



'endless trouble and agitation': Aboriginal Activism in the Protectionist Era

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On 29 February 1908 Edward Lee Hamilton retired after more than a quarter of a century as Protector of Aborigines. His successor was William Garnett South whose term as Protector (1908 to 1923) coincided with the most radical shift in Aboriginal policy since South Australia's foundation.¹ Hamilton's reign was characterised by a *laissez faire* approach to administration, underpinned by the universal belief that the Aborigines were a 'dying race'. The passage of the 1911 Aborigines Act, early in South's term in office, inaugurated the 'protectionist' era, a period when policy makers were obsessed with regulation and control.²

South's administration was shaped by a number of specific concerns: the desire to remove children of mixed descent from Aboriginal camps; to disperse the mixed descent population of missions into the general community; and, eventually, to dismantle the mission system itself. While South may have had more power to carry out this agenda than any of his predecessors, he was also the first to face organised political opposition. With the advent of the 'protectionist era' came the rise to public prominence of a generation of mission-educated Aboriginal men, mainly from the Point McLeay and Point Pearce missions.³ Christians who espoused western values and ideals, they resisted government efforts to drive them off their missions and 'merge' them into the general population. Indeed, the

very values and ideals which they affirmed, which were supposed to supplant their Aboriginality, were employed in its defence.

The Aborigines Act, 1911

It was not until 1899 that an Aborigines Bill was brought before the South Australian Parliament. Framed by Charles Dashwood, the Bill was modelled on Queensland's Aborigines Protection Act, 1897.⁴ It was sufficiently controversial to be the subject of a Select Committee of Inquiry. Much of the opposition to the Bill centred on its attempts to regulate the employment of Aboriginal labour in the pastoral industry. There was also a perception that while it may have addressed the frontier conditions of the Northern Territory, it was not appropriate to the circumstances of South Australia's indigenous people.⁵ At the conclusion of the Select Committee interest in the Bill lapsed. It was not until 1910 that the Labor government of John Verran finally brought a new Aborigines Bill before parliament.⁶ In his speech commencing the debate on the Bill, Verran unashamedly highlighted its paternalistic nature:

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 . . .⁷

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.⁸ Another important influence was growing community concern over the 'half-caste problem'. Chief Protector South, discussing the proposed Bill in 1908, argued that separate Acts were required for South Australia and the North-

ern Territory on the grounds that 'in South Australia proper the chief problem is the half-caste, who is yearly increasing.'⁹ The Act would provide him with the ability to remove children of mixed descent from what he regarded as the degrading influence of Aboriginal camps and the corrupting influence of the 'older blacks'. His vision was that the 'full-bloods' would soon die out, while those of mixed descent would eventually be 'merged into the general population'.¹⁰

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.¹¹ 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 1911.¹² 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. Under this Act, the State, through the agency of the Chief Protector, exercised extraordinary power over the lives of Aboriginal 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. Ordinance 12 of 1844, the only other significant piece of social legislation concerning Aboriginal people prior to 1911, had at least required the permission of one parent before a child could be taken by the State.¹³ 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 Aboriginal person to be removed from his or her 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.¹⁴

The Northern Territory Aborigines Act of 1910 included a number of controls on the employment of Aboriginal people, along the lines of those proposed in the Aborigines Bill of 1899, but most were excluded from the South Australian Act. The only relevant provisions were those making it illegal to entice an Aboriginal person away from his or her employment, and giving the Chief Protector or a police officer permission to examine the conditions under which Aboriginal people were employed.¹⁵ C. D. Rowley saw this as a victory of vested interests, particularly the pastoralists'.¹⁶

Among the other intrusive provisions of the Act, the Chief 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 discharge.¹⁷ This provision was designed to control the spread 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 born of concern over the ill-treatment of Aboriginal women in remote pastoral districts.¹⁸ Offences against the Act could be punished by fines of up to £50 or six months' imprisonment with hard labour.¹⁹ Aboriginal people who wished to farm the land were seemingly catered for under clause 18, which gave the Chief Protector the right to purchase an allotment of up to 160 acres of land on behalf of an Aboriginal person.

The removal of Aboriginal children

It was not until the 1890s that the Aboriginal children of mixed descent began to be regarded as a 'problem' by bureaucrats and policy-makers. The principal concern was with those children growing up in what were referred to as 'black's camps'. The issue was both a racial and a moral one. Protector Hamilton endeavoured to use the State Children's Act to effect the removal of these children but he ran into problems, as he indicates in his annual report for 1901:

"Neglected" European children can be dealt with under the provisions of the State Childrens Act, but a recent legal decision was to the effect that this Act does not apply to aborigines. Some amendment of the law in this respect would seem desirable whereby destitute and neglected aboriginal children could be committed to a mission station until they attain the age of 18 years, to apply to orphans and children whose parents are shown to be unable or unwilling to care properly for them.²⁰

Hamilton drew attention to the issue again in his annual report for 1904, observing, particularly of the Far North, that the 'children usually go about with their mothers, who are unwilling to send them to a mission, and the State Children's Act has been held not applicable to aborigines.'²¹

Chief Protector South was a stronger advocate of removal than his predecessor. In his first annual report, he wrote:

I am of opinion that the young children - especially the half-castes - should be placed in an industrial institution, educated up to a certain standard, and trained to useful trades and occupations, and then apprenticed until they attain the age of 18 to 20 years. During this period they should not be allowed to mix with the other aborigines.²²

Referring to the 'half-caste problem' in his report for the following year he noted that the State Children's Department 'is now willing to take charge of the children' and he hoped to place in their charge children found 'wandering or camp-

ing with the aborigines'.²³ He observed that 'some country justices' did not consider that the Act applied to Aborigines, but he insisted that it did not differentiate.

In 1910, working in co-operation with the State Children's Council, South began actively pursuing a policy of removing children of mixed descent. The Chief Protector contacted police stations throughout the State and asked them for reports regarding the circumstances of 'half-caste' children under the age of 12 residing in their districts.²⁴ From this he compiled a list of 100 children who were likely candidates for removal. In April 1911, police were directed 'to furnish reports of cases of neglected half-caste children coming under their notice from time to time, especially girls, with a view to bringing them under the control of the State Children's Council'.²⁵ From this time onwards the Chief Protector regularly received reports from local police and interested citizens regarding the presence of mixed descent children in 'black's camps'. The Chief Protector's powers were augmented by the passage of the 1911 Aborigines Act, which made him the legal guardian of every 'Aboriginal and half-caste' child under the age of twenty-one regardless of whether they had living parents or relatives.

In 1911 the Chief Protector, at the request of a local pastoralist, removed a girl from Stuart's Creek because she was 'almost white'.²⁶ The mother, who was absent when the girl was taken, was understandably heart-broken. She approached a local man who wrote to the Chief Protector on her behalf. The writer explained the mother's distress and pointed out that her children were 'well dressed and cared for' and asked, on behalf of the mother, for the child to be returned. The Chief Protector's response was to point out that the 'quadroon girl' would be well-cared for by the State Children's Council, adding:

I sympathise with her in the loss of her child, but no right thinking person can say that a girl of about 10 years of age who is practically white is under proper care & control while running about in a blacks camp.

It is bad enough for half-caste boys to be thus brought up, but every bushman knows the inevitable fate of the girls.

It appears from your letter that the mother has had to submit to that fate as she has three children already.

South's twin concerns with race and morality are clearly spelled out in this letter. Shortly afterwards two other children were 'arrested' and removed from a camp at Goyder's Lagoon.²⁷ In most of the correspondence concerning the removal of children the focus of concern was their colour rather than their condition. Typical of this preoccupation are the Chief Protector's comments in a letter recommending the removal of children from a family at Bordertown in 1913: 'two of the children are *white* with *blue eyes*, and one has auburn hair'.²⁸ This focus on skin colour was characteristic of removal policies throughout the country. As Tikka Wilson observed of Aboriginal Protection Board policy and practice in New South Wales in the same period, 'the aim was to separate "full-bloods", who were thought to be "dying out", from "half-castes", "quadroons", and "octoroons", who were to be merged into the White population'.²⁹

Although the focus seems to have been on children in northern fringe camps, some were also taken from the southern districts. The Chief Protector, however, was not always successful in his efforts to remove children. In August 1912 he recommended the removal of a child from a family at Point McLeay but two local magistrates overturned the order on the grounds that the child was 'well and properly looked after'.³⁰

During this period the children who were taken were committed to the care of the State Children's Council. There were no 'Industrial Schools' specifically for Aboriginal children and the Chief Protector had no desire to place them in the established missions which he regarded as training grounds for the idle and dependent. The girls who were taken in the 1910s, and it appears to have been mainly girls at this time, were placed in the Industrial School at Edwardstown, while the boys prob-

ably went to the institution at Magill.³¹ Here they were educated, along with the white children, for a life as menial workers or domestic servants.³²

The Royal Commission, 1913

With a system in place to remove children of mixed descent, South began to press the government to reform other aspects of Aboriginal administration, particularly the operation of missions. There were four missions operating in South Australia in 1912. Point McLeay was struggling financially, its area too small and its land too poor to adequately support its growing population. Point Pearce, which was run by a local committee, was not doing too badly - a system of share-farming with local whites had been introduced and the institution was self-supporting. Killalpaninna had struggled for years to survive in the tough environment of a region where good seasons occasionally interrupted drought. The fourth mission was Koonibba, established by Pastor C. A. Wiebusch in December 1901 on land purchased by the Lutheran Church.³³ Another mission settlement, Manunka, which had been established near Swan Reach in 1901, ceased operations in 1911.³⁴

South had two main concerns about the existing mission system. Specifically, he objected to the divided authority between the Aborigines Department and the privately run missions, and on a general level, he regarded the existing system, particularly on Point McLeay and Point Pearce, as incapable of producing anything but 'idle, useless people'.³⁵ For these reasons he wanted the government to take over Point McLeay and Point Pearce and run them as 'industrial institutions':

In advocating the taking over of these two stations I am not moved so much by the desire of saving tax-payers' money as by a wish to raise the constantly increasing number of half-castes, quadroons, and octoroons from the idle, thriftless habits of the black to the level of the white race. This I regard as most important, as in the settled districts the blacks are rapidly dying out

and being replaced by a race of half-castes, quadroons, and octoroons, who in turn must inevitably be merged into the general population. It is therefore desirable that nothing should be left undone that will help to convert these people into useful members of the community instead of allowing them to grow up dependents.³⁶

Pressure for government control was coming from other quarters as well. The Aborigines Friends Association was finding it increasingly difficult to make Point McLeay financially viable, while the Aboriginal residents on the mission thought government control would give them greater opportunity. As early as April 1907 a Ngarrindjeri deputation presented a memorial to the Government asking it to take over the mission:

We, the undersigned Naranjeris tribe, and leaders of the Campbell Clan, beg to request your government to take over the work at Point Macleay, and to carry it on as the Government of Victoria carries on the blacks station at Korundurk in that State. At present the true aborigines of the lakes get little or no benefit from the mission. All the money which your Government gives is spent on white officers and the half-white population of the place. The real blacks do not get the value of £50 a year out of it all. Of course, the mission does a great lot of preaching and praying, but we old natives of the soil would do with less of that and more of food, clothes, and better tents. In fact, we are too badly dressed to attend church, and too ill-fed to think much about praying. But we do pray you to take over the place; we may then be better off. We can't be worse off.³⁷

In December 1912 parliament appointed a Royal Commission to 'inquire into and report upon the control, organisation, and management of the institutions in this State set aside for the benefit of the aborigines, and generally upon the whole question of the South Australian aborigines'.³⁸ During 1913 evidence was taken from dozens of witnesses, not only in South Australia but also in New South Wales and Queensland.

The first to give evidence was Chief Protector South who outlined what he saw as the failings of the existing system and his plan to correct them.

He criticised the missionary regimes for relying too heavily on charity and not enough on thrift and industry. What he envisaged in its place was a simple system in which the Missions became Industrial Training Institutions from which children, when they came of age, would be drafted out, or apprenticed, to earn a living for themselves.³⁹ Racial attitudes were central in South's thinking. At one point, while discussing the prospects of the people at Point Pearce, he made the observation: 'They are not exactly natives. They are practically white people'.⁴⁰ Colour, not culture, was his principal determinate of Aboriginality.

For one of the first times in the history of South Australia, Aboriginal people had the opportunity to present evidence at an inquiry into their welfare.⁴¹ One of the principal concerns of the Aboriginal witnesses was their desire to have land of their own to farm.⁴² When asked why they were discontented Alfred Hughes of Point Pearce responded: 'It is on the land question: we want to get on the land.'⁴³ Many must have seen the Royal Commission as an opportunity to persuade the government to grant them more land to farm and, through that land, greater independence.

Some witnesses expressed the view that they had 'outgrown' the mission. As Walter Stansbury of Point Pearce put it:

We are growing more enlightened every year and are anxious to get more into line with modern civilisation. We do not want to remain in the same position all the time; we want to compete in trade like the white man. We think the mission station is for the uneducated. It is only a waste of time having fairly intelligent men here until they die.⁴⁴

One of Walter's neighbours, Joe Edwards, also made the point that he had 'outgrown' the mission, 'if we remained here another 50 years,' he said, 'we would not be any farther advanced'.⁴⁵ However, when questioned about the problem of finding employment on the mission, and why he did not go outside to look for work, he answered: 'We always understood this was our land, and

looked upon it as our home'.⁴⁶ The fact that he had outgrown the mission as an *institution*, did not alter the fact that he still regarded it as the focus of his community, his *home*. The idea that Aboriginal people looked upon the mission as their 'home' was met with an angry tirade by the Chairman:

I think you people have the wrong idea in your mind regarding the reserve. It was never intended by parliament that the station should support you. It was established to assist you in the way of supporting yourselves, and when you have received the necessary training and assistance from the mission it is your duty as well as your privilege to go outside and get employment to maintain yourself and those depending on you. I wish you would realise that.⁴⁷

Aboriginal witnesses before the Commission also made it clear that they wanted the same opportunities for their children as those enjoyed by white children. William Adams, a descendant of Thomas Adams and Kudnarto, the first official marriage between an Aboriginal woman and a white man, said: 'We feel that when our young folks leave school they should advance in civilisation, and not go backward through lack of opportunity'.⁴⁸ However, the witnesses showed some caution on this point. David Unaipon, for instance, pointed out that he embraced the opportunity for the betterment of the children, but added, 'to be subjected to complete alienation from our children is to say the least an unequalled act of injustice, and no parent worthy of the name would either yield to or urge such a measure'. He had no objection to the State training children to become 'useful and independent members of society' - he did not wish to see them 'idle and dependent' - but he did not want their associations with family severed.⁴⁹ Unaipon was aware that only the year before the Chief Protector had endeavoured to remove a child from its mother at Point McLeay, and he may have known that other children were being removed from camps in the north.⁵⁰

The Commission's main recommendations were that both Point McLeay and Point Pearce be taken over by the Government and administered by the Aborigines Department, that the Aborigi-

nes Department be controlled by a Board of six members, that 'more power for enforcing discipline' be given to the respective committees of management, and that Aboriginal people of mixed descent be compelled to find outside employment.⁵¹ Point Pearce was taken over by government in September 1915 and Point McLeay in January 1916. Though discussed during the Commission, Killalpaninna was never targeted. Nonetheless continuing difficulties resulted in it being sold in 1915.⁵²

Attempts were made to acquire control of Koonibba in 1916 and 1917, but it remained under the control of the Lutheran Synod.⁵³

The policy of granting land to 'deserving natives', so central to the aspirations of the Aboriginal witnesses, was implemented, but never seriously - only 18 leases had been granted by 1916.⁵⁴ The calls for more power to enforce discipline were satisfied under new regulations which were introduced in subsequent years. Finally, a Council to supervise Aboriginal affairs was established in February 1918, but it was an Advisory Council only and the Chief Protector continued to have considerable power.

Regulating the missions

As was apparent during the 1913 Royal Commission, South disliked missions, regarding them as obstacles to his assimilationist programme. When an attempt was made to revive the Manunka Mission in 1912 the Chief Protector successfully opposed it because he did not want to see the Aborigines 'maintained in idleness'.⁵⁵ For the next decade most of his plans revolved around pushing Aboriginal children of mixed descent, and able-bodied 'half-castes', out of the two Government Stations and into the broader community. Though he never stated it explicitly, South's ideal was that the Government Stations would eventually disappear. As South constantly observed, most of the mission residents were not 'full-bloods' and, as such, he did not regard them as Aboriginal at all,

believing that their fate should be eventual absorption into the general community.

One of South's methods to achieve this end was to make life on the stations increasingly severe. In February 1917 he posted new rules at Point McLeay stipulating that all able-bodied men over the age of 14 were 'expected to seek work outside the station'.⁵⁶ To enforce the rule he ordered that rations would now only be given to the 'old and infirm'.⁵⁷ In May 1917, dissatisfied with the existing powers to control and discipline the residents of the Stations, the Government introduced a raft of new regulations under the Act.⁵⁸ Under these new provisions people could be removed from an Aboriginal institution or reserve for being 'habitually disorderly, lazy, disobedient, insolent, intemperate, or immoral'.⁵⁹ 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).⁶⁰

Aboriginal people 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.⁶¹ All such offences could be punished with a fine of £5, and double that for a second offence.

Under the 1911 Act, the Chief Protector had the power to expel individuals from Aboriginal institutions, and he used it at times, but under the

new regulations almost any reason would suffice. In July 1921 Eustace Garnett Wilson, a World War One veteran, and three other men, were expelled from Point McLeay for relatively minor infractions. South's comments on the case are revealing:

I propose dealing with all single, young half-caste men who habitually hang about stations and refuse to seek work amongst the settlers.

There are numbers of these young men, many of them two or three removes from full-bloods, who hang about the stations loafing on the earnings of those who do work.⁶²

He does not write about their misdemeanours, but rather is concerned with the lightness of their skin and the fact that they are not seeking work.

Training the children

South next turned his attention to the children on the missions, of whom he wrote in 1918:

In my opinion no good results will follow on any scheme if the children are allowed to grow up amongst the aborigines and half-castes now living on the Stations, but they and their children will grow up to be dependents on the community leading thriftless lives.⁶³

To sever the link between the generations, the Chief Protector suggested that a central boarding school for Aboriginal children be established somewhere near Adelaide. He envisaged that it would take all the children over the age of seven from the two government stations at Point McLeay and Point Pearce. At the school the boys would be taught rural occupations and the girls domestic duties.⁶⁴ The logic behind the plan was identical to that which had led Protector Matthew Moorhouse to start the Native School Establishment in Adelaide in the 1840s. At Point Pearce in January 1919, Superintendent Garnett put the proposal to a meeting of residents - there was not one vote in favour of the idea. Garnett's compromise was to suggest dormitories on the missions themselves, but South wanted the chil-

dren's links with the missions severed altogether.

South continued to push the idea during 1920 and 1921. He reiterated his belief that children should be sent to a central boarding school until the age of 14, but added a new element, that on the completion of their schooling they 'be put out with reputable persons under indenture' until they reached the age of twenty-one.⁶⁵ In commenting upon the indenture scheme he stressed that those who would not look for work 'should be compelled to do so'.⁶⁶ Superintendent Garnett at Point Pearce believed the plan would meet with opposition and asked, 'is it worth the unpleasantness?'⁶⁷ Nonetheless, South's various proposals to take control of Aboriginal children eventually found legislative form in 1921 when a 'Bill for an Act to make better provision for committing half-caste aboriginal children to institutions under the control of the State Children's Council', was introduced into Parliament.

The Commissioner of Public Works, William Hague, Liberal MHA for Barossa, explained the motive for the Bill when he spoke of the many youths who 'congregated on the stations, unwilling to work, refusing to be placed out, and as fast as work is found for them throwing it up and returning to their old life on the station'.⁶⁸ The only solution, as he saw it, was to take the younger children away from the mission environment and put them under the charge of the State Children's Department. The Aboriginal child would become a State child - in other words be treated as a neglected child until 18 years of age.⁶⁹ As the Commissioner expressed it, this would 'lead to an end of the half-caste children on the station'.⁷⁰

There was considerable opposition to the Bill, particularly from members whose electorates included Missions and Government Stations.⁷¹ Henry Tossell, Liberal member for Yorke Peninsula, opposed any measure that would take children away from their parents and said he had nothing but respect for the Aboriginal people at Point Pearce. When the Commissioner said the Bill mainly concerned Point McLeay, Tossell

suggested that they should be given more land. He described the Bill as 'one of the cruellest things I have ever heard of.'⁷² James Moseley, Liberal member for Flinders, also opposed the Bill. Koonibba was in his electorate and he did not want to see the people there subjected to it; he described it as 'slavery', 'inhuman' and 'unchristianlike'. When it was pointed out to him that he had helped pass a law allowing neglected white children to be taken from their parents, he responded that he helped pass a law to protect children from 'criminally-minded parents. These people are not criminal'.⁷³

Despite these objections, The Aborigines (Training of Children) Act became law on 14 November 1923. The Act gave the Chief Protector the right to commit an Aboriginal child to any Institution under the State Children's Act, 1895 - whereupon the child became a State Child. It was only to apply to children born in wedlock who were 14 years of age or had completed their Qualifying Certificate or, if they were illegitimate children, it would apply irrespective of age.⁷⁴ Trained until the age of 18 (21 for females if so recommended) they would then resume their status under the guardianship of the Chief Protector.⁷⁵

South never witnessed the passage of the Act; becoming ill with heart trouble in 1922, he died on 27 May 1923.⁷⁶ He was replaced temporarily by M. T. McLean, until the position was filled by Francis Garnett, previously Superintendent at Point Pearce.⁷⁷

'the army of motherhood'

The passage of the Aborigines (Training of Children) Act was met with immediate opposition. In December 1923 a memorial opposing it was presented to Parliament by a deputation from Point McLeay. Eloquently composed by Edward Kropinyeri, it began:

Dear Sirs - The Bill has passed, legalising the act of taking away the children from their parents.

This act, like a mysterious creature of ill omen is casting a gloom over this our little mission home.⁷⁸

Employing New Testament imagery, Kropinyeri described two armies arrayed against one another, the supporters of the Act with their 'guns of intellect' at the ready, opposed by the 'army of motherhood' equipped only 'with the weapon called love'. 'Who wins?' asked Edward Kropinyeri: 'The bar of eternal justice, truth and righteousness awaits your verdict! What says you?' The bearers of the petition, Willy Rankine, Leonard Campbell and John Stanley, also took their complaints to the office of the *Register*. A lengthy interview with the men was published a few days later. Campbell explained that while they did not mind the government training their children, they did not want to lose their 'rights over them': 'our children have never been State children, and we don't want them to be'.⁷⁹

Little notice appears to have been taken of the deputation and early in 1924 the Aborigines Department began to make plans to bring the new Act into operation. The new Chief Protector, Francis Garnett, compiled lists of all children between the ages of 14 and 18 at Point McLeay, Point Pearce and Koonibba and then narrowed his selection down to about three dozen children from the two government stations. It was decided that the children at Koonibba would be drawn in later, once the scheme was in operation. The plan was to put the children into a central school where they would be educated until outside employment was found for them. Forms, authorising the transfer of the selected children into the control of the State Children's Council, were already drawn up.⁸⁰

The Act was clearly aimed at children of school-leaving age, but the first child taken was a babe in arms, the daughter of Priscilla Karpany, a young mother working on Poltalloch Station near Point McLeay. The mother's case was immediately taken up by an Adelaide solicitor and reported widely in the press.⁸¹ The case attracted even more attention than it might have ordinarily as two of the woman's brothers, George and William, had served

with distinction in the First World War; both had served in France, while George had the additional distinction of serving at Gallipoli and achieving the rank of Lance Corporal.⁸² Quoted in the *Sun*, Priscilla's mother pointed out the injustice of the Act and added: 'Two of my sons fought at the war for England and Australia. Is there to be one law for the white people, and another for the black?'⁸³ In response to the public outcry, Chief Protector Garnett recommended the suspension of the Act, writing 'it is strongly opposed by the sentiment of the Aboriginal race and will probably too frequently need the aid of the police in its enforcement'.⁸⁴ Priscilla's child was returned and the Act became a dead letter. It is important to stress that the decision not to enforce this Act did not mean a cessation of removals.⁸⁵ The Government still had the authority to remove Aboriginal children under existing legislation. Furthermore, the provisions of the Act were eventually incorporated into the Aborigines Act, 1934.⁸⁶

Garnett had predicted such a response to the Act in 1920 while Superintendent of Point Pearce. Invited to comment on South's plans to establish a central boarding school and to indenture teenagers, he observed:

I fear . . . that the opposition to the scheme would be too great, and that the scheme would fail through popular sympathy being enlisted against it. The parents would, I know, strongly oppose it, and would appeal against it to Local Members, &c, as Electors.⁸⁷

As Garnett had seen more clearly than his predecessor, Aboriginal people, especially those associated with the two government stations, were not without political skills nor political influence.

'I thought this was our home?'

Resentment over the harsh regime which had been instituted on the missions came to a head in 1926 when the Aborigines Friends Association received a number of complaints from the residents of Point McLeay and Point Pearce regard-

ing the administration of the stations. One of those complaints was likely to have been from the Aboriginal scholar, David Unaipon. While visiting Point McLeay to collect information for articles he was writing, the Superintendent called in the police and had him arrested for vagrancy - a charge Unaipon found rather odd, as he had £3 in his pocket.⁸⁸

In response, the Advisory Council, whose chairman was also President of the Aborigines Friends Association, organised meetings at both stations to hear the grievances. At Point McLeay, most of the complaints focussed on the capricious use of power by Superintendent C. Ramsay, especially efforts to force people off the station. As Percy Rigney put it, his sons wanted to find work but he did not want them 'hunted off' the station - he 'thought this was home'.⁸⁹ On the other side of the coin, an Aboriginal man who was working at Tailem Bend made the point that he did not feel at home there.⁹⁰ Similar sentiments were expressed to the committee when it visited Point Pearce.⁹¹

At Point McLeay, the representatives of the Advisory Council were also presented with a petition calling for the appointment of a Sub-Protector of Aboriginal descent, and the establishment of an Aborigines Protection Board. In his report on the meeting, the Secretary of the Advisory Council considered that 'there was little cause for complaint'. Unaipon's arrest, however, was described as an act of 'caprice' and an 'indignity'. Besides bringing their complaints to public attention, the only practical change that resulted was the replacement of the Superintendent.⁹²

Aboriginal opposition, or the threat of it, had an influence on the extent to which other aspects of the Act were implemented. The 1911 Act gave the government the power to declare towns 'prohibited areas', and the first declaration was applied to Tailem Bend in 1926. Aboriginal people opposed the declaration because they resented 'being forbidden to visit the locality where their forefathers lived long before the advent of white men'.⁹³ The prohibition was lifted shortly afterwards. In 1931

the white residents of Port Victoria applied to have their town declared a prohibited area. Their reason was that they objected to Aboriginal people from Point Pearce coming into town on a Saturday night to attend the 'Cinema entertainment' in the local hall. The Chief Protector turned down the request on the grounds that it would 'interfere with the liberty of the law abiding native and would lead to endless trouble and agitation.'²⁴ While interfering with the 'liberty' of Aboriginal people might have come easily, the threat of 'endless trouble and agitation' could not be ignored.

Conclusion

For much of the second half of the nineteenth century, government policy toward indigenous people had been largely *ad hoc*. The pervasive belief that they were 'destined for extinction' encouraged a policy of calculated neglect rather than systematic intervention. However, by the turn of the century, as the Aboriginal population began to grow, especially the population of people of mixed descent, the Government adopted the interventionist path. Chief Protector South, who was given the task of implementing this new regime, focussed his attention on the removal of children of mixed descent, the removal of Aboriginal youths from missions, and the eventual dismantling of the 'mission' system itself. The ultimate goal of this approach was to see Aboriginality extinguished as Aboriginal people were 'merged' into the general community.

Aboriginal people resisted these policies - they resisted the removal of their children, the attempts to break-up their families and communities - and they enjoyed some victories along the way. Among the Aboriginal people who campaigned publicly against these policies were those who embraced many of the values and aspirations of European culture. Many Europeans at the time would have regarded this as evidence of their loss of culture and identity. That their culture had been changed by the forces of colonialism is indisputable, but the story of their resistance, of their defence of family and community, is pre-eminently a story of cultural resilience.

Endnotes

- ¹ *Protector's report for the year ending 30 June 1908*, p. 3.
- ² R. Foster, 'An Imaginary Dominion: The Representation and Treatment of Aborigines in South Australia 1834-1911', PhD Thesis, University of Adelaide, 1993, chaps. 6 & 10.
- ³ G. Jenkin, *Conquest of the Ngarrindjeri: The Story of the Lower Lakes Tribes*, 1979, chaps. 8-9.
- ⁴ *South Australian Parliamentary Debates*, 4 July 1899, pp. 4-11.
- ⁵ Foster, p. 332.
- ⁶ *South Australian Parliamentary Debates*, 3 September 1909; 2 August 1910.
- ⁷ *ibid.*, 28 September 1910, p. 617.
- ⁸ *ibid.*, p. 619.
- ⁹ *Protector's Report for the year ending, 30 June 1908*, p. 3.
- ¹⁰ *ibid.*, 1909, p. 3.
- ¹¹ *ibid.*, 16 November 1910-30 November 1910.
- ¹² *ibid.*, 8 August 1911, p. 280.
- ¹³ Faye Gale, *Urban Aborigines*, 1972, pp. 59-60.
- ¹⁴ An Act to make better provision for the better Protection and Control of the Aboriginal and Half-caste Inhabitants of the State of South Australia, No. 1048 of 1911, paras 12-23.
- ¹⁵ *ibid.*, paras 27-29.
- ¹⁶ C. D. Rowley, *The Destruction of Aboriginal Society*, 1970, p. 221.
- ¹⁷ *The Aborigines Act*, 1911, paras 24-26.
- ¹⁸ *ibid.*, para 34.
- ¹⁹ *ibid.*, paras 41-50.
- ²⁰ *Report of the Protector of Aborigines for the Year Ending June 20, 1901*, p. 4.
- ²¹ *ibid.*, 1904, p. 2.
- ²² *ibid.*, 1908, p. 4.
- ²³ *ibid.*, 1909, p. 3.
- ²⁴ GRG 52/1/1910/1a, State Records SA (SRSA).
- ²⁵ *South Australian Police Gazette*, 5 April 1911, p. 88.
- ²⁶ GRG 52/1/1911/21, SRSA.
- ²⁷ GRG 52/1/1911/26, SRSA.
- ²⁸ GRG 52/1/1913/18, SRSA.
- ²⁹ Link-Up (NSW) Aboriginal Corporation & Tikka Wilson, *In the Best Interest of the Child: Stolen Children: Aboriginal Pain/White Shame*, Aboriginal History Monograph No. 4, Canberra, 1997, p. 52.
- ³⁰ GRG 52/1/1912/28, SRSA.
- ³¹ B. Dickey, *Rations, Residence, Resources: A History of Social Welfare in South Australia since 1836*, 1986, pp. 153 & 160.
- ³² *ibid.*, pp. 169-173.
- ³³ S. Burnard, *Government Policy and Aboriginal Mission Stations in South Australia 1900-1920*, 1967, pp. 33-34.
- ³⁴ Aborigines Department, Correspondence Files, GRG 52/1/1911/24, SRSA.

- ³⁵ *Report of the Protector of Aborigines for the Year Ending June 20, 1912*, p. 6.
- ³⁶ *ibid.*, p. 7.
- ³⁷ *The Advertiser*, 16 April 1907.
- ³⁸ South Australian Parliamentary Papers, *Report from the Royal Commission on the Aborigines*, 1913, 2, no. 26, p. v.
- ³⁹ *ibid.*, p. 4.
- ⁴⁰ *ibid.*, p. 5.
- ⁴¹ Two Aboriginal witnesses gave evidence to a Select Committee in 1860, but their responses were so brief as to suggest they were overawed. More surprisingly, no Aboriginal witnesses were called to give evidence before the 1899 Select Committee into the Aborigines Bill.
- ⁴² *Royal Commission on the Aborigines*, 1913, p. 34-38.
- ⁴³ *ibid.*, p. 113.
- ⁴⁴ *ibid.*, p. 119.
- ⁴⁵ *ibid.*, p. 120.
- ⁴⁶ *ibid.*
- ⁴⁷ *ibid.*
- ⁴⁸ *ibid.*, p. 116.
- ⁴⁹ *ibid.*, p. 37.
- ⁵⁰ *ibid.*, xvii.
- ⁵¹ *Report of the Protector of Aborigines for the Year Ending June 20, 1912*, pp. 6-9.
- ⁵² C. Stevens, *White Man's Dreaming: Killalpaninna Mission 1866-1915*, 1994, p. 200.
- ⁵³ Burnard, pp. 156-179.
- ⁵⁴ *ibid.*, p. 179.
- ⁵⁵ GRG 52/1/1912/54, SRSA.
- ⁵⁶ GRG 52/1/1917/7, SRSA.
- ⁵⁷ *ibid.*
- ⁵⁸ GRG 52/1/1917/9, SRSA.
- ⁵⁹ Regulations under the Aborigines Act, 1911, para. 1, gazetted on 10 May 1917.
- ⁶⁰ *ibid.*, para. 5, gazetted on 10 May 1917.
- ⁶¹ *ibid.*, para. 9.
- ⁶² GRG 52/1/1921/61, SRSA.
- ⁶³ GRG 52/1/1919/8, SRSA.
- ⁶⁴ *ibid.*
- ⁶⁵ GRG 52/1/1920/97, SRSA.
- ⁶⁶ GRG 52/1/1920/98, SRSA.
- ⁶⁷ *ibid.*
- ⁶⁸ *South Australian Parliamentary Debates*, 22 November 1921, p. 1167.
- ⁶⁹ *ibid.*
- ⁷⁰ *ibid.*, p. 1168.
- ⁷¹ *ibid.*, 1169.
- ⁷² *ibid.*, 24 November 1921, p. 1573.
- ⁷³ *ibid.*, 1574.
- ⁷⁴ J. McCorquodale, *Aborigines and the Law: A Digest*, 1987, p. 70.
- ⁷⁵ *South Australian Parliamentary Debates*, 25 September 1923, p. 617-8.
- ⁷⁶ GRG 52/1/1922/59, SRSA.
- ⁷⁷ GRG 52/1/1921/35, SRSA.
- ⁷⁸ *The Register*, 23 December 1923.
- ⁷⁹ *ibid.*
- ⁸⁰ GRG 52/1/1924/21, SRSA.
- ⁸¹ *The Sun*, [16/4]/1924; *Register* 9/4/1924; *Sport's Newsclipping Books*, GRG 52/90, SRSA.
- ⁸² D. Kartinyeri, *Ngarrindjeri Anzacs*, 1996, pp. 24-25.
- ⁸³ *The Sun*, [16/4]/1924, GRG 52/90, SRSA.
- ⁸⁴ GRG 52/1/1924/21, SRSA.
- ⁸⁵ Andrew Hall, *The Removal of Many Aboriginal Children*, Family and Community Services, South Australia, Adelaide, 1997, p. 13. In the absence of published research, the nature and extent of removals during this period, and the impact of the 'suspension' of the Act, remains unclear.
- ⁸⁶ *South Australian Parliamentary Debates*, 4 November 1936, p. 2236.
- ⁸⁷ GRG 52/1/1920/97, SRSA.
- ⁸⁸ *The Advertiser*, 18 November 1926.
- ⁸⁹ GRG 52/1/1926/62, SRSA.
- ⁹⁰ *ibid.*
- ⁹¹ GRG 52/1/1926/54, SRSA.
- ⁹² *Annual Report of the Aborigines Friends Association*, 1926, p. 6.
- ⁹³ *ibid.*, p. 8.
- ⁹⁴ GRG 52/1/1931/47, SRSA.

References

- Aborigines Department, Correspondence files, GRG 52/1, SRSA.
- Annual Reports of the Aborigines Friends Association, 1862-1959, Mortlock Library PRG 186/7/14.
- Annual Reports of the Protector of Aborigines*, Government Printer's Office, 1901-1923.
- P. Brock, *Outback Ghettos: A History of Aboriginal Institutionalisation and Survival*, Cambridge University Press, Cambridge, Melbourne, 1993.
- S. Burnard, 'Government Policy and Aboriginal Mission Stations, South Australia, 1900-1920', Honours Thesis, University of Adelaide, 1961.
- N. Cato, *Mister Maloga: Daniel Matthews and his Mission, Murray River, 1864-1902*, University of Queensland Press, St. Lucia, 1976.
- A. R. Clarke, "'For Their Own Good": The Aborigines Act, 1911', Honours Thesis, University of Adelaide, 1992.
- Department of Aboriginal Affairs, *A Brief Outline of Aboriginal Affairs in South Australia since colonisation*, Adelaide, 1963.
- B. Dickey, *Rations, Residence, Resources: A History of Social Welfare in South Australia since 1836*, Wakefield Press, Adelaide, 1986.
- R. Foster, 'An Imaginary Dominion: The Representation and Treatment of Aborigines in South Australia 1834-1911', PhD Thesis, University of Adelaide, 1993.
- F. Gale, *Urban Aborigines*, Australian National University, Canberra, 1972.

- Andrew Hall, *The Removal of Many Aboriginal Children*, Family and Community Services, South Australia, Adelaide, 1997.
- G. Jenkin, *Conquest of the Ngarrindjeri: The Story of the Lower Lakes Tribes*, Rigby, Adelaide, 1979.
- D. Kartinyeri, *Ngarrindjeri Anzacs*, South Australian Museum and Raukkan Council, Adelaide, 1996.
- Link-Up (NSW) Aboriginal Corporation & Tikka Wilson, *In the Best Interest of the Child: Stolen children: Aboriginal Pain/White Shame*, Aboriginal History Monograph No. 4, Canberra, 1997.
- J. McCorquodale, *Aborigines and the Law: a Digest*, Aboriginal Studies Press, Canberra, 1987.
- R. McGregor, 'Protest and Progress: Aboriginal activism in the 1930s', *Australian Historical Studies*, vol. 25, no. 101, 1993.
- C. Milich, 'Official Attitudes to the S. A. Aborigines in the 1930s', Honours Thesis, University of Adelaide, 1967.
- Protector's Newsclipping book, GRG 52/90, SRSA.
- C. D. Rowley, *The Destruction of Aboriginal Society*, Australian National University, Canberra, 1970.
- South Australian Parliamentary Debates, 1900-1926.
- South Australian Parliamentary Papers, Report from the Royal Commission on the Aborigines, 1913, 2, no. 26.
- South Australian Parliamentary Papers, Report of the Select Committee on the Aborigines Bill, 1899, 2, No. 77 & 77a.
- South Australian Police Gazette, 1911.
- C. Stevens, *White Man's Dreaming: Killalpaninna Mission 1866-1915*, Oxford University Press, Melbourne, 1994.
- The Adelaide Observer*
The Advertiser
The Register