960, p. 1.

interest in the Aborigines as European intellectuals began to grapple with the question of man's origins.

Research in a variety of fields had begun to challenge established orthodoxies about the antiquity of both the earth and man. The orthodox Christian view was that the Old Testament explained everything about the creation of the earth and the antiquity of man. The best known expression of this view was that of Archbishop James Ussher who, in the seventeenth century, based on a well-established tradition of biblical exegesis, calculated that the earth was created on 23 October 4004 BC.² By the nineteenth century, advances in the study of geology had begun to undermine the Mosaic timescale.³ In his *Principles of Geology*, published in 1830, Charles Lyell proposed that the earth's history could be divided into four ages, based on the study of geological strata and the percentage of fossil remains.⁴ This method made it clear that the earth was at least hundreds of thousands of years old and that man had lived on earth for tens of thousands of years. The discovery of fossil remains and human artefacts in geological deposits of unquestioned antiquity furthered challenged man's understanding of his past.⁵

Evolutionary theory, in various forms, had been popular for some time. In 1844 Robert Chambers synthesised existing theories in *Vestiges of the Natural History of Creation*, claiming that the fossil record demonstrated 'a gradual, progressive development of life on the earth' brought about by the transmutation of species.⁶ However, it was the impact of Charles Darwin's *Origin of the Species*, published in

2 Stephen Jay Gould, 'Fall in the House of Ussher', *Eight Little Piggies: Reflections in Natural History*, London, 1993, pp. 181-193.

3 D. J. Mulvaney, 'The Australian Aborigines 1606-1929: Opinion and Fieldwork', reproduced in *Through White Eyes*, Sydney, 1990, pp. 22-26.

4 Stephen Jay Gould, *Time's Arrow, Time's Cycle: Myth and Metaphor in the Discovery of Geological Time*, London, 1990, pp. 104-115.

5 Bruce Trigger, *A History of Archaeological Thought*, Cambridge, 1990, p. 92.

6 Peter J. Bowler, *The Non-Darwinian Revolution: Reinterpreting a Historical Myth*, London, 1992, pp. 59-60.

1859, that converted most of the scientific community to evolutionism.⁷ Peter Bowler argues that while Darwin may have converted scientists to evolutionary theory, he did not necessarily convert them to 'Darwinism' and that in the nineteenth century progressive or developmental theories of evolution were preferred over Darwin's model of adaptive evolution.⁸ Recent biographers of Darwin have suggested that aspects of his theory were very much a product of his age, pointing out that the idea of competition - the 'struggle for existence' - in the social theories of Thomas Malthus and Adam Smith influenced Darwin's model of the 'survival of the fittest'.⁹ The 'scientific view' that certain races were unable to 'compete' lent scientific credibility to the argument that Aborigines were dying out and served to justify indifference towards them. Bruce Trigger points out that while Darwin himself opposed the mistreatment and exploitation of indigenous people, 'his theorizing about human evolution gave an unprecedented measure of scientific respectability to racial interpretations of human behaviour'.¹⁰

The impact of these theories on the scientific view of the Aborigines is vividly illustrated in C. S. Wake's, 'The Mental Characteristics of Primitive Man, as exemplified by the Australian Aborigines', a paper published in 1872 in the newly established *Journal of the Anthropological Institute of Great Britain and Ireland*.¹¹ Wake explained his purpose early in the article:

I wish, primarily, to establish what are the real mental phenomena exhibited by the natives of Australia; and secondarily, to show approximately the condition in which man generally must have existed in the primeval ages, not necessarily when he first appeared on the earth, but so soon as the struggle for existence between men and men

7 ibid., p. 47.

8 ibid., p. 105.

9 Adrian Desmond & J. Moore, *Darwin*, London, 1991, pp. 264-279.

10 Trigger, *A History of Archaeological Thought*, p. 114.

11 C. S. Wake, 'The Mental Characteristics of Primitive Man, as Exemplified by the Australian Aborigines', *Journal of the Anthropological Institute of Great Britain and Ireland*, 1872, pp. 74-85.

commenced, and the selfish interests of humanity had had time to become fully developed.¹²

Drawing on Australian colonial literature Wake argued that the moral ideas of the Aborigines were 'wholly undeveloped' and their intelligence the equivalent to that of children.¹³ They represented 'the childhood of humanity' and 'one of the earliest stages in the progress of mankind towards that high culture which is exhibited by the European'.¹⁴ This view gained strength as the influence of evolutionary anthropology grew.

A number of writers applied the notion of evolution to the development of human society. Parallels between 'primitive societies' and different stages of social evolution were drawn with increasing confidence. Lewis Morgan drew on the kinship systems of 'primitive cultures' to illustrate the social evolution of man, from savagery upward through barbarism to civilisation. Morgan regarded 'the present condition of tribes of savages . . . in isolated sections of the earth as monuments of the past.'¹⁵ Edward Tylor also believed that valid deductions about prehistoric man could be derived from 'modern savages' whose societies he considered were the 'remains of an early stage of the human race at large'.¹⁶ His researches convinced him that the 'tendency of culture from primaeval up to modern times has been from savagery towards civilization'.¹⁷ In *Primitive Culture* Tylor documented, chapter by chapter, the 'survivals' in savage tribes - language, counting, mythology, religion - as evidence of early stages in man's development toward civilisation. Tylor also stressed the importance of archaeology in understanding man's past, and in so doing recast the Ignoble Savage as a living fossil of pre-historic times.

12 *ibid.*, p. 74.

13 *ibid.*, pp. 77-80.

14 *ibid.*, p. 83-84.

15 L. H. Morgan, *Ancient Society*, New York, 1877, p. 42.

16 E. B. Tylor, *Primitive Culture*, London, 1871, p. 21.

17 *ibid.*

The Revival of Anthropology in South Australia

The impact of this international revival of interest in primitive cultures began to be felt in the Australian colonies during the 1870s. In South Australia, the missionary George Taplin was one of the first to respond. By 1870 Taplin was communicating with ethnological societies in England and preparing a comparative list of Aboriginal languages which was later published by the Anthropological Society of Great Britain and Ireland.¹⁸ Taplin wrote a paper on the diseases of the Aborigines, collected photographs for ethnographic purposes,¹⁹ and prepared an ethnological manuscript on the Aborigines of the Lower Murray with whom he had been living for the past twenty years.²⁰ Meanwhile, in the north of the colony a surprisingly erudite police trooper, Samuel Gason, was preparing a small tract on the Dieri tribe of the Lake Eyre region. Gason had been in the region since 1865 and it was possibly his association with the Victorian ethnographer, Alfred Howitt, that spurred his interest.²¹ Gason's work was brought to the attention of the *South Australian Register* in November 1873 and it was suggested that the government support the publication of his manuscript.²²

While this work was under way Governor Musgrave received a letter from Dr Bleek of Cape Town requesting information on Aboriginal folklore. Dr Bleek, a philologist and member of the Royal Bavarian Academy of Sciences, had been engaged in a comparative study of South African languages since the 1850s.²³ While in Cape Town he worked as an interpreter for Sir George Grey and catalogued his extensive library

18 Protector's Office, In Letters, State Records GRG 52/1/80, 14 April 1870; GRG 52/1/145, 1 July 1870; *South Australian Government Gazette*, 18 March 1875, p. 511. G. Taplin, 'Notes on a comparative Table of Australian Languages', *Journal of the Anthropological Institute of Great Britain and Ireland*, 1871, pp. 84-88.

19 GRG 52/1/73, 5 April 1870.

20 Protector's Report, 10 August 1874, *South Australian Government Gazette*, 18 March 1875, p. 511.

21 A. W. Howitt, 'The Dieri and other kindred Tribes of Central Australia', *Journal of the Royal Anthropological Institute*, vol. 20, 1891, pp. 30-31.

22 *South Australian Register*, 15 November 1873.

23 W. J. de Kock (ed), *Dictionary of South African Biography*, Johannesburg, 1968, pp. 82-83.

- an association which may explain his later interest in Australian ethnography.²⁴ In the 1870s, he decided to shift his attention to 'the rich mine of Bushman traditional literature'.²⁵ Bleek was excited by certain cultural parallels between the Bushmen of South Africa, the Indian nations of North America and the Aborigines of Australia. While observing that these races 'are probably the lowest types of humanity, as regards civilisation and deficiency of political organisation', they were nonetheless 'nearer akin to ourselves in their languages and intellectual life than other races who far exceed them in point of civilization, eg., the Negroes of Africa'.²⁶ Bleek considered the existence of such sophistication among people in 'such rudimentary stages of culture' a matter of great ethnological significance and a subject that should be pursued 'before these very peculiar branches of humanity should be wiped off the face of the earth'.²⁷

To further his work he decided to pursue the idea of a comparative study and to this end applied to the governor of British Columbia and the governor of South Australia for information. The governor of British Columbia was of little assistance but Governor Musgrave responded generously to his request. He forwarded a number of publications on the Aborigines of South Australia, including previously published work by Moorhouse and Meyer, and agreed to provide government support for research into the Aborigines of South Australia.²⁸

Governor Musgrave approached George Taplin to undertake the research and set aside £100 to assist him. In January 1874 Taplin wrote to Bleek setting out his proposal. First he proposed the collection of all the grammars and vocabularies of Aboriginal languages and the compilation of a comparative table of Aboriginal

24 *ibid.*

25 Protector's Report, 10 August 1874, *South Australian Government Gazette*, 18 March 1875, p. 510.

26 *ibid.*

27 *ibid.*

28 *ibid.*, p. 511.

languages. He also suggested the collection of legends and myths and a study of the system of Aboriginal kinship. The work was to be carried out through the circulation of a questionnaire among colonial officials.²⁹

Similar work was going on in the other Australian colonies. The Victorian Government was supporting research by Lorimer Fison and Alfred Howitt into Australian kinship systems, along the lines of work done by Morgan.³⁰ In the same colony E. M. Curr had begun work on Aboriginal languages. Early in 1876 a letter of his was published in South Australian newspapers requesting information on Australian languages and later in the same year he wrote requesting further information about Aboriginal customs.³¹ His second letter concluded with the observation that the Aborigines were passing away and the information would be lost forever if it was not recorded immediately. There was a sense of urgency and excitement among the ethnographers of this period. They saw their work as a sort of rescue anthropology. There was also an awareness that their work was of international significance; research on the Aborigines was drawing the Australian colonies into the intellectual mainstream. When Taplin's book on the Ngarrindjeri was reviewed in the *Adelaide Observer*, the writer proudly observed that Taplin's labours had been acknowledged by the Ethnological Society of London and that Darwin had made use of his research in his latest book, 'Expressions in Men and Animals.'³²

While the work being carried out in the colonies connected them to fashionable intellectual currents in Europe, it was seen, intellectually, as a master/servant relationship. In early 1875 the *Adelaide Observer* published an article in which attention was drawn to the international significance of Fison and Howitt's work in

29 *ibid.*

30 T. Swain, *Interpreting Aboriginal Religion, an Historical Account*, Adelaide, 1985, p. 65.

31 *Adelaide Observer*, 27 May & 18 November 1876.

32 *ibid.*, 6 June 1874.

Victoria. It began with a reference to the ethnologist Max Muller, of the Royal Institute, London, calling for 'Literary Missionaries' to combine their religious calling with ethnographic work:

'What is wanted,' he exclaims, 'is more facts and fewer theories, and those facts can only be obtained by patient study of the lowest races of mankind.'³³

Taplin had clearly heard the call. In offering to undertake his researches on behalf of the government, he observed, 'I have always considered that it was the duty of Missionaries to gather up facts, which scientific men could then arrange and classify'.³⁴ These observations characterise one of the main themes of ethnographic research from the 1870s to the turn of the century; it was the era of 'compilers and collectors'.³⁵

The writings of George Taplin and J. D. Woods best exemplify the ethnographic work of this period. Taplin's *The Narrinyeri*, published in 1873, combined an ethnological account with a record of his missionary work. *The Folklore, Manners and Customs of the South Australian Aborigines*, published in 1879, was the result of work inspired by Bleek's inquiry. Following his earlier plan, Taplin forwarded questionnaires to correspondents throughout the colony, the answers to which were presented in series, providing an overview of Aboriginal culture throughout the colony.

While in his professional piety Taplin may have represented himself as a simple missionary collecting facts for the scientific community, in truth he pushed a hefty ideological barrow. Responding to the dominant intellectual debate of the time, the

³³ *ibid.*, 16 January 1875.

³⁴ Protector's Report, 10 August 1874, *South Australian Government Gazette*, 18 March 1875, p. 512.

³⁵ A. P. Elkin, 'The Development of Scientific Knowledge of the Aborigines', in H. Shiels (ed), *Australian Aboriginal Studies*, 1963, pp. 6-10; K. Burridge, *Encountering Aborigines. A Case Study: Anthropology and the Australian Aboriginal*, London, 1973, p. 47.

guiding theme of Taplin's ethnographic work was the question of man's origin.

Taplin summarised the argument in the following manner:

One party has maintained that if man were not originally developed from the lowest animals he must have been created in a state of great barbarism; and others maintain that the first individuals of our race were placed after their creation in a state which at once developed into civilization.³⁶

Taplin favoured the second option on the grounds that Aborigines were bereft of the capacity of invention, and yet displayed in their language and culture features characteristic of higher civilisation. Of their language he wrote that despite its small vocabulary, it 'is remarkable for the complexity of its structure, the number of its inflections, and the precision with which it can be used'.³⁷ He suggested that it was the 'remnant of a noble language' rather than a 'tongue in the process of development'.³⁸ Spelt out even more sharply, he contended:

And this points to the conclusion that they never could have risen to their present state from a lower grade of savage life, but must have descended to their barbarism from a state more nearly approaching civilization; and their language must be a remnant of what was then in use amongst them.³⁹

Taplin used an examination of Aboriginal customs to extend his argument, contending that while they were involved and burdensome and observed 'with great exactness and particularity', the Aborigines 'can give no account of their meaning or origin'.⁴⁰ The meaning they once had had been lost and what he was observing was just 'superstitious ceremonialism'.⁴¹ Taplin explained Aboriginal material culture in the same manner. Their position was almost hopeless:

36 G. Taplin, *The Narrinyeri, their Manners and Customs*, Adelaide, 1873, p. 74.

37 *ibid.*

38 *ibid.*

39 *ibid.*, p. 75.

40 *ibid.*

41 *ibid.*

The condition of this people furnishes ample grounds for the position that man in a state of barbarism, so far from rising towards civilization, inevitably and invariably goes downwards towards extinction. The intelligent amongst the Aborigines always say that their traditions speak of a time when they were more numerous than they are now, and that their number had been decreasing long before the white man came into the country. It would appear that the first comers possessed so much civilization as to enable them to increase in numbers, but in proportion as they became more numerous they became more barbarous, until the point was reached where the race began to descend towards its present condition. Savage life is fatal to the increase of the human family.⁴²

Taplin explained the degeneration of the Aborigines in moral-theological terms. He argued that in the 'desperate battle for existence' man degenerates, drops 'wholesome customs' and 'moral observances', loses 'obedience to law', all things indispensable to his health, and as a consequence 'dies of dirt and savagery'.⁴³ None could rise above such a state of intemperance and sensuality:

Now it is very evident that if this representation be faithful, man never could originally have been created in a state lower than that of these Aborigines, for if he had been, he never, by any course of development accordant with the course of his nature, could have risen out of it. The only conclusion at which we can fairly arrive is, that man was created with all the powers, faculties, and impulses which would lead him to adopt from the first that state of existence which we call civilisation.⁴⁴

Taplin enunciated a clearly anti-evolutionary explanation of the origins of man. In his view all mankind was created with the same potential but that some races became increasingly separated from God. The implication was that Christianity was not only a personal means of regeneration, it was the engine of civilisation. His account of his work at Point McLeay was presented as proof of his proposition; those who embraced Christianity were prospering, those who rejected it were doomed. In

42 *ibid.*, p. 76.

43 G. Taplin (ed), *Folklore, Manners, Customs and Languages of the South Australian Aborigines*, Adelaide, 1979, p. 10.

44 Taplin, *The Narrinyeri*, p. 76.

this sense Taplin's representation of Aboriginal society was analogous to that of the Dresden missionaries in the early years of settlement. It was a moral construction in which the ethnographic description illustrated the 'thralldom of savage custom' and the importance of Christianity as a means of overcoming it. The important distinction in Taplin's case is that he was explicitly countering the increasingly dominant evolutionary, and secular, view of man.

Taplin was well aware of the major works concerning physical and social evolution being published. To Bleek he explicitly rejected the views of John Lubbock and Wake regarding the evolution of society.⁴⁵ He was clearly familiar with Darwin's theory and had provided him with material for his researches.⁴⁶ He also quoted from other popular works of the day such as the Duke of Argyll's *Primeval Man*.⁴⁷ Yet he was defending a view already considered dated. When E. B. Tylor published *Primitive Culture* in 1871, he discussed the degradation theory, not because he considered it a serious counter to the 'progression theory of civilization', but because it still had a hold on public opinion.⁴⁸

In 1879 J. D. Woods, an educationalist, edited and introduced a volume entitled *The Native Tribes of South Australia*. It reproduced most of the ethnographic writings produced in the colony since settlement together with some new accounts, such as a piece by William Wyatt on the Adelaide tribe. Woods explained his purpose as being to preserve, and place before the public, information about the Aborigines which, he claimed, the government had made no effort to investigate.⁴⁹ His introduction briefly recounted the history of settlement and contrasted the enlightened attitude of the

45 Protector's Report, 10 August 1874, *South Australian Government Gazette*, 18 March 1875, p. 511-12.

46 *Adelaide Observer*, 6 June 1874.

47 Taplin, *Folklore, Manners, Customs*, p. 9.

48 Tylor, *Primitive Culture*, p. 35.

49 J. D. Woods (ed), *The Native Tribes of South Australia*, Adelaide, 1879, pp. vii - xiii.

colonial office to the efforts of more recent administrations - the consequence was the progressive extinction of the Aborigines:

The South Australian natives form no exception to the rule. In many parts of that portion of the continent to which these pages specially refer they have entirely disappeared. Not a vestige of the Port Adelaide tribe remains. The Adelaide tribe is extinct, and so are those which dwelt near Gawler, Kapunda, the Burra, the Rufus, &c. In none of these places can a single trace of them be found.⁵⁰

Woods presented a very broad description of Aboriginal society, stressing the overall uniformity in the manners and customs of the Aborigines. On the question of the origins of the Aborigines, he took an evolutionary stance, albeit somewhat halfheartedly:

In intellectual capacity the Aborigines seem to occupy a low position in the scale of humanity. They do not seem to have descended from a higher state of civilisation, for there are no traces of any such transition anywhere; nor, on the other hand, is there the slightest evidence that they have advanced in any degree from their primal condition. In fact, they seem incapable of any permanent improvement, for none of those to whom the benefits of civilisation have been made familiar have ever adopted them when beyond the white man's control. They seem to be like children. Their brain seems to be only partly developed, and they cannot be instructed beyond a certain point.

Like birds, each constructs its nest upon one pattern, which never varies from generation to generation.⁵¹

Woods' claims of government neglect, both scientific and social, created a brief public debate between himself and Taplin in which he criticised Taplin's methodology as bordering 'on the comic' and characterised Taplin's account of his mission as a 'dismal diary'.⁵²

50 *ibid.*, p. ix.

51 *ibid.*, pp. xxxvii - xxxviii.

52 *Adelaide Observer*, 9 April 1879.

The reassessment of Aboriginal society in this period represents a transition from a predominantly religious construction to an increasingly scientific one. Even Taplin, defending the earlier view, employed the methodology of the emerging empiricism. Regardless of whether the Aborigines were portrayed as having degenerated from a higher state of civilisation, or as having evolved as a stunted branch of the evolutionary tree, they were projected into the past, reinvented as living fossils whose decay was ordained by both natural as well as metaphysical laws.

'Some Aborigines I have known'

From the mid-1880s, a type of ethnographic work appeared that owed more to frontier reminiscence than the emerging discipline of anthropology. The call to record the habits and customs of the Aborigines for posterity, combined with a fascination for Aborigines as a facet of Australiana, saw some individuals record their memories and experiences of Aborigines. Such accounts were characteristically discursive and full of personal anecdotes and private theories. A number were published in respected journals such as the *Proceedings of the Royal Society of New South Wales*, the *Transactions of the Royal Society of South Australia*, and the *Proceedings of the Royal Geographical Society of Australasia*.⁵³ Others were published in book or pamphlet form, in newspapers and magazines.

Typical of these contributions was a paper read by Edward Stephens to the Royal Society of New South Wales in 1889 entitled 'The Aborigines of Australia: Being Personal Recollections of Those Tribes which once inhabited the Adelaide Plains of South Australia'.⁵⁴ As the title implies this was essentially a personal memoir full of anecdotes illustrating the character, customs and beliefs of the Aborigines. The

⁵³ For instance, papers by F. Krichauff, Simpson Newland, A. T. Magarey, J. H. Brown and T. M. Sutton published between 1886 and 1900, in the *Proceedings of the Royal Geographical Society of Australasia, South Australian Branch*.

⁵⁴ E. Stephens, 'The Aborigines of Australia. Being Personal Recollections of Those Tribes which once inhabited the Adelaide Plains of South Australia', *Journal and Proceedings of the Royal Society of New South Wales*, vol. 23, 1890, pp. 476-503.

author makes no pretensions of having 'studied' Aboriginal culture, he is simply recording his observations as a boy growing to manhood in early Adelaide. Simpson Newland recorded aspects of Aboriginal culture in a variety of writings, once again characterised by a discursive and anecdotal style. There was a more explicitly political sense in his works: the self-consciously titled 'Some Aborigines I have known', for instance, seems to have been an effort to 'humanise' Aborigines in the mind of the public.⁵⁵

At the other extreme is the work of William Willshire, who in 1891 published a pamphlet entitled *The Aborigines of Central Australia*.⁵⁶ Willshire was the 'Officer in charge of the Interior Police Patrol', a bushman, author, and rogue - at one time tried for the murder of Aborigines in central Australia, although he was found not guilty of the charge.⁵⁷ It is an exceptionally egotistical tract written in a racy style with Willshire as its hero. The author focussed on sensational subjects such as infanticide, cannibalism, violence, 'wife-stealing,' and initiation. A large portion is also devoted to his assessment of the Aboriginal character, which he presented as overwhelmingly unwholesome, characterised by treachery, ingratitude and gross immorality. While Taplin quoted such learned authors as the Duke of Argyll and Dr. Turner, it is telling that the only author Willshire cited was Rider Haggard.⁵⁸

Perhaps more important than the quality of these works is the fact that they were published at all, that there was an interest in Aboriginal matters after such a long period of disinterest. In his dedication of *The Aborigines of Australia* to Sir Samuel Davenport, Willshire comments:

55 S. Newland, 'Some Aborigines I have known', *Proceedings of the Royal Geographical Society of Australasia, South Australian Branch*, vol. 2, 1894-1895, pp. 37-54.

56 W. H. A. Willshire, *The Aborigines of Central Australia*, Adelaide, 1891.

57 John Harris, *One Blood: 200 years of Aboriginal Encounter with Christianity: a story of hope*. Sutherland, NSW, 1990, pp. 395-399.

58 Willshire, *The Aborigines of Australia*, p. 31.

Those two admirable institutions, the Australian Natives' Association and the Geographical Society, will no doubt be pleased to see that the author, who has no pretensions to literary merit, has tried to do something for his countrymen . . .⁵⁹

Willshire saw himself as serving the ends of science, on the one hand, and country, on the other. The effect of colonial nationalism on the representation of Aborigines will be dealt with in more detail in chapter nine.

'Anthropology is the child of Darwin'

For much of the nineteenth century anthropology was the province of missionaries and interested amateurs. It should be no surprise that the missionary George Taplin was at the centre of the South Australian revival in the study of Aborigines during the 1870s. In a generation during which most of his contemporaries considered Aborigines a social and intellectual irrelevancy, Taplin studied the people he was evangelising. Yet, while missionaries were uniquely placed to take advantage of the new fashion for anthropology, the discipline which had been rejuvenated by evolutionary theory became increasingly the province of science.

The 1880s saw anthropology emerge as a respectable and increasingly professional discipline. The process had been under way in England for some time. Membership of the Ethnological Society, which had declined sharply during the 1850s, shot up by two hundred in 1860, the year after Darwin's *Origin of the Species* was published. In 1871 the Anthropological Institute of Great Britain and Ireland was established.⁶⁰ In 1884 Edward Tylor became the first professor of anthropology at Oxford.⁶¹ In 1888 anthropology was admitted to the first congress of the Australasian Association for

59 *ibid.*, Dedication.

60 W. R. Chapman, 'Arranging Ethnology: A.H.L.F. Pitt Rivers and the Typological Tradition', G. W. Stocking Jr. (ed), *Objects and Others, Essays on Museums and Material Culture*, Wisconsin, 1985, p. 30.

61 Mulvaney, 'The Australian Aborigines', p. 32.

the Advancement of Science.⁶² In Australia, learned bodies such as the Royal Society and the Royal Geographical Society began to take anthropology seriously. The Second Interprovincial Geographical Conference held in Adelaide in September 1887 recommended that every effort be made to preserve an ethnological record of the Aborigines, and a sub-committee dealing specifically with 'historical and ethnological' matters was established.⁶³ In 1898 the Royal Society of South Australia recommended a joint colonial effort to produce an 'authoritative treatise' on the 'Australian Race'.⁶⁴

Late in the century the Royal Geographical Society in South Australia became an important focus for scholarship on Aboriginal culture. It helped organise the Elder Scientific Expedition of 1891-92 which explored the far north west of the colony and parts of Western Australia.⁶⁵ Although there was no anthropologist in the party, the biologist Richard Helms kept extensive notes on the Aborigines.⁶⁶ Two years later the Horn Scientific Expedition explored Central Australia. Edward Stirling, Director of the South Australian Museum, accompanied the expedition as anthropologist.⁶⁷ Baldwin Spencer went along as the party's biologist and photographer and later took responsibility for editing the four volume report of the expedition.⁶⁸ During the expedition Stirling and Spencer met Frank Gillen, the postmaster at Alice Springs. Gillen's knowledge of Aboriginal matters was sufficiently impressive for him to

62 *ibid.* p. 24.

63 Report of the Second Interprovincial Geographical Conference held at the Rooms of the South Australian Branch of the Royal Geographical Society of Australasia, Adelaide, September 7th, 1887, in *Proceedings of the Royal Geographical Society of South Australia, SA Branch*, vol. 3, 1887-8, p. xvi.

64 *Adelaide Observer*, 8 October 1898.

65 R. Helms, 'Anthropology of the Elder Exploring Expedition, 1891-92', *Transactions of the Royal Society of South Australia*, vol. 16, 1896.

66 *ibid.*

67 E. C. Stirling, *Report of the Work of the Horn Scientific Expedition to Central Australia, Part IV, Anthropology*, Melbourne, 1896.

68 D. J. Mulvaney, & J. H. Calaby, 'So Much that is New': Baldwin Spencer, 1860-1929. *A Biography*, Melbourne, 1985, pp. 131-132.

contribute a small paper to the anthropology volume of the report.⁶⁹ More importantly, the meeting of Spencer and Gillen sowed the seeds of one of the most important partnerships in Australian anthropology.

Although established in 1862, the South Australian Museum for a long time showed little interest in Aboriginal culture - reflecting general community disinterest.⁷⁰ When interest was finally stirred it came from external sources. In 1877 the South Australian Institute, under the auspices of which the South Australian Museum operated, received a request from the Natural History Museum of New York for items illustrating Aboriginal culture. The curator's response was to organise police troopers throughout the colony to forward artefacts to the museum.⁷¹ The collections were assembled for exchange with the New York Museum for items of North American interest. A similar exchange was organised for the Paris Universal Exposition of 1878. Philip Jones makes the point that the curator was not interested in building up the museum's Aboriginal collection; he was satisfied with what he considered a representative collection of Aboriginal artefacts, and anything in excess could be used for further exchange.⁷² It was not until Edward C. Stirling was appointed director of the museum in 1889 that the institution established an anthropological orientation. A medical practitioner and scientist who had studied anthropology at Cambridge, Stirling made it policy to collect Aboriginal artefacts.⁷³ In a form letter sent in 1890 to station masters along the route of the Overland Telegraph, Stirling wrote:

In view of the rapid disappearance of the Aborigines of Australia, it is much desired to obtain, for the South Australian Museum, as complete

⁶⁹ F. Gillen, 'Notes on some Manners and Customs of the Aborigines of the McDonnell Ranges Belonging to the Arunta Tribe', appendix to E. C. Stirling's *Report of the Work of the Horn Scientific Expedition to Central Australia, Part IV, Anthropology*, Melbourne, 1896.

⁷⁰ P. Jones, 'Collections and Curators: South Australian Museum Anthropology from 1860 to the 1920s', *Journal of the Historical Society of South Australia*, No. 16, 1988, pp. 88-91.

⁷¹ *ibid.*, p. 92.

⁷² *ibid.*, p. 93.

⁷³ *ibid.*, p. 95.

a collection as possible of all articles made and used by them. The Museum already possesses a fair number of things from some localities, but others are entirely unrepresented, and it is these gaps in the collection, representing the ethnology of the country, which we particularly wish to fill up.⁷⁴

In opening the 1889 Anthropology section of the Australian Association for the Advancement of Science, J. J. Wild explained the purpose of anthropology to be 'the critical examination of the intellectual and material progress of man from the earliest ages down to the present'. The Aborigines of Australia, he argued, provided valuable evidence of 'the earliest stages of the human race'.⁷⁵ Evolutionary theory was anthropology's key to scientific respectability, it also provided a radically new way of looking at Aboriginal society. It helped shape what was asked about Aboriginal society. In particular, the importance it placed on the question of race and racial origins focussed attention on physical characteristics.

The new interest is evident in Richard Helms' account of the Aborigines in his report on the Elder Expedition, a large section of which is devoted to what he termed 'Tribal Characteristics', by which he meant physical characteristics. There is a strong theme of environmental determinism in his descriptions: he constantly related the stature and physical characteristics of the various groups he encountered to the nature of the environment in which he found them.⁷⁶ Conscious of the significance of physical anthropology, Helms apologised for the fact that he lacked the necessary equipment to make 'cranial or other anatomical measurements'.⁷⁷

In his anthropology section of the report of the Horn expedition, Stirling devoted a good deal of space to the 'Physical and Personal features' of the Aborigines, paying

⁷⁴ Cited in Jones, 'Collections and Curators', p. 97.

⁷⁵ Mulvaney, 'The Australian Aborigines', Pt. 2, p. 24, citing J. J. Wild, 'Outlines of Anthropology', *Proceedings Australasian Association for the Advancement of Science*, Sydney, 1889, pp. 443-5.

⁷⁶ Helms, 'Anthropology of the Elder Exploring Expedition', pp. 239-243.

⁷⁷ *ibid.*, p. 239.

particular attention to what he considered the key features: hair, skin type, and skull shape.⁷⁸ Several appendices were devoted to measurements of stature, skulls, and skeletons.⁷⁹ Perceived physical peculiarities were regarded as indications of the primitive origins of the Aborigines: members of the expedition, for instance, observed a particular curvature of the tibia among the Aborigines which suggested comparisons with 'Neanderthal man'. Gillen observed that it 'may point back to the time when man walked less erect.'⁸⁰

Stirling addressed these issues in a commemoration speech at Adelaide University shortly after the Horn expedition was completed.⁸¹ He argued that the study of physical characteristics had replaced philology as the key to solving the puzzle of race and racial origins. In the determination of race three characteristics were 'preeminently persistent': 'the complexion, the colour and texture of the hair, and the shape of the skull'.⁸² He stressed the scientific basis of this approach by arguing that it was carried out on 'purely zoological lines'.⁸³ After presenting a brief outline of racial types, Stirling suggests that the Australian Aborigines were probably a mixture of earlier Melanesian and, later, Dravidian stock. The evidence led him to suggest that they represented an earlier race of man. Drawing a comparison with the continent's 'primitive' fauna, he posed the question: 'Could Australian man also be said to be a zoological survivor?' He answered:

The celebrated Neanderthal skull presented in an exaggerated degree the peculiar cranial characters of this race . . . This type of skull, which in Europe only appeared erratically and by atavism, was to be found with remarkable frequency amongst the Australian. According to the distinguished French anthropologist, M. Qutrefages, the resemblance was most marked in skulls of members of the Adelaide tribe, now

78 Stirling, *Report of the Work of the Horn Scientific Expedition to Central Australia*, pp. 15-22

79 *ibid.*, pp. 140-149.

80 *Adelaide Observer*, 17 September 1898.

81 E. Stirling, 'Ethnology in Australia', *Adelaide Observer*, 29 December 1894.

82 *ibid.*

83 *ibid.*

extinct with, he believed, the solitary exception of one old man now living at the Point Pearce Aboriginal Station . . .

Thus it might well be that no people upon earth possessed a more ancient ancestry and less mixed pedigree than the aborigines of Australia, and that they more nearly than any other exhibited the characters and conditions of prehistoric man.⁸⁴

The evolutionary dogma that underpinned the new studies of the Aborigines thus did more than project the Aborigines into the historical past; it classed them as a biologically inferior form of modern man, superior to apes but on a par with Neanderthals. Of the 'primitive' people on earth the Australian Aborigines were given the dubious distinction of being among the lowest.

While the missionaries battled for the souls of the dying, the scientists stole their bodies from the grave. One of the consequences of evolutionary anthropology's interest in the physical characteristics of Aborigines was that it reduced them to the status of natural history specimens. Interest in Aborigines as living examples of 'prehistoric man' resulted in Aboriginal skeletons being in high demand among the international scientific community. South Australia was happy to meet the demand by sending Aboriginal skeletons to institutions throughout the world.

The practice was brought to public attention in South Australia in 1903 when an investigation was held into whether the coroner, Dr. Ramsay Smith, had breached the Anatomy Act of 1884 in his treatment and disposal of dead bodies - both Aboriginal and non-Aboriginal.⁸⁵ Public interest was especially piqued when it was revealed that Dr Smith had 'removed the skeleton of the aboriginal Tommy Walker,

⁸⁴ *ibid.*

⁸⁵ Report of Board of Inquiry re Dr. Ramsay Smith, *South Australian Parliamentary Papers*, No. 37 of 1903. It should be noted that most of the 'subjects' were Europeans, although Chun Ah Kion, a Chinese, and E. Harris, a Negro, were, like Tommy Walker, 'anthropological specimens'. Perhaps in deference to public sensibilities, the evidence was not published, and the language of the report is so guarded as to be positively mysterious.

as an anthropological specimen'.⁸⁶ Tommy Walker was a well-known Aboriginal identity in Adelaide during the 1890s, particularly in the courts and at the races. However patronising were attitudes toward him, he was sufficiently well regarded that, when he died in 1901, the Adelaide Stock Exchange paid for his funeral ceremony and the erection of a marble head-stone over his grave in the West Terrace Cemetery.⁸⁷ A newspaper article, under the heading 'Tommy Walker: He Rests in Pieces' revealed that his body, or most of it, was not in the coffin, having been appropriated for scientific purposes and sent to 'some other land'.⁸⁸ It also revealed that such practices had been going on for some time:

Talking to-day on the subject of dead aboriginals, a leading Adelaide man made a statement, which goes to bear out the rumours of dismemberment of corpses.

He remarked that very few natives who died in Australia during the last twenty years have been buried whole.

The reason for this, it was explained, was that medical scientists desired to secure specimens of bones of a race which is gradually becoming extinct.⁸⁹

There is no indication that the permission of relatives was sought, or that they even had knowledge of the proceedings. It is unlikely that it was considered necessary for permission to be obtained. In the case of Tommy Walker, the removal of his body was considered legal on the basis that it was done 'in the presence of Constable Rea, with either the actual permission or non-objection of the constable'.⁹⁰

Dr Smith was completely exonerated by the inquiry, which thought that there was 'no illegality or impropriety in the removal of parts of the body for either

86 *ibid.*, p. 2.

87 *The Advertiser*, 18 August 1903.

88 *ibid.*

89 *ibid.*

90 Report of Board of Inquiry re Dr. Ramsay Smith, 1903, p. 2.

pathological, anthropological, or other purposes, provided decency and propriety be observed'. The severest criticism, that he allowed his 'zeal in the cause of science to outrun his judgment', was effectively a backhanded compliment.⁹¹ The controversy had little effect on Ramsay Smith's career, quite the reverse. Invited to write an entry on Aborigines for the 1907 edition of the *Australian Encyclopedia*, he presumably drew on his extensive anatomical expertise when he observed that, of all the human races, 'Australian Aborigines have furnished the largest number of ape-like characters. The more one investigates the truer does this statement prove to be'.⁹²

This view of Australian Aborigines as modern survivors of primeval man established a set of presumptions that proved critical in any anthropological assessment of the personal qualities and abilities of the Aborigines, as well as assessments of their social institutions and material culture. One of the key presumptions was that a race low on the evolutionary scale had an equivalently low mental capacity. Richard Helms, for instance, refused to concede that any practices or social institutions that exhibited what he conceived of as some form of sophistication could have been originated by the Aborigines. This is evident in his account of sub-incision. Like other contemporaries, he regarded sub-incision as a form of birth control, but he found it 'highly improbable that this race in its present state of mental development could possibly have conceived a system with a high ethical tendency . . .'.⁹³ His refusal to credit any form of intelligence to the Aborigines led him to engage in a highly convoluted argument about Aboriginal racial origins in an effort to show that the practice was originated by an earlier and higher race. He claimed that the evidence suggested that 'the aborigines of Australia have become a retrogressive race' - although he tried to avoid the 'degeneration-theory' by stressing the impact of

91 *ibid.*

92 Cited by D. J. Mulveney, 'The Darwinian Perspective', in I. Donaldson & T. Donaldson (eds), *Seeing the First Australians*, Sydney, 1985, p. 69.

93 Helms, 'Anthropology of the Elder Exploring Expedition', p. 250.

environment and of natural selection.⁹⁴ He suggested that the 'stress of circumstances' may have resulted in a previously higher race physically and mentally regressing.⁹⁵ He also canvassed the possibility that this higher race may have mixed with a lower race that already inhabited the continent, and that the 'admixture may to some extent have influenced the mental and physical condition of some of the tribes'.⁹⁶ The rites he observed were therefore interpreted as hollow ritual. The point is that a presumption of inferiority shaped the way in which he developed his argument.

He proposed a similar explanation of Aboriginal art, in the form of body painting and rock art.⁹⁷ He was clearly very impressed by the quality of these, but again refused to concede that the Aborigines could provide him with any insights into them:

The best chances of elucidating these symbols are now, alas, almost hopelessly lost, because wherever similar markings are met with in other parts of Australia which might perhaps furnish a key to the rest, nobody is left to translate them. The few living remnants of the numerous decayed tribes have either entirely lost all knowledge of the meaning of these markings or have become, through contact with the white population, so addicted to lying that their evidence is entirely untrustworthy.⁹⁸

Addressing the Royal Society of South Australia in October 1898, Dr. John Cleland rejected Helms' suggestion of cultural regression, but not the presumption of mental inferiority. Drawing comparisons with the Aborigines and the evidently intelligent behaviour of beavers and bees, Cleland suggested that this may have been 'evidence of the high quality of their primary nervous structure' rather than of 'conscious

94 *ibid.*, p. 251.

95 *ibid.*, p. 252.

96 *ibid.*

97 *ibid.*, pp. 259-268.

98 *ibid.*, p. 265.

volition of adapting means to an end'.⁹⁹ As evidence of how 'savage man acts in common with many animals and birds in a way which more civilized people have lost' he referred to the ability of Aborigines to travel long distances without any apparent guidance.¹⁰⁰ In support of his argument he cited Darwin's 'Essay on Instinct'. The higher abilities of the Aborigines, such as language, are dismissed as innate behaviours, the result of 'unconscious cerebration', rather than genuine cultural inventions or, as Helms had argued, evidence of cultural and racial degeneration. Thus, although the theories differed, each was based on a presumption of inferiority.

The study of Aboriginal material culture was also strongly influenced by evolutionary theory. One of the most influential figures in this field was the Englishman A. H. L. F. Pitt-Rivers. A collector of ethnological material and associate of some of the more important figures in English anthropological circles, he became an ardent evolutionist by the 1860s.¹⁰¹ Pitt-Rivers' significance lies in the typological system he applied to the study of material culture, in which he classified boomerangs and spears in much the same way that a natural scientist would classify butterflies and molluscs. Material culture, he argued, was 'as capable of classification into genera, species and varieties' as were flora and fauna.¹⁰² His ideas were synthesised in a paper entitled 'The Evolution of Culture', which was published in the mid 1870s.¹⁰³ He argued that cultures evolved through small and gradual modifications, the accumulation of which eventually produced major transformations. He believed further that this model could be extended to the development of other aspects of culture such as religious and political institutions.¹⁰⁴ His model was set out in an

⁹⁹ *Adelaide Observer*, 8 October 1898.

¹⁰⁰ *ibid.*

¹⁰¹ Chapman, 'Arranging Ethnology', pp. 27-28.

¹⁰² Cited in Mulvaney & Calaby, 'So Much That Is New', p. 60.

¹⁰³ H. Morphy, 'The Original Australians and the Evolution of Anthropology', in Howard Morphy & Elizabeth Edwards (eds), *Australia in Oxford*, London, 1988, p. 50.

¹⁰⁴ Chapman, 'Arranging Ethnology', p. 33.

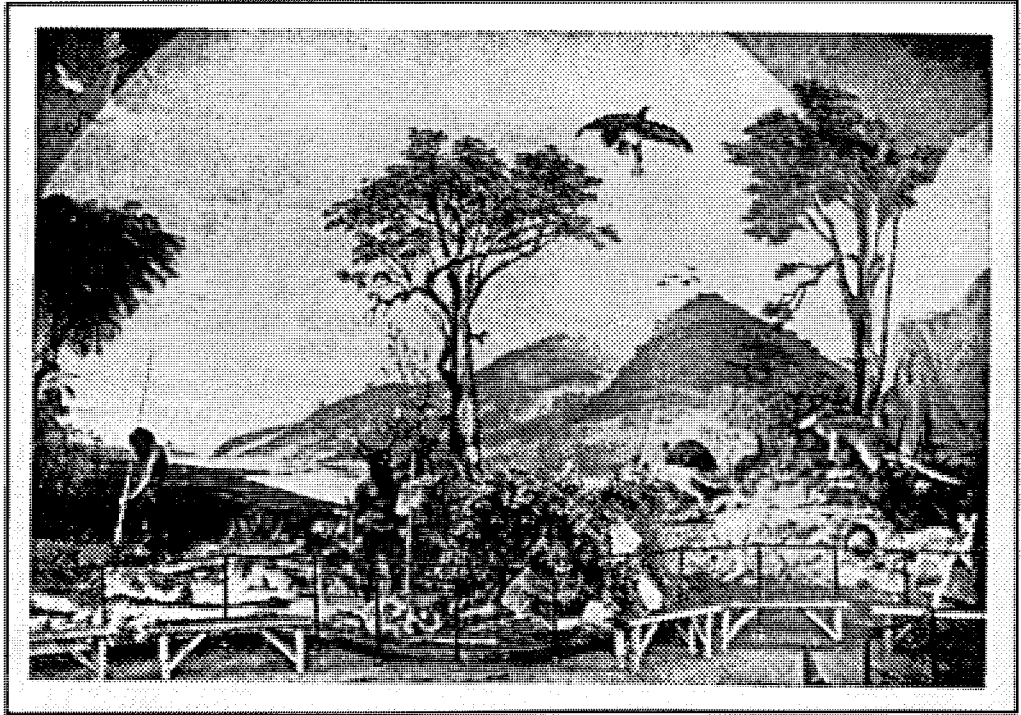


Plate 24 a. Life-size diorama of Aboriginal life as exhibited at the Colonial and Indian Exhibition, 1886.

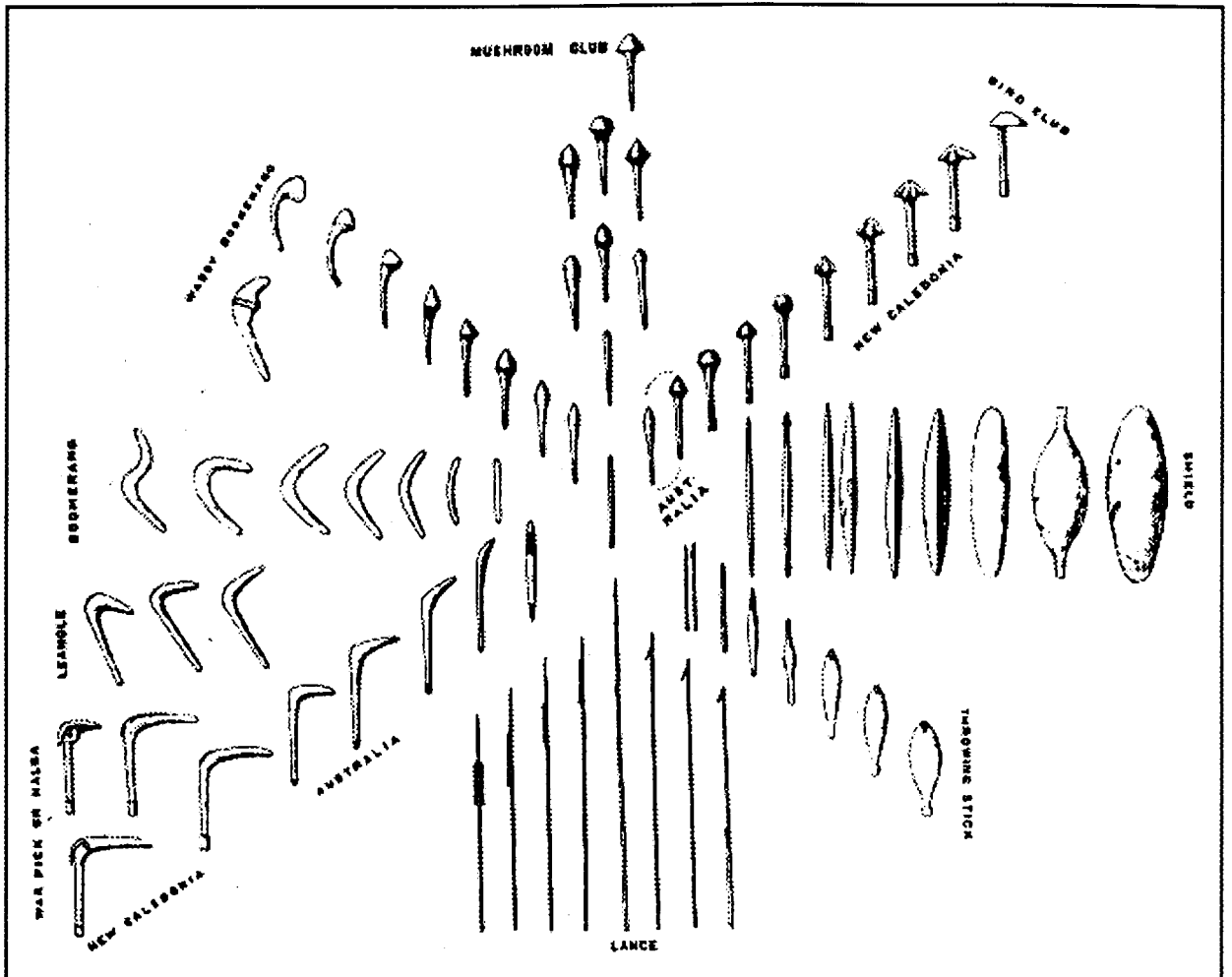


Plate 24 b. 'Clubs, Boomerangs, Shields and Lances', 1874. Pitt-Rivers illustrating the development of material culture from the simple to the complex - Aboriginal implements shown as closest to natural forms.

illustration entitled 'Clubs, Boomerangs, Shields and Lances' (Plate 24 b) which purported to show the development of material culture from the simple to the complex: that 'sequence of ideas by which mankind has advanced from the condition of the lower animals'.¹⁰⁵ The clear presumption was that the material culture of a society or race reflected their mental culture. As the illustration shows, Australian material culture was used to indicate the earliest stages of development.¹⁰⁶

The taxonomic orthodoxy of Pitt-Rivers was followed in Australia. Baldwin Spencer had helped move the Pitt-Rivers' collection to Oxford in the 1870s, and applied the ideas in his work at the Victorian Museum at the turn of the century,¹⁰⁷ while Stirling applied them at the South Australian Museum.¹⁰⁸ According to Jones, objects such as 'clubs, spears and boomerangs were arranged to show an assumed progression from the simplest to the most complex forms', while the Museum as a whole was organised to illustrate an evolutionary progression from the simplest form to the most complex, with primitive man lodged between mammals at one end and the civilisation of Egypt at the other (Plate 24 a).¹⁰⁹

In the period when descriptions of Aboriginal society were mainly produced by missionary ethnographers such as Taplin, their work was always tethered to moral and religious presumptions: social organisation was judged against Christian ideals of morality; religious beliefs against Christian presumptions about God. The secularisation of anthropology in the late colonial period allowed some of the complexities of Aboriginal society and culture to be revealed. For instance, Howard Morphy observed, in the work of Spencer and Gillen, that Aboriginal society 'ceased to be a bundle of isolated traits and became a functioning system in its own right. . .'¹¹⁰

105 *ibid.*

106 Morphy, 'The Original Australians', p. 50.

107 *ibid.*, p. 54.

108 Jones, 'Collections and Curators', p. 98.

109 *ibid.*

110 Morphy, 'The Original Australians', p. 59.

One reason for this was a radical shift in methodology, which saw fieldwork replace the printed circular and the fleeting interview.¹¹¹

The work of Spencer and Gillen provided real insight into the nature of Aboriginal religious beliefs. Through it the concept of the 'Dreamtime' first emerged, illustrating the important spiritual relationship of Aborigines to the land.¹¹² Discussion of Aboriginal social organisation had once been discussed with a pervading sense of repugnance at perceived promiscuity, ill-treatment of women and so forth. Closer examination now revealed complex social divisions and marriage rules. This was of sufficient interest for a newspaper to devote a column to the subject of Aranda marriage rules, as revealed by Spencer and Gillen's work.¹¹³ Many other presumptions about Aboriginal society were also being overturned: for, example, the idea that wives were usually won by abduction, that cannibalism was normal, and that Aboriginal society was a constant state of war. As a reviewer of Spencer and Gillen's *Native Tribes of Central Australia*, observed:

On the perusal of the volumes we have come to the conclusion that the Central Australian native is by no means so low in the scale as many writers have represented him to be; the completeness of his social organisation, the complexity of his marriage laws, and the elaborate character of his initiation ceremonies amply testify to the contrary . . .

114

While the new scientific approach to the study of Aboriginal society evident in the work of Spencer and Gillen may have resulted in greater methodological objectivity, it occurred within an ideological framework as restrictive as anything Christian dogma could provide. Ideologically, 'scientific truth' proved to be as efficient a gaoler as 'the will of God.'

111 *ibid.*

112 *Adelaide Observer*, 1 October 1898.

113 *ibid.*, 10 December 1898.

114 *ibid.*, 4 March 1899.

'The Romance of Ethnology'

As the 1890s drew to a close, anthropology entered an 'heroic age' and its practitioners experienced some of the prestige that had once been reserved for explorers. Anthropologists began to be quoted as authorities, in much the same way that missionaries had been previously. In 1898 a virtually unannounced lecture by Frank Gillen to the Geographical Society was so well attended the meeting had to move to a larger auditorium, and the substance of his talk was reproduced in the newspapers.¹¹⁵ Interviews with Gillen were published in the newspapers and his opinions cited on anthropological as well as social matters.¹¹⁶ When Gillen criticised a proposal to establish mission stations, the *Adelaide Observer* argued that 'great weight must be attached to his criticism' on the basis of his 'intimate knowledge of the black tribes of central Australia'.¹¹⁷

The popularity of anthropology was evident in the publication of quite lengthy articles on the Aborigines, often under columns headed 'Ethnology' or 'Anthropology'. Some headings give an idea of the subject matter: 'Our coloured Kindred, chat with Mr F. J. Gillen', 'The Australian Aboriginal', 'The Aborigines of Australia', 'Is the Kurdaitcha mythical', 'Marriage Amongst Savages', 'Studying the Aborigines', 'The Vanishing Aborigines'.¹¹⁸ Detailed accounts of public addresses were reprinted in the newspapers: Stirling on the Horn Expedition, Cleland on the physiology of Aborigines, and Gillen on the Aborigines generally.¹¹⁹ Articles by A.T. Magarey about smoke signals, water-lore and tracking were serialised.¹²⁰ It was also a subject that generated correspondence in the letter columns, on such topics as boomerangs, kurdaitcha shoes and tracking skills.¹²¹ Not only was the discipline of

115 *ibid.*, 1 October 1898.

116 For instance, *Adelaide Observer*, 2 April, 17 September & 1 October 1898.

117 *Adelaide Observer*, 2 April 1898.

118 *ibid.*, 17 September, 1 October 1898 & 5 November 1898; 8 September & 13 October 1900.

119 E. Stirling, *Adelaide Observer*, 29 December 1894; Cleland in the *Adelaide Observer*, 8 October 1898; Gillen in the *Adelaide Observer*, 17 September 1898 & 13 January 1900; *Advertiser*, 2 August 1902.

120 *Adelaide Observer*, 17, 24 & 31 August, 9 & 26 November 1895.

121 *ibid.*, 2 March, 27 July 1895, 5 November 1898, 21 January 1899.

anthropology being pursued with gusto, but the evolutionary ideas that underpinned it were being widely disseminated.

The process was accelerated in 1899 with the publication of Spencer and Gillen's *The Native Tribes of Central Australia*. After their meeting during the Horn expedition, Spencer and Gillen began corresponding on the subject of the Aborigines. It was a complicated, three-tiered partnership in which Gillen forwarded his information to Spencer in Melbourne, while Spencer, under the guidance of J. G. Fraser in England, organised this information and in turn passed questions back to Gillen in the field.¹²² The result of this collaboration was *The Native Tribes of Central Australia*, which received international acclaim and put Australia at the vanguard of anthropology.¹²³ The significance of the work was underlined when the governments of South Australia and Victoria received a memorial from the 'leading scientists in England' asking that Spencer and Gillen be released from their duties for a period to continue their work among the Aborigines of central and northern Australia.¹²⁴ Their work was praised as 'a model of scientific research and a storehouse of accurate observation' which ranked 'among the documents of primary importance for anthropology'.¹²⁵

The appeal was sufficiently impressive for both men to be granted leave of absence for twelve months and for significant government and private support to be forthcoming.¹²⁶ David Syme, editor of the *Melbourne Age*, contributed a thousand pounds towards their expedition.¹²⁷ Preparations were reported in great detail and the entire editorial page of the *Adelaide Observer* was given over to a discussion of the

122 Mulvaney & Calaby, 'So Much That Is New', pp. 167-173.

123 *ibid.*, p. 180.

124 *Adelaide Observer*, 8 September 1900.

125 *ibid.*

126 *ibid.*, 15 September 1900.

127 *ibid.*, 6 October 1900.

expedition on the eve of its departure.¹²⁸ During the expedition Spencer sent regular reports, like despatches from the front, which were published in the *Age* and the *Adelaide Observer*.¹²⁹

The New Noble Savage

The 'heroic age' of anthropology reinvented the noble savage. The enlightenment conception of the noble savage was one of a people living free of artificial institutional and social barriers. It was a liberating ideal, for the inventors if not the subjects. The noble savage of science, however, was far from being a romantic ideal. In this view the savage had an abstract nobility borne of a presumed purity of race and of pristine, evolutionary inferiority. In advocating fieldwork among the Aborigines of central Australia, Cleland stressed their ethnological value by noting that they are 'less likely to be mixed with other races':

. . . here if anywhere it should be possible to investigate perhaps one of the purest examples of a race that is autochthonic as contrasted to exotic in its local origin. In other words, in studying the purest examples of the Australian aborigines, the scientific investigator would be studying as purely local productions as would be found in the respective flora and fauna.¹³⁰

Not only was there an urgency to study the Aborigines before they died out, but also to study those still living in a state 'uncontaminated' by civilisation. It became a badge of honour for explorers and anthropologists to contact previously uncontacted tribes.

The romanticisation of the 'uncontacted' Aboriginal tribes of central and northern Australia had the consequence of reshaping the perception of Aborigines who had grown up indoctrinated by European attitudes and even aspiring to European values

128 *ibid.*, 13 October 1900, 2 & 23 March 1901.

129 *Adelaide Observer*, 1, 22, 27 & 29 June, 27 July, 3 August, 7 December 1901, 8, 22 & 29 March 1902.

130 *ibid.*, 8 October 1898.

and lifestyles. In introducing 'Our Coloured Kindred: Chat with F. J. Gillen', the journalist played on the contrast between the 'sober savage' and the 'semi-civilised' Aborigine:

You may break, you may scatter, the black if you will; but the charm of the wilderness clings to him still. The sober savage Warioota in the wild wastes, in his summer suit of pipeclay and red ochre, is infinitely more picturesque - to leeward - than semi-civilised Tommy Walker in a second hand tail coat and top hat . . .¹³¹

The 'sober savage' is charming and picturesque in his 'wild wastes', while Tommy Walker and his semi-civilised brethren are 'degenerate descendants'. A conceptual reversal was taking place. In an earlier time the 'semi-civilised blacks' represented at least the hope of transformation from savagery to civilisation, and the 'wild blacks' were the epitome of danger and moral degeneracy. By one set of rules 'contacted' Aborigines were inferior to civilised Europeans, and now, by another, they were inferior to their 'pure' brethren. The new biological perspective of race and culture provided yet another rationale for inferiority. This contrast is evident in the following passage:

From the civilized natives practically nothing can be learnt concerning aboriginal lore and the primitive customs of the race. Their instinct of imitation is as strong as that of a child, and they take their notions from white men without even being aware that they are doing so; but, amidst the almost unexplored regions of Central Australia, which Messrs. Spencer and Gillen will visit, the real ideas of the blacks, as they have existed from time immemorial, may be found intact.¹³²

The impact of this new construction on highly educated Aborigines who had been raised on missions and taught to aspire to European values must have been devastating. An anecdote from the 1903 annual general meeting of Aborigines

131 *ibid.*, 17 September 1898.

132 *ibid.*, 13 October 1900.

Friends Association gives some idea of the impact of these views. In an address to the meeting the Reverend Henry Howard said of the Aborigines:

the mere strain of a highly organized social system was too great for the Aborigines. They [are] too low down in the scale of evolution to be able to keep step with the strides of civilization . . . There was the hidden curse of a half-caste population, which had the vices of black and white . . . and while it might be said that the Aborigines were a fast decaying race, [I do] not know whether after all it would not be better that they should die out cleanly than rot out, as they [are] doing in the Northern Territory.¹³³

The meeting was attended by John Sumner, an Aboriginal man from Point McLeay. He addressed the meeting and eloquently rejected Howard's assertions in an anecdote which, incidently, indicates the penetration of evolutionary views. Some years ago, he recalled, he was approached by a European while on the banks of the Murray:

The white gentleman said - "Do you know what question I am going to ask you young fellow?" I said "No." He said - "You are descended from a baboon monkey. I saw it in a book." I said - "You get a monkey and put alongside me, and ask us a question in your language, and if the monkey can answer you as I do, then I am descended from a monkey. Then you sit down alongside the monkey, and I will ask you a question in my language, and if you cannot answer it any more than the monkey, you are descended from the monkey".¹³⁴

John Sumner, a highly intelligent man and deacon of the church at the Point McLeay Mission, was the living antithesis of Reverend Howard's conception, yet the achievements of men such as he were increasingly dismissed as exceptions that proved the rule - the rule of Aboriginal inferiority.¹³⁵

¹³³ Quoted in Jenkin, *The Conquest of the Ngarrindjeri*, Adelaide 1979, p. 253.

¹³⁴ *South Australian Register*, 25 November 1903.

¹³⁵ Jenkin, *The Conquest of the Ngarrindjeri*, pp. 247-254.

This anecdote is also significant for the fact that the rhetoric of evolution was being espoused by a minister of religion. Christianity and evolutionism were by no means irreconcilable. A curious example of this accommodation is found in Howard Hussey's autobiography *More Than Half A Century of Colonial Life and Christian Experience*. Reminiscing about Aborigines in early Adelaide, Hussey dolefully noted their dwindling numbers and observed:

It appears that most of the inferior races of aborigines in all parts of the world gradually disappear as civilisation (so-called) invades their territory, which certainly favors the theory of "the survival of the fittest." I have an idea that before the coming of the Lord Jesus Christ to establish His millennial reign on the earth, that the lowest types of mankind will have disappeared, leaving the more intelligent to enjoy the blessings of that happy time.¹³⁶

Hussey's combination of Christian millenarianism and natural selection was idiosyncratic, but the incorporation of evolutionism into a Christian world view was not.

The increasingly influential evolutionary view of race, predicated on the 'inequality of man', had a profound influence on the generation of social policy. This is evident in the work of Spencer and Gillen. In his report on the Horn Expedition, Baldwin Spencer's views regarding the proper treatment of Aborigines were built upon the principle of biological determinism. In dismissing the efforts of the missionaries he argued:

To attempt . . . to teach them ideas absolutely foreign to their minds and which they are utterly incapable of grasping simply results in destroying their faith in precepts which they have been taught by their elders and in giving them in return nothing which they can understand. In contact with the white man the aborigine is doomed to disappear: it is far better that as much as possible he should be left in his native state

¹³⁶ H. Hussey, *More Than Half a Century of Colonial Life and Christian Experience*, Adelaide, 1897, pp. 63-64.

and that no attempt should be made to cause him to lose faith in the strict tribal rules, or to teach him abstract ideas which, are utterly beyond the comprehension of an aborigine . . .¹³⁷

In his evidence to the 1899 Select Committee on the Aborigines Bill, Frank Gillen gave his opinions as an 'ethnologist' - his opinions were offered as though they were scientific certainties rather than merely opinions. When, in reference to the failure of missionary efforts, the proposition was put that 'human nature' was the 'same in black and white?', Gillen replied:

First of all, the Australian aborigines are the lowest in the scale of barbarian races, as well as the lowest in human intelligence. Beyond that I cannot account for it. If I could do anything to uplift the blacks no one in Australia would be more willing than I. I have lived among them for the best part of my life, and I like them. They always treated me well.¹³⁸

Gillen did not need to go 'beyond' what he had said: the Aborigines were the way they were because evolution had so directed it. While, like Spencer, he wanted them preserved because they were 'interesting barbarians' he considered it 'hopeless to try and regenerate them'.¹³⁹ As the passage implies, it was 'nothing personal', it was just that science had defined the low mental and social status of the Aborigines and all the good-will in the world could not advance them on the evolutionary scale.

Elsewhere, asked about whether introduced diseases were the cause of the Aborigines 'dying out,' he again responded with certainty rather than opinion: 'Scientific investigation goes to show that the aboriginal race began to decay many years before the white man set foot in Australia'.¹⁴⁰

137 Cited by Mulvaney and Calaby, *'So Much That Is New'*, p. 126.

138 Minutes of evidence on the Aborigines Bill, 1899, p. 100.

139 *ibid.*, p. 101.

140 *ibid.*, p. 99.

'Australia for the Australians'

And well might the native race shiver,
 And fly to the forest in fear,
 Dominion had gone for ever
 From boomerang, waddie, and spear;
 For the rule of the land had passed to the hand
 of the daring and true pioneer:
 Like the dawning of day, like the tide in the bay
 The change time began to appear.

R. Caldwell, *The Pioneers*, 1898, stanza XXIX.

The Nationalist Context

During the 1880s and 1890s a self-conscious nationalism began to emerge as Australian society became more confident of its own identity. The census of 1881 showed that more than 60% of the South Australian population had been born in the colony.¹ The new generation which had grown up in the prosperous post-gold rush years was beginning to be heard. In 1871 the Australian Natives Association was formed in Victoria and by the 1880s branches had been established in all Australian colonies.² The Association's motto was 'Australia for the Australians'. It advocated the appointment of Australians to important government and bureaucratic posts, it supported a 'Made in Australia' campaign, and it wanted to see an end to the 'colonial cringe'. A convert to the doctrine of racial purity, its Australia was a white Australia. While pro-Australian it was not anti-British, it wanted 'to make a Greater Britain under the Southern Cross'.³

1 J. C. R. Camm & J. McQuilton (eds), *Australians: An Historical Atlas*, Sydney, 1987, p. 146.
 2 C. M. H. Clark, *A History of Australia, Vol. 5: The People Make Laws, 1888-1915*, pp. 129-131.
 3 *ibid.*, pp. 130-131.

Indicative of the national mood was the appearance in 1889 of a new weekly newspaper in Adelaide called the *Quiz*: 'a satirical, social and sporting journal'.⁴ Like its eastern state's predecessor, *The Bulletin*, it espoused a radical agenda in its support of greater democracy, federation, protection, and land reform.⁵ Foremost among its planks was a fervent advocacy of Australian nationalism:

"Australia for the Australians" cries the QUIZ, who is himself a true-born Australian, and who wants to see by-and-bye the Southern Cross waving as the emblem of a free and glorious Republic. All are Australians who come here and share our aspirations. It may not be now, but sooner or later that flag will be hoisted, and then Australia, with her millions of sons and daughters, will take that place amongst the nations of the world that she is destined to occupy. QUIZ shakes hands fraternally with every member of the Australian Natives Association, for with them he has but one prayer, but one inspiration, and that to see this nation of the South most truly great.⁶

This movement saw the country for the first time look forward to a 'New Australia' rather than back toward the 'Old World'. It was a period in which Australian society sought a vocabulary for their new nationalism in the 'Australian experience'. One of the grand themes of Australia's history, as constructed by this generation, was the struggle to subdue and master the Australian environment, to bring civilisation to the wilderness. Central among the heroes of the story were the pioneers, explorers and bushmen - the men and women who had opened up the country and produced the abundance that the current generation was enjoying.

While settlement resulted in the physical dispossession of Aborigines, the myth-making that accompanied the rising nationalism of late colonial society marked the beginnings of what might be termed the 'psychic' dispossession of the Aborigines. This chapter examines the process by which the Aboriginal experience of

4 *Quiz*, first edition 31 August 1889.

5 *ibid.*, 31 August 1889, p. 1.

6 *ibid.*

colonisation, and Aboriginality itself, was appropriated to serve nationalist ends. The irony is that this selective incorporation served to marginalise Aborigines in Australian consciousness in a way that paralleled their social and political marginalisation.

The Pioneer and the Aborigines

By the 1880s the 'pioneer legend' had emerged as one of the principal expressions of the 'Australian experience'. According to Hirst, the legend 'celebrates courage, enterprise, hard work, and perseverance; it usually applies to the people who first settled the land, whether as pastoralists or farmers, and not those they employed'.⁷ At the heart of the legend was the theme of 'subduing the land and battling the elements'.⁸ Events such as South Australia's jubilee in 1886 and Australia's centenary celebrations in 1888 stirred interest in the experiences of the men and women who opened up the country. Pioneering stories, whether presented as history, fiction, or personal reminiscence, became a popular genre of late colonial literature. It was commonplace for these records of pioneering experience to include accounts of the Aborigines and the most common representation was that of 'Aborigine as adversary'. In this context, Aborigines took their place with drought, flood and fire in the drama of frontier life.

Between January 1923 and August 1927 the *Adelaide Stock and Station Journal* published 230 biographical sketches of South Australian 'Pastoral Pioneers'. Their author, Rodney Cockburn, hoped they would 'serve as an inspiration to the men and women of South Australia who are now engaged in carrying on the pastoral industry under conditions infinitely more safe and felicitous than were faced with varying degrees of triumph and disaster by those who blazed the trail'.⁹ Perhaps one in five

7 J. B. Hirst, 'The Pioneer Legend', *Intruders in the Bush*, Melbourne, 1986, pp. 14-15.

8 *ibid.*, p. 15.

9 R. Cockburn, *Pastoral Pioneers of South Australia*, vol. I, Adelaide, 1925, Forward.

sketches contain references to Aborigines, in almost every instance to illustrate the hardship and tribulation faced by the pioneer. The Aboriginal component of the biographical sketches have a formulaic quality. The following passage from the biography of the west coast pastoralist Thomas Alfred Wilson is typical:

It required the exercise of no little courage as well as determination against heavy odds on the part of the pastoralist to enter into occupation of this isolated region so far away from the homes of the white settlers and where the blacks who had always been very troublesome, were still, even in the sixties, a constant menace to human life and the sheep farmer's flocks.¹⁰

Cockburn continued the account with a lengthy description of clashes between black and white in the district during the 1840s, before going on to point out that Wilson himself experienced 'much trouble with the treacherous blacks'.¹¹ In the biographical sketch of Archibald Johnson, one of the first settlers in the lower south east, Cockburn wrote:

The South-East was then being occupied by many enterprising men, but it required much courage and force of character to pioneer settlement. The Aborigines were numerous and aggressive, and fancied that all who were kind to them were actuated by fear. Mr. Johnson had several narrow escapes from destruction, but his presence of mind never failed him.¹²

This structure is repeated again and again - a passage pointing out the hardships pioneers faced, together with an account of a clash with the Aborigines. Aborigines took their place alongside native dogs, scab in sheep, drought, bushrangers, and an unsympathetic government as enemies of the pioneers.

The story of the pioneer and the 'troublesome natives' was an established theme of colonial literature throughout the world before it found expression in an Australian

10 *ibid.*, p. 133.

11 *ibid.*

12 *ibid.*, vol. II, 1927, p. 127.

setting. In America, it was a genre particularly associated with the 'leatherstocking' novels of Fenimore Cooper, ranging from *The Last of the Mohicans*, published in 1826, to *The Redskins*, which appeared in 1860.¹³ It is interesting to note that in the late 1860s the only frontier stories published in the locally produced *The Boys' Own Magazine*, concerned pioneers and Indians in North America.¹⁴ 'The Guide's Sacrifice', set in Ohio in 1849, told the story of an experienced guide who died heroically while defending his party of emigrants from an Indian attack. After describing the Indians storming the emigrants' boat, the author continued:

The Indians who were growing more bold and fearless by their encouraging success, now began hacking with their tomahawks at the cabin door; and not until a well-directed shot laid their leader low did they exercise more caution in their movements . . .¹⁵

In the year that 'The Guide's Sacrifice' was published, 1869, two other stories set on the North American frontier appeared, 'Adventure with Indians' and 'Pirrie'.¹⁶

An early frontier adventure story set in an Australian context appeared in *The Youth's Journal* in 1871. Entitled 'Faults on both sides' the story pitted a 'brave and noble Englishmen' against 'savage blacks'.¹⁷ In brief it is the story of a young man, Edgar, who attempts to regain the affection of his sweetheart through an act of heroism - the rescue of 'lubras' and 'picaninnies' that the 'Wirramurra tribe' had captured after routing the 'Korianda tribe'. The barbarity with which the captives were treated is described in great detail:

The blacks were in their 'wurleys,' making a supper of opossums, when the chief ordered the prisoners to bring wood for the fires, and as,

13 R. Slotkin, *The Fatal Environment: The Myth of the Frontier in the Age of Industrialisation 1800-1890*, New York, 1985, chap. 5. See also R. Slotkin, *Regeneration through Violence: The Mythology of the American Frontier, 1600-1860*, Middletown, 1973, chaps. 11 & 12.

14 *The Boys' Own Magazine* commenced publication in South Australia in 1869.

15 'The Guide's Sacrifice', *The Boys' Own Magazine*, 4 September 1869, p. 4.

16 *The Boys' Own Magazine*, 18 September 1869 & 16 October 1869.

17 *The Youth's Journal*, 23 December 1871 & 20 January 1872.

footsore and bruised, the poor creatures rose to obey, he, brutally kicking one of them, with a demonical laugh seized the "pickanniny," and in a moment dashed it into a large pot of boiling water that stood on the fire. A few screams of agony, a few convulsive movements - and all was over.¹⁸

The story continues with 'three brave and noble Englishmen' rescuing the captives only to have the Aborigines lay siege to their town. In an act of heroism while defending the town Edgar is brought down by a well aimed boomerang and made captive. The story concludes with his sweetheart organising a posse to rescue her beloved Edgar and drive off the Blacks. The description of the Aborigines is far from realistic, but that is incidental - they represent the 'generic savage' of a universal frontier.

Reinventing the Frontier

It was not until the 1880s, in the context of the emerging nationalism, that distinctively Australian yarns about pioneers and 'troublesome natives' began to appear. Late in 1880 the *Adelaide Observer* published 'A reminiscence of Port Lincoln' in which the author, 'H.J.C.,' told the story of clashes between the Aborigines and settlers in the Port Lincoln district in the 1840s.¹⁹ The introduction, describing the author's arrival in the district, is designed to show how isolated and dangerous the frontier was, and that the author was a witness to the events he describes.

The story begins with the murder of Captain B. According to the author, Captain B. was alone in his hut one afternoon when a group of Aborigines burst in and, for no apparent reason, beat him to death. 'Elated by their success and maddened by the sight of blood', the author wrote, 'the tribe went off in search of fresh victims'.²⁰ They next came upon Mary, a young shepherd's wife who was alone with her baby while

18 *ibid.*, p. 81.

19 *Adelaide Observer*, 14 August 1880.

20 *ibid.*

her husband tended the flock. To build dramatic tension, 'H.J.C.' digressed briefly to explain how the chief Multalti had previously lusted after Mary only to have his advances spurned. The author next described the attack on Mary and how she fought desperately to protect her child, only to witness Multalti dash its brains out against the mantle before she too was killed.²¹ The killing spree continued when they came across a hutkeeper sawing wood. The Aborigines pounced on him, 'some of them held him to the ground, while two others seizing the saw, proceeded to cut his head in half while yet alive.' With night approaching, the group retreated to an isolated place on the coast to enjoy their plunder.²²

Late that afternoon the atrocities were discovered and a party of volunteers, including Harry whose wife and child had been killed, assembled to plan their revenge. Agreeing that it was too late to begin their search that evening, they decided to set out at first light when they would have a better chance of catching the culprits unawares. Using a 'Sydney black' to track for them they soon came upon the Aborigines camp. The two dozen men who made up the party quietly fanned out and surrounded the camp. A 'desperate battle' commenced with settlers firing volley after volley into the camp, which the Aborigines answered with volleys of spears. At the height of the battle Multalti and four compatriots tried to escape. The line they chose to break through was the one in which Harry was positioned. Burning with vengeance, Harry waited for his chance to shoot Multalti, but just as he was about to fire his foot caught in a root of a tree and he fell, to be clubbed senseless by Multalti. Although Multalti escaped, the volunteers got the better of the fight and, after some hand to hand fighting, drove the remaining Aborigines back until they were driven headlong over a cliff. The fight over, the triumphant settlers discovered Harry lying unconscious on the field of battle:

21 *ibid.*

22 *ibid.*

He was, however, soon restored to life, but his senses had gone forever, and he continued to rave as if still engaged in deadly strife with Multalti. Thus he continued through life, and employed his time wandering from place to place in search of vengeance.²³

The story concluded with the reassuring knowledge that all the escaped killers were eventually run down by the police and finished their lives at the end of a rope.

In 1880, when the story appeared, most readers of the *Adelaide Observer* would have had little or no knowledge of the events described. Shortly after the 'reminiscence' was published a settler who had been in the district at the time wrote to the newspaper pointing out that the story, while built around genuine incidents, was largely an invention.²⁴ The correspondent wrote that the description of Captain Beevor's murder was essentially correct. A shepherd's wife was killed, although a few days later, but her child was unharmed. The gruesome account of the shepherd's decapitation was authentic, but had occurred a year before Beevor's murder. As for the account of the subsequent massacre, the correspondent wrote that while one man had been killed and several injured, the wholesale slaughter described by 'H.J.C.' had not occurred. Of the shepherd's pitiful insanity he wrote:

as for Harry being knocked down by Multalti, it is the purest piece of fiction and all that follows it. I saw the man in Port Lincoln when he was said to be leaving for Adelaide in as sane a state of mind as "H.J.C." himself, and perhaps possessing a better memory.²⁵

Chastened by this correction 'H.J.C.' responded. Beginning with the somewhat bizarre observation that at least they agreed 'upon the main facts', he defended his account on the grounds that the 'sketch' was written entirely from memory.²⁶ He also revealed that he had not actually been in the district when the events described took

23 *ibid.*

24 *ibid.*, 11 September 1880.

25 *ibid.*

26 *ibid.*

place, but had arrived some months after some of the malefactors had been hanged. The most significant aspect of his defence was the admission that his sketch 'was merely written as illustrative of the trials and dangers of the early settlers'.²⁷

H.J.C.'s fanciful account of the violent murders of four pioneers in the Port Lincoln district was largely based on the 1849 murders of Captain Beevor and Anne Eastone. Neither 'H.J.C.' nor the correspondent who submitted a 'corrective' account bothered to point out that both murders were preceded, and probably motivated, by the poisoning deaths of half a dozen Aboriginal people in the district by Patrick Dwyer - who fled the colony and escaped punishment.²⁸

In considering the role Aborigines were assigned in the romance of the pioneer, what was omitted was often as important as what was included. This is evident in Jane Watts' reminiscence of frontier violence on Yorke Peninsula, published under the ingenuous title of *Family Life in South Australia*. The author recorded dramatic accounts of clashes with the Aborigines and dreadful murders of lonely shepherds. One of her anecdotes concerned the pursuit and eventual capture of Tulta, who was accused of murdering two shepherds.²⁹ She failed to record what was documented in a published report of the protector, that Tulta killed a shepherd who raped Tulta's wife.³⁰ Watts might also have reminisced about the shepherd Thomas Sims who, in the same period, raped a six year old Aboriginal girl, but was found not guilty by a jury of his peers.³¹

27 *ibid.*

28 Report of the Government Resident at Port Lincoln, Charles Driver, 1 July 1849, *South Australian Government Gazette*, 26 July 1849, pp. 331-332.

29 J. Watts, *Family Life in South Australia*, Adelaide, 1890, pp. 176-178.

30 Protector's Report, 23 October 1849, *South Australian Government Gazette*, 1 November 1849, p. 500; T. Griffith's (ed), *The Life and Adventures of Edward Snell: the Illustrated Diary of an Artist, Engineer and Adventurer in the Australian Colonies 1849-1859*, Melbourne, 1988, p. 139.

31 Trial of Sims report in the *South Australian Register*, 1 November 1850, 1 & 11 February 1851.

The pioneers invariably remembered the Aborigines as the aggressors, typically choosing lonely shepherds or isolated stations as their targets. Descriptions of settler violence usually took the form of a volunteer party, often in the company of police, hunting alleged murderers or sheep-stealers. In this context the violence is 'manly', instigated by suspects resisting apprehension. This is evident in Watts' reminiscence of Yorke Peninsula. In praising the overseer George Penton for his no-nonsense attitude to the Aborigines, she relates two cases in which he shot Aboriginal suspects. In both instances it is made clear that the overseer attempted to capture the suspects and fired only when threatened with a spear.³²

Occasional stories of unprovoked attacks on Aborigines are recorded, but they took a form that not only distanced the perpetrator from the 'genuine' pioneer, but underlined the latter's good character. Watts recorded the case of a young hut-keeper on Yorke Peninsula who shot and killed an Aborigine and claimed it was in self-defence. An investigation showed that the Aborigine had been shot in the back of the head. The man was put on trial but with insufficient evidence he was released and soon after left the colony. After his departure stories began to circulate revealing that this seemingly polite and orderly character had a dark side, 'there was strong suspicion of him having committed arson, poisoning, burglary, and murder'.³³ It was observed, almost as an explanation, that the hut-keeper was a 'Parkhurst graduate'.³⁴

John Wrathall Bull recalled an episode when, while having breakfast with Matthew Moorhouse at Gawler one morning, a young Aboriginal girl approached them. She told them she was sitting in the scrub with her grandfather when a white man on horseback approached and accused them of stealing a calf:

32 Watts, *Family Life in South Australia*, pp. 174-182.

33 *ibid.*, pp. 179-182.

34 *ibid.*, p. 180.

We said, 'No, no spear - eating kangaroo.' White man plenty growl, and then he shot old man grandfather. I ran and hid in the scrub, and then came on to Gawler Town.³⁵

Bull and Moorhouse immediately set off to investigate and discovered the partially burned body of the girl's grandfather. The suspect, Roach, was taken into custody but when the trial came on Roach escaped justice because he had two mates to give him an alibi, while the child's testimony was unsupported. To explain Roach's villainy, Bull points out that he was an 'old hand' who came from one of the 'convict colonies'.³⁶

Bull concludes his account of the murderer Roach, who escaped legal punishment, with an anecdote that illustrates the operation of divine justice:

After his discharge Roach mounted his horse to return to the North, but before he had well passed North Adelaide his horse reared with him and fell back on the rider, and in the fall his neck was broken, and so he died, and met with a punishment he richly deserved, as I have no doubt in my mind he committed a cruel and cold-blooded murder upon a poor, unoffending, helpless old man.³⁷

Charles Sturt employed a similar conclusion in an anecdote about the deeds of Miller, a particularly vicious man who had been a soldier in Sturt's regiment. Sturt related three instances in which Miller, without provocation, killed Aboriginal people: on one occasion shooting an old man, on another shooting a man who had guided him across a swamp, and on a third killing an Aboriginal woman and her child with a tomahawk. As in the case of Roach, justice was eventually served:

Retribution however soon followed. He was himself speared by the blacks, and altho' he did not die of his wounds, they were the direct cause of his death. He had an aneurism of the heart and was told never to use any violent exertion. Regardless of this, however, he was once

35 J. W. Bull, *Early Experiences of Life in South Australia*, Adelaide, 1884, pp. 151-153.

36 *ibid.*

37 *ibid.*

visiting a friend in gaol where he ought to have been himself, and in leaping the ditch before it, he fell dead on the other side, without having had time given to him either for repentance or reflection.³⁸

It is interesting to note in these accounts of unprovoked violence against Aborigines that the perpetrators are not genuine pioneers, but members of the lower classes, and quite often an ex-convict. To record the misdeeds of this class did not reflect badly on the qualities of the pioneer. Indeed, it could be said to enhance it, as this 'class' often constituted one of the 'enemies' of the pioneer, along with Aborigines and natural elements. Furthermore, while the rogues may have escaped punishment at the hands of the authorities, justice was delivered by the hand of fate.

The process by which the frontier was reinvented is well illustrated by two case studies, the first concerning a Scottish settler, James Brown, and the second an Aboriginal stockman, Logic. As well as illustrating both sides of the frontier, the historical core of each case, and later folklore accounts, are well documented. Through the magic of folk memory we see James Brown's personal ignominy transformed into a parable of pioneer gumption, and Logic's popular notoriety degenerate into an allegory of Aboriginal villainy.

The Legend of James Brown

In 1849 James Brown was arrested for the murder of Aborigines on his station in the Tatiara district. Brown had been in the colony for ten years and the murders he was charged with occurred while he was establishing his Avenue Range station, 50 miles north east of Guichen Bay.³⁹ According the government resident at Guichen Bay, Brown and his stockkeeper, Gorky, shot dead nine people: one old, blind man, five females, two of whom were teenagers, and three female children under two years of

³⁸ C. Sturt, 'Journal of the Central Australian Expedition, 1844-45', *Narrative of an Expedition into Central Australia*, 2 Vols, London, 1849, pp. 28-29.

³⁹ R. Cockburn, *Pastoral Pioneers of South Australia*, vol. II, p. 141.

age.⁴⁰ Writing to a friend, the government resident asserted, 'there is no question of the butchery or of the butcher'.⁴¹ In all likelihood the killings would have remained undiscovered had it not been for an Aborigine who was passing at the time and witnessed the event. The protector investigated the killings and found that the bodies had been removed from the graves in which they had been placed, and then burned.⁴² With an Aboriginal witness the authorities took Brown into custody and charged him with murder. The stockkeeper, Gorky, aware that an investigation was under way, fled on a whaling boat to Kangaroo Island.⁴³ The advocate general considered they had a strong case against Brown, but the judge was not convinced. Under the Amended Aborigines Act of 1848 Aboriginal evidence could be admitted in a court of law, but in capital cases such as this, uncorroborated Aboriginal evidence was considered insufficient for a case to be successfully prosecuted.⁴⁴ The judge gave the prosecution several chances to secure fresh evidence but it was unable to do so and the charges were eventually dropped.⁴⁵

With the passage of time the story of the massacre was gradually transformed into a glorification of the pioneer. A fictionalised account of James Brown's story is told in Simpson Newland's 1893 novel *Paving the Way, a Romance of the Australian Bush*. The novel's hero, Roland Grantley, takes the part of Brown, while the character Darkie represents the overseer Gorky (Plate 25). The author begins his account by explaining the hardships the pioneers faced in their efforts to establish themselves on the land. In the absence of police protection, Newland explained, the vulnerable settler sometimes had no choice but to take the law into his own hands when the lives of his men and his precious stock were threatened.

40 Letters written by Capt. Butler, Guichen Bay, to Capt. Bagot, 14 April & 31 May 1849, Mortlock Library D. 4746/1-3(L).

41 *ibid.*

42 Protector's Report, 2 April 1849, *South Australian Government Gazette*, 3 May 1849, p. 205.

43 Colonial Secretary's Office, In Letters, State Records GRG 24/6/1388, 26 July 1849.

44 *South Australian Register*, 16 June 1849.

45 *ibid.*, 12 September, 29 September & 28 November 1849.



Without the smallest repugnance or concern he began piling up dried wood, dead black men, and defunct sheep in a heap together.



Darkie saw his partners grow less and less.

25 a. & b. Illustrations from the 1899 edition of Simpson Newland's, *Paving the Way*, pertaining to the murder of Aborigines by 'Grantley' and 'Darkie', and Darkie's escape on the horse 'Star'. A fictional account of the murders allegedly carried out by James Brown and Gorky in the Tatiara district during the 1840s.

The district in which Grantley, the fictional hero, had established his run was in an unsettled state with constant attacks on shepherds and the destruction of stock. After an attack on one of their shepherds, Grantley and Darkie decided that it was useless to seek assistance so they 'determined to follow up the marauders alone, and to take such vengeance as should deter them from committing any more of these outrages'.⁴⁶ In the events that follow it is the 'old hand' Darkie, with his bush experience, who takes the leading part. They tracked the Aborigines to their hiding place where they were 'amusing themselves' by killing the sheep. With a shout of 'Slay and spare not', both men began firing on the party: 'Ten or a dozen were killed and many more wounded before a halt was made'. Returning to the scene that evening they made a pyre of wood, corpses and carcasses and set it ablaze.⁴⁷

At this time, the author continues, reports began to filter back to the authorities that 'many blacks had been shot in a cold-blooded and remorseless manner, in consequence of the supineness with which the squatters' demands for protection had been treated'.⁴⁸ It was believed that the government wanted to make 'an example' of one of the settlers in an attempt to suppress the violence. A detachment of police was sent to the district to investigate reports of the massacre. Having heard rumours of this on the grapevine, Darkie decided it was better to flee than to risk implicating his boss or going to court. As an 'old hand', Darkie was able to call upon the 'freemasonry that existed' amongst his class to find his way to Kangaroo Island where he could leave the colony on a whaling ship.⁴⁹ Grantley, grateful for his man's help, let him have his prize horse, Star, to make his escape. With troopers in hot pursuit, Darkie fled along the Coorong, successfully eluding his pursuers. Grantley

46 Simpson Newland, *Paving the Way, a Romance of the Australian Bush*, Adelaide, 1893, p. 130.

47 *ibid.*

48 *ibid.*, p. 132.

49 *ibid.*, p. 133.

was arrested for the crime, but without the evidence of the overseer, it was decided not to proceed with the case.⁵⁰

This version of the story is designed to show the hardship faced by pioneers in the face of Aboriginal resistance. While Newland did not condone the violence against the Aborigines, he sought to explain it as a consequence of government ineptitude. While ascribing no gallantry to the actions of the settlers, he nonetheless celebrates their 'spirit' by his dramatic account of Darkie's horse ride to freedom.

Cockburn's *Pastoral Pioneers of South Australia* includes a biography of the Scot.

According to Cockburn very little was known of Brown, which he put down to an incident involving the Aborigines:

Very early in his career he received a severe setback by becoming involved in a charge of poisoning a blackfellow, but emerged from the trial with a clean escutcheon, a jury of his fellow countrymen finding him not guilty. He was not the only pioneer pastoralist who had to undergo a similar ordeal, but it was probably this incident which accounted for the meagre publicity associated with his name both before and after his death. However, no one can delve into the history of the pastoral pathfinders without realising that they suffered at the hands of untamed blacks, who not only menaced the white men even to the point of murder, but speared and scattered their flocks at will, to the great detriment of the industry. James Brown led his life according to the circumstances and conditions of his day, and there are hundreds of people to-day who can hold his name in grateful memory because of the charitable purposes to which a large portion of his estate was devoted.⁵¹

Cockburn clearly felt that history had served Brown badly, that the incident he had been involved in was part and parcel of 'the circumstances and conditions of the day', and that he deserved respect as a 'pastoral pathfinder' who had 'suffered at the hands of untamed blacks'.

⁵⁰ *ibid.*, p. 161.

⁵¹ Cockburn, *Pastoral Pioneers of South Australia*, vol. II, p. 141.

Recent local histories also record variations of the story. J. G. Hastings recorded a version of the story which he claimed had been told to him by an old resident who had known the 'chief actor'. In this account Brown was reported to have suffered from having his sheep and cattle repeatedly killed or maimed by the local Aborigines. 'Driven to the limit of desperation', Brown decided to take the law into his own hands so he laced a quantity of flour with arsenic and contrived to place it within the Aborigines reach, knowing that they would not be able to resist the temptation of stealing the flour and eating it. This done he set about making his alibi:

He owned a fine horse, noted for its great powers of endurance. He immediately saddled and mounted it, and steered a course for the sea coast without delay. He then followed the beach for about 90 miles to the Murray Mouth. After swimming across he rode straight for Adelaide and arrived there somewhere between the second and third day. In the meantime the flour had done its work and the news was spread about. A large number of natives of both sexes, young and old alike were found dead along the shore of the swamp.⁵²

When the police investigated the deaths and 'Jimmy' was called to account for his movements 'his horse's great performance stood him in good stead' and the case against him was dropped. Hastings' account concluded on the sentimental note that Brown, 'out of gratitude', turned his horse loose in the best feed and never allowed him to be ridden again as long as he lived.⁵³ It seems likely that the epic horse ride, which does not figure at all in contemporary accounts, is a variation of Simpson Newland's fictional account.

Contemporary evidence strongly supported the claim that Brown and Gorky had murdered nine people in cold blood yet, with the passage of time, folk-memory transformed the event, in Cockburn's case, into 'poisoning a blackfellow', and in the

⁵² T. McCourt & H. Mincham, *The Coorong and the Lakes of the Lower Murray*, Adelaide, 1987, pp. 92-93.

⁵³ *ibid.*

oral tradition recorded by Hastings, into an heroic horse ride in the tradition of Adam Lindsay Gordon.

The Rise and Fall of Logic

Logic was a 'Black boy' working on Tinga Tingana station in the far north east of the colony during the late 1870s. While riding the boundaries of the property with a white stockman, Mulhall, the latter began complaining about Logic's tardiness. The dispute escalated and Mulhall began to stockwhip Logic. Logic tried to ride back to the station, but Mulhall stopped him and, in an altercation, shot him in the back of the thigh. When Mulhall took his stockwhip to Logic again, a fight ensued and Mulhall was killed.⁵⁴

Despite a police search, Logic escaped capture and fled the district.⁵⁵ Two and a half years later he returned to Tinga Tingana and was apprehended. Tried in the Supreme Court in Adelaide, he was found guilty of manslaughter and sentenced to fourteen years hard labour.⁵⁶ After almost five years in Yatala Labour Prison Logic escaped.⁵⁷ He eluded re-capture for almost two months as he tried to return to his own country. During his time on the run Logic unexpectedly became a cause célèbre. Local farmers helped by providing him with food, clothing and tools.⁵⁸ Letters appeared in the newspapers, pointing out the injustice of the sentence.⁵⁹ Most believed he should be let go, but early in December 1885 he was recaptured near Blinman.⁶⁰

54 Details of Logic's background and the events surrounding Mulhall's death from Judge Boucaut's criminal notebook, 22 February 1880, Library of the Supreme Court of South Australia. Uncatalogued item in storage.

55 Commissioner of Police, Correspondence Files, State Records GRG 5/2/846/1878.

56 *Adelaide Observer*, 26 February 1881.

57 Department of Correctional Services, Correspondence Files, State Records GRG 54/1/253/1885 & GRG 54/1/261/1885.

58 *Advertiser*, 25 November, 7 & 21 December 1885; *Port Augusta Dispatch*, 9 & 11 December 1885.

59 For instance, *Adelaide Observer*, 5 December 1885; *Advertiser*, 8 & 15 December 1885.

60 *Adelaide Observer*, 12 December 1885.

On the journey back to Adelaide hundreds of people gathered at train stations to catch a glimpse of him.⁶¹ The press even went to the trouble of interviewing the prisoner on the train.⁶² In reference to the crowd that gathered to see him at Adelaide Railway Station, the *Advertiser* observed, 'Logic, without perhaps wishing it, is at present one of the most popular men in the colony'.⁶³ Logic's story, and an account of the support he received while on the run, was the subject of an extensive article in the *Pictorial Australian* (Plate 26).⁶⁴ A flood of letters to the newspapers asked the governor to exercise his prerogative of mercy in favour of Logic.⁶⁵ Petitions asking for his release, signed by almost 2,000 Adelaide residents and 300 Kapunda residents, were presented to parliament.⁶⁶ The public campaign was successful and Logic was set free in January 1886.⁶⁷ He returned to his country and lived near Innamincka until his death in 1903.⁶⁸

Logic entered folk memory. However, periodic references made to him over the next fifty years saw him slowly transformed from minor folk hero into the stereotype of a 'savage and treacherous black'. As early as 1890 reference was made to Logic in the context of the campaign for clemency in the case of Jacky, an Aboriginal sentenced to hang for murder. In this instance Logic was represented as a murderer lucky to have escaped without having his neck stretched.⁶⁹ His obituary in 1904 noted that he lived the last years of his life in the Innamincka area and was considered a good tracker by the police. He was described as 'the once notorious, but now almost forgotten Logic, the blackfellow, murderer, and gaol breaker'. The reasons for his notoriety, the

61 *ibid.*, 14 & 19 December 1885; *Port Augusta Dispatch*, 14 & 18 December 1885.

62 Articles from the *Port Augusta Dispatch* reprinted in the *Advertiser*, 21 December 1885.

63 *Advertiser*, 12 December 1885.

64 *Pictorial Australian*, January 1886.

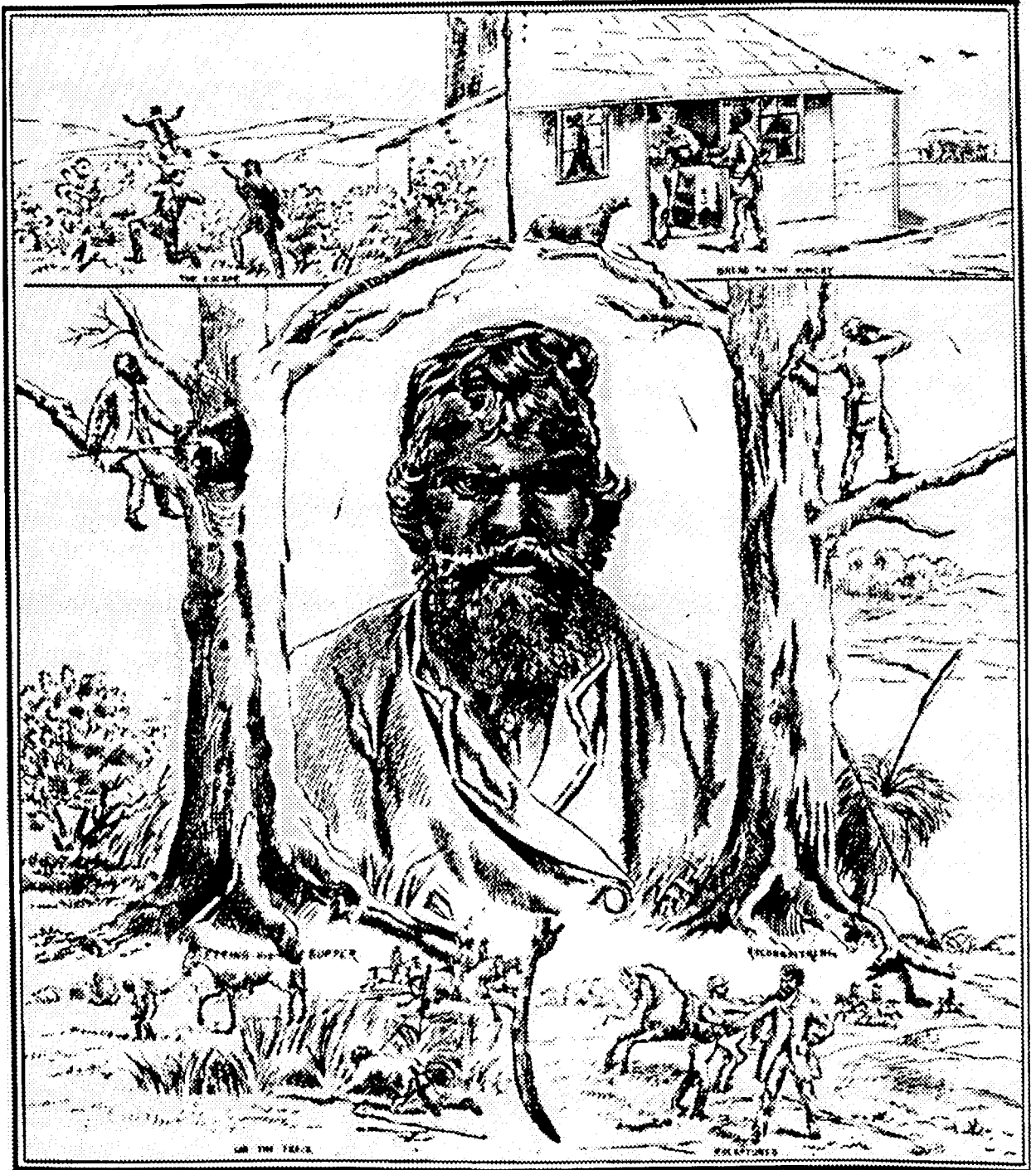
65 *Advertiser*, 15 December 1885.

66 Colonial Secretary's Office, Correspondence Files, State Records GRG 24/1/2233/1885 & GRG 24/1/2687/1885.

67 GRG 24/1/2687/1885.

68 *Port Augusta Dispatch*, 11 January 1886; *Adelaide Observer*, 9 January 1904.

69 *Adelaide Observer*, 14 December 1889.



LOGIC—HIS ESCAPE AND CAPTURE

Plate 26. Logic - His Escape and Capture, *Pictorial Australian*, January, 1886. The accompanying article glamourised Logic by equating him with bushrangers.

circumstances of the murder, and the popular support he received were not mentioned.⁷⁰

Logic's story was retold in a reminiscence published in 1928. The author detailed the main events of the story - the murder, capture, escape and eventual release - but blurred the details in a telling fashion. Of the 'tragedy at Tinga Tingana', he wrote:

a sensation was caused by the murder of Peter Mulholland, head stockman on Tinga Tingana by his black boy Logie. It was generally surmised that he was taken unawares and disabled by being stabbed in the temple. Mulholland was a powerful man, and the nigger would have had no show in a fair go.⁷¹

No mention was made of how Logic was thrashed and then shot before taking his victim 'unawares', nor was reference made to the public support and sympathy he received. Logic was made a convenient symbol of the 'treacherous and cunning nigger' in the legend of the pioneer.

The transformation from historical folk hero to symbolic villain is almost total in an account of Mulhall's death published in the *Adelaide Chronicle* in 1937. Under the heading of 'Escape and Death of a Killer', the opening paragraph set the tone:

Sullen Native Who Beat John Mulhall To Death

In this story from real life, "Far North" tells of the tragic death of John Mulhall, an inoffensive man who went outback after having trained for the priesthood. The murderer, a sullen, treacherous native, Logie, escaped from Yatala, but a few years later met his death.⁷²

Logic was described as a 'brutal killer attended by remarkable luck'. The author invented a biography of Logic in which he was portrayed as a lazy and treacherous

⁷⁰ *ibid.*, 9 January 1904.

⁷¹ *ibid.*, 8 September 1928.

⁷² *Adelaide Chronicle*, 26 August 1937.

man who was despised by both black and white. It was claimed that because of his 'dilatatory ways . . . each cattleman who tried him would never take him again' - that is, until Mulhall decided to give him a go. According to the article, Mulhall, 'softly spoken, highly educated and trained for the priesthood . . . was not the stuff of which cattlemen are made'. The portrayal of Mulhall as a 'priestly cattleman', while pure invention, heightens the contrast with the 'silent, dour black'.

In describing Mulhall's death the author states that it 'was a grim trick of fate that saved Logic from being shot, as his victim possessed a fully loaded revolver'. The author stressed Mulhall's inexperience by claiming that he refused to wear a holster and as a result his revolver slipped into his trousers while they fought. The author concluded by noting that Logic was sentenced to life imprisonment in Yatala from where he escaped, only to be recaptured and eventually released. The final paragraph ends with yet another cliché: 'Bushmen said his death was due to the degrading effects of civilisation while living among white cattlemen'.⁷³

In this romance of the frontier Logic is reduced to an archetype: the 'unintelligent and untrustworthy blackfellow', the 'treacherous nigger' who turned on his master without the slightest provocation and who lived out his days imbibing only the vices of civilisation. Like most myths, it is built upon an historical episode which itself is essentially irrelevant beyond serving as a vehicle for a larger message - the heroism of the pioneers, some of who fell in the epic struggle to subdue the land and build the nation.

Noble Savage; Noble Bushman

The 'bushman' was another important figure in the national myth-making of this period. Usually a rural worker rather than a pastoralist or farmer, the bushman was a member of what Russel Ward called the 'nomad tribe':

73 *ibid.*

... a practical man, rough and ready in his manners. . . . He swears hard and consistently, gambles heavily and often, and drinks deeply on occasion. . . . He believes that Jack is not only as good as his master, but . . . probably a good deal better, and so he is a great 'knocker' of eminent people.⁷⁴

The bushman, as the appellation suggests, 'knew' the bush: he was not only comfortable in that environment, he was master of it. While pioneering stories were invariably about the past, and about the qualities of people facing specific challenges or adversity, accounts of the bushmen dealt with a category of people who had lived and were living a particular style of life, and who shared certain characteristics. The Aborigines played an important role in the construction of the bushman legend. For the bushman, like the pioneer, the Aborigine was an adversary that had to be overcome. In a more subtle, even subconscious, way he was also a model by which mastery of the environment was measured.

In the *Adelaide Observer* in 1881 a story entitled 'A comical Brush with the Blacks' detailed the 'initiation' of a new chum at the hands of a bushman named Carey:

Carey was an invaluable fellow. Though he bore a terrible character as a horse-stealer, and had been in Parramatta Gaol more than once, there was not a better bushman in the country, and he knew every inch of the part to which we were going. Bold and daring to the verge of recklessness in moments of excitement, he was cautious and cunning in the extreme when danger was sniffable.⁷⁵

In this account the key to Carey's qualifications as a bushman was his mastery of the environment. He was 'quick as a hawk in sight and hearing', his vision was 'piercingly keen', he could gather horses up even in the densest forests and he always knew the best place and time to make camp. Importantly, he 'knew the blacks':

⁷⁴ R. Ward, *The Australian Legend*, Melbourne, 1958, pp. 1-2.

⁷⁵ *Adelaide Observer*, 19 March 1881.

The stockman's last words that night before turning in were, "Take my advice; if ever you have anything to do with blacks, observe these three rules - never trust them, never be familiar with them, and never let 'em get behind you."⁸⁰

The story of Logic, as told in the *Adelaide Chronicle*, also illustrates this theme. In explaining the death of Mulhall, the author makes a point of underlining his inexperience: 'soft spoken, highly educated and trained for the priesthood he was not the stuff of which cattlemen are made'.⁸¹ The extension of this was that a real bushman would have known how to handle Logic, and that a real bushman would not have allowed himself to be caught out as Mulhall had been.

The role of the 'Black boy' also illustrates the theme of the bushman's domination of the environment. The 'Black boy' was a stockman's assistant, his or her other job being to assist the stockman by preparing camp in the evening and taking care of the horses.⁸² In his book of reminiscences, *Old Melbourne Memories*, Rolf Boldrewood describes how, while in the south east of South Australia, 'he anxiously desired to become possessed of a black boy' and trained the 'young and callow' Charlie Gambier in the skills of horsemanship and in the more refined arts of civilised life.⁸³ In a newspaper interview Willshire described the correct method of training and treating a 'black boy':

A black boy will be faithful if you treat him firmly but kindly; there must be discipline but no familiarity. He, like his mother, the lubra, is so accustomed to being kept 'under the waddy' that the habit of obedience grows up with him, but if he finds that his 'boss' is weak in discipline he will take advantage.⁸⁴

80 H. J. Driscoll, *Jack Halliday, Stockman: A Story of Australian Bush Life*, Adelaide, 1905, p. 257.

81 *Adelaide Chronicle*, 26 August 1937.

82 A. McGrath, *'Born in the Cattle'*, Sydney, 1988, pp. 32-29.

83 R. Boldrewood, *Old Melbourne Memories*, Facsimile, Adelaide, 1969, first published 1899, p. 151.

84 *South Australian Register*, 27 January 1898.

Responding to newspaper reports that Aborigines on stations were treated badly, a self-described bushman wrote that the 'boys come willingly, and if treated well will stay with their masters for years, but if treated badly will run away at once'.⁸⁵ Zen Buddhism has a parable in which the quest for enlightenment is represented by the search for and eventual taming of a wild bull.⁸⁶ In a similar way the selection and 'taming' of a 'black boy' was symbolic of the bushman's mastery of nature.

During the 1880s and 1890s a variety of stories appeared in newspapers and journals extolling the better qualities of the Aborigines. By and large they were written by people who had grown up in the bush, or whose experiences as 'bushmen' or explorers brought them into regular contact with the Aborigines. In recording their experiences with Aboriginal people, whether positive or negative, they were presenting themselves as cognoscenti of the bush tradition.

Particularly popular were articles about Aboriginal tracking skills. In 1890, for instance, an article entitled 'Black Trackers' was published in the *Adelaide Observer*.⁸⁷ The author was 'W.H.T.', probably Walter Teitkins, the explorer and bushman. The story records the importance of trackers in bringing criminals to justice and includes an account of a tracker working just as successfully in the 'big city'. The article is prefaced by the observation that while the Aborigines may be 'untutored savages, they are by no means wanting in intelligence and quick powers of perception'.⁸⁸ While still stressing the difference of the Aborigine, his childlike nature and live-for-today mentality, 'W. H. T.' nonetheless found their bush skills admirable.

In 1899 another *Adelaide Observer* article discussed the bush skills and the better qualities of the Aborigines. The author, 'Old Sportsman', described himself as a South

85 *Adelaide Observer*, 22 February 1890.

86 P. Reys (ed), *Zen Flesh, Zen Bones*, London, 1971, pp. 135-147.

87 *Adelaide Observer*, 15 March 1890.

88 *ibid.*

Australian colonist of sixty years standing, who knew 'something of its original inhabitants, human and otherwise'.⁸⁹ The stress placed on the author's knowledge and bush experience was a key factor in such accounts. 'Old Sportsman' implicitly rejects the prevailing view of Aborigines as the product of ignorance:

There are not a few haughty-minded white men who affect the most supreme contempt for the so-called "niggers" of this vast island, but I am bold to affirm that the Australian aborigine is far better informed in respect to his immediate surroundings and requirements, and better able to fight the battle of life than are the men who despise his knowledge, education and abilities.⁹⁰

The author went on to present a detailed description of Aboriginal bush skills, their simple but efficient tools, the ease with which they can make fire and find water, and their clever techniques in hunting ducks and birds. In essence, they were masters of their environment. He stated that, contrary to popular opinion, they practised a strict morality among themselves and that in his experience 'the ordinary, sober black' was as honest as the next man.⁹¹

Such accounts of the Aborigines were relatively new, at least in the popular media, and they emerged in the context of the emerging Australian romance with the bush. In the national myth mastery of the bush was a characteristic trait of a 'real' Australian, thus Aboriginal mastery of the environment became a legitimate subject for respect. At the same time, Aborigines were themselves components of the bush, and mastery of them was one of the characteristics of the bushman.

Decorating the Margins

Images of Aborigines and Aboriginal culture, as a unique part of the Australian environment and 'national' tradition, found expression in other aspects of Australian

89 *ibid.*, 11 March 1899.

90 *ibid.*

91 *ibid.*

cultural life. Though often awkward and not always sustained, such appropriations were an attempt to give a distinctively local quality to the 'Australian experience'. The irony is that while symbols of Aboriginality were being used in the construction of a national self-image, the people themselves were being excluded from Australian society.

What might be termed 'Aboriginalia' was incorporated in the decorative and commercial arts during the second half of the nineteenth century. During the 1860s and 1870s silversmiths such as Joachim Wendt, Henry Steiner and Julius Schomberg began producing engraved plates and presentation pieces which were decorated with unique Australian motifs (Plates 27 & 28).⁹² In 1861, John Ridley, the South Australian inventor of a revolutionary reaping machine, was presented with an ornate candelabrum in recognition of his service to the colony.⁹³ Built around the shape of a fern tree, it is decorated with a variety of native flora and fauna - palm fronds elaborated with Sturt's desert pea, candle nozzles in the form of gum nuts, on the sides of which Aboriginal faces are carved. The base is decorated with an emu, a kangaroo, a native dog, and an Aboriginal man and woman. The centre-piece of the sculpture is Ridley's stripper atop a bundle of wheat which is in turn held aloft by an Aboriginal man (Plate 27 a). In this conception, the Aborigines are integrated into a vision of the Australian environment. The subject of the work is the triumph of man over the forces of nature, and the Aboriginal figures are merely a component of those forces. There is a fitting, but surely unintentional, irony in the symbol of prosperity, wheat, and its master, the machine, being held aloft by an Aboriginal Atlas - whose very dispossession was the source of the colony's wealth.

⁹² See examples in K. Albrecht, *Nineteenth Century Australian Gold and Silversmiths*, Melbourne, 1969 and J. B. Hawkins, *Australian Silver 1800-1900*, Melbourne, 1973. See also *The Advertiser*, 30 December 1869; *Adelaide Observer*, 13 June 1878, 1 August 1896.

⁹³ T. Lane, 'The Kangaroo in the Decorative Arts', *The Australian Antique Collector*, 21, January - June 1981, p. 81.

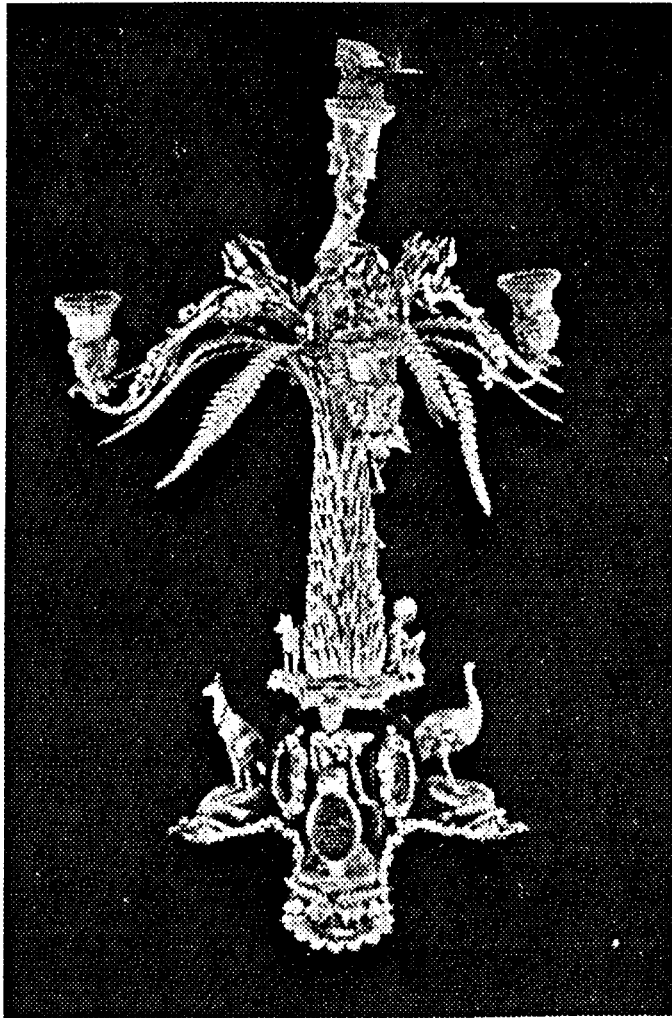


PLATE 27 a. *The Ridley Candelabrum, probably by Julius Schomberg, c. 1861. Note the Aboriginal figure, like Atlas, holding the bundle of wheat above his head.*



Plate 27 b. *Australian silver and emu egg casket, William Edwards, c. 1868.*

In January 1878 J. M. Wendt exhibited a collection of silver work intended for the Paris Exposition. The *Advertiser* devoted a column to a description of some of the more notable articles. The main work was an epergne standing 2 feet 6 inches high which depicted colonial industries, and employed Aboriginal figures among the native flora and fauna in the design. In other works an emu egg formed the central bowl

whether of inkstand, jewel case or cigar holder, and these are supported by aboriginals and their lubras in various appropriate postures. The blacks are depicted in hunting attitudes; and the emu, kangaroo, &c., that form their game are all beautifully modelled. In two or three instances nearly one side of the egg has been cut away, and we perceive the interior of a "wurlie," with a lubra nursing a picaninny, while the head of the family stands outside with spear uplifted, to defend them from attacks of opposing tribes.⁹⁴

Representative, but anonymous, Aboriginal figures have been a common theme of Australian decorative art from the nineteenth century to the present day - as the current two dollar coin reveals.

Attempts to incorporate Aborigines into a national vocabulary are evident in other areas of cultural life. In 1876 the Royal Theatre presented a pantomime called 'Prince Darling, or the fairy snowdrop' which a reviewer described in the following way:

The piece is supposed to be Australian in its scenes, and with ghosts, sprites, fairies, and magicians, belonging to the old world. There come or follow a kangaroo, an emu, aboriginals, and bushmen, making altogether a peculiar medley.⁹⁵

As in the decorative sculpture of the period, Aborigines took their place alongside kangaroos and emus in a performance which, in the reviewers opinion, uncomfortably attempted to be 'Australian in its scenes'.

⁹⁴ *Advertiser*, 26 January 1878.

⁹⁵ *ibid.*, 2 October 1876.

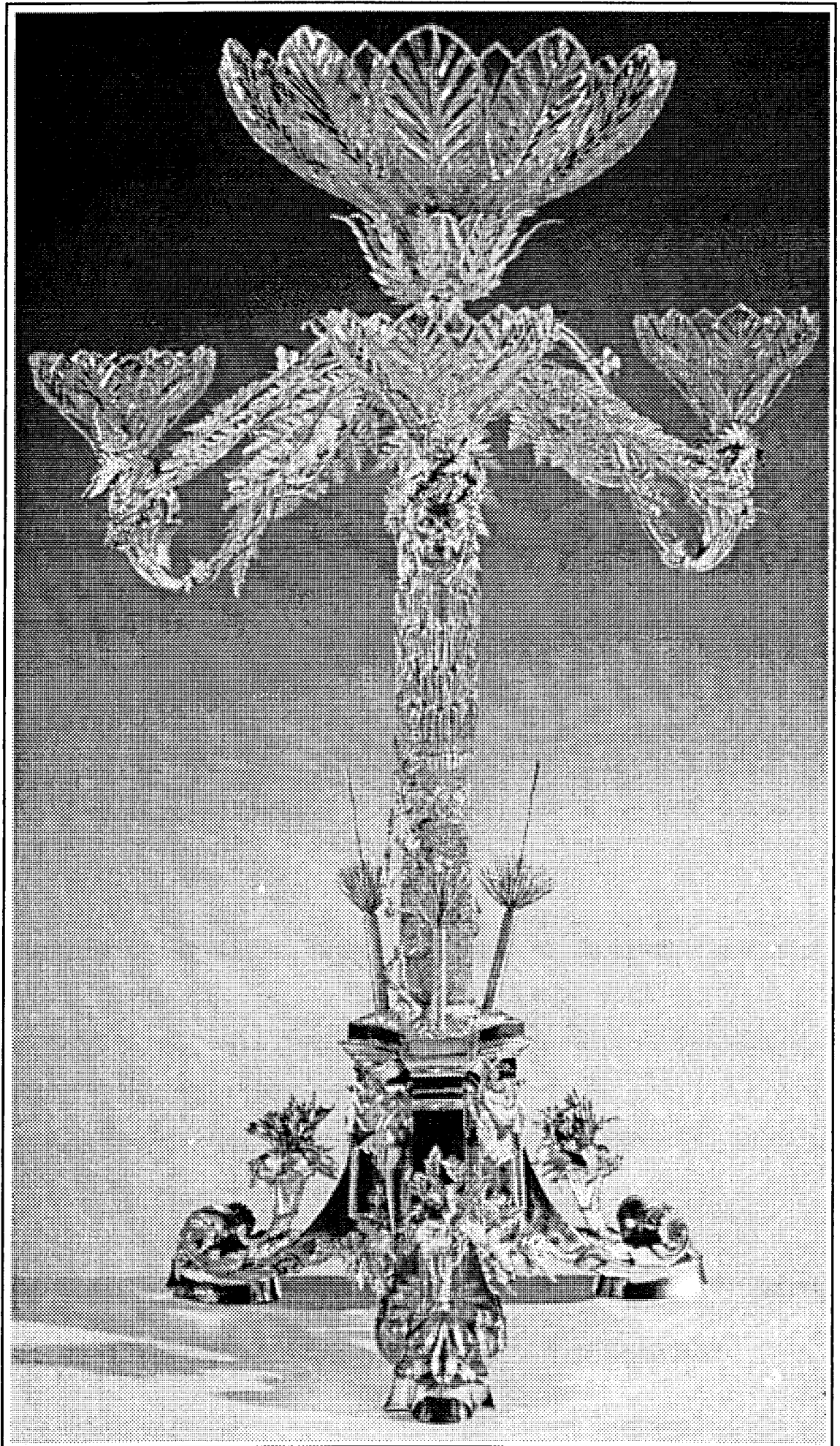


Plate 28. The Dunedin Centrepiece, Julius Schomberg, c. 1865. Note Aboriginal face at the top of the stem.

By the 1880s and 1890s Australian industry, sensitive to the nationalistic mood of the era, increasingly promoted its products with Australian brand names and the use of Australian motifs in the packaging.⁹⁶ In the 1890s a eucalyptus oil produced on Kangaroo Island was marketed under the brand name 'Lubra Brand Eucalyptus Oil'.⁹⁷ A newspaper advertisement for the product was illustrated with three dancing 'Lubras', each of whom had a eucalyptus branch in one hand, a boomerang in the other, and a baby on their back (Plate 29). A song was printed beneath the illustration, and its last two verses read:

With some on flannel moist and warm,
Or rubbed in briskly with the arm,
Say twice a day if chest is sore,
'Twill cure your cold for evermore.
We take it on sugar internally,
On Kangaroo Island over the sea.

And so we saved our pennies up,
To count them fifteen: one and three (1s 3d.)
Then bought a bottle of *Lubra Brand*,
And held one big corroboree,
Rejoicing we from pain were free,
On Kangaroo Island over the sea.⁹⁸

Aboriginality is being used as a distinctly 'Australian' theme. Whether or not the advertising campaign had any success is unknown, but it appears to have had an impact on the Aborigines Department. At the turn of the century a sub-protector wrote that eucalyptus oil - he did not state the brand - proved very efficacious, taken internally, as a treatment for measles.⁹⁹ The use of 'Aboriginality' in advertising was

⁹⁶ R. White, *Inventing Australia*, Sydney, 1981, p. 114.

⁹⁷ *Advertiser*, 5 August 1893.

⁹⁸ *ibid.*

⁹⁹ *Report of the Protector of Aborigines for the Year ended June 30, 1903*, Adelaide, 1903, p. 2.



Three little Gins from home are we,
 From Kangaroo Island over the seas.
 Our limbs are strong, our teeth like pearls,
 Our hair a mass of jet black curls.
 A secret we have brought to thee,
 From Kangaroo Island over the seas.

Upon that island stands a tree,
 Whose leaves though small have grown to be
 Of eucalyptus world-wide fame -
 The *oneorifolia* is its name.
 It only grows so strong and free
 On Kangaroo Island over the sea.

And Massa Woods came 'long one day,
 His yabber yabber we can't say;
 He took the leaves from off dat tree,
 And crushed them by machinery -
 Made oil of *strength* and *purity*,
 On Kangaroo Island over the sea.

This oil, said he, cures Aches and Pains,
 Rheumatics, Bruises, Burns, and Sprains;
 The Extract you will find to be
 A grand essential remedy
 For Fevers, Colds, and Dysent'ry,
 From Kangaroo Island over the sea.

With some on flannel moist and warm,
 Or rubbed in briskly with the arm,
 Say twice a day if chest is sore,
 'Twill cure your cold for evermore.
 We take it on sugar internally,
 On Kangaroo Island over the sea.

And so we saved our pennies up,
 To count them fifteen, one and three (1s. 3d.)
 Then bought a bottle of *Lubra Brand*,
 And held one big corroboree,
 Rejoicing we from pain are free,
 On Kangaroo Island over the sea.

Plate 29. Advertisement for Lubra Brand eucalyptus oil, Advertiser, 1893.

also evident when an Adelaide company marketed a spirit under the name 'Tandanya Brandy'.¹⁰⁰

Isolated attempts were made to incorporate Aboriginal myths into Australian literature. In the introduction to his 1857 poem *The Gum Tree King: An Australian Legend*, Richard Wells hoped that the 'curious superstitions' of the Aborigines might not only be preserved but 'turned to account by those who would assist in creating an Australian literature'.¹⁰¹ W. A. Cawthorne was similarly motivated when he wrote *The Legend of Kupirri*:

Ah, native man! thy race is run;
Jacob supplants the first-born son.
"To adorn a tale", thine immortality;
"To point a moral," thy only history.¹⁰²

Such attempts at using an Aboriginal perspective, if only as a poetic means of interpreting the Australian environment, were not sustained. They required an empathetic understanding of Aboriginal culture, an 'entering into' the world of the 'other' - something white Australian society was not ready to do.

The more common appropriations were at a much more superficial level. In reminiscences, novels, poetry, and the feature columns of newspapers, Aboriginal 'lingo' and pidgin was often used in a way that demonstrated the author's familiarity with the bush and its people. In the novels of Henry Driscoll, for instance, 'bushmen' characters use words and phrases such as 'lubra', 'gin', 'picanniney', 'picanniney sunrise', 'yarramen' or 'nanto' for horse, and 'myall' for wild with the same

¹⁰⁰ *Adelaide Observer*, 28 July 1897. Australia-wide examples of the appropriation of Aboriginality in advertising illustrated in M. Cozzolino & G. Fysh Rutherford, *Symbols of Australia*, Carlton, 1990, pp. 45-48.

¹⁰¹ Richard Wells, *The Gum-Tree King: An Australian Legend*, Adelaide, 1857, p. i.

¹⁰² W. A. Cawthorne, *The Legend of Kupirri, or the Red Kangaroo: An Aboriginal Tradition of the Port Lincoln Tribe*, Adelaide, 1858, epilogue.

familiarity as 'mate', 'swag', 'bluey' and 'flaming' so and so's.¹⁰³ This is also evident in the work of Robert Bruce. Bruce was a pastoralist in the far north of the colony from 1858 until his death in 1902 and his writing dealt extensively with bush subjects.¹⁰⁴ As a reviewer of one of his books noted approvingly: 'The mysterious solitudes of the interior of the Australian Continent are an open book to him', as were the 'privations and vicissitudes of a pastoral pioneer's life'.¹⁰⁵ His poems concerning the Aborigines were not only laced with Aboriginal pidgin, usually for comic effect, but also liberally sprinkled with words from the local Aboriginal language. Commenting on the style of his work, a reviewer of his last poetry collection, *Re-echoes from Coondambo* wrote:

We notice that when the verses get a trifle more "Australian" in diction than would be likely to suit the average reader, Mr. Bruce kindly supplies a little vocabulary by way of explanation. For instance, without the help of some such vocabulary, such lines as the following, from "The Hunt of the Manawirta Coodla," would verge on the unintelligible:-

' "So leaving it for wocalla, for widloo, and for weepa,
We'll slay the last big coodla left - that spring-heeled gnoorie leaper." '106

'Aboriginalisms' such as these were evidence of genuine bush experience and, as the reviewer noted, lent an unequivocally 'Australian' colour to his writing. With similar effect, feature columns in newspapers dealing with life in the bush regularly used humorous anecdotes about Aborigines in 'authentic' Aboriginal pidgin.¹⁰⁷ Indeed, articles dealing with Aboriginal or 'bush subjects' were sometimes written under

103 Words and phrases drawn from H. J. Driscoll's, *Jack Halliday, Stockman: A Story of Australian Bush Life*, Adelaide, 1905 & *Bushmen All: A Romance of the Never Never*, Adelaide, 1908.

104 P. Depasquale, *A Critical History of South Australian Literature 1836-1930*, Adelaide, 1978, pp. 140-141, 156-157.

105 R. Bruce, *Re-Echoes from Coondambo*, Adelaide, 1903, p. vii.

106 From a review in the *Echo*, reprinted at the end of Robert Bruce's novel *Benbonuna: A Bush Tale of the 'Fifties'*, London, 1904.

107 A common feature in the column 'Echoes and Re-Echoes', by Hugh Calyptus. See, for instance, the *Adelaide Observer*, 27 January 1883, 11 December 1886, 14 December 1889. Other examples of the use of pidgin in bush anecdotes are 'Pencilings by the way, Ostriches, Port Augusta, and Blacks', *Adelaide Observer*, 1 August 1891; 'Our Black Brother, by Rufus', *Adelaide Observer*, 7 August 1897; 'Bush Scintillations', *Adelaide Observer*, 16 December 1911.

pseudonyms with a distinctly Australian, and sometimes Aboriginal, flavour, such as 'Hugh Calyptus' of 'Wuronga'.¹⁰⁸

By the 1880s it had become fashionable to use Aboriginal words as place names. The issue of Australian nomenclature was a subject of discussion at the Second Interprovincial Geographical Conference held in Adelaide in September 1887. It was proposed that a sub-committee be formed to 'collect information respecting the nomenclature and early history of places in South Australia, and that in the future nomenclature of localities it is most desirable to retain euphonious native names.'¹⁰⁹ Names were a 'nationalist' issue. In the conclusion to his reminiscences of the Adelaide Aborigines, published in 1889, Edward Stephens expressed the hope 'that young Australia, instead of reproducing the names of all the counties, towns, hamlets, mountains, lakes and rivers of Europe and Asia, will preserve the names which the aborigines of Australia gave to the distinctive features of their ancient home.'¹¹⁰ The issue was sufficiently popular for the illustrated magazine, *The Lantern*, to satirise the practice. In 1886 it published a series of 15 cartoons under the heading 'Probable derivations of some of our native names' in which individual words were illustrated as visual puns (Plate 30).¹¹¹

Interest in Aboriginal place names found its way into the letter columns of newspapers.¹¹² In 1899 the *Adelaide Observer* discussed a recent paper on

¹⁰⁸ *Adelaide Observer*, 11 September 1886 & 8 September 1900.

¹⁰⁹ Report of the meeting of the Second Interprovisional Geographical Conference, 7 September 1887, in *Proceedings of the Royal Geographical Society of Australasia, South Australian Branch*, 3rd Session, 1887-8, p. xx.

¹¹⁰ E. Stephens, 'The Aborigines of Australia. Being personal recollections of those tribes which once inhabited the Adelaide Plains of South Australia', *Proceedings of the Journal of the Royal Society of New South Wales*, vol. 23, 1889, p. 498.

¹¹¹ *The Lantern*, 23 January 1886, p. 8; 30 January 1886, p. 24; 6 February 1886, p. 11; 13 February 1886, p. 8; 20 February 1886, p. 8; 27 February 1886, p. 11; 6 March 1886, p. 11; 13 March 1886, p. 11; 20 March 1886, p. 11; 27 March 1886, p. 11; 3 April 1886, p. 11; 10 April 1886, p. 8; 17 April 1886, p. 11; 24 April 1886, p. 11; 1 May 1886, p. 11.

¹¹² *South Australian Register*, 19 September 1893; 26 July & 30 September 1895. *Adelaide Observer*, 5 October 1895.

BAKOOLA



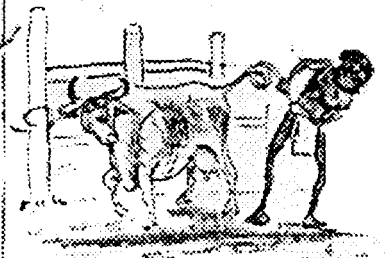
BACK-ZOOL-ER

COONATTA



COON-AT-HEE

TAILEMBEND



TAIL-UP-BEND

WARROLONG



WERRY-LONG

TINGA TINGANA



TINGA-TING-ANNA

POONARRIE



SPOON-CARRY

PROBABLE DERIVATIONS OF SOME OF OUR NATIVE NAMES.

Plate 30. Cartoonist satirising the fashion for Aboriginal place names, The Lantern, 1886.

geographical nomenclature in which Cowandilla was given as an Aboriginal name associated with the 'seaside resort' of Glenelg.¹¹³ Almost immediately letters appeared in the press pointing out that Cowandilla was the name for Adelaide, the issue giving rise to a more general discussion of Aboriginal place names.¹¹⁴ The use of Aboriginal words as place names became a matter of policy by the early years of the twentieth century.¹¹⁵ Indeed, when it was decided to remove German place names from the map during World War I, a committee recommended replacing them with Aboriginal names.¹¹⁶

Increasingly confident in their emerging sense of colonial identity, the 1880s were a period in which the colonies celebrated their good fortune and prosperity. In capitals throughout the Empire, International Exhibitions were held to display local industries and promote trade.¹¹⁷ South Australia's contribution to international exhibitions often included an Aboriginal component to provide local colour and to satisfy the growing interest in 'primitive' culture (Plate 31). For instance, a report in the *Adelaide Observer* on South Australia's contribution to the Colonial and Indian Exhibition in 1886 showed four illustrations of the 'South Australian Court'. The main illustration showed people wandering through the court itself, two illustrations represented local industry, the 'Wine Trophy' and the 'Fruit Trophy', while the remaining illustration depicted the exotic - 'Native Encampment on the River Murray'.¹¹⁸ Aboriginal artefacts were also displayed at the Paris International Exhibition in 1878 and the Melbourne International Exhibition in 1888.¹¹⁹

113 *Adelaide Observer*, 21 January 1899.

114 *South Australian Register*, 13 & 16 January 1899.

115 Rodney Cockburn, 'The Aboriginal Element in SA's Geographical Nomenclature', no date, reproduced in Rodney Cockburn, *What's in a Name? Nomenclature in South Australia*, Adelaide 1984. First published in 1908, pp. 276-280.

116 'Nomenclature Committee's Report on Enemy Place Names', 7 November 1916, reproduced in Rodney Cockburn, *What's in a Name?* pp. 284-291.

117 Beverley Kingston, *The Oxford History of Australia*, Vol. 3, 1860-1900. *Glad, Confident Morning*, Melbourne, 1988, pp. 58-59.

118 *Adelaide Observer*, 24 July 1886.

119 L. Kinney, & Z. Çelik, 'Ethnography and Exhibitionism at the Expositions Universelles', *Assemblage*, 13 (December 1990), pp. 35-36; P. Jones, 'Collections and Curators: South Australian



Plate 31. The Centennial Exhibition, illustrations of the South Australian Court, The Lantern, 1886.

In South Australia the high point of such celebrations was Adelaide's Intercolonial and Jubilee Exhibition of 1887.¹²⁰ The local event, with its ostentatious displays, commemorations and public entertainments, also provided a vehicle for the exhibition of indigenous culture, particularly through the public performance of Aboriginal 'corroborees'. In the early years of settlement corroborees were performed quite regularly on the Adelaide Plains. By the mid 1840s, however, the authorities increasingly discouraged their performance, as indeed they attempted to discourage all manifestations of traditional Aboriginal culture deemed uncivilised or un-Christian.¹²¹ To the missionaries they were heathen practices that offended God, while to the authorities the suggestive movements and nudity offended public morality. The public corroborees performed in the 1880s paralleled the emerging ethnographic interest in Aborigines as a 'fossil culture'. This tentative interest signalled a process under way in which Aboriginality - albeit sorted and sanitised - was appropriated to serve the master of colonial nationalism.

In May 1885 a corroboree was held for the public's entertainment on Adelaide Oval.¹²² The participants were Aborigines from the mission stations at Point Macleay and Point Pearce. The Aborigines were supervised by the missionaries from the respective stations and the proceeds went to help their work. The corroboree was held on a Friday evening and to everybody's surprise attracted a crowd estimated at 20,000. So large was the crowd that they spilled onto the oval swamping the unfortunate dancers - the four policemen on duty required reinforcements before the event could resume. Newspaper accounts of the night concentrated mainly on the crowds, describing the corroboree itself in only the briefest manner:

Museum Anthropology from the 1860 to the 1920s', *Journal of the Historical Society of South Australia*, no. 16, 1988, p. 93.

120 Opening of Jubilee exhibition described in *The Lantern*, 30 October 1886, p. 22. *The Lantern* also described various exhibits and performances during 1887.

121 Protector of Aborigines, Letterbook, State Records GRG 52/7, 10 November 1847.

122 *South Australian Register*, 30 May 1885.

The blacks afterwards turned out to the number of about twenty, painted in the most fantastic fashion from head to feet with white streaks, and went through a pantomime of a kangaroo hunt, afterwards dancing in "corroboree" style before the fires in celebration of their triumph over the marsupials, boasting the while of their hunting exploits.¹²³

So successful was the event that a second performance was held on Adelaide Oval on Saturday night before a crowd of 5,000 people, and a third on Kensington Oval the following Wednesday evening before another 2,000. According to the newspaper accounts the performance began with dancers mimicking the movements of kangaroos while women chanted and drummed on possum-skin rugs. The second part of the performance was said to have consisted of a sham tribal fight. This 'corroboree', however, was only one element of a performance orchestrated by the missionaries who organised the event. In the Saturday evening performance, after the corroboree was completed, the dancers reappeared, the men dressed in 'overcoats, helmets and trousers and their women in skirts and crinolines . . . a sign of the social advancement of people.'¹²⁴ A cynic described the event in verse:

Wasn't I sold when the niggers appeared
Naked - 'tis true - and their bodies besmeared
With white paint, vermilion, and goodness knows what,
But singing, just like a most civilised lot,
The National Anthem! Ye Gods, it was funny
To see how they humbugged us out of our money!¹²⁵

The contrast between civilisation and savagery was also demonstrated at Kensington Oval when the performers concluded proceedings with another rendering of the National Anthem. A similar event was organised for the opening of the Adelaide Exhibition in September 1887.¹²⁶

123 *ibid.*

124 *Adelaide Observer*, 6 June 1885.

125 'The Corroboree', in *The Lantern*, 6 June 1885, p. 22.

126 *Adelaide Observer*, 10 September 1887.

For almost thirty years missionaries at Point Macleay and Point Pearce had been endeavouring to civilise and Christianise the Aborigines, to persuade them to give up such 'barbaric' practices as corroborees. A number of articles in the newspapers pointed out the incongruity, if not the moral danger, of sanctioning such performances.¹²⁷ These very performances, however, demonstrated the success of a generation of cultural policing. Unlike the ceremonies performed in Adelaide during the early years of settlement, with their social and diplomatic functions, these were simply historical re-enactments, performed at the behest of their colonial masters. For the missionaries they were illustrations of how far the Aborigines had come from their 'barbaric origins', while for the spectators they were re-enactments of 'savage life'.

The Future of the Past

In the 'reminiscence' histories of men like John Wrathrall Bull, James Hawker and Alexander Tolmer Aborigines figure prominently.¹²⁸ Large portions of their work are devoted to topics such as frontier violence - the Maria Massacre, the conflicts between Aborigines and overlanders along the Murray, the Port Lincoln troubles of the 1840s - together with a variety of lesser anecdotes. Such accounts were reflections of their experiences as a pioneering generation. Their perspective is genuinely colonial in that they are looking back over an imperial enterprise. Text-book histories of the colony, predicated on the ideal of progress, implicitly looked ahead, and in these accounts the Aborigines played an ever-diminishing role. Some included a chapter on 'The Aborigines', as they did on topics such as the physical environment, but they were largely excluded from the historical narrative.¹²⁹ The reason is plain:

¹²⁷ *South Australian Register*, 30 May 1885 & 14 January 1887.

¹²⁸ J. W. Bull, *Early Experiences of Colonial Life in South Australia*, London, 1884; J. C. Hawker, *Early Experiences in South Australia*, Adelaide, 1899; A. Tolmer, *Reminiscences of an Adventurous and Chequed Career at Home and in the Antipodes*, London, 1882.

¹²⁹ W. H Marcus, *South Australia: Its History, Resources and Productions*, London 1876; J. F. Conigrave, *South Australia: A Sketch of its History and Resources*, London, 1886; W. F. Morrison, *The Aldine*

Aborigines had little or no place in the narrative of colonial progress or the developing 'Australian story'. This is evident in Marcus' 1876 history of the colony:

To successfully plant a young Colony, and to carry it on through its earliest struggles and difficulties, seems to require special qualities, physical, moral, and intellectual, which are possessed in their highest form by the Anglo-Saxon people. It is a small matter to supplant the aboriginal inhabitants of a barbarous country and to secure possession of their land. The superiority which comes from civilization is soon acquired, and the feebler race bends before the stronger, as the reeds bend to the sweep of the winds. The difficulties of successful colonization arise from very different causes than the mere conquest of native races. It is in battling with nature, conquering the soil, holding on against capricious seasons, fighting with the elements and compelling the earth to yield what it never yielded before - a reward for man's toil - that the real triumphs of an old people in a new land are seen.¹³⁰

Harcus dismisses the 'mere conquest of native races' as a sideshow to the main event - the conquest of the land.

A 1909 *Adelaide Observer* editorial discussed the history of Aboriginal treatment in South Australia. The humanitarian concerns of the founding fathers, it argued, had been rendered meaningless by the operation of that universal law of the 'survival of the fittest'. It noted that the treatment of Aborigines ranged from kindness to cruelty but that 'more often they have been simply ignored, with the practical result that they have, with slight exceptions, disappeared from the greater part of Australia.'¹³¹ The editor noted that the Aborigines had no civil rights and warranted none, observing 'the aborigine is a child, and needs for a long while to come to be treated as a child'.¹³² The neglect of the Aborigine was justified on the basis that he was

History of South Australia, Sydney & Adelaide, 1890; E. Hodder, *The History of South Australia from its Foundation to the years of its Jubilee*, London, 1893; J. D. Woods, *The Province of South Australia*, Adelaide, 1894; D. J. Gordon, *The Central State: South Australia: Its History, Progress and Resources*, Adelaide, 1903.

130 Harcus, *South Australia*, p. 2.

131 *Adelaide Observer*, 6 February 1909.

132 *ibid.*

'incapable of such social, industrial, intellectual, and moral progress as to enable him to take any real place in the nation. . . '133 That was the nub: there was no place for Aborigines in the new nation's vision of its wholesome and happy future.

In the generation and celebration of national myths Aborigines were assigned a role in the supporting cast. In the grand task of subduing the land they took their place alongside drought, flood and fire. Yet, where it suited, they were also appropriated as icons of a unique Australian experience, along with gum trees, azure skies, and kangaroos. The marginal nature of their incorporation into the national vision presaged their exclusion from the social and political life of the country.

133 *ibid.*

'In these days of social purity'

The whole question of the treatment of the aborigines, and half-castes in particular, should be reviewed by the State Parliament, and something done to rectify the disgraceful state of things existing at present. It is no use attempting to deal with blacks under the law as we are treated. They must be dealt with as children, and legislation passed, not only to protect them from vicious whites, but from themselves . . .

Adelaide Observer, 29 May 1909.

The Moral Reformers

In September 1883 Sub-Protector Buttfield received an indignant letter from a worker on one of Thomas Elder's pastoral stations near Beltana:

Dear sir,
as I understand that you are the gentleman which looks after the Aborigines thire is a case which I think ought to be looked after hear and I intend to repart it ta the proper quarters as soon as I get dawn the cuntry. Thei is at presant about sixteen men at present at work on the station and the cooke is living with an aboriginal woman and cohib as man and wife. . . ¹

The worker was appalled to find that the cook and an Aboriginal woman were living in sin, and this on a station where moral standards were protected by employees having to sign an agreement 'nat to swear or drink'. The author, signing himself as 'Salvation Army', concluded his letter with the observation that no 'right thinking man' could let such behaviour pass 'in these days of social purity'.² The station manager professed ignorance of the case, but promised to suppress the relationship if he found it to exist.

¹ Aborigines Department, Protector's Letterbook, State Records GRG 52/1/292/1883, 2 September 1883.

² *ibid.* A similar complaint, couched in much the same language, was received by the protector from Cordillo Downs in 1894, GRG 52/1/531894, 8 January 1894.

The tenor, and language, of the letter was consistent with a growing concern in late colonial society with the question of moral standards.³ In 1882 an alliance of prominent religious leaders, business men, and parliamentarians formed the Social Purity Society, motivated particularly by the issue of prostitution, but also concerned with the question of sexual morality generally. Jim Jose described the Social Purity Society as 'a mobilisation of those who saw themselves as upholders of a particular social order which was seen to be under threat from the perceived immorality of the poor and improvident'.⁴ The Society did not content itself with moral persuasion. During the 1880s it campaigned strongly for legislation that would, among other things, raise the age of consent, and impose stricter penalties for prostitution and the 'seduction' of female employees by their bosses. Many of its objectives were satisfied when *An Act to Amend the Criminal Law Consolidation Act 1876 and the Justices Procedure Amendment Act 1883-84* was passed by parliament in December 1885.⁵ In July 1887 the *Lantern* published a cartoon entitled 'What Social Purity Will Bring In', which projected a vision of the movement's ideal society - burly and handsome policemen escorting young ladies through the safe, clean and orderly streets of Adelaide. A lecherous character lurking in the background clearly had no hope of satisfying his dastardly desires (Plate 32 a).⁶

The Social Purity Society's campaign was just one manifestation of the activism of moral reformers in late colonial society. Temperance had been an issue for a long time, but the 1880s saw efforts redoubled as alliances of church and community groups fought to restrict, if not prohibit, the sale of liquor.⁷ Gambling was another

3 A. T. Yarwood & M. J. Knowling, *Race Relations in Australia*, Melbourne, 1982, p. 164.

4 Jim Jose, 'Legislating for social purity, 1883-85: The reverend Joseph Coles Kirby and the Social Purity Society', *Journal of the Historical Society of South Australia*, no. 18, 1990, p. 123.

5 *ibid.*, p. 129.

6 *The Lantern*, 16 April 1887, p. 26.

7 Arnold D. Hunt, *This Side of Heaven: A History of Methodism in South Australia*, Adelaide, 1985, pp. 190-191.

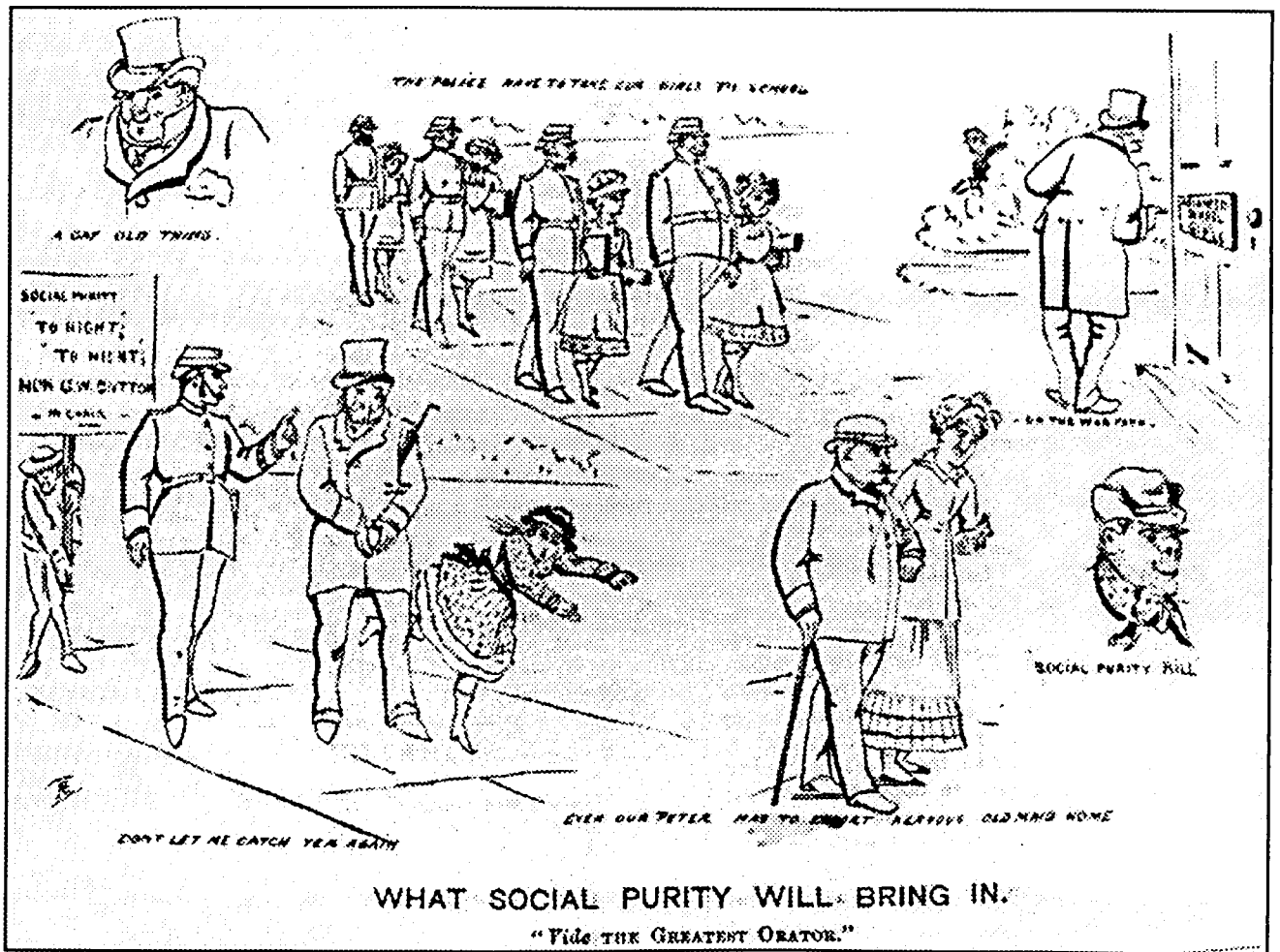


Plate 32 a. Cartoon from *The Lantern*, 1885.

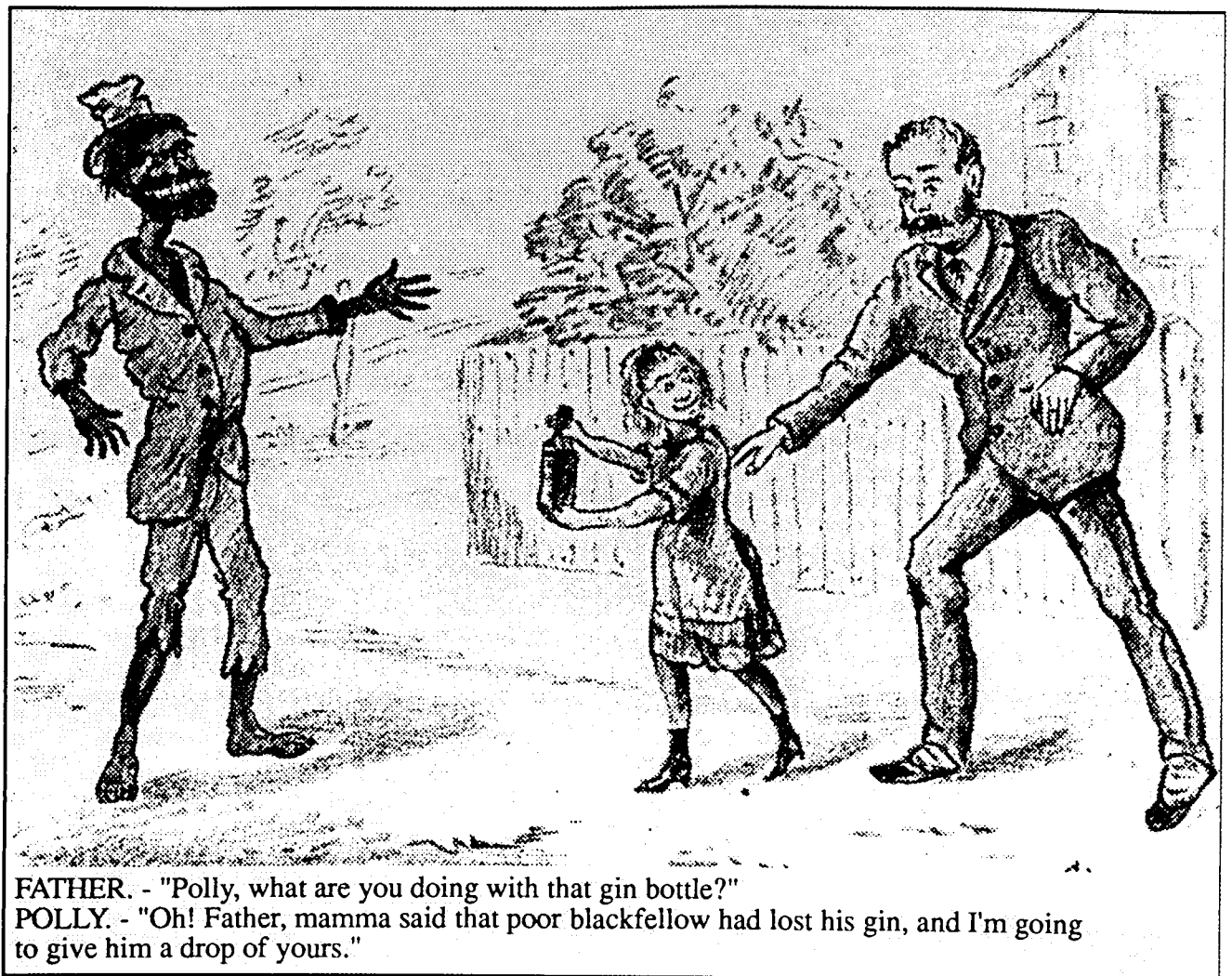


Plate 32 b. Cartoon from *The Lantern*, 1888.

social evil the moral guardians targeted.⁸ Their efforts resulted in the totalisator being banned for a brief time during the 1880s, while bookmakers were driven from racecourses until the 1930s.⁹ The faithful observance of the Sabbath was another concern of the moral crusaders, and while they did not succeed in all their goals they did have success in restricting Sunday trading.¹⁰ In its comments on the campaign of the Social Purity Society, the *South Australian Register* revealed the logic of the process when it observed that it was 'incumbent on the State to throw the mantle of legislative protection around its weak members'.¹¹ This was a sentiment increasingly applied to Aborigines in late colonial society. Protesting against the efforts of the Woman's Christian Temperance Union to have opium, alcohol and tobacco banned, a correspondent to the *Adelaide Observer* in 1896 drew attention to this process:

The principle of prohibition, they argue, has already been conceded so far as concerns the blacks. The law takes the liberty of placing the aboriginal natives on the footing of children who cannot be trusted to indulge in any stimulant or narcotic in moderation.¹²

Immorality in the Bush

From the mid-1880s claims were made that pastoral workers, especially in the more remote districts, were ill-treating Aborigines. Of particular concern were charges that Aboriginal women were prostituting themselves or, if a distinction was made, were living as the unwilling concubines of European men. The police investigated allegations of prostitution at Marree in 1885 and while they found evidence of 'sexual exchange' within the Aboriginal community they rejected claims of prostitution in relation to the white community.¹³ In the following year Pastor A. H. Kempe of

8 For contemporary discussion of the issue see *The Lantern*, 10 July, 1886, p. 13; 24 July 1886, p. 6; 30 October 1886, p. 21; *Quiz*, 2 May 1890, p. 1.

9 W. Vamplew, 'Sport: More than Fun and Games', Eric Richards (ed), *The Flinders History of South Australia, Social History*, Adelaide, 1986, p. 455.

10 See discussion in *The Lantern*, 16 April 1887, p. 26.

11 Quoted in Jose, 'Legislating for Social Purity', p. 129.

12 *Adelaide Observer*, 25 July 1896.

13 GRG 52/1/122/1885.

Hermannsburg Mission wrote to the protector asking him to clarify the 'rules of the law' regarding the treatment of Aborigines by Europeans. Kempe asked whether it was permissible for whites to dress Aboriginal girls like boys and to use them as their concubines, and whether anything could be done to bring back 'all girls and women belonging to this reserve, who are used now on the surrounding stations for prostitutes thus perishing [in] body and soul'.¹⁴ The protector's response was to point out that without special legislation dealing with the Aborigines there was little he could do to redress the evil.¹⁵

The issue of relations between pastoral workers and Aborigines came into particularly sharp focus with two separate inquiries in 1890. The first case arose when supporters of the Finke River Mission held a public meeting in Adelaide at which the Reverend Schwarz repeated the charges of ill-treatment that his brother missionary had made a few years before. Of station life, Schwarz was quoted as saying:

With regard to the treatment of blacks generally, the boys who were able to make themselves useful were treated fairly well, but the men as a rule were maltreated. On almost every station a number of women were kept for shameful purposes.¹⁶

Mounted Constable Willshire, whose beat covered the vast expanse of central Australia and who was implicitly criticised at the meeting, claimed that the settlers were indignant at the charges. Furthermore, he countered their claims with charges that the missionaries themselves were ill-treating Aborigines (Plate 33).¹⁷

Parliament appointed a small commission to go to the area and investigate the claims. Its report revealed some evidence of immorality, but could not substantiate

14 GRG 52/1/330/1886, 15 October 1886.

15 *ibid.*

16 *South Australian Register*, 10 January 1890.

17 *ibid.*, 6 May 1890. See detail in Chapter 7.

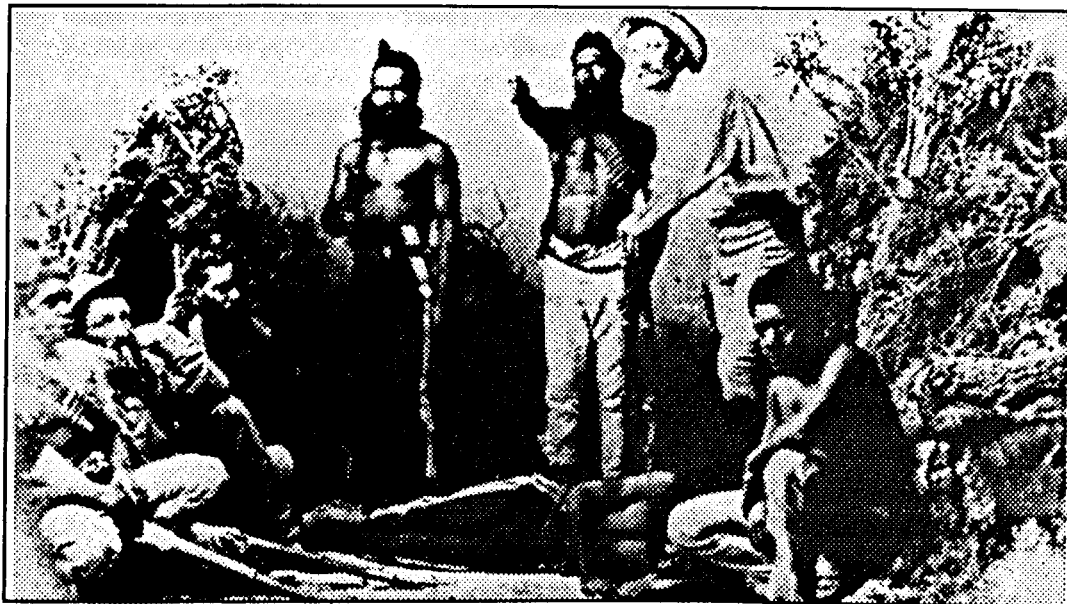


Plate 33 a. M C William Willshire posing as himself - bushman/hero, c. 1890.



RECENT DISPUTES BETWEEN MISSIONARIES AND POLICE RE ABORIGINAL
Edifying for the aboriginal converts on the Fynke River.

Plate 33 b. Cartoon illustrating the friction between police and missionaries in central Australia in 1890, from *The Lantern*, 1890.

the charges of abuse levelled by the missionaries. It did find support for the counter claims brought by the pastoralists - choosing to excuse them on the grounds that they were 'prompted by the kindest motives'.¹⁸

Later the same year Tom Brown, a surveyor on the west coast of the colony, claimed that a deplorable state of immorality existed in the district, with Aboriginal and half-caste women being abused with impunity by pastoral workers, particularly by the teams employed hunting kangaroos in the district.¹⁹ A public service commission investigated the claims but found little of substance in them. Significantly, both investigations concluded with observations that the best that could be done for the Aborigines was to smooth their path to inevitable extinction by a better provisioning of their needs and the establishment of new reserves.²⁰

The charge that pastoral workers and other members of the 'lower classes' were encouraging immorality was not limited to sexual impropriety; they were seen as encouraging such vices as swearing, drinking, and gambling. In 1891, for instance, a columnist in the *Adelaide Observer* commented that 'it was shameful the way bushmen initiate the blacks into unconscious blasphemy'.²¹ Gambling was an issue that the missionaries had long fought to eradicate. It was one of the first 'vices of civilisation' Taplin encountered when he began his work at Point McLeay.²² In the early 1890s the missionary superintendent at Point McLeay complained to the protector of gambling on nearby pastoral stations at the close of the shearing season.²³ He requested that a detective, disguised as a swagman, be sent to the stations to investigate. The suggestion was taken up but the season was over by the

18 *ibid.*, 24 September 1890.

19 *Adelaide Observer*, 6 December 1890.

20 *ibid.*, 8 November 1890; *South Australian Register*, 5 December, 1890.

21 *Adelaide Observer*, 1 August 1891.

22 Taplin, *Journals*, c. 1860, Mortlock Library PRG 186 - 1/3.

23 GRG 52/1/325/1892, 9 November 1892.



Plate 34. Jacky: Peace on Earth, *The Lantern*, 1890.

Oh, it's only a nigger you know;
It's only a nigger, you know;
A nigger to wallop, a nigger to slave,
To treat with a word and a blow.

It's only a nigger, you know;
A nigger, whose feelings are slow;
A nigger to chain up, a nigger to treat
to a kick, and a curse, and a blow.

It's only a nigger, you know;
It's only a nigger, you know,
But he's also a brother, a man like the rest,
Though his skin might be black as a crow.

Poem about Jacky who was found guilty of murdering a white stockman. Despite what the illustration indicates, public opinion saved him from the gallows. *The Lantern*, 21 December 1889.

time he arrived.²⁴ Undaunted, the same ruse was tried the following year. Mounted Constable Pyne waited in the district until the shearers were paid and then visited stations, presumably disguised as a swagman, to look for evidence of gambling. After several fruitless evenings they finally got wind of a game attended by a large number on Poltalloch Station. Pyne described the scene:

on looking through the window saw that the room was full of Blacks and Whites & around a table a lot of them were interested in some game, from where I was I could not see what was being done, so walked in - MC Reibe remaining outside. On entering the Blacks knew me and as well as several of the whites present & I only found four men engaged in playing the Game of Banker. Watched them for some minutes & finding that no more was likely to join in pounced upon the Banker & seized 7/- in cash & the cards arresting the man. MC Reibe arrested another & two got away owing to the rush of nearly all present making for the doors.²⁵

The only men arrested that evening were a Syrian and an Indian, both hawkers, although subsequent investigations led to a number of Aborigines being taken into custody for gambling. The two hawkers, two white men, and two Aborigines were fined a total of £8-10. Pyne observed that the raids would have the effect of suppressing gambling among all but the 'most hardened of gamesters'.²⁶ While gambling was a 'vice' that missionaries had unsuccessfully railed against for years, now the moral climate had changed sufficiently for the authorities to act upon missionary complaints.

The 1890s witnessed a continuing debate between the guardians of moral order and the 'bushmen', that is, station owners and pastoral workers. It was a debate in which the moral reformers campaigned for increasing regulation of the lives of Aborigines, to protect them from corrupting influences, while the pastoral industry, fearing the

24 *ibid.*, 18 & 19 November 1892.

25 *ibid.*, 24 October 1893.

26 *ibid.*

loss of an important economic and social resource, claimed that Aborigines should not be denied their liberty, nor should morality be legislated for.

Policing the Social Boundaries

The issue of moral purity had its parallel in a belief that Aborigines were polluting the physical and social purity of their towns and suburbs. During the 1880s and 1890s the authorities became increasingly concerned about fringe camps in Adelaide and in other towns.²⁷ In the 1890s the community at Victor Harbor campaigned to have a fringe camp removed from the district. In 1892 the District Council complained of the noise coming from the camp and the unsanitary conditions.²⁸ Located between the jetty and the Warland's hotel, the camp was considered a nuisance especially during the holiday season.²⁹ Permission was obtained for Aborigines to camp at the mouth of the Inman and Hindmarsh Rivers, about a mile from town, but some continued to camp on the beach reserve. In 1897 the local constable reported unease among 'the respectable white people' over the suspicion of 'immorality in the camp'. Again attempts were made to break up the camp and move it to a more discrete location away from town.³⁰

There were protests over the existence of fringe camps and Aboriginal vagrants in Adelaide in the same period (Plates 35 & 36). In 1890 Protector Hamilton drew the attention of his superiors to the presence of Aborigines 'hanging about Adelaide'.³¹ He suggested that the police be informed and, after giving them twenty four hours notice, that they be gathered up, taken to the railway station and sent back to their own districts. In truth, the number in Adelaide were not great: in 1890, about two dozen people.³² Most were from Point McLeay, or the surrounding district, a cause of

27 GRG 52/1/51/1887.

28 GRG 52/1/71/1892, 27 February 1892.

29 GRG 52/1/297/1897, 24 July 1897.

30 GRG 52/1/195/1897, 3 May 1897.

31 GRG 52/1/242/1890, 15 August 1890.

32 *ibid.*, 6 September 1890.



ABORIGINALS.—The aborigines have been visiting Adelaide during the past month in larger numbers than usual, and many of them appear unwilling to return to their own districts. They continue loafing about the city, where their begging and drinking propensities will soon render them a public nuisance. Already several have been sent to goal, and two of their children have died from cold and exposure. All the natives referred to belong to the Murray and the lakes, and although their hunting grounds may not be so extensive as formerly fish and game are still tolerably plentiful. Most of the aborigines have been supplied by the Government with canoes, and in seasons of scarcity relief can be procured from the depots at Point Macleay, Goolwa, Mannum, or Murray Bridge, which are kept supplied with clothing and rations, consisting of tea, sugar, rice, tobacco, together with medical comforts and medicines. Several of the natives now about the town have recently obtained canoes, costing from £4 to £7 each. It is found difficult in some cases to persuade these people to return to their homes, notwithstanding that they are offered free railway passes. All these circumstances show that it would be much better to keep the aborigines away from Adelaide, and it is a mistaken kindness to encourage their begging habits.— *Vide Daily Press.*

Plate 35. 'Loafing about Adelaide', *The Lantern*, 1889.

some anxiety for the missionary superintendents. Complaining of his people 'loafing' about Adelaide, Superintendent Sutton wrote in 1894:

The recent visit of the Hon. Minister to Point McLeay will have shown him that the worst possible fate that can befall the Aborigines, is to allow them to lose the healthy, controlling influence of the Mission Station, to hang about Adelaide, consorting with the lowest class of whites & learning every phase of a degraded life, spending in liquor the money they obtain in begging.³³

In the late 1890s the missionary Daniel Matthews continued the campaign, drawing on his previous experience in Sydney and La Perouse. In one of his many letters to the newspapers, Matthews lamented the

vagrant life of a few wandering and homeless aborigines, who are daily begging, and nightly camp in some spot, where they are infested by the company of degraded white men, and sometimes women, who help to drink the poisonous decoctions supplied to these unfortunates.³⁴

In September 1899 the camp on the Patawalonga was broken up and the residents were escorted to the Point Macleay mission.³⁵

Unease at the presence of Aborigines in white communities was reflected in other contexts. In 1897 a petition was organised by the residents of twelve Working Men's Blocks at Moonta protesting at the presence of two Aboriginal block holders in the district, a 'number that will suffice so far as we are concerned for our lifetime':

We do not think it necessary to our cause to go into detail as to the nature of our objections but when we assure you that many native people congregate at the hut of one or other of them and sometimes in a not very sober state the screams and ejaculations are such as to frighten our women folks. Under these circumstances we beg most humbly to

33 GRG 52/1/362/1894, 20 October 1894.

34 *Advertiser*, 27 May 1899.

35 *Adelaide Observer*, 2 September 1899.

request you not to allow any more aboriginals to be holders of land in our immediate vicinity.³⁶

In 1897 Jenny Felix, an Aboriginal woman living in Victor Harbour, wrote to the protector requesting palings so she could build a house for herself. She told the protector that she had a child going to school in the town, but the wurley they lived in leaked in poor weather, making it difficult to keep her boy's clothing clean and dry. The letter was referred to the local constable for comment. Significantly, Constable Bluntish's response was built on the themes of social order, moral purity, and physical cleanliness:

With reference to the attached letter of widow Felix I know of no house or shed that could be rented for her - nor do I think it judicious to place Aborigines as residents in the township, this woman is a dirty, untidy Aboriginal and has a big lump of a daughter Elsie another great fat lazy lump who entices Lettie, a daughter of Charlotte Tripp or McLean, and other young natives to come here and parade the streets and cause the respectable white people to say that there is immorality in the camp.³⁷

The constable proceeded to describe the other occupants of the camp, and the town's plans to have it removed, before adding:

. . . the people object to native children going to school with white children, considering that they carry fleas and filth into the school. The Aborigines will insist on keeping a large number of mangey dogs and when there are a large number of natives in the camp their noises at night up to midnight interfere with the rest of the residents and visitors. This large number of natives do not work and loaf about . . . by establishing these native women in houses in the township you will be creating brothels - as big fat Annie who applied for a rented house would be another to foster immorality.³⁸

36 GRG 52/1/114/1897.

37 GRG 52/1/197/1897, 3 May 1897.

38 *ibid.*

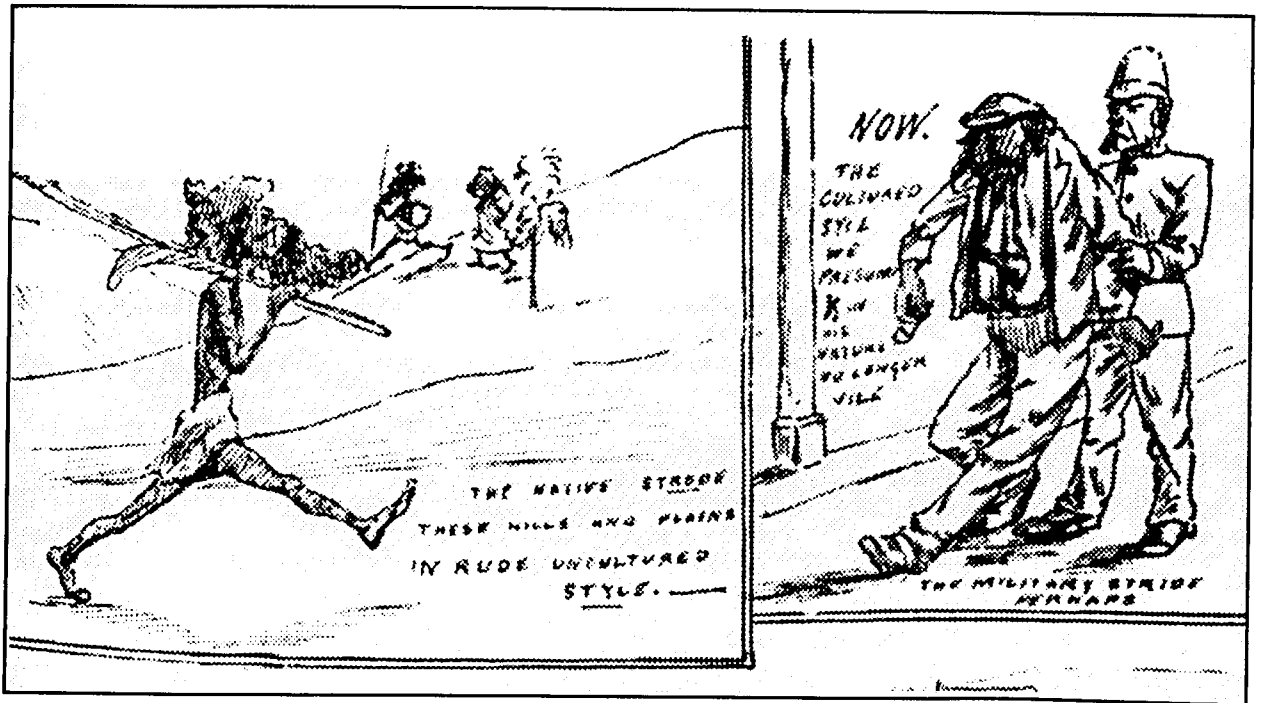


Plate 36 a. Extract from a cartoon, *The Lantern*, 1889.

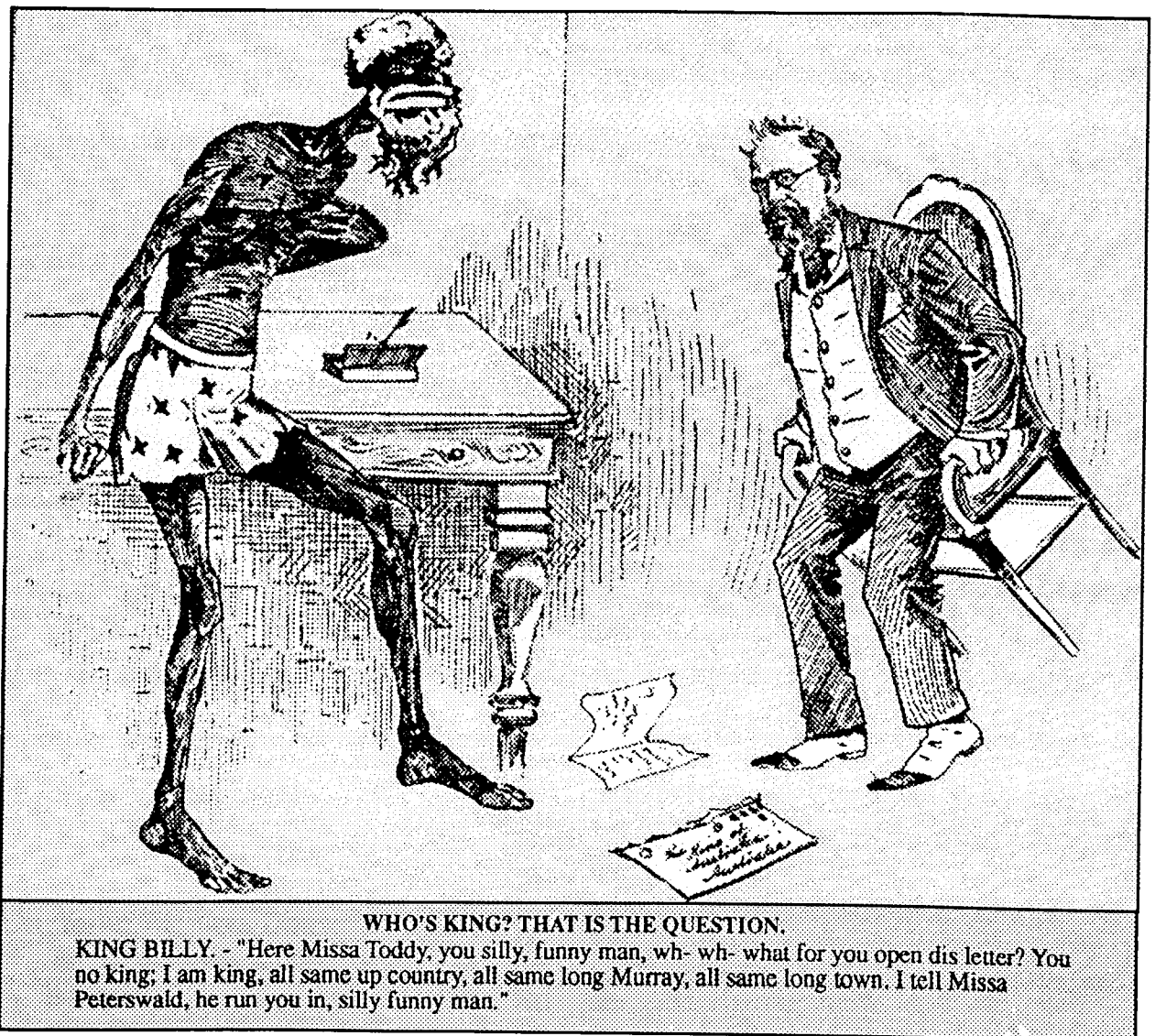


Plate 36 b. Cartoon from *The Lantern*, 1888. Joke based on a letter from America addressed to the 'King of Australia'.

The theme of 'uncleanliness', evident in Bluntish's correspondence, was commonly employed in reference to Aborigines. It was a complaint that surfaced in regard to Aborigines travelling on trains. In 1882 a correspondent to the *South Australian Register* complained about 'wurley' natives, who he knew to be 'uncleanly in their persons and habits' travelling on the North Adelaide tram.³⁹ In 1891 a correspondent to the *Observer* complained that on the 2 pm train to Goolwa:

. . . second-class passengers had to leave their carriage to make room for two of the oldest wurley-living old women in the district, their swags, bundles, currant tins, and dogs, which completely filled the compartment. These old gins are on their way to the scrub to gather native currants. Now the season is on the natives will be daily up and down.⁴⁰

For the sake of a sixpence, the author complained, the authorities were allowing their trains to be polluted. The distinction between 'clean' and 'dirty' Aborigines became a common form of classification by the turn of the century.⁴¹

The Aborigines Bill and Select Committee of 1899

Constant agitation for better methods to control Aborigines began to bear fruit when, in 1890, Protector Hamilton drafted an Aborigines Bill 'for the protection and management of the Aboriginal natives'.⁴² The heart of the proposed legislation was the section defining the areas in which the governor could make regulations and orders. These included the right to prescribe the place where Aborigines or Aboriginal tribes might reside; provision for the 'care, custody, and education of the children of aboriginals'; the right to prescribe the conditions by which children might be apprenticed; the way monies were distributed; the definition of the duties of local guardians of Aborigines; and provision for the 'better enforcement of any laws now

³⁹ *South Australian Register*, 10 October 1882.

⁴⁰ *Adelaide Observer*, 24 October 1891.

⁴¹ See, for instance, its use by William Senior in a debate on the Aborigines Bill, *South Australian Parliamentary Debates*, 13 October 1910, p. 723.

⁴² GRG 52/1/286/1890.

existing'. Additional provisions gave the right for 'local guardians of aboriginals' to be appointed, for a Protector of Aborigines to administer the Act, and for a penalty of up to £10 or three months' imprisonment for breaches of the Act.⁴³

Nothing came of the proposal, and in 1892 the protector submitted a revised bill. The Aborigines Bill of 1892 differed from its predecessor principally in that it consolidated all existing legislation pertaining to Aborigines. It incorporated provisions relating to the sale and consumption of liquor, the right to reserve crown land for the benefit of Aborigines, and to lease land for the use of individuals. It excepted Aborigines from restrictions regarding the killing and consumption of native game. All existing legal provisions were also incorporated: the right to execute Aboriginal offenders at the site of the crime, the admission of unsworn testimony, and the use of interpreters.⁴⁴

Setting aside the consolidation of existing law, the core of both bills was the same - the 'protection and management' of the Aborigines. In the notes accompanying each bill the influence of missionaries, particularly the Aborigines Friends Association, was acknowledged.⁴⁵ Provisions of the bill addressed their particular concerns, such as the desire to control the movements of Aborigines and the 'care, custody and education' of Aboriginal children. Although the Chief Secretary recommended the bill for introduction, it was once again shelved.⁴⁶

Not until 1899 was an Aborigines Bill finally brought before parliament.⁴⁷ Framed by Charles Dashwood, the Government Resident in the Northern Territory, the bill largely addressed issues arising out of the frontier conditions of the Northern Territory, rather than the concerns of the philanthropists in settled districts which

43 *ibid.*

44 GRG 52/1/251/1892.

45 See docket notes for each bill, GRG 52/1/286/1890 & GRG 52/1/251/1892.

46 GRG 52/1/251/1892.

47 *South Australian Parliamentary Debates*, 4 July 1899, p. 11.

had been evident in Protector Hamilton's earlier attempts. Dashwood claimed to have been motivated by the unsatisfactory relations between the Aborigines and other races, in particular the exploitation of Aboriginal labour and the sexual exploitation of Aboriginal women. The relationship of Aborigines and Chinese was a major concern, especially the use of opium and its spread into the Aboriginal community.⁴⁸

Dashwood modelled his bill on Queensland's Aborigines Protection Act, 1897.⁴⁹ In the last quarter of the nineteenth century, Queensland, of all the colonies, had the worst reputation for its treatment of Aborigines. It was not uncommon for the South Australian press to hold up its treatment of the Aborigines as a shining example of humanitarianism by contrasting it to reports of massacres and abuse coming out of Queensland.⁵⁰ However, with the passage of its Aboriginal Protection Act in 1897, Queensland was regarded by some to have assumed a moral leadership.⁵¹ The Queensland Act sought to isolate Aborigines from both white and Asian influences and, as Yarwood points out, was a major shift from the ideals of legal equality promoted by Grey in the 1830s and 40s.⁵²

Dashwood's bill was sufficiently controversial for a select committee to be established to examine its workability.⁵³ Most witnesses before the committee opposed the bill, arguing that it would have a negative effect on the Aborigines. Among the bill's most disputed provisions were clause 9, which required an

48 *South Australian Parliamentary Papers*, 1899, 2, No. 77, Minutes of Evidence on the Aborigines Bill, pp. 1-8.

49 *ibid.*, p. 4.

50 For instance, *Adelaide Observer*, 12 July 1873, 7 March, 4 July 1874, 15 May, 26 June 1875; *South Australian Register* 2 January, 13 February 1874, 22 June 1875, 27 September 1880, 24 November 1883.

51 *Adelaide Observer*, 9 May 1903. See also C. D. Rowley, *The Destruction of Aboriginal Society*, Canberra, 1970, p. 186.

52 A. T. Yarwood, *Race Relations in Australia*, Melbourne, 1982, p. 203.

53 The committee commenced sitting on 17 August and concluded on 18 October 1899. *South Australian Parliamentary Papers*, 1899, 2, No. 77 & 77a, Select Committee of the Legislative Council on the Aborigines Bill.

employer to obtain a permit to employ Aborigines or half-castes, and clause 11, which made it an offence to have Aborigines on one's 'premises' without a permit. Most argued that rather than obtaining the permit, employers would dispense with Aboriginal labour entirely and that Aborigines would be driven from pastoral stations and left to fend for themselves, often in country so changed by European occupation it could no longer support them.⁵⁴ J. Hogarth, a sheep farmer from Strangways Springs, stressed this point in his evidence:

. . . all the best country on which they got their natural food at one time is taken up now, and consequently they are dependent either upon the Government or the settlers for food at the present time. They do get a little natural food sometimes, but most of them are maintained by the settlers, coupled with the little they get from the government. That little only helps the old men and women, but the younger ones depend entirely upon the settlers for food.⁵⁵

Against allegations of mistreatment, most argued that the Aborigines were relatively well treated - that the situation had changed a great deal in the last 25 years. Most agreed that Aboriginal workers were not remunerated to the same level as the whites, but they often received more rations to accommodate the families that lived on the stations. One witness suggested that one-third of the Aborigines on the station were usually old men and women, supported by those who worked.⁵⁶ It was in the interests of the station to treat the Aborigines well, otherwise they would leave. Besides, they argued, Aborigines were unreliable workers, often leaving at short notice. This last point was one commented upon by most witnesses as a reason why the permit system would not work. Most argued that Aborigines were important to the industry, but not essential, although this might not have been the case among the smaller land holders, especially during the tough years of the 1890s. The storekeeper

⁵⁴ *ibid.*, pp. 14-15, 40-41, 67, 70-71.

⁵⁵ Minutes of Evidence on the Aborigines Bill, 1899, p. 71.

⁵⁶ *ibid.*, p. 52. Also see evidence of Clement Sabine and John Hogarth, pp. 65-75.

at Alice Springs, for instance, claimed that two-thirds of his provisions were sold to the Aborigines.⁵⁷

Most denied that sexual abuse of Aboriginal women was common and blamed what did occur on transient workers, such as shearers and drovers.⁵⁸ It was not denied that sexual liaisons between Aboriginal women and European men occurred, but most insisted that this did not necessarily imply ill-treatment; Aboriginal women, it was said, sought such relationships, preferring white men to black.⁵⁹ Reuther pointed out that the extent to which such relationships were permitted by Aboriginal men was somewhat problematic, given that the men complained to him that they didn't want the women to go to the white men, but they were afraid of them.⁶⁰ Others suggested that if they wanted to correct the moral standards of people in the bush, they would be wise to start in the city first.⁶¹

A number of important themes emerge from the sorts of questions asked during the inquiry. Committee members repeatedly put the proposition to witnesses that the Aborigines were like children and that the bill was framed to treat them like children, the implication being that Aborigines could not understand agreements and that needed 'protectors' to look after their interests. The responses to this question split on 'party lines'. Those who had spent many years on pastoral stations disagreed with this proposition, arguing that the Aborigines knew full well how to take care of themselves. This is evident in an exchange between McGregor and the sheep farmer Hogarth:

1735. Do you recognise in this Bill that an attempt is being made to put the aboriginals on the same footing as children? Do you think they are

57 *ibid.*, p. 108.

58 *ibid.*, p. 66.

59 *ibid.*, pp. 64-65.

60 *ibid.*, p. 54.

61 *ibid.*, p. 71.

as capable of looking after their affairs as the white population? - They are as capable of looking after themselves as a great many of the white population.

1736. But as a general rule are they as capable as the whites? - Not as capable as the more intelligent white population, but quite as capable as the less intelligent.⁶²

When the question was asked again in a slightly different form, Hogarth answered, 'I know plenty who are well able to determine for themselves what to do, and they know the difference between right and wrong'.⁶³ The question of whether or not Aborigines were 'like children' had a bearing not only on their work relationships, but also their social relationships. The following exchange between sheep farmer Christopher Wade and McGregor concerned the latter's claim that Aboriginal women needed more protection than white women:

316. Because they are children?- Children are they? Excuse me.

317. In intellect I mean?- But do not you make a mistake. You will find some very smart men among them; smart women too.⁶⁴

Some witnesses seemed genuinely puzzled by this line of questioning and exchanges at cross-purposes were not uncommon as confused distinctions were made between 'Blacks', 'wild Blacks', 'intelligent' or 'semi-civilised Blacks', 'half-castes', and educated 'half-castes'. It is apparent that the Aborigines the committeemen were talking about - 'children of nature', child-like and easily exploited - were not always the same Aborigines the witnesses were referring to.

The line of questioning met a much more welcome response from the missionaries and their supporters. John Langdon Parsons, a Baptist minister and government resident in the Northern Territory in the late 1880s, took McGregor's bait willingly:

62 *ibid.*, p. 73.

63 *ibid.*, p. 74.

64 *ibid.*, p. 16.

1830. Do you say that the aborigines are, relatively speaking, children? - I used the term "children of nature" in comparison with civilised Europeans. The blacks to all intents and purposes are children in matters of government and business too.

1831. Seeing that we find it necessary to have special legislation for children, do you not think it is also necessary to have special legislation for the aborigines? - I think it is extremely desirable to have some legislation. My reports during the years I was Government Resident contained frequent recommendations for the introduction of some legislation for the aborigines.⁶⁵

Tom Brown, the surveyor who had raised the issue of the ill-treatment of Aboriginal women on the west coast some ten years previously, provided a similar response. Recalling his experience in the district, he claimed that the kangarooers relied almost entirely on the blacks to do their work, while they lazed in their tents and took advantage of the women. When he complained to the men he was ridiculed and lampooned. While agreeing that the women were not necessarily forced into these liaisons, he insisted that they would go anywhere for food and clothing because they are 'like children', adding:

They need protection, just like children, and our laws, which are intended for the whites, cannot be applied to them. There should be some special legislation of a very elastic nature to apply only to aborigines.⁶⁶

A closely related theme was whether or not Aborigines should be separated from whites. The reason for this was to protect them from exploitation and from the degrading influences of the lower classes of white society. Of particular concern was the fate of half-castes being raised in the degraded conditions of fringe camps, a setting, it was claimed, that forced the women into immoral lives.⁶⁷ Many again opposed this notion saying that it was unfair in general, and particularly unfair on the 'semi-civilised Blacks' and 'half-castes'.

65 *ibid.*, p. 77.

66 *ibid.*, p. 90.

67 *ibid.*, pp. 44-45, 98.

In the end the bill was rejected on the grounds that it 'would be inoperative for any beneficial purpose, and, in some respects, might be injurious to the aborigines'.⁶⁸ Framed with the Northern Territory in mind, the evidence presented to the committee made it clear that such an Act would have a disruptive effect on the relationship between Aborigines and Europeans in the more settled districts of South Australia. The *Advertiser* claimed the Aborigines Bill failed 'principally because its provisions to restrain the lawless and unscrupulous would have hindered the generous and well meaning'.⁶⁹

The 1899 Select Committee proposed a number of amendments to the bill, but interest subsided. The belief that Aborigines should be 'protected' from the worst elements of white society by some form of segregation and regulation already had widespread community support and, as previous sections illustrate, was already being enforced by community pressure and social policing. It was not until the issue of racial purity was added to those of social and moral purity that the State saw fit to adopt specific legislative measures to regulate the lives of Aboriginal people.

Aborigines in a White Australia

In late colonial Australia the doctrine of 'White Australia' emerged as Australia pondered its identity as an Anglo-Saxon nation in an Asia-Pacific neighbourhood. The concern for social and cultural homogeneity came to be increasingly expressed in racial terms, with the language of Darwinism and associated racial theory commonly employed to buttress nationalist arguments. Australia was determined to defend what it saw as its superior Anglo-Saxon stock. During the 1890s most Australian colonies passed legislation that restricted the immigration of Chinese. In South Australia during the 1880s the press increasingly portrayed the 'Celestials' or 'John

⁶⁸ *South Australian Parliamentary Papers*, 1899, 2, No. 77a, Report of the Select Committee of the Legislative Council on the Aborigines Bill, p. 5.

⁶⁹ *Advertiser*, 10 October 1900.

Chinaman' as unclean, deceitful, thieving and murderous (Plate 37).⁷⁰ During the same period there was a strong campaign to stop the importation of South Sea Islanders as plantation labour, and eventually repatriate them. There was a growing fear also of the Japanese who were emerging as a significant power in the region. It was in this period that the image of the 'yellow peril' flooding into Australia from the North began to acquire iconographic status.⁷¹ A leading article from the *Bulletin* in 1901, discussing the Imperial rejection of a Queensland Act to restrict 'coloured labour', exemplifies the tone of the racial arguments of the period:

Australia rejects the whole Asiatic, African and Kanaka tribe because they work for wages on which only a person far lower in the scale of civilisation than the white Australian can live, therefore, where they are numerous, the white man, in order to get work, has to come down to their wage-level, and, in consequence, to their civilisation-level. It objects to them because they introduce a lower civilisation. It objects because they intermarry with white women, and thereby lower the white type, and because they have already created the beginnings of a mongrel race, that has many of the vices of both its parents, but few of the virtues of either.⁷²

The Bulletin which had begun life in 1880 under the nationalist motto 'Australia for the Australians' changed it to 'Australia for the white man' seven years after Federation.⁷³ In essence the issue of 'White Australia' and racial purity developed in response to an imagined external threat to the wholesome homogeneity of Australian society. It was an issue to which the Aborigines of Australia were essentially irrelevant, but which nonetheless created a conception of Australian society which rebounded on the Aboriginal population.

⁷⁰ *Adelaide Bulletin and Lantern*, 25 June, 9 July 1881, & 5 June 1886, p. 5; *The Lantern*, 15 October 1887, p. 19.

⁷¹ Yarwood & Knowling, *Race Relations*, pp. 206-212, 225-235.

⁷² From *The Bulletin*, 22 June 1901, quoted in A. T. Yarwood, *Attitudes to Non-European Immigration*, Melbourne, 1968, p. 98.

⁷³ C. M. H. Clark, *A History of Australia, V, The People Make Laws, 1888 - 1915*, Melbourne, 1987, p. 292.

Plate 37. Stereotyping of the Chinese increased in the 1890s as 'White Australia' sentiments gathered strength. The *Lantern*, 1887.



HE'S a peaceful man who will go his way
In peace, if you let him go.
He can fight at times when hard at bay,
And blow will repay with blow.
He is not liked, but is hated worse
Than a plague in the days long flown.
He is met all day by the white man's curse,
And often with blow and stone.
He has simple looks and a simple face,
Yet a fox has not half his guile,
While he looks like angels replete with grace
He is cheating you all the while.
And yet he will work from day to day
As never a white man works.
All day he will do it for half the pay
That a white man daily shirks.
He is not proud, to things he'll turn
To pick up his daily bread,
That those who revile him too often spurn,
And starve with their wives instead.
With shot and shell we made him trade,
At the cannon's mouth we bought.
We got the worst of the 'pact we made,
He resp where the Briton fought.
We do not like the turn that things
Have taken, it all seems wrong,
That he should win, and the hate that springs
Against him is envy strong.
He has simple looks and a simple face,
Yet a fox has not half his guile,
He looks like angels replete with grace,
And he is cheating us all the while.

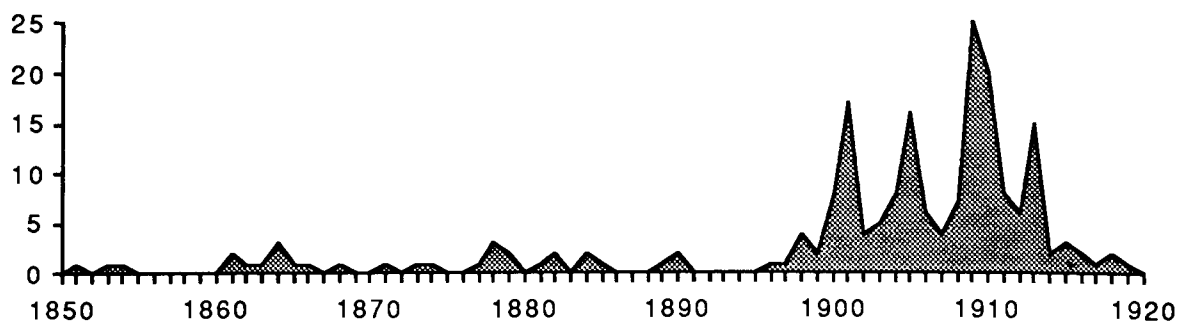
For most of the colonial period racial purity was not an issue. From the very earliest days of settlement children were being born of Aboriginal mothers and European fathers. Immorality was an issue, and missionaries often expressed their concern for the welfare of 'half-caste and orphan children', but the objections, when heard, were rarely made on the grounds of racial purity. The best illustration of this is the policy, introduced by Governor Grey and Protector Moorhouse in the mid-1840s, of granting land to the white husband of an Aboriginal women.⁷⁴ The practice was regarded as an almost certain method of ensuring that the 'half-caste' children of the marriages would grow up on the land and become farmers, thus in part fulfilling the assimilationist goals of early administrators.⁷⁵ There were no public objections to this policy - a policy that encouraged interracial marriages - and it continued to be applied for the next forty years.

Not until the 1880s, in the context of the broader social concerns discussed above, did 'half-castes' become a significant issue of public discussion. The changing connotative meaning of the word 'half-caste' is a useful guide to the evolving racial perceptions of colonial society. In the strictest sense, a 'half-caste' was the progeny of parents of different racial types. In the Australian context, however, the social reality was that the mother was almost always Aboriginal and the father usually Anglo-Saxon, although, as the century drew to a close, possibly Chinese or from the Indian sub-continent. With some exceptions, such as women married to Europeans given land grants, the 'half-caste' children were raised by the mother, in her camp, or perhaps on a mission. Consequently the children were usually socialised as Aborigines and perceived to be 'Black' rather than 'Part-White'.

⁷⁴ Aborigines Department, Protector's Letter Book, State Records GRG 52/7, 13 February 1848.

⁷⁵ *ibid.*

'Half-castes' discussed in the South Australian Press



Total number of items, on the subject of 'half-castes', in the *Register*, *Observer* and *Advertiser*, 1850-1920.

People referred to as 'half-caste' may have been one-quarter or one-eighth part Aboriginal. Indeed, the 'lightening' of the 'half-caste' population had important ramifications for colonial perceptions of Aborigines. The skin colour of part-Aboriginal people was increasingly commented on in the last decade and a half of the nineteenth century.

In December 1884, Corporal Kerr of the Mount Gambier police wrote to the protector asking if something could be done for a half-caste girl in the district who was pregnant after having been 'seduced' by a white man in the district. 'Seduction' was a controversial topic in a period when the Social Purity Society was campaigning for legislation to protect young women from such behaviour. The corporal asked if she might not be housed in the Destitute Asylum during her confinement, reporting that 'she has been a good servant . . . and has more the appearance of a white woman than a half caste.'⁷⁶ Photographs accompanying the protector's annual report for 1909 included one featuring a group of Aboriginal children with the caption 'Becoming Whiter'.⁷⁷ The idea that part-Aborigines, increasingly white in their appearance, should be living in fringe-camps, imbibing all the vices of a degraded life, became a

⁷⁶ GRG 52/1/2/1884, 26 December 1884.

⁷⁷ *Report of the Protector of Aborigines for the Year ending June 30, 1909*, Adelaide, 1909, photograph no. 4.

source of increasing discomfort to a society that wished to make social and cultural homogeneity a virtue. Commenting on the plight of unemployed Aborigines in the north of the colony in 1892, Inspector Besley, Sub-Protector for the region, wrote:

What shall we do with the children of these unfortunate people? . . . There are not only black children of a school-going age, but half-castes and quadroons that should be taken from the camps and taught to become useful members of society. If forcibly taken there would be a cry of cruelty, but it is cruelly unkind to leave them where they are. The girls become trained for a life of easy virtue and the young men drunken loafers.⁷⁸

By the turn of the century the very idea of 'half-castes' began to take on connotations of immorality, and interracial relationships were increasingly regarded as unnatural. In 1909 a committee of the Point Macleay Mission discussed ways to prevent the increase in half-caste children:

The white illegitimate child is merged in the general population, and its identity as such is lost, but how different with the half-caste who carries the brand of illegitimacy not only for the term of his natural life, but also for succeeding generations.⁷⁹

Commenting on the treatment of Aboriginal women in Queensland pastoral districts and a suggestion that it be illegal for Aboriginal women to be on stations, unless in the care of 'respectable' white women, the *Adelaide Observer* stated:

The half-caste children are greatly to be pitied, for the blacks will not fraternise with them, and the whites will not receive them on equal terms. Is it any wonder that the unfortunate creatures so often become scourges to the very society that has permitted unchecked the state of morality which has called them into existence.⁸⁰

The case of Jimmy and Joe Governor and the 'Breelong massacre' in New South Wales in 1900 seemed to crystallise the notion that 'mixed breeds' were degenerate

78 *Adelaide Observer*, 16 April 1892.

79 *Advertiser*, 10 October 1900.

80 *Adelaide Observer*, 31 August 1901.

and dangerous. Jimmy Governor was a part-Aborigine working in the pastoral industry. In 1898 he married a white woman and tried hard to be accepted in white society.⁸¹ However, constant taunts directed at him and his wife saw him eventually lose control and in a violent outburst he killed the wife and children of his employer, before fleeing into the bush with his brother.⁸² A huge man-hunt ensued and for months the Governors, using their bush skills, made fools of the police. They were eventually tracked down, Joe being shot dead during the man-hunt, and Jimmy captured. Tried and found guilty of murder Jimmy was hanged less than three weeks after Federation.⁸³

All the episodes of the story were widely reported in the South Australian press. In the *South Australian Register* alone there were 72 references to the sensational case from its beginnings in July 1900 to Jimmy Governor's execution in January 1901. An editorial published in the *South Australian Register* in November 1900 summarised the case and its implications. After briefly explaining how Jimmy Governor's marriage to a white woman was the cause of the tragedy, the editor pointed out 'the great risk in any laxity in permitting the mixing of breeds':

All that he has learnt from the white-skinned people with whom he has been associated - as a black tracker and as the husband of a white woman - has but helped him render his gang more dangerous to the settlers than it would otherwise have been.⁸⁴

The 'half-caste problem', the author noted, was forcing itself upon everybody's attention. Claiming that the characteristics of the brothers were 'eminently typical of the mixed breed' he observed:

81 H. Reynolds, *With The White People*, Ringwood, 1990, pp. 114-116.

82 Brian Davies, *The Life of Jimmy Governor*, Sydney, 1979, pp. 60-64.

83 *ibid.*, pp. 116-126.

84 *South Australian Register*, 1 November 1900.

Travellers have often noted that the half-caste generally inherits nearly all the vices of each side of his parentage and very few of the virtues. The pride and domineering instincts of the white are conjoined with the craftiness, treachery, and lack of self control of the blacks.⁸⁵

As evidence of the dangers of inter-breeding, the writer pointed out the nature of the mule and, in the pseudo-Darwinian language of the time, observed that 'by a process of unnatural selection the half-caste in Australia is evolved, and this condition must inevitably lead to degeneracy.' To illustrate the universality of this truth, the editorial referred to a similar case involving Cree Indians in Canada.⁸⁶

In an earlier time 'semi-civilised blacks' were commonly described as having all the vices of white society without any of its virtues. It was a dubious mantle passed from one generation to the next by virtue, so it was argued, of the culture's innate inferiority. By the turn of the century a genetic mechanism was seen to serve much the same purpose. The idea that the mixing of races was against the natural order became a general theme in discussions of the Aboriginal problem. The Bishop of Carpentaria, quoted in the *Adelaide Observer* in 1909, described the 'admixture of blood' as a 'grievous racial crime'.⁸⁷

By the turn of the century the orthodoxy that the Aborigines were a dying race and would soon cease to constitute a problem for the authorities began to be modified. While it was still generally believed that the 'full-blood' population was dying out, there was a growing realisation that the 'half-caste' population was increasing. A columnist writing in the *Adelaide Observer* in 1910 was aghast at the thought that there were 770 half-caste people listed in a census of the Aboriginal population.

85 *Advertiser*, 1 November 1900.

86 *ibid.*

87 *ibid.*, 6 February 1909.

What, he asked, was the State going to do with these 'nomadic half-caste mendicants?'⁸⁸

The Aborigines Act, 1911

By the turn of the century most Australian colonies had legislation which regulated the lives of their Aboriginal populations, segregating on reserves those who were regarded as having no useful function in the economy. Although South Australia's attempt at introducing such legislation in 1899 failed, the move towards increased segregation and regulation was under way through the simple process of policing and public opinion. During the first decade of the twentieth century pressure continued to be applied to the government to introduce an Aborigines Act. It was an habitual subject of discussion in the protector's annual reports. In 1905 Protector Hamilton welcomed the premier's announcement that legislation would be introduced in the next session of parliament, only to be disappointed when it failed to materialise.⁸⁹ In 1907 Hamilton again stressed the importance of legislation, pointing out that South Australia was the only state without an Aborigines Protection Act, and that a draft bill had been in existence for a number of years.⁹⁰ In the following year the new Protector, W. G. South, noted that the bill he and his predecessor had prepared was in the government's hands and would, he hoped, soon be introduced.⁹¹ Missionary societies, such as the Aborigines Friends Association, and their supporters in the press, continued to advocate an Aborigines Protection Act.⁹² The Liberal government of Andrew Peake planned to introduce the legislation in 1909, but it was not until John Verran's Labour government took office the following year, that the bill was finally brought before parliament.⁹³

88 *Adelaide Observer*, 9 July 1910.

89 *Protector's report for the year ending 30 June 1905*, Adelaide, 1905, p. 3.

90 *Protector's report for the year ending 30 June 1907*, Adelaide, 1907, p. 3.

91 *Protector's report for the year ending 30 June 1908*, Adelaide, 1908, p. 4.

92 *Advertiser*, 2 August 1905.

93 *South Australian Parliamentary Debates*, 3 September 1909; 2 August 1910.

In his speech commencing the debate on the Bill, Verran unashamedly highlighted the paternalistic and intrusive nature of the Act:

It was proposed to legislate not only for the protection and care of those people, but also for their control. It was becoming more and more urgently necessary, for their own sakes, that legal power should be given to keep them away from the towns, and where and when such was found expedient - again for their own benefit - to require them to live in their own localities, and on special reservations . . . ⁹⁴

Protection and control were the key terms. Verran underlined the need for such an approach by quoting at length from a letter written by W. E. Dalton, Secretary of the Aborigines Friends Association, who pointed out the need to control the 'naturally childish and fickle nature' of the Aborigines.⁹⁵ The theme most speakers repeated was that the Aborigines were like children and had to be protected and guided. Smeaton argued that Aborigines could not be raised to civilisation and that while they could be instructed in some ways 'there were tendencies which were racial, and could not be trained.'⁹⁶ Thomas Burgoyne, citing the self-proclaimed wisdom of fifty years experience with the Aborigines, claimed that Aborigines 'approached the animal, while mentally he was a child all his life.'⁹⁷ The pastoralist James Moseley agreed with the intent of the bill, the necessity of which he underlined in the series of clichés which distilled the received wisdom regarding the Aboriginal character:

They would toil only for immediate needs, and when their hunger was appeased would lie down in the shade and show a great contempt for the fool who did otherwise. They could not be educated to any advantage. The idea on mission stations and elsewhere in the north was that a native educated was a native spoiled. He retained the vices of the white man, and none of his virtues. They had no moral stamina, and satisfied appetites whenever they could. So far as he could judge the aborigines were quite content in the abyss of their degradation, and

⁹⁴ *ibid.*, 28 September 1910, p. 617.

⁹⁵ *ibid.*, p. 619.

⁹⁶ *South Australian Parliamentary Debates*, 13 October, 1910, p. 721.

⁹⁷ *ibid.*, p. 723.

could not be lifted out of it. . . although children of nature they were amenable to control.⁹⁸

The other important motive behind the bill was the issue of half-castes. Protector South, discussing the proposed bill in 1908, emphasised that separate Acts were required for South Australia and the Northern Territory on the grounds that 'in South Australia proper the chief problem is the half-caste, who is yearly increasing.'⁹⁹ The Act would provide him with the ability to remove half-caste children from the degrading influence of camps and the corrupting influence of the older blacks. His vision was that the full-blooded blacks would soon die out while the half-caste population would eventually be 'merged into the general population', a process that made the task of rescuing and rehabilitating the half-caste population even more urgent.¹⁰⁰

Not all speakers were whole-hearted supporters of the bill. Donald Campbell questioned the wide powers given to the protector, describing them 'as arbitrary as those given to any Russian in the most blood curdling novel of the century . . .'¹⁰¹ Former Liberal premier Andrew Peake, pointed out the extraordinarily draconian nature of the legislation, especially for Aborigines who had been raised with much the same expectations and aspirations as most whites:

Some of them were aborigines only in name, as they were just as much civilized and familiar with the habits of civilization as many white men. Many were even better educated and more civilized than those who had not the same colour of skin. The difficulties of passing special legislation for those who were black only in name, and not in nature, were great. Many whom they proposed to bring under the drastic provisions of the Bill were well-educated and Christians to an extent that would put some members to the blush.¹⁰²

⁹⁸ *ibid.*, pp. 722-23.

⁹⁹ *Protector's Report for the year ending, 30 June 1908*, Adelaide, 1908, p. 3.

¹⁰⁰ *Protector's Report for the year ending, 30 June 1909*, Adelaide, 1909, p. 3.

¹⁰¹ *South Australian Parliamentary Debates*, 6 October 1910, p. 969.

¹⁰² *ibid.*, 15 November 1910, p. 1033.

He drew attention to some of the provisions, such as the sweeping powers granted to the protector, the ability to arrest without warrant, and effectively to exile people from their birthplace. He claimed that the bill had been drafted 'as if it applied to natives in their wild state, and not in the interests of those, many of whom were as much civilized as themselves.' ¹⁰³

Towards the end of 1910 the bill was moved to committee and forgotten for a time as the Northern Territory Aborigines Bill took the attention of the Parliament. ¹⁰⁴ Unlike the South Australian Aborigines Act, the passage of the Northern Territory Act was relatively smooth, being assented to on 11 December 1910. The Aborigines Bill was restored to the notice paper on 8 August 1911. ¹⁰⁵ After discussion in committee, particularly concerning the possibility of divided authority between the protector and mission superintendents, *An Act to make provision for the better Protection and Control of the Aboriginal and Half-caste Inhabitants of the State of South Australia*, became law on 7 December 1911.

The Act created an Aborigines Department under the control of a Chief Protector. South Australia had long had a department dealing with the Aborigines, and a protector, but for most of the time its operations had been modest, principally concerned with distributing rations. The Aborigines Act of 1911 gave the chief protector extraordinary powers over the lives of Aboriginal and half-caste people.

The Chief Protector was the legal guardian of every Aboriginal and half-caste child under the age of eighteen regardless of whether they had living parents or relatives. The Aboriginal Orphans Act of 1844, the only other significant piece of social

103 *ibid.*

104 *ibid.*, 16 November 1910 - 30 November 1910.

105 *ibid.*, 8 August 1911, p. 280.

legislation concerning the Aborigines prior to 1911, had at least required the permission of one parent before a child could be taken by the State.¹⁰⁶ Aboriginal freedom of movement was now strictly controlled by the State. The chief protector was able to restrict any Aboriginal or half-caste to a reserve or institution, or remove them from a reserve or institution. It was illegal for an Aborigine to be removed from his district without permission, and for a non-Aboriginal person to be on a reserve without permission. The chief protector could direct any Aborigines or half-castes who were camped, 'or about to camp', near towns or municipalities to remove to another location as directed. Any individual found loitering in any town or municipality 'and not decently clothed' could be directed to move on. Furthermore, any township or municipality could be declared a prohibited area. The usual exception to these restrictions was if the person was lawfully employed.¹⁰⁷

The Northern Territory Aborigines Act of 1910 included a number of controls on the employment of Aborigines, along the lines of those proposed in the Aborigines Bill of 1899, but most were excluded from the South Australian Aborigines Act of 1911. The only relevant provisions were those making it illegal to entice an Aborigine away from his employment, and giving the protector or a police officer permission to examine the conditions under which an Aborigine was employed.¹⁰⁸ C. D. Rowley saw this as a victory of vested interests, particularly the pastoralists.¹⁰⁹

Among the other intrusive provisions of the Act, the protector was able to direct a medical practitioner to enter the residence of any Aboriginal person to medically examine them and, if they were found to be suffering from a contagious disease, cause them to be removed to a lock hospital until authority was given for their

106 Faye Gale, *Urban Aborigines*, Canberra, 1972, pp. 59-60.

107 An Act to make better provision for the better Protection and Control of the Aboriginal and Half-cast Inhabitants of the State of South Australia, No. 1048 of 1911, paras 12-23.

108 *ibid.*, paras 27-29.

109 Rowley, *The Destruction of Aboriginal Society*, p. 221.

discharge.¹¹⁰ This provision was designed to control the prevalence of sexually transmitted diseases in the Aboriginal population. It was also made illegal for an Aboriginal or half-caste female, in male attire, to be in the company of a non-aboriginal man - a very specific provision borne of concern over the ill-treatment of Aboriginal women in remote pastoral districts.¹¹¹ Offences against the Act could be punished by fines of up to £50 or six months imprisonment with hard labour.¹¹² Disquiet over the impact of the Act on Aboriginal people who were sufficiently motivated to share European aspirations was seemingly catered for under clause 18, giving the Protector the right to purchase an allotment of up to 160 acres of land on behalf of an Aboriginal person.

The absolute control the Act gave the State over the lives of Aborigines is perhaps best illustrated by some of the regulations under the Act. For instance, the conditions by which Aborigines could be removed from an Aboriginal Institution or reserve included being 'habitually disorderly, lazy, disobedient, insolent, intemperate, or immoral'.¹¹³ The superintendent of any Aboriginal institution had full control over management and refusal to obey any of his 'lawful orders' could be punished with a fine of £10 or up to two months imprisonment. The superintendent of a reserve was required to provide employment where he could, and to set the scale of remuneration. The regulations were akin to those that might operate in a prison or reform school:

5. All aboriginals or half-castes employed within any aboriginal institution shall rise not later than 6.45 a.m. on each day from the first of October to the thirty-first day of March (both days inclusive), and not later than 7.15 a.m. on each day from the first day of April to the thirtieth day of September (both days inclusive).¹¹⁴

110 The Aborigines Act, 1911, paras 24-26.

111 *ibid.*, para 34.

112 *ibid.*, paras 41-50.

113 Regulations under the Aborigines Act, 1911, para. 1, gazetted on 10 May 1917.

114 *ibid.*, para. 5, gazetted on 10 May 1917.

Aborigines living on reserves were prohibited from being intoxicated, conducting themselves 'disgracefully' or 'immorally', using 'profane, blasphemous, obscene, abusive, or insulting language', being 'insubordinate', 'dirty or untidy in his dress or person', absent from work without permission, or keeping an untidy dwelling.¹¹⁵ All such offences could be fined £5, and double that for a second offence.

When South Australia was settled the Imperial government directed that Aborigines were to be considered British subjects, with the same rights and privileges as any other British citizen. The Whig ideal was that they would see the superiority of British civilisation and, over time, become incorporated in the new social order. However, as the colonies moved towards Federation and evolved a unique sense of Australian identity Aborigines, far from being incorporated, were increasingly excluded from Australian society.

¹¹⁵ *ibid.*, para. 9, gazetted on 10 May 1917.

Conclusion

The creation and re-creation of Aborigines was intimately tied to the way the dominant culture constructed itself. This is evident in a number of contexts. While at the outset the construction of Aboriginality was the hostage of a British imperial perspective, by Federation it had been made the prisoner of an Australian nationalist perspective. This process was paralleled in the ethnographic representations of the Aborigines, which in the early colonial period were essentially moral, underpinned by religious presumptions, but by the turn of the century were racial, built on secular, scientific principles. The assimilationist principles - however half-heartedly implemented - that characterised the dispossession phase, gave way to exclusionist principles in the nationalist period. In a period when 'White Australia' put up barriers against what were regarded as external threats to our racial and cultural homogeneity, internal barriers were also erected to quarantine us from indigenous 'impurities'.

These same exclusionist principles also projected Aborigines into the past, rendering them as relics of evolution, and ghosts of history - if not actually invisible, effectively irrelevant. From the perspective of late colonial society Aborigines did not deserve a place in the modern world. As the idea of the 'dying race' illustrates, they were regarded as an historical accident that nature was in the process of correcting. While this view is evident throughout the period, the religious construction, particularly of the early phase, allowed the possibility of incorporation. The Christian ideal that all men were equal in the eyes of God allowed Aborigines to be regarded as 'lost', rather than 'left behind', and therefore capable of redemption. While this might be regarded as a more generous view, the trade-off was that proof of redemption required the rejection of identity.

In examining the representations of Aboriginality in various social settings, control emerges as a common theme. The frontier construction of Aborigines as treacherous, instinctive and remorseless served to sanction the violence employed against them by casting them as aggressors, and portraying the settlers as victims. This was a theme elaborated in the pioneer myths of a later period. A similar inversion was employed by settlers as employees of Aboriginal labour. The idea of inherent Aboriginal treachery necessitated keeping them at arm's length and justified employing physical violence to keep them in their place. As labour in the pastoral economy they were often regarded as 'exploiters': their labour was inferior, they were unreliable, and their dependants were a drain on station resources. It was the goodwill of the station managers and their white employers that was being exploited, not Aboriginal labour.

Control was a key element in the representation of Aborigines by their 'administrators'. For the missionaries the absence of legislative control made their task of re-creating the Aborigines all the more difficult. As long as Aboriginal people had the freedom to come and go from mission reserves, as long as they had the choice to maintain aspects of their traditional culture, they could not easily be made to conform to the ideal that was being created for them. It is no surprise then that the missionaries characterised the Aborigines as incapable of taking care of themselves, representing them as intellectually and morally like children who were in need of paternal guidance. Interestingly, one of the few groups that contested this construction was the pastoralists who, in the late colonial period especially, had a vested interest in free access to Aboriginal labour - access that a paternal policy might have threatened.

For most of the colonial period the paternalism favoured by the missionaries was rejected by the government. As long as the government was relatively confident that the Aborigines were 'dying out', paternal policy, indeed any policy at all, was largely

an irrelevance. It was not until it became apparent that a part-Aboriginal population was actually increasing that the government used the paternal language and metaphors of the missionaries, and implemented the protectionist policies they had for so long favoured - this in the context of a national mood which promoted the ideals of racial and cultural homogeneity. One might speculate that the international flowering of racial consciousness, particularly in what might be described as the late-colonial world, was in fact a direct response to the demographic reality of growing mixed race populations.

Perhaps the most important point of all is that in controlling the representation of the Aborigines, the people themselves were denied control over their own identity. Pursued with varying degrees of vigour at different times, colonial society set out to destroy Aboriginal culture and re-make the people in its own image. Setting this task aside, the dominant culture's control of representation, at the very least, rendered Aboriginal people effectively voiceless. Constructed as children, or sub-human, it was unusual enough for them to be given a forum in which to speak, let alone for what they had to say to be listened to. It is a process that continues in subtle ways and in contexts that might on the surface be regarded as enlightened. As Attwood points out:

They are forever being called upon to fulfil what Aboriginalism has defined as the key characteristics of Aboriginality, such as 'The Dreaming' - to be, as Stephen Muecke argues, the bearers of 'Aboriginal Culture'.¹

This can be seen as a continuation of the anthropological construction of Aborigines that emerged in the late 1890s.

¹ B. Attwood, 'Introduction', in B. Attwood & J. Arnold (ed), *Power, Knowledge and the Aborigines*, Clayton, Victoria, 1992, p. xi.

In considering the way national self-identity has played a role in the construction of Aboriginality, it is interesting to speculate on the way that process has operated in more recent times. Indeed, there are some telling parallels in a comparison of recent history to the nationalist phase which concludes this study. At the end of World War Two Australia's population was almost entirely of white Anglo-Saxon descent. Post-war migration, however, has dramatically altered the ethnic make-up of the Australian population.² While the liberalisation of immigration policy initially favoured European migrants, since the 1970s the barriers to migration from Asia have also been substantially removed. In this new social environment the ideals of racial and cultural homogeneity which underpinned the 'White Australia' policy not only looked embarrassing, but were simply irrelevant. In its place emerged the ideology of 'multiculturalism' which promoted the idea that Australian culture was enriched by ethnic diversity rather than threatened by it.³ In the same period the idea of the inevitable economic and cultural superiority of the Western World has been undermined by the emergence of Asian superpowers such as Japan.

It is no surprise that in the context of these changes Australian society was forced to reconsider its treatment of the Aborigines, and reconstruct its image of them. It was not until 1967 that Aborigines received the right to vote, while it took longer for the various forms of discriminatory legislation to be dismantled state by state.⁴ Only in quite recent times that the idea of Aboriginal self-determination gained government support.⁵ Aborigines were effectively imprisoned by the ideology of White Australia, and the walls of that prison were brought down as a consequence of the ideology of multiculturalism. Both policies were responses to external influences which, almost

2 J. C. R. Cramm & J. McQuilton, *Australians: An Historical Atlas*, Sydney, 1987, pp. 143-146.

3 I. MacAllister, 'Public Opinion, Multiculturalism, And Political Behaviour in Australia', in *Multicultural Citizens: The Philosophy and Politics of Identity*, Sydney, 1993, pp. 49-54.

4 K. McConnochie, D. Hollinsworth & J. Pettman (eds), *Race and Racism in Australia*, Wentworth Falls, NSW, 1988, pp. 122-127; Andrew Marcus, 'Australian Governments and the Concept of Race', in M. de Lepervanche & G. Bottomly (eds), *The Cultural Construction of Race*, Sydney, 1988, pp. 56-57.

5 McConnochie, Hollinsworth & Pettman, *Race and Racism*, pp. 143-144.

incidentally, led Australian society to reassess the status of Aborigines. There is a curious symbolism in the fact that in keeping Asia out, whites kept Aborigines in, and in allowing Asia in, whites have allowed Aborigines out.

The two dominating, and linked, ideological systems of the colonial era were Christianity and modernism. Christianity measured Aboriginal society against moral and ethical precepts judged to be divinely ordained; while modernism measured it against ideals of material and social progress ordered by implicit utopian goals.⁶ Both systems not only found Aboriginal society wanting, but determined it to be a sort of ground-zero against which their moral, material and social progress could be judged. In more recent times the influence of these ideologies has diminished and been replaced by the idea of cultural relativism, the belief that there are no absolute standards by which one culture can be judged against another. Linked as it is to the more encompassing notion of multi-culturalism, cultural relativism has, for the first time, allowed Aboriginal culture to be judged as having value in its own right.⁷ Much more importantly, cultural relativism has created the conditions in which Aboriginal people can take control of their own representation, and the extent to which a people control their own representation is a measure of their cultural and political freedom.

⁶ The term 'modernism' is being used here as defined in reference to 'postmodernism'. See, for instance, Leonard Harris, 'Postmodernism and Utopia, An Unholy Alliance', in M. Cross & M. Keith (ed), *Racism, the City and the State*, London, 1993, pp. 31-33.

⁷ P. M. Rosenau, *Post-Modernism and the Social Sciences*, Princeton, 1992, pp. 114-116.

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