A Trans-Generational Effect of The Aborigines Act 1905 (WA): The Making of the Fringedwellers in the South-West of Western Australia

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Introduction

The Aborigines Act 1905 (WA) was the basis of Aboriginal administration for half a century, and is arguably the most significant piece of legislation to affect people of indigenous descent in Western Australia. It emerged in response to international outrage over conditions in the northwest pastoral industry and claimed “to make provision for the better protection and care of the Aboriginal inhabitants of Western Australia”, but the well-documented consequences of the now infamous Act indicate that it did not result in any improvement to their welfare. However, extending the definition of ‘Aboriginal native’ to peoples of mixed descent and granting the Chief Protector sweeping paternal powers to intervene in the private sphere did control who each person could marry, parent, associate or live with. And, for more than half a century, it did control access to education and health services, employment, accommodation and property ownership. What this paper does is examine the impact of the Act on the emerging population of mixed descent in the south-west of Western Australia and to show how this provided the conditions for ‘fringedwellers’ to emerge as a particular form of Aboriginal identity in the twentieth century. But first I will outline the socio-political conditions associated with the emergence of this population of people of mixed descent.

The Aborigines Act 1905

In the decades following foundation in 1829, when British women were scarce, grants for purchasing Crown land were settled on indigenous wives and children[1] and encouraged intermarriage. As the children were the first-generation of mixed descent, and tended to follow their father’s British lifestyle, they were generally regarded as half-British and accorded the same opportunities commensurate with their father’s class, whether that meant receiving an education or belonging to the serving class. But with marriages amongst this first generation of mixed descent and European mores producing large families, they acquired high visibility and had become a hot topic of debate by the 1870s. Notwithstanding, literate males enjoyed a variety of occupations and acquired property and young women were highly regarded by employers and some took British husbands.[2]
1. At the same time, the population of unmixed descent is estimated to have decreased from an estimated 15,000 to just 850. With Social Darwinism and scientism suggesting that this decline was racial proof that indigenous peoples were doomed to extinction, earlier plans for their 'civilisation' had been abandoned by the 1880s. As a result, people of mixed descent came to be regarded as 'half-castes' and intermarriage was actively discouraged. This did not deter clandestine liaisons with British men, but since people of mixed descent were also prohibited from living or associating with aboriginal natives, it did encourage marriage between persons within this group.

2. The colony’s indifference to the welfare of the indigenous population of Western Australia did not go unnoticed when it was granted responsible government in 1889. Britain refused to relinquish administrative responsibility for Aborigines until Premier Forrest finally agreed, in 1897, that Section 70 of the Constitution Act specified that 1% of the gross revenue or £5000 (whichever was greater) was to be provided for Aborigines annually. But since the ‘part-Aboriginal’ population had doubled to 1000, the British population had quadrupled to 180,000, and ‘the half-caste problem’ had emerged fully fledged in the 1890s, his government immediately repealed this amendment with the Aborigines Act 1897, s 61. And, with growing nationalist sentiment to forge a ‘white’ Australian nation, increasingly concerned with ‘racial purity’ and a focus on minimising costs, Forrest abolished the Aborigines Protection Board and replaced it with a sub-department called the Aborigines Department, cut mission subsidies, halved rations and appointed an inexperienced Chief Protector to a position with little power, in a department without status, two staff and a greatly diminished budget.

3. The first to feel the effects of the transfer to ‘responsible government’ were indigenous people of unmixed descent dependent on government rations in the southwest, but ‘half-castes’ also began to feel the effects of policy exclusions. For example, the Land Act 1898 allowed white settlers access to Agricultural Bank finance and 1000 acres, but allowed any ‘person of Aboriginal descent’ only 200 acres (which was not considered viable) and no access to the Agricultural Bank’s finance. Half of the two dozen ‘Aboriginal’ applicants were actually successful in their endeavours, but only because they were not identified as Aborigines and had been able to gain access to either government or private finance. But in 1899, in an amendment to the Constitution that gave women the right to vote, all ‘persons of the half-blood’ were disenfranchised unless they held a freehold estate worth more than £50, for more than 6 months. As a result, by 1901, when the new Federal government ratified State responsibility for Aboriginal welfare, only a handful was eligible to vote. At the turn of the century, adult males of mixed descent may have been precluded from becoming landowners but they were either self-employed as farmers, rabbit trappers, wagoners, sandalwood cutters or earned wages as shearsers, scouers, blacksmiths, horse-breakers, shepherds, boundary riders, fencers and rouseabouts. Women were mainly employed as domestics and although compulsory education had only been introduced with the Elementary Education Act 1871 (WA), and only for children within a three mile radius of a school, 30% of children of mixed descent were enrolled in primary schools.

4. However, Chief Protector Prinsep had another vision for Aborigines. On the one hand, his Aborigines Bill 1901 and 1904 proposed to remove all ‘natives’ from ‘white settlements’ and onto Reserves. The Bill was defeated but the establishment of Welshpool Reserve nine miles from Perth set an important precedent. Set on 500 acres, and modelled on other agricultural settlements, it was designed to be self-supporting. Residents were supplied with small huts and individual plots to develop the skills and work habits associated with market gardening and cottage industries. By 190[3] a number of families had cleared and fenced the land, sunk wells and erected housing. But Prinsep decided to turn it into a smaller, official camping ground for the south-west’s elderly and a ration depot to ‘contain’ Aborigines from metropolitan camps3 whose ‘presence’ was a problem for new residents. After futile protests from the residents farming there they left and, because Prinsep was unable to detain anyone, it was closed in 190[4] to become a camping ground for the southwest elderly and a ration depot for destitute metropolitan Aborigines until this was closed in1911. 4 On the other hand, Prinsep also argued that it was a State duty to ‘protect’ half-caste children from camps and he envisioned a future where supervision and training in State institutions could produce ‘useful workers’. But without parental consent or powers to remove children, and with missions ignoring his demands for legal guardianship, he was frustrated. His Bills were eventually incorporated within the Aborigines Act 190[5] but, ironically, only because international outrage over the treatment of Aborigines in the northwest pastoral industry forced the appointment of the Roth Royal Commission5. The Roth Report recommended a raft of employment regulations to minimise exploitation, but he
endorsed Prinsep’s concerns about the future of the ‘half-caste’ and the focus of the earlier Bills to segregate and control indigenous peoples of mixed descent.

**Effects of the Aborigines Act 1905**

5. For persons of mixed descent, who primarily lived in the southwest of the State, the Act had a profound impact. It enabled the removal of anyone deemed “Aboriginal native” to a Reserve and any child under 16 deemed “Aboriginal native” to a State institution. This confusing extension of the definition of ‘Aboriginal native’ meant that although the children of ‘half-castes’ were excluded from the provisions of the Act, in practice ‘quarter-castes’ and ‘octoroons’ were subject to it anyway, regardless of their lifestyle. In other words, the Act effectively abolished the prior legal status and citizen rights of all persons of indigenous descent and underpinned policy directives that established what is now referred to as the ‘stolen generations’.

The effects of the Act were attended by vigorous public opposition from organisations such as the Aboriginal Amelioration Movement and individuals such as William Harris [1867-1931]. Harris was a first generation of mixed descent least affected by the provisions of the Act but he declined an exemption from the Act on the grounds that it reinforced the exclusion of others. Instead, he applied for an appointment to the Aborigines Department in 1902, was notable for his letters to newspapers decrying the treatment of Aborigines in the community and at law, forthright in his criticism of Commissioner Roth for failing to visit the goldfields where Aborigines were literally starving and was the first person of Aboriginal descent to formally present their case to the Premier in 1906. But most voters took no interest in indigenous welfare, there was little political interest in his complaints and he was ignored. Indeed, there was so little disregard for indigenous opinion or participation in the community that all persons of Aboriginal descent were shortly afterwards disenfranchised by the State Electoral Act 1907.

But Prinsep was also intent on limiting miscegenation. The Act already prohibited “Aboriginal natives’ from townships and all white people from reserves, but to deter long-term relationships he introduced a requirement that couples apply for permission to marry or face prosecution and he imposed a £25 surety, purported to provide for the ‘wife and children’ in the event of desertion, to prohibit inter-racial marriages altogether. Not surprisingly, this only encouraged white fathers to evade any responsibility for the offspring of their ongoing, but more covert liaisons. The point is that while Prinsep’s enduring vision of reserves, where children would be isolated and ‘trained’, helped create this situation the State was unwilling to actually fund his vision.

Moral outrage at fair-skinned children being raised in Aboriginal camps continued. Prinsep tried to deter casual relationships by increasing the penalties for supplying alcohol. However, because the supply of alcohol could not be prevented and was rarely prosecuted, the focus of responsibility shifted to Aborigines. Significantly, the introduction of penalties for receiving and possessing alcohol combined with the vigorous enforcement of the Police Act 1892 for drunkenness, to establish the leading cause of indigenous imprisonment last century. But as a means to deter ‘casual relations’, it was clearly ineffectual.

Despite the Act’s claims to “providing for the education of aboriginal children, and generally assisting in the preservation and well-being of the aborigines”, the Anglican Church responded to the State’s abject failure to provide any measures to care for or educate children of mixed descent by increasing its intake at the Swan Native and Half-Caste Home; the Salvation Army Industrial school at Collie selectively admitted boys from 1905 and girls to its Kalgoorlie institution from 1907. And the Australian Aborigines Mission established the Dulhi Gunyah Orphanage in Perth in 1909, the year that Justices of the Peace, Protectors and Police Officers were authorised to send children under the age of eight to missions without parental consultation. The
introduction of this regulation indicates the State’s desire to arrest the 25% fall in numbers that occurred after
the introduction of the Act in 1905, and parents became loathe to send their children to missions to be educated
once it was clear they were expected to relinquish all contact. From this point in time it is also clear that the
Church was complicit (as it has since acknowledged with apologies) in assisting the forced removal of ‘part-
Aboriginal’ children.

6.

7. Yet, despite occasional exposés of the conditions in missions that shocked the public sufficiently to call for the
elimination of their subsidies and closure, the only thing that prevented Prinsep from embarking on the
wholesale removal of children to missions was a lack of funds. Equally disturbing, despite Prinsep and his
successor Gale championing the need for State institutions, on the grounds that missions did not adequately
educate or train their charges to work in the community, the government would not provide the Department with
the funds to replace them.

Meanwhile, for children still in the community, access to public education varied. From 1905, the Education
Department refused to provide Aborigines with separate education facilities on the grounds that they were the
responsibility of the Aborigines Department,[18] and the Aborigines Department had no intention or capacity to
provide such facilities. As a result, access to education depended on the largesse of local European school
communities.[19]

In 1909, the year that the colony achieved its first wheat export and looked to increase British immigration by
‘releasing’ 50 million acres for purchase,[20] the Aborigines Department amalgamated with the Fisheries
Department, Aboriginal children under eight were able to be sent to missions without parental consultation,[21]
and a request by the new Chief Protector, Gale, for ten, 150 acre blocks in each agricultural region for mission-
trained couples was refused by the Lands Department on the grounds that the couples would better serve the new
settlers’ demands for agricultural labour.[22]

However, Gale enforced the Act less rigorously than Prinsep and by 1912 ‘part-Aborigines had begun to move
back to towns hoping that they could gain employment and enrol their children in local schools. The State
Executive of the Australian Labor Party responded by demanding that the Colonial Secretary[23] “... segregate
all Aborigines on state-owned farms and (called for) the total abolition of private employment of
Aborigines”. [24] Councils also tried to reinforce segregation by establishing town reserves and transferring
ration depots to them. But the reserves were routinely situated far from public facilities or water, on poor land
and/or near sanitation dumps so that, where they not rejected outright, they forced residents to make ‘nuisances’
of themselves by seeking water from backyard water-tanks and demanding schooling for their children.[25]

8.

9. In Perth, residents from the failed Welshpool Reserve moved to camps in West Guildford until complaints saw
the Council order them to move, and when they moved to Success Hill Recreation Reserve and residents there
complained, the Department established a 48 acre reserve at Guildford. They refused to go because it was too far
from town and next to a cemetery; but, in order to maintain their independence they were forced to contend with
moving in an ongoing cycle of municipal exclusion, between camps at Welshpool, Lockridge, Beechboro and
Caversham.

10. The appointment of Chief Protector A.O. Neville in 1915 and his rigorous implementation of the Act during his
tenure until 1940 cannot be over-estimated. He had no experience of Aborigines whatsoever but, as a
quintessential public servant selected for his keen administrative abilities, was a perfect choice to implement his
Minister’s views. Minister Underwood believed that those who conformed to white standards of hygiene and
morality should attend State schools but he was opposed to children’s education in southern missions. He also
believed that able-bodied men should be employed, on the condition that they were paid a minimum wage from
which the State would deduct a portion, but that the rest of the population should be completely segregated in a
State run native settlement.
What Neville inherited then was the idea that those most able should be encouraged to be useful members of society. Accepting the popular belief that ‘full-bloods’ would die out and ought to be left alone, he therefore directed his attention, like Prinsep and Gale before him, to the future of the ‘half-caste’. Shocked by the ‘derelict, dispossessed people’ he found in the south, because the government was unable to prevent their exclusion from health and education services and unwilling to provide funds for separate services, he set about tightening regulations and instigated statistical records to reduce exploitation and centralise control. More importantly, he endorsed Gale’s earlier proposal for a “self-supporting native settlement” by the Carrolup River, optimistic that, as an interim measure, it would to raise ‘him’ “to be as good a citizen as anybody else”, “in spite of himself”. [26] However, Ministers ignored him. They also ignored the demands of white residents’ for segregation until they marched the entire indigenous population at Katanning to the Carrolup River under police escort: Carrolup Native Settlement was immediately established and Moore River Native Settlement opened three years later in 1918.

Neville envisaged that the settlements would be a ‘temporary’ measure for training two or three generations of children, by which time they would be accepted by – and thus fully assimilated into – the non-indigenous community. Consequently, by 1920, most missions and 14 of the 20 ration depots in the southwest had closed, and 25% of the population had been forced to move to settlements where they were coerced into clearing land, quarrying and building all quarters. [27] The idea that the settlements would be permanent homes to men and women engaged in ‘productive’ work and domestic labour while their children were ‘educated’, was resisted by the ‘inmates’ sent to live there. Nevertheless, the plans met with general approval because they centralised the distribution of relief, harnessed labour to offset the cost of food, shelter and clothing, provided training for a future ‘serving’ class and removed them from the wider community with breathtaking cost-efficiency.

But life was no easier for those who avoided being sent to a settlement. The post-war recession had seen a further 18 million acres of land alienated to consolidate farming within the wheat belt and to establish dairy-farming in the south-west. Returned soldiers were given first priority under the Soldier Resettlement scheme, but only one Aboriginal soldier was granted land. And given that Neville “had no faith in any Aborigine ever making a success of farming”, and that farmers opposed applications fearful of “a nigger’s camp”, only three grants were approved between 1915 -1936. [28] However, post-war immigration increased the State’s population by 25% and because most immigrants were required to work in rural areas for a year, at the same time that the indigenous population had leapt by 59%, there was much more competition for work in the 1920s.

11. Though the Act aimed to regulate employment and reduce exploitation, the introduction of employment permits and a proposal to introduce equal pay and responsibility for medical expenses arising from work injuries, effectively deterred their employment. Equally, sustained union opposition continued to confine ‘part-Aborigines’ to itinerant work that excluded them from protected wages and conditions. Consequently, many survived the hard work of clearing other people’s land with poor pay and no amenities, other than a tap or the occasional shed to sleep in, by moving in family groups and making town reserves their home base when unemployed.

However, when the prices for rural produce plummeted in 1927, the rural sector contracted and unemployment rose. In the same year, the Australian Council of Trade Unions was established; the working week was reduced to 44 hours; the equivalent of 50c per child was paid to families living below the poverty line; rent control was initiated to assist low income earners; and the Royal Flying Doctor service was established to provide medical aid to the ‘outback’, [29] but none of these applied to Aborigines. Indeed, although WA had the largest indigenous population, the budget was half that of Queensland, one fifth of NSW and SA and 1/13 of Victoria. And in the southwest of the State, the health department remained indifferent to providing any health care while exclusions from schools helped to reduce attendance from 30% in 1900 to only 1%.

As usual, complaints from Aborigines and associations sympathetic to their grievances were ignored. William Harris was the most significant voice of a generation with the education and social standing to assert their rights as British subjects. He campaigned for equal civil rights for many years and in 1928 led a deputation to the
Premier of Western Australia, calling for the repeal of the 1905 Act. [30] But all to no avail.

As unemployment escalated in the rural sector, indigenous and non-indigenous people alike began to move to Perth. Between 1929-1934 the numbers of Aborigines in Perth had grown from 39-154, but with no officially gazetted camping areas in Perth, they moved on vacant private or Crown land in Swanbourne, Midland Junction, Guildford, Caversham, Lockridge and behind Fremantle cemetery. Yet despite the obvious malnutrition, disease and infant mortality associated with their appalling living conditions, Road Boards and Municipal Councils refused to provide sanitation, few hospitals confined women in labour or provided any services and residents demanded their removal. [31]

Neville’s response was characteristic. In an effort to control ‘behaviour’ and confine movements, all metropolitan Aborigines were required to carry passes and he prohibited all, without proof of legal employment or a pass, from the city of Perth in 1927; and he extended the State’s ‘Protection’ to all children of half-castes under the age of eighteen in 1928, whether their parents were married or not. The Department also actively discouraged white women from engaging Aboriginal women as ‘domestics’ and employers were required to pay the Aborigines Department ‘permit fees’ and to contribute to their medical fund. From 1931 police were requested to regularly inspect the urban camps, detailing the names, ages and relationships of campers. This enabled the Department to order unemployed Aborigines to MRNS under police warrant, and to deny country visitors rations, in an effort to force them to return ‘home’. Remarkably however, neither the Department nor Councils were ever entirely successful in removing the ‘campies’ or ‘fringedwellers’ from the metropolitan area. For example, though the Bassendean-Midland area had around 50% (white) unemployment and a large and impoverished indigenous population, which led to regular camp ‘round-ups’ for the MRNS, because Success Hill was a traditional camping ground they were never entirely successful in eliminating their presence. [32]

With the onset of the Depression, there were more than 2,000 unemployed Aborigines in the south-west of the State, or more than two thirds of their population. They had no recourse to the unemployment benefits, relief work (under the unemployed sustenance worker’s scheme) or emergency accommodation provided to unemployed white ‘workers’. Yet the Department’s budget was reduced by 20% in 1931 and, despite Neville’s entreaties. [33] relief was also reduced to a third of the level provided to the unemployed white community: relief was 2s 6p for Aborigines compared with 7s 6p for whites.

Those who had worked under equal pay conditions and applied for unemployment benefits were declared ineligible or simply denied when their indigenous background was discovered. As a result, some 60 persons of indigenous descent wrote to unions in 1933 to draw attention to their suffering and to object to the disparate levels of benefits. They received little support. Most therefore had no option but to move to one of the fifty officially gazetted camping sites in the southwest that distributed ‘rations’, where they were left to their own devices [34] in overcrowded and unsanitary conditions that inevitably engendered great antagonism from townspeople more concerned with their own pressing needs.

The threat of being sent to MRNS for indigence was sufficient to prevent most Aborigines from seeking government assistance, but the numbers rose from 29 (1926), to 92 (1930), to 892 (1932) and ration depots in the south-west increased again from 8 to 28. [35] Consequently, because police used their discretion to refuse rations to force ‘part-Aborigines’ to move to MRNS, and issued warrants for their arrest and removal there, the population peaked alarmingly at 500 in 1933. Publicity over the highly concentrated and visibly appalling conditions at MRNS led to the Moseley Royal Commission and the ensuing Moseley Report, which declared that “native camps were without exception a disgrace” [36] and, in the short term, saw Neville become the government’s scapegoat for its own apathy and neglect of indigenous welfare.

13.

14. However, arising from the Report, the Aborigines Act Amendment Act 1936 (WA) actually provided Neville with the power he had always called for. It extended the definition of ‘native’ to all “persons of aboriginal (sic) origin in a remote degree” and the Chief Protector became the legal guardian for all persons less than twenty-one years of age. With a minimum penalty for co-habitation of six months, the power to preclude marriage between

‘half-castes’ and ‘full-bloods’, and to make ‘illegitimate’ children wards of the State, Neville believed he had the power to end any future ‘native problem’. Neville convinced the 1937 Conference of Aboriginal Administration in Canberra that ‘natives’ were suffering the effects of social and economic disadvantage, rather than innate racial differences, and that ‘segregation’ would only lead to the separate existence of a ‘coloured’ minority. He proudly boasted:

“In Western Australia we have the power to take any child from its mother at any stage of its life, no matter whether the mother be legally married or not” and … “no half-caste need to be allowed to marry a full-blooded Aboriginal if it is possible to avoid it”.37

As a result, his ‘absorption’ policy, or the idea that the “breeding out of colour” or “assimilation by organised breeding” was possible in three generations if “there are no more virile full-bloods remaining alive”, was supported and formally adopted.38 However, the general public was divided in its response to embrace the ‘natives’. With anthropologists continuing to attest that Aborigines represented the most primitive form of humanity, psychologists claiming their incapacity to adapt and novelists portraying them in childlike and/or animal terms,39 most still feared the effects of racial contamination. A small vocal minority, comprised of the Presbyterian Assembly, the Native Women’s Committee, the Australian Aboriginal Amelioration Association and individuals such as Hasluck, Schenk and Bennett, also denounced Neville’s new powers and its repression of indigenous civil liberties, viewing it as their death warrant.40 But with little public support and, more importantly, little financial support for his radical ideas, Neville was, unhappily, confined to managing ‘native’ welfare until his retirement in 1940.

15.

16. Notwithstanding, Neville did have one brief triumph. In 1938, The West Australian reported on several hundred children in the south-west “living in rubbish-tip conditions ... in a way that leaves them quite unfitted to have any sort of satisfactory relation with the white community”, to highlight the benefits of a kindergarten experiment at the MRNS for 30, three to six year olds: The department has truly realised and everyone associated with the problem agrees that the chief hope of relieving the State of the menacing problem and of doing our human duty by the outcast is to take the children young and bring them up in a way that will establish their self-respect, make them useful units in the community and fit to live in it according to its standards.41

17. However, there were no future plans to extend the splendid isolation of the thirty children and it was not a priority that survived the advent of the Second World War. The kindergarten was closed and the children returned to life in the compound; without bed linen, clean clothes, daily baths, sound nutrition, educational equipment or an experienced kindergarten teacher. This experiment was rightly identified as a high point of an administrative policy that was entirely motivated by a socio-political context that legitimised cultural genocide. That it nevertheless foundered on the basis of the low priority consistently accorded indigenous matters is no coincidence.

18. Given the conservative tendency to inertia, characteristic of democratic decision-making, the public was (and continues to be) largely content to leave Aboriginal welfare to the State, with two provisos. The first concerns expenditure, insofar as the administration of indigenous affairs has always been separate, highly visible and closely scrutinised. And the second concerns social outcomes, on the basis that any expenditure has always been expected to affect some improvement in the essential indicators of ‘civilised’ society, such as food, shelter, clothing and education. But the general lack of concern or regard for indigenous peoples has historically favoured policies that deliver economically efficient outcomes. With the running costs of MRNS half that of the Old Men’s Home in Perth, making it the cheapest institution in the State, it is not surprising that the State government continued to endorse the MRNS as the best way to manage the ‘Aboriginal problem’.

Meanwhile, town campers continued to pay a price for their autonomy from the State’s protection. In 1941, the Commonwealth Department of the Interior took over the South Guildford Reserve for war purposes and ‘transferred’ the 150-200 residents to Widgee Road reserve, although some left to join relatives in the nearby traditional camping areas at Eden Hill and Bennett Brook. The local Council was concerned and when a number
of Aboriginal women purchased 20 acres of land in Eden Hill,[42] it refused their requests for water, and an application from a well-respected woman to build a small house.[43] As a result, Aboriginal landowners lived in ‘camps’ along both sides of Mary Crescent and the fringes of Grogan’s swamp and dug ‘wells’ for water. Though the local tip was on other side of the swamp and “all the old toilet pans” were emptied into drains that overflowed into the swamp,[44] the Department of Native Welfare declined to ‘interfere’ in the “private arrangements” of ‘landowners’ on the grounds that they no longer came under the jurisdiction of the Department.[45]

At the same time however, the Bayswater and Bassendean Road Boards demanded that the Minister clear camps from the metropolitan area. The Bassendean Board also argued that a Church[46] proposal to build an Aboriginal hostel in Mary Crescent was worthy, but “would have to be established somewhere else”. The local Member of Parliament sympathised “… [u]nfortunately... the area in which natives lived appeared to be between Guildford and Bayswater” and the object of the hostel was to “provide temporary accommodation for natives who were obliged to visit the metropolitan area for medical attention or other reasons (because)... there were no provisions for housing them”. [47] Dissatisfied, the Board used a small petition to refuse permission on the grounds that the site “was too near human habitation” and then proceeded to evict four landowners for occupying “unauthorised structures” on their properties (emphasis added).[48] But their attempts to remove others under the provisions of the Health Act 1911 were futile, despite extensive press reports and accusations that the camps harboured criminals and disease, because regular inspections did not confirm this.

Employment opportunities improved during the war, but steady work was still difficult to obtain. The mainstay of employment during the summer months was with the vineyards in the region, where whole families camped on properties with no amenities other than a tap or occasionally a shed for shelter. Payment was based on quantity and although it was illegal to sell or provide Aborigines with alcohol, some were paid half cash and half wine. Regardless, on Friday nights after a hard week’s work, everyone would meet at the local swamp[49] where they drank and played two-up until Sunday afternoon. Given that the national beer consumption rose from 55-91 litres/ head during the 1940s[50] and that illegal off-course betting and two-up were significant weekend pursuits in the white community, it is arguable that such appropriations of non-indigenous culture were logical extensions of their waged labour. However, with the return of soldiers in 1945, work became more difficult for rural Aborigines and many more moved to Perth. Characteristically, local municipalities approached the re-named Department of Native Welfare to extend the Perth city area of exclusion to include Guildford.[51] But official policy had begun to shift. Commissioner Middleton (1948-[54]) would not exclude them and, in 1948, argued against opposition to Aboriginal moves to establish an Aboriginal community in Bassendean. However, when ‘part-Aborigines’ protested at the living conditions at Widgie Road, the ring-leaders were sent to the MRNS. Nevertheless, the experiences of ‘native’ soldiers had proved that Aborigines “could be hygienic, good workers able to live in a cultured community group”;[52] their efficiency in the pastoral industry was recognised by the 1948 Conference of Commonwealth and State Aboriginal Welfare Authorities; the Department was completely re-organised and expanded in 1949;[53] and citizenship status was finally on the Australian Council of Native Welfare agenda in 1951.54

Commissioner Middleton recognised the need for 1000 houses to accommodate the Aboriginal population and yet, by 1953, only 25 conventional State Housing Commission homes had been approved; only one was under construction in the metropolitan area and only five in the country. But in striking contrast, in 1950, the State Housing Commission had been authorised to build 30,000 new homes over four years to service the Commonwealth Government’s immigration policy. After 230 homes were built against Bassendean Council’s wishes (because the SHC gave no undertaking to erect brick and tile homes or to limit tenants to Australian citizens and British migrants), the SHC looked to other sites for subdivision. The twenty or so acres owned by Aborigines in Eden Hill was one such site that interested them.[55] Most of the owners were reluctant to sell but they eventually accepted that they had little choice and moved with other campers to the fringes of the subdivision. As the new suburb of Eden Hill[56] emerged, and the clearing and sewerage works increasingly fouled their soak wells, they were all gradually forced north to bush near Widgee Road, beyond municipal boundaries.[57] In other words, the SHC achieved what the Bassendean Road Board had always desired: to clear the Eden Hill campers from their municipality.
The last of the prohibited areas, including Perth, was cancelled in 1954 but there was concerted metropolitan opposition to Aborigines moving into East Perth and the Department’s official focus remained with Aborigines in rural areas until the 1970s.[58] But in the late 1950s there were about 300 Aborigines living in the Guildford district[59] who rarely had access to the landmark developments in social security such as maternity benefits, funeral allowances for pensioners, unemployment and sickness benefits and child endowment because the web of restrictions, regarding who was eligible for what and under what circumstances, was not clarified.[60]

19. **Allawah Grove**

20. In 1958, a group of local Aborigines, known under their incorporated name as the Coolbaroo League, intervened on behalf of the many homeless Aborigines in the Guildford area. They learned that old air force buildings, built when the South Guildford Aboriginal reserve was resumed in 1941 and used for ‘emergency housing’ post-war, were to be demolished. They approached the Native Welfare Department (NWD) for permission to house homeless Aborigines on the twenty-five acre site[61] and, after much dispute, agreed to manage ‘Allawah Grove Reserve’. It is important to note that Allawah Grove was the only non-institutionalised Aboriginal settlement with individual housing in the State. It existed for ten and a half years, but the Department never regarded it as more than a temporary measure until other housing was available[62] and was always reluctant to assist the League with any funding.

When the Coolbaroo League assumed control, much of the infrastructure such as ablation blocks and washing lines had already been demolished. The twenty-seven approved ‘huts’, of brittle and unlined asbestos, were comprised of a kitchen, living room and bedroom in very poor repair, and a faulty or inoperative outside shower and toilet.[63] They spent nine months repairing the houses but despite the Department of Health’s repeated advice to begin sanitation repairs before winter, the Department of Native Welfare (DNW) did not do so.[64] Embarrassed by negative press coverage,[65] the Minister for Aboriginal Welfare decided instead to take over the administration to enforce evictions of “unauthorised” and “undesirable persons”,[66] to an alternative camping site. But this was easier said than done because there was, “intense opposition of white residents living in the neighbourhood of places selected by the Department …and the objections raised by Local Authorities”. The Department then agreed to “....arrange alternative accommodation for selected families” while “…the residue of natives will remain on Allawah Grove until forcibly ejected by the present lessors”, the Civil Aviation Department (emphasis added).[67] There was little prospect of the lease being extended beyond the first twelve months, but the volunteers at Allawah Grove insisted that while the housing was very poor, at least residents had access to water and sanitation services. They also reiterated that there was just nowhere for them to go.

Eventually, the Native Welfare Department agreed to provide a fixed subsidy for essential services such as water, light and sanitation, and the Native Welfare Council agreed to “meet all the liabilities, financial and otherwise” when it took over in 1960. But health problems were always endemic. For example, in 1961, fifty-four of the sixty children were treated for trachoma and there were usually about four children in Princess Margaret Hospital at any one time for ear, eye and upper-respiratory tract infections (URTI), gastro-enteritis and other skin or infectious diseases. In a report to the Administration Committee by Dr Lewis from the Child Health Department, on the lack of improvement in health since 1959, he noted that

> “the reasons for this are not difficult to find... [the] huts have not had the basic requirements provided for them initially ie. a wind and waterproof structure, facilities for cooking, washing and sanitation”. Arguing that “a longer term educational programme” was also required to encourage a higher standard of living, he therefore recommended “... a permanent camp, or at least an area with a long lease (to foster community pride), on which can be built durable houses of approved design with efficient cooking, washing and sanitation facilities... near transport, shops and schooling”. [68]

But his efforts were not sufficient to alter the Native Welfare Department housing policy or to encourage further spending at Allawah Grove.

21.
22. A decade later, nothing had changed. Tenants had worked to be considered competent homemakers and they had tended their gardens but in all that time not one family had been offered housing elsewhere. Having operated a successful kindergarten, educational classes, girl guides and profitable craft workshops without any assistance from the DNW, the committee decided to call the DNW’s bluff in 1968, and said they were leaving. They were shocked when the DNW responded by agreeing but asked for six months so that they could rehouse everyone currently, ‘legitimately’, housed there. However, the following letter to the Director at the Child Welfare Department demonstrates that it was simplistic to presume that children whose parents were not on the ‘official, current list’ were less deserving of a home:

23. The tenant is a deserted de facto wife with 8 children under twelve years of age. She has her mother, who cares for another grandchild from a broken home, living in the house. They are under notice of eviction because no rent has been paid since February. Electricity has been disconnected. In addition to these people authorised as tenants, two other related families are sheltering in the three room hut. One family with five children (mother due to go to hospital again shortly) have come from West Perth where they say their home has been bulldozed for the Mitchell Freeway. The other family has come to the city because employment is easier to obtain here than in Pinjarra, they have four pre-school children. You will see there are eighteen children involved in this one case. There are strong family ties, and separating the children from parents for institutional care does not seem to be the correct answer.... This household I have described is not an isolated case. [69]

The closure of Allawah Grove was however part of a larger push to close all Aboriginal camping reserves in the 1970s under what has become known as the ‘salt and pepper’ policy. It aimed to scatter families throughout the white community to “encourage them to live in conventional houses in the community” because it was assumed that while reserves existed “no real uplift could occur in the standards of health, hygiene, education and employment”. [70] But in practice, families were dispersed and isolated in far-flung outer suburbs around Perth.

Within a year of Allawah Grove’s closure, there were 200 applications for homes and it was estimated that $24 million would be needed to house the State’s indigenous population. However, while the Federal Government had the power to order State government expenditure on housing, it did not and the State government refused to act until they did. Consequently, the President of the Aboriginal Advancement Council, Jack Davis, brought the plight of hundreds of homeless Aborigines in Perth to the public’s attention through the media [71] and later set up an Aboriginal consulate at Parliament House, vowing that it “would remain until there was Commonwealth or State action on housing”. [72]

The Department of Aboriginal Affairs now recognises with the benefit of hindsight, that the government’s ‘salt and pepper’ policy ‘failed’ to integrate Aboriginal people within the broader community. There is no doubt that the policy’s dispersal of indigenous families throughout the metropolitan area, in inadequate State housing with little assistance to ‘adjust’, created many problems. The expectation that “... with normal living conditions there would come a greater desire to conform to accepted standards and a greater appreciation of the benefits of education and steady employment” was thus entirely misplaced. [73] It beggars belief that a family of twelve would develop a greater desire to ‘conform to accepted standards’ because they were living in a ‘normal’ two or three bedroom house, or a ‘normal’ two room ‘transitional’ unit, and it completely overlooks the fact that the benefits of education and employment were already highly appreciated. For some families, isolated from family and friends, surrounded by hostile neighbours and thus relocated over and again, adjusting to new schools and finding employment was highly problematic. As a result, a number of Aborigines in the Swan Valley re-appropriated their fringe dwelling identity and appealed to those with the power to help them to ‘become masters of their own destiny’.

24.

25. It is not novel to suggest that policies for the official protection of indigenous peoples have been less concerned with guardianship than with promoting Western civilisation. And it is clear that while indigenous resistance confirmed the long and widely-held assumption that Aborigines were incapable of progress, the emergence of a part-(white) Aboriginal population re-invigorated the significance of ‘culture’ as the determinant upon which ‘progress’ turned. However, with immigration policies intent on fashioning a ‘white’ Australia and indigenous
peoples positioned at the fringes of society (in every sense), indigenous ‘welfare’ policies were always under-funded.

26. Any ‘protection and care’ of ‘part-Aborigines’ was confined to institutions such as the MRNS and Carrolup, which provided minimal ‘training’ for ‘inmates’ to take their (subservient) place in society, failed to eradicate or supplant indigenous cultures and succeeded only in impoverished their access to either culture. Meanwhile, those outside State-funded ‘protection’ were socially constructed as both ‘in between’ and as a cultural nuisance. Their accommodation of European cultural values varied considerably, but the price of their autonomy was that they were largely left to their own devices. The emergence and ongoing presence of campers, or ‘fringedwellers’, was therefore as much a product of active discrimination and passive neglect as it was a proactive resistance to their marginalisation.

References


Notes


[4] Prinsep halved the size of the Reserve envisaging that it would be more cost-efficient. Despite their protests, Superintendent Kelly was appointed and elderly Aborigines from south-western towns were brought in. By 1905 the original residents had left and the Reserve became a camp for “elderly and homeless derelicts”, living in traditional shelters on rations and a few bush foods. Gale transferred it to the Aborigines Inland Mission in 1908, as he was not interested in the Aborigines camping in Perth, but it was closed in 1911 and most moved to the Guildford area. Haebich, 1988: 62-5, 103; Tilbrook, 1983: 62, Biskup, 1973: 53.

See Tillbrook, 1983: 63 for an account of David Nannup. He wrote to Prinsep in 1900 to protest that although he had formerly been classified as non-Aboriginal due to his lifestyle and two European grandparents, he had been precluded from any Aboriginal ‘benefits but now subject to their restrictions.

After the 1904 Roth Royal Commission, the Aborigines Department was raised to the status of a Department and its budget doubled to £10,000. It was transferred from the Colonial Secretary to the Minister for Commerce and Labour between 1905-8. SROWA, AN 1/1, appendix II.

The 1840 prohibition of Aborigines was extended in 1886 to include certain half-castes.

Markus, 1990: 78.

He and his brothers ran a small goldmine at Rothsay (100 km East of Morawa). Haebich, 1988: 78-9.

SROWA, AN 1/2, ACC 255, file 591. William Harris.

Miners took over Aboriginal waterholes and camping places in the 1890s and forbade them from working in the mining industry. See Bolton, 1981: 125.


ibid.

Aborigines Act Amendment Act, 1911. Section 45 was amended from a penalty of £20 to a maximum of £100 and/or up to six months imprisonment for the supply of liquor or opium and to up to £5 or one month imprisonment for receiving.

Biskup, 1973: 149.

This was under an amendment to the Aboriginal Protection Act (1897). But some Aboriginal schools were provided where numbers were deemed sufficient. See Bolton, 1981: 133-34.

For an account of pressure from white parents to exclude indigenous pupils see Haebich pp. 141-3, and for an account of John Kickett’s campaign see pp. 142-3. But for examples of local communities or government bodies rejecting such exclusions see Bolton, 1981: 133-136.

A. O. Neville was the Secretary of Immigration in 1908 and secretary of the subsequent ‘Million Dollar club’, formed by government and business leaders to promote tourism and immigration. See Jacobs, 1990: 48-9.


The office of Colonial Secretary was responsible for the Aborigines Department between 1908-1920.

The Western Australian, 17 December 1913 in Jacobs, 1990: 50.


See Haebich, 1988: 172, 175.


[34] Government assistance was limited to upgrading facilities (Williams’s camp had 2 toilets for 120), moving further from towns or creating additional town reserves. See Jacobs, 1990: 159; Haebich, 1988: 292-3.


[38] See Biskup, 1973: 188. And 156 administrative regulations added to the Native Administration Act, 1905-1936 (WA) in 1938.


[40] Hasluck declared that the Act gave Aborigines a “legal status that has more in common with that of a born idiot than any other class of British subject”. Biskup, 1973: 170.


[49] Personal information from Robert Bropho.


[51] See Biskup, 1973: 211. Middleton preferred special institutions or ‘colleges’ to transform Aborigines “from a nomadic, idle and discontented race to a settled, industrious, contented section of the community”, but was against segregation, so closed the MRNS in 19
(taken over by the Methodist Overseas Mission) and Carrolup became Marribank, a farm school for training boys. But no-one sent their sons and it closed in 1952 and handed to the Baptist Aboriginal Mission. See Biskup, 1973: 203, 232-235.

Aboriginal soldiers were able to vote due to the Federal Electoral (war-time) Act (1940). In 1941, children of ‘de-tribalised’ Aborigines included within the Child Endowment Act. See Biskup, 1973: 195.

The Department was decentralised into 5 administrative districts, subdivided into 9 sub-districts, so the number of clerical assistants rose from 9 to 48. SROWA, AN 1/1, Appendix II: 14-16.


The Premier attended the opening of five houses built for ‘selected natives’ but they were designed for nuclear families and four were evicted for “not keeping up with their rent”. See Carter, 1986: 249-50.


Many of the families preceded white settlement.


See Appendix 1: Aboriginal Reserves, in Haebich, 1988: 378. Proclaimed as the South Guildford reserve in 1910 after complaints about Aboriginal camps at West Guildford (48 acres), it was cancelled in 1917 when Aborigines refused because it was situated next to the cemetery and too far from town. But Guildford campers were removed there in 1936 until it was re-appropriated in 1941 for war purposes. It was then used for immigrant housing in the post-war immigration boom and then for emergency housing. When the DNA leased it in 1959, it was under the Department of the Interior, part of Perth Airport.


This was despite the fact that the Chief Inspector of Health noted in March 1959 that there was “waste flowing under a dwelling”, occupied by five adults and two children and another two adults living “under the house”. Repairs were not authorised until August 1959. SROWA, AN 1/25, ACC 1733, 186/59, Allawah Grove: Building, Equipment And Sanitation.


Although the Commissioner sent letters in June to District Offices in Narrogin and Geraldton stating that their flats were “available for renting to native families requiring accommodation in the metropolitan area”, District Officer McLarty advised instead that when it took over in July, the Department should discourage “country natives moving to the metropolitan area”. SROWA, AN 1/25, ACC 1733, 186/59, Allawah Grove: Building, Equipment And Sanitation.


Letter to Mr McCall, 5 June 1968, SROWA, AN 1/25, ACC 1733, 38/69, Allawah Grove General
Correspondence.


