Too white to be regarded as Aborigines: An historical analysis of policies for the protection of Aborigines and the assimilation of Aborigines of mixed descent, and the role of Chief Protectors of Aborigines in the formulation and implementation of those policies, in Western Australia from 1898 to 1940

Derrick Tomlinson
University of Notre Dame Australia

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Publication Details
Tomlinson, D. (2008). Too white to be regarded as Aborigines: An historical analysis of policies for the protection of Aborigines and the assimilation of Aborigines of mixed descent, and the role of Chief Protectors of Aborigines in the formulation and implementation of those policies, in Western Australia from 1898 to 1940 (Doctor of Philosophy (PhD)). University of Notre Dame Australia.
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‘TOO WHITE TO BE REGARDED AS ABORIGINES’

An historical analysis of policies for the protection of Aborigines and the assimilation of Aborigines of mixed descent, and the role of Chief Protectors of Aborigines in the formulation and implementation of those policies, in Western Australia from 1898 to 1940.

A thesis submitted for the degree of Doctor of Philosophy at the University of Notre Dame Australia

by Derrick Tomlinson BA MEd

MARCH 2008
THE TRUE BORN ENGLISHMAN
(excerpt)

Thus from a mixture of all kinds began,
That her'trogenous thing, an Englishman:
In eager rapes, and furious lust begot,
Betwixt a painted Britain and a Scot.
Whose gend’ring offspring quickly learned to
bow,
And yoke their heifers to the Roman plough:
From whence a mongrel half-bred race there
came,
With neither name, nor nation, speech nor
fame.
In whose hot veins new mixtures quickly ran,
Infus’d betwixt a Saxon and a Dane.
While their rank daughters, to their parents
just,
Receiv’d all nations with promiscuous lust.
This nauseous brood directly did contain
The well extracted blood of Englishmen.

Which medly canton’d in a heptarchy,
A rhapsody of nations to supply,
Among themselves maintain’d eternal wars,
And still the ladies lov’d the conquerors.

The western Angles all the rest subdu’d;
A bloody nation, barbarous and rude:
Who by the tenure of the sword possesst
One part of Britain, and subdu’d the rest
And as great things dominate the small,
The conqu’ring part gave title to the whole.

The Scot, Pict, Britain, Roman, Dane,
submit,
And with the English-Saxon all unite:
And these mixture have so close pursu’d,
The very name and memory subdu’d:
No Roman now, no Britain does remain;
Wales strove to separate, but strove in vain:
The silent nations undistinguish’d fall,
And Englishman’s the common name for all.

Fate jumbled them together, God knows
how;
What e’er they were they’re true-born
English now

The wonder which remains is at our pride,
To value that which all wise men deride.
For Englishmen to boast of generation,
Cancels their knowledge, and lampoons a
nation.
A true-born Englishman’s a contradiction,
In speech an irony, in fact a fiction.
A banter made to be a test of fools,
While those that use it justly ridicules.
A metaphor invented to express
A man a-kin to all the universe.

For as Scots, as learned men ha’ said,
Throughout the world their wand’ring seed
ha’ spread;
So open-handed England, ‘tis believ’d,
Has all the gleaning of the world receiv’d.

Some think of England ‘twas our Saviour
meant,
The Gospel should to all the world be sent:
Since, when the blessed sound did hither
reach,
They to all nations might be said to preach.

’Tis well that virtue gives nobility,
How shall we else the want of birth and
blood supply?
Since scarce one family is left alive,
Which does not from some foreigner derive

DANIEL Defoe (1660-1731)
ABSTRACT

For much of the nineteenth and the first half of the twentieth centuries, public policies for Western Australia’s Indigenous peoples were guided by beliefs that they were remnants of a race in terminal decline and that a public duty existed to protect and preserve them. If their extinction was unavoidable, the public duty was to ease their passing. The Aborigines Act 1905 vested the Chief Protector of Aborigines (after 1936 the Commissioner for Native Affairs), with lawful responsibility for the pursuit of that duty. All Aborigines caught by the terms of the Act, in particular Aboriginal children under the age of 16, and after 1936 girls and women under the age of 21, were wards of the Chief Protector and the Act entrusted him with extensive powers for managing their lives.

The historical progression of public policies for the protection of Aborigines is analysed in this thesis. Particular attention is paid to developments guided by A.O. Neville, the third Chief Protector of Aborigines and first Commissioner for Native Affairs from 1915 to 1940. In that time, inadequacies in the law and its false assumptions about the destiny of the Aboriginal race were exposed. Those who framed the Aborigines Act 1905 failed to address the possibility that the race might not be extinguished, but might be transformed by interaction with the dominant white community. They did not anticipate a need to manage an emergent, fertile, and anomic half-caste populace, too black for the mainstream white community to accept as equals, but too white to be regarded as Aborigines.

In the face of these and other challenges, public policy shifted under Neville’s guidance from protecting the racial integrity of Aborigines by segregating them from contaminating influences of the white community, towards the absorption of Aborigines, in the first instance those of mixed racial descent, by the white population. Critics of the latter policy have condemned it as being directed towards sinister objectives of ‘biological absorption’, ‘constructive miscegenation’, or, at the extreme, ‘genocide’.

It is argued in this thesis that public policy in Western Australia was directed towards none of those objectives. Breeding out the colour was never the intention. Public policy progressively after 1915 was guided by an aspiration that Aborigines might be elevated in public estimation to a level where they might be accepted by the white community. A.O. Neville believed that in the longer term inter-racial marriage might even become acceptable and that ultimately ‘coloureds’ might breed out, but not that public programs should be directed towards that purpose.
ACKNOWLEDGEMENTS

I believe that the serious study of history begins at the source. Most often, that is preserved in libraries and archives. I was fortunate to have been given the willing assistance of the librarians at the Western Australian Parliamentary Library and the Chamber Officers of the Papers and Procedures Office of the Legislative Council. They helped me to uncover essential, but infrequently referenced material.

Similarly, I am in debt to the librarians at the State Records Office and the J.S. Battye Library. The public financial resources granted them annually from Consolidated Revenue, as with similar government agencies, never are sufficient for their purposes, but their staff are professionally committed to collating, cataloguing and preserving the public record. I am grateful for the help they gave me, their interest in my project, and their always cheerful company.

Particular thanks must go to John Neville, the son of A.O. Neville. He shared with me his recollections of his father and some of his father’s personal papers that are not available elsewhere. I hope, John, you are not disapproving of the outcome.

Arnold Franks wanted me to tell his story. One day I will complete its telling, but I am grateful, Arnold, that you allowed me to tell part of it here. Gerry Warber also shared part of his story, and the story of Sister Kate’s, with me. Thank you Gerry for shaping my understanding.

Professor Tom O’Donoghue of the University of Western Australia read an advanced draft of this thesis and gave invaluable advice and encouragement. Thank you, Tom.

My final and special gratitude is to two women, one who was prepared to give me three years of intellectual guidance and friendship, the other who is my life’s mentor. Dr Deborah Gare accepted the challenge of guiding a geriatric candidate through the joys and the frustrations of writing history. I came to her with enthusiastic ideas, but unschooled as an historian. Deborah showed me ways and means simply by asking me what every good teacher asks of her students, ‘Have you thought about…’? Deborah, you’re gorgeous.

Marnie lived the research and writing with me. She heard me change direction at least a dozen times and responded intelligently when I thought out loud. She read and commented upon progressive drafts, including the many which were ‘recycled’. Most important, she gave me the space and the love that allowed me to do my thing. How does one say ‘Thank you’?
EXPLANATORY NOTE

In this thesis, the term ‘Aborigine’ is used to refer to Indigenous persons of Australia. The adjectival case ‘Aboriginal’ is used where grammatically appropriate, for example in ‘Aboriginal men’ and ‘Aboriginal women’, or in ‘half-caste Aboriginal children’.

That usage has been current since 1970. Previously the un-capitalised terms ‘aborigine’ and ‘aboriginal’ were used interchangeably as nouns to refer to Australian Aborigines. Where official documents, legislation and written statements that employ the pre-1970 usage are quoted in this thesis, the forms ‘aborigine’ and ‘aboriginal’, as in their original context, are used.

Terms like ‘full blood’, ‘half-caste’ and ‘quarter-caste’ have been eschewed from common usage and the lexicon of public policy. Many now regard such terms used to differentiate subgroups on the basis of parentage as offensive. Since 1967 the all-inclusive denomination ‘Aborigine’ has applied to all persons of Aboriginal descent who so identify themselves and who are accepted as such by their peers. No distinction among them is drawn on the basis of other ancestry. During the period of this study, however, the terms ‘half-caste’, ‘quarter-caste’ or ‘quadroon’ and ‘octoroon’ had common usage, were defined by statute, and were fundamental to prevailing attitudes towards race and to public policy for Aborigines.

Under the Aborigines Act 1905 ‘half-caste’ meant ‘any person being the offspring of an aboriginal mother and other than an aboriginal father’, except those who were deemed to be Aborigines under the Act. Quadroons or quarter-castes who over two generations had only one Aboriginal antecedent, meaning at law the maternal grandmother, were explicitly excluded from the definition of ‘half-caste’ and, consequently, exempted from all provisions of the Act. Octoroons were a further generation removed from that matrilineal descent and were not even contemplated by the Act.

Under the deeming provision of Section 3 the term ‘half-caste’ included ‘any person born of an aboriginal parent on either side, and the child of any such person’. Such half-castes were deemed to be Aborigines for the purposes of the Act if they lived with an Aborigine ‘as wife or husband’, habitually lived or associated with Aborigines ‘otherwise than as husband or wife’.

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1 Report on a Review of the Administration of the Working Definition of Aboriginal and Torres Strait Islander, Constitutional Section, Department of Aboriginal Affairs, Canberra, 1981, p.7.

In September 1971 a working definition was adopted by administrative convention:
   An Aboriginal is a person of Aboriginal descent who claims to be an Aboriginal and is accepted as such by the community with which he is associated.

In 1972, following representations from Torres Strait Islanders, it was revised:
   An Aboriginal or Torres Strait Islander is a person of Aboriginal or Islander descent who identifies as an Aboriginal or Islander and is accepted as such by the community with which he is associated.

2 The Concise Oxford Dictionary acknowledges the alternative spelling of ‘octaroon’ and ‘octoroon’. In this thesis the latter is used except in quotations that employ the alternative ‘octaroon’.
or if they did not appear to be older than sixteen years.\(^3\) Hence, for the purposes of the *Aborigines Act 1905*, persons born of Indigenous mothers and non-Indigenous fathers were classed as half-castes and Aborigines; children younger than seventeen born of one Indigenous or half-caste parent on either side and people older than sixteen who had one Indigenous or half-caste parent and who lived with or in the manner of their Indigenous forebears were deemed to be Aborigines; but all other persons who were at least two generations removed from their Indigenous ancestry were not Aborigines.

The 1936 Amendment Act replaced all references to ‘Aboriginal’ and ‘Aborigines’ with the term ‘Native’. All references in the principal Act to ‘half-caste’ or ‘half-castes’ also were struck out, but a new definition, ‘quadroon’, was inserted in section 2:

‘Quadroon’ means a person who is descended from the full blood original inhabitants of Australia or their full blood descendants but who is only one fourth of the original full blood.

The new definition extended the reach of the Act to embrace people of Indigenous descent who previously were exempt from its provisions. Now, quadroons under 21 who habitually associated with Natives or who lived in the manner of Natives at law were Natives:

‘Native’ means—

(a) any person of the full blood descended from the original inhabitants of Australia;

(b) subject to the exceptions stated in this definition any person of less than full blood who is descended from the original inhabitants of Australia or from their full blood descendants, excepting any person who is—

i. a quadroon under twenty-one years of age who neither associates with or lives substantially after the manner of the class of persons mentioned in paragraph (a) in this definition unless such quadroon is ordered by magistrate to be classed as a native under this Act;

ii. a quadroon over twenty-one years of age, unless that person is by order of a magistrate ordered to be classed as a native under this Act; and

iii. a person of less than quadroon blood who was born prior to the 31st day of December, 1936, unless such person expressly applies to be brought under this Act and the Minister consents.

The term now in official and common usage is ‘Indigenous’, the department is the Department of Indigenous Affairs, and Indigenous people refer to themselves by terms that recognise their regional or former dialectical affiliations, such as Nyungar, Yamadji or Wonggai.\(^4\)

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\(^3\) *Aborigines Act 1905*, section. 3.

\(^4\) R.M. Berndt, ‘Traditional Aboriginal Life in Western Australia: as it was and as it is’, in R.M. Berndt and C.H. Berndt (eds), *Aborigines of the West, Their Past and Their Present*, University of Western Australia Press, Nedlands, 1979, p.7.
### POSITION OF THE ABORIGINES DEPARTMENT
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CHIEF PROTECTORS OF ABORIGINES, 1898-1940

Henry Charles PRINSEP, 1898-1908

Prinsep, formerly Under-Secretary for Mines, was appointed as the first Chief Protector of Aborigines on 1 April 1898. This was done without legislative authorisation. The Aborigines Act 1905 legalised the situation and Prinsep’s appointment was gazetted on 4 May 1906.

Frederick Charles GALE, 1908-1915

Gale had been Chief Inspector of Fisheries since 1901. He was appointed Acting Chief Protector of Aborigines on 11 December 1907 during Prinsep’s absence on leave, and became Chief Protector of Aborigines and Chief Inspector of Fisheries on 1 September 1908. The amalgamation of the two departments was partly the result of a recommendation by the Public Service Commissioner that the duties of the clerk in charge of the Chief Protector’s office be combined with those of the clerk in charge of the Department of Fisheries. In 1911 Fred Aldrich was appointed Chief Inspector of Fisheries and Gale’s duties were limited to those of Chief Protector of Aborigines. Gale was dismissed from office in 1915 at the age of 54, ostensibly as an ‘excess officer’.

Auber Octavius NEVILLE, 1915-1940

Neville was Secretary of the Immigration Department from 1911. He served as Acting Chief Protector of Aborigines from 16 March 1915 and was confirmed in the position on 7 May 1915. He became Secretary of the North-West Department on 1 November 1920, combining his position with that of Chief Protector of Aborigines (north of the 25°S parallel). When the Aborigines Department was re-established on 30 June 1926, he became once again Chief Protector of Aborigines for the whole state. In 1936, when the Aborigines Department became the Department of Native Affairs, his title was changed to that of Commissioner for Native Affairs. At the same time he was appointed Assistant Under-Secretary in the Chief Secretary’s Department. He retired in 1940.

Fred ALDRICH, Deputy CPA 1920-1926

Aldrich was appointed Chief Inspector of Fisheries in 1908 and appointed Deputy Chief Protector of Aborigines on 24 December 1920, combining the two positions. He was responsible for all Aborigines living south of latitude 25°S. The office of Deputy Chief Protector of Aborigines was abolished when the Aborigines Department was re-established in 1926.

Francis Illingworth BRAY, 1940-1947

Bray was appointed Deputy Commissioner for Native Affairs on 1 September 1937 and succeeded Neville as Commissioner for Native Affairs on 12 November 1940.

5 ‘Archival Notes’, State Records Office of Western Australia.
ABBREVIATIONS

A Aborigines Department
A&F Department of Aborigines and Fisheries
AON Auber Octavius Neville
BL J.S. Battye Library of Western Australia
BMA Berndt Museum of Anthropology, University of Western Australia
CNA Commissioner for Native Affairs
CPA Chief Protector of Aborigines
CSO Colonial Secretary’s Office
CSD Colonial Secretary’s Department
ChSD Chief Secretary’s Department
DN *Daily News*
ED Education Department
HREOC Human Rights and Equal Opportunity Commission
NAA National Archives of Australia, Canberra
NA Department of Native Affairs
NW Department of Native Welfare
N-W Department of the North-West
P&C Department of Premier and Cabinet
SRO State Records Office of Western Australia, Perth
ST *Sunday Times*
WAN *West Australian*
WAPD Western Australia Parliamentary Debates
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Infant Born at Moore River Native Settlement, c. 1918. J.S. Battye Library, A.O. Neville Pictorial Collection, 72242P.
Aborigines are the Indigenous inhabitants of Australia and their descendants. It is not known from whence they came or for how long before 1770 they had lived on the continent. They have Dreamtime stories of their beginnings, but Europeans are inclined towards scientific explanations. Early twentieth century anthropologists such as Herbert Basedow supported a then popular theory that tectonic change during the Triassic period separated the land masses which now form Asia and Australia and people who had migrated eastward across Gondwanaland through south-western Asia and India were isolated from the rest of the world. From that time until 1788 the Great Southern land remained the undisputed property of what Basedow called the ‘comparatively sparse progeny of the first primitive possessors’.\(^1\) Another and more recent theory favoured by Norman Tindale and others suggested the separate entry into the Australian continent of three groups of people, two through a New Guinea corridor, amnoids, or southern types, and pygmoids who occupied the north-east, and a third who entered through the north-west from Timor and spread south and eastwards from there.\(^2\) The truth probably is lost in geological time, but it is known that when the Swan River Colony was founded in June 1829 in what became the state of Western Australia (WA) Aborigines were well established and had occupied the territory for a considerably longer time than the Angles, Saxons and Danes had occupied Britain. A.O. Neville estimated their number in the South-West at the time of colonisation to have been 13,000; by 1901 they were reduced to 1,419, ‘of whom 45 percent were half-castes’.\(^3\)

The origin of what became known as half-castes is more recent. There appears to have been none in 1829. By the 1850’s the number of half-caste Aborigines was on the rise. Some already were in the care of missions. The numbers attached to one Anglican mission established in 1853 illustrate their rate of increase. Seven children, natives and half-castes, were taken into care when Archdeacon Wollaston established a school ‘for the civilisation and Christian education of native children’ at Middleton Bay, Albany, in the extreme south of Western

\(^1\) Herbert Basedow, *The Australian Aboriginal*, F.W. Preece and Sons, Adelaide, 1925, p.57.
\(^3\) A.O. Neville, ‘Relations Between Settlers and Aborigines in Western Australia’, *Proceedings of the Western Australian Historical Society*, vol.20, 1936, p.36.
Australia. By 1856 the number had grown to 11. In 1862 Bishop Hale had the children relocated from Albany to the Swan Native and Half Caste Mission situated on a 2,000-acre land grant at Middle Swan. Hasluck recorded that there were 18 children, ‘all but two or three of mixed parentage and some light enough in complexion to pass quite easily for Europeans’. In 1902, Henry Prinsep, the first Chief Protector of Aborigines, reported that ‘in his travels’ the Travelling Inspector came across 170 half-castes, ‘120 of whom were yet children under 14’.

By 1929 there were an estimated 2,833 half-castes living in the state, of whom 1,800 resided in the South-West. In 1935, Royal Commissioner Moseley observed that ‘the great problem confronting the community today is that of the half-caste’. In the south-west of the state they were ‘multiplying rapidly’. Many, he said, were trapped in lives of indolence and lived in squalid camps, ‘whole families of 9 or 10 being huddled together in abject squalor, with no beds to lie on, no cooking or eating utensils worth the name, no proper facilities for washing’, and the care of half-caste children was ‘hopelessly inefficient’. For Moseley, and for A.O. Neville, then the Chief Protector of Aborigines and subsequently Commissioner for Native Affairs, the solution to that problem was establishing settlements for the ‘care, education and training of coloured children’. In his report to the Lieutenant-Governor, Sir James Mitchell, Moseley recommended the abolition of the native camps which, ‘without exception are a disgrace’:

and provide settlements where the grown-up members of those families may be housed according to their needs and be usefully occupied, either on the settlements or, at periods, at work on surrounding farms, and where the children may occupy quarters of their own, be taught such matters as hygiene and other elementary principles of civilised life, and where, although not altogether barred from seeing their parents, they may be gradually weaned from the aboriginal influence.

Paul Hasluck, who travelled with the Moseley Royal Commission when it visited the South-West, suggested that the resolution of the half-caste problem presented a choice between two options: ‘pushing the half-caste back to the aborigines’, or raising them to acceptability

---

5 *ibid*, p.291.
10 *ibid*, p.8.
11 *ibid*, p.8. See also p.23, recommendations 18 and 20.
within the white community:

Let them multiply in their wretched camps; let the rations bill grow bigger; let them remain useless and untaught; or, at best, let them keep out of sight in a fairly comfortable dumping ground. That is one way. The other is to give them a chance to rise, to be useful, to live in the community.\(^{12}\)

Hasluck’s use of the phrase ‘pushing the half-caste back to the Aborigines’ implies a regression in an hierarchy of racial worth where the white Europeans are at the top, the black Australians at the bottom, and the half-castes, half white and half-black, attached to neither, but supposedly somewhere in between.\(^{13}\) The alternative proposition that they might be ‘raised up’ and be accepted in white communities was an aspiration espoused by the 1837 House of Commons Select Committee into Aborigines in its recommendations for the appointment of Protectors of Aborigines. They were to be given the task of restoring to Aborigines a portion of their lands, ensuring that they were treated justly, supplying them with the means of employment and rendering ‘every assistance’ for the education of Aboriginal children.\(^{14}\) Those precepts were articulated frequently in nineteenth century British colonial policy.

In his treatise on the half-caste problem, Australia’s Coloured Minority, Neville used a form of words similar to Hasluck’s when he explained how the increasing numbers of ‘near-white’ children raised the question of whether they ‘should be encouraged to go back to the black, or to be advanced to white status to be eventually assimilated into our race’.\(^{15}\) Neville’s detractors have used his advocacy of a policy that Aborigines ‘be eventually assimilated into our race’ as an exemplar of his intention to breed out their colour by controlling whom Aborigines might marry.\(^{16}\) A more sympathetic interpretation might be that Neville’s policy intention was not fundamentally different from that above suggested by Hasluck. Neville, like Hasluck, advocated that half-castes be given ‘a chance to rise, to be useful, to live in the community’, but in these terms:

Convinced that something better was needed for these coloured children if they

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\(^{14}\) *Report from the Select Committee on Aborigines (British Settlements) together with Minutes of Evidence*, ordered by the House of Commons to be printed, 26 June 1837, ‘Duties of Protectors of Protector of Natives’, p.26.


were to be saved from lives of prostitution, ignorance, and quasi-slavery in some cases, I urged the establishment of farm homes with schools, hospitals and training facilities to enable them to become decent, self-supporting members of society.\(^{17}\)

It will be argued in this thesis that for Neville skin colour in the sense that the black should be diluted by cross breeding with the white until ‘half-castes were sufficiently white in colour they would become like white people’, was not the key issue.\(^{18}\) Neville respected Aboriginal people and most aspects of their culture, but not the manner in which they were compelled to live in the presence of white society. Not did he condone what he described as ‘the worst of the cruelties which are usually connected with tribal rites and ceremonies’.\(^{19}\) Neville believed that Indigenous cultures and traditional ways of living were doomed to extinction and so too was the Indigenous race if those cultural practices were allowed to continue. If left alone Aborigines would cease to exist; if brought into contact with white civilisation, their fate would be the same. Neville posed the question, ‘What are we to do?’ He answered, ‘It seems apparent that our black brother cannot get along without our help’. The difficulty was to decide the form of help.\(^{20}\)

Neville’s concern was to protect full-blooded Aborigines so that they might not, like their culture, become extinct. His policy proposition was that if Aborigines of the full blood were allowed to live in their accustomed manner on reserved lands of sufficient area to provide a least restrictive environment, protected from the detrimental consequences of white contact, but provided with supplementary food and health care, those direct descendants of Western Australia’s Indigenous peoples might advance toward a higher state of civilisation. For such a policy to succeed, however, harmful cultural practices would have to be prohibited by law. For Neville, the justification of authoritative intervention in those aspects of Indigenous culture was the survival of the race; ‘if we work on right things now it may be contended in days to come that the white man eventually saved the black man from entire extinction’.\(^{21}\)

His concern for the conditions of half-castes, especially in the South-West, was different, but not less compassionate. Neville regarded the enforced congregation and mode of existence of half-castes in camps and on town reserves as undesirable and observed that their physical and social conditions were deteriorating. However, he attributed to them at least partial responsibility for their decline. ‘It is remarkable,’ he wrote in 1932, that the residents of these camps and

\(^{17}\) ibid, p.77.
\(^{19}\) ‘Problems of Aborigines. How can they be saved?’ West Australian, Friday 24 January 1930, p.22.
\(^{20}\) ibid.
\(^{21}\) ibid.
reserves had borne ‘their privations uncomplainingly’. Yet, he added, this was due partly to their passive nature and ‘apathy born of their fatalistic outlook, the outcome of inability to improve their position’.22

Neville’s main priority while Chief Protector of Aborigines was to improve the opportunities of those designated as half-castes—people whom some considered to be half black though whom he preferred to regard as half white—rather than provide significant reforms to the full-blood communities. Successive legislative amendments to the *Aborigines Act 1905* were therefore directed more at managing half-castes than protecting the integrity of the full blood Indigenous population; segregation was Neville’s preferred means of achieving that. His policy objective for half-castes was to have them assimilated into the white community. The theoretical proposition underpinning that aspiration was that half-castes, and in particular those of mixed European and Aboriginal descent who lived at the fringe and had absorbed at least some of the values of white society, were socially redeemable. Half-caste children trained and educated at special Aboriginal settlements might achieve not only financial independence, but also acceptance within the white community. Neville sought, wherever possible, to relocate half-caste children to such settlements where they might be given opportunities for appropriate care, education and training.

That same proposition held that quadroons, generally too white of appearance to be regarded as Aborigines and being predominantly white in their biological inheritance and therefore much closer to white rather than black manner and custom, might even be acculturated into the white community. Whether Neville intended they should eventually be regarded as whites and, as the Human Rights and Equal Opportunity Commission proposed, lose their ‘dentification as Indigenous people’, is contestable. That is one of a number of issues which will be returned to and discussed later in this thesis.

**Rationale**

The April 1997 report of the inquiry by the Human Rights and Equal Opportunity Commission into the separation of the Aboriginal and Torres Strait Islander children from their families, *Bringing Them Home*, condemned the reputation of A.O. Neville. He was characterised as the principal author of a program designed to ‘breed out the colour’:

> In Neville’s view, skin colour was the key to absorption. Children with lighter skin colour would automatically be accepted into non-Indigenous society and lose

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their Aboriginal identity.²³

Inherent in that representation of Neville’s aspirations for the future of Aboriginal peoples are two assumptions that need to be tested. The first is that he was committed to a belief that Australia’s Aborigines were remnants of a race in terminal decline. That assumption held that the demise of full-blooded Indigenous people was inevitable. The only public responsibility was to ease their passing or, in a common metaphor, ‘to smooth the pillow of the dying race’. The second assumption is that Neville was convinced that over successive generations of crossing Aborigines with Europeans the Aboriginal physiognomy would breed out. Attendant upon that was a belief that there would be no atavism. The European eventually would absorb the Indigenous physiognomy and the progeny of successive blending would be indistinguishable from the European stock. There would be no throwbacks to Indigenous ancestry; the black would be absorbed by the white. More importantly, perhaps, the half-caste problem might be resolved by controlling whom people of mixed descent might marry to ensure that, over successive generations, the Aboriginal skin colour would breed out.

That theory of biological absorption was founded on a belief that Aborigines were not a race apart, but rather were remnants of an ancient Caucasian group. The belief generally accepted by the end of the nineteenth century was that Australian Aborigines were a sub-group of primitive Caucasians linked with other remnants of a Dravidian migration from southern India to the East Indies and Australia.²⁴ If the Aboriginal people were Caucasians, so the argument went, then they had the same ancestral background as the Europeans.²⁵

These theoretical propositions persisted well into the twentieth century. Anthropologists such as A.P. Elkin suggested that because the hair texture and facial features of Australian

²³ ibid, p.30.
Aborigines were different from the Negroid and Mongoloid and similar to the European, then by a process of elimination Aborigines were a Caucasian type. According to notions of race at the time, there were only three racial divisions, and if Aborigines were neither Negroid nor Mongoloid, they must be Caucasian. Elkin acknowledged the probability that ‘he is really a primitive European or Caucasian’, but noted differences between the Aboriginal physiognomy and ‘the other great divisions of mankind’ and proposed the Australian Aborigines should be ‘classified in a special group, the Australoid’.26

In 1878 a French anthropologist, Paul Topinard, published an hypothesis that, since Dravidians, and therefore Australian Aborigines, were remnants of a primitive Caucasian race who had migrated first to India and thence to Australia, they might be genetically compatible with more advanced Europeans.27 If this were so, and if people of the primitive Caucasian strain who had survived in geographic isolation in Australia were crossbred with modern Europeans, Topinard hypothesised their progeny would bridge the evolutionary gap. He calculated that the ancient physiognomy would recede over five continuous generations of crossing and by the fifth generation the descendants would have acquired the physical features of the advanced group. In other words, in five generations the racially fused offspring would not be recognisable as Aborigines.

That theory of Caucasian compatibility was taken up and promoted in Victoria by Robert Brough Smith, Chairman of the Central Board for the Protection of Aborigines, and others.28 On the recommendation of the Board, the Aboriginal Protection Act, 1869 (Victoria) was amended in 1886 to distinguish among Aboriginal half-castes who were licensed to live with Aborigines, and those who were not.29 The latter were not Aborigines for the purposes of the Act and were beyond the reach of the Board. They were not licensed to live in places designated for Aborigines, were not subject to the protections of the Act, and were expected to make their own way in the Victorian community. According to Len Smith and others, the purpose of those discriminatory provisions was to hasten ‘the natural historical process’ of biological absorption.30

No similar discriminatory purpose can be identified in Western Australia’s Aborigines Act 1905 and the Native Administration Act, 1905-1936, nor in the actions of the Chief Protector of Aborigines. The Western Australian Acts defined categories of Aborigines, half-castes and quarter castes. Unlike the Victorian legislation which excluded unlicensed half-castes from

29 *Aborigines Protection Act 1886* (50 Victoria, no.912), section 4.
treatment as Aborigines and was silent on the matter of quarter-castes, the embrace of the Western Australian Acts was inclusive rather than exclusive. By the terms of the 1905 Act all Aborigines and all first-generation half-castes under the age of sixteen and, after the 1936 amendment, all Aborigines, most half-castes of extended generations and most first-generation quarter-castes, were Aborigines for the purposes of the Aborigines Act and the subsequent Native Administration Act, and were subject to the jurisdiction of the Chief Protector or the Commissioner.

At the initial Conference of Commonwealth and State Aboriginal Authorities in April 1937, Neville signified his acceptance of the theory that Aborigines shared the same ancestral background as Europeans. He stated:

The West Australian law to which I have referred is based on the presumption that the aborigines of Australia sprang from the same stock as we did ourselves; that is to say, they are not Negroid, but give evidence of Caucasian origin.\(^{31}\)

Other statements he made there have been interpreted as meaning he also agreed with the hypothesis that the physiological characteristics of Aborigines could be extinguished by successive generations of crossbreeding with Europeans. The extent of Neville’s intellectual commitment is not clear, however. He was not entirely convinced that Aboriginal physiognomy would breed out. He was cautious about the probability of atavism, or throwback to Aboriginal skin colour and physical characteristics in some descendants of Indigenous families.\(^{32}\)

Commentators critical of Neville’s position have interpreted his statements at the 1937 Conference, read together with the Conference resolution on the future of Aborigines of the mixed blood and his later reference in Australia’s Coloured Minority to half-castes being ‘advanced to white status to be eventually assimilated into our race’, as affirming his commitment to a program of biological absorption. Pat Jacobs, for example, asserted there was a veiled assumption that ‘ultimate absorption’ meant ‘miscegenation’; ‘implicitly the ultimate intention of the policy was the disappearance of the Aboriginal race’.\(^{33}\) Russell McGregor characterised Neville as ‘the most uncompromising advocate of absorption’ at the Conference. Neville, he claimed, had ‘made it an article of that state’s policy since the early 1930s’.\(^{34}\) Toni Buti described the Conference proceedings as ‘a rich source of historical evidence’ that the views which prevailed under Neville’s administration centred on the ‘dying pillow’ or ‘dying race’ concept. He

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\(^{32}\) A.O. Neville, Australia’s Coloured Minority, pp.58-63.


\(^{34}\) McGregor, Imagined Destinies, pp.178-179.
argued that ‘a legislative, policy and practical scheme of biological absorption that separated Aboriginal children from their parents’ was driven by eugenicist theories.\textsuperscript{35}

Buti offered a similar interpretation of policy in the submission of the Aboriginal Legal Service of Western Australia to the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. That submission proposed that the removal of Aboriginal children was ‘driven by the government’s obsession with control of Aborigines’. The objective of policy was represented as ‘assimilating Aboriginal children into the dominant non-Aboriginal community’. The submission acknowledged, however, the different treatment of half-castes and full bloods:

The emphasis was on the assimilation of ‘half-caste’ Aboriginal children into the mainstream non-Aboriginal community and the segregation of ‘full-blooded’ Aborigines from ‘half-castes’ and the non-Aboriginal community.\textsuperscript{36}

The general understanding that at the 1937 Conference and on other occasions Neville expressed support for the absorption of the native population into the mainstream community cannot be refuted. He made his position clear. What is not clear is what Neville meant by ‘absorption’. Did he mean, as Jacobs claimed, ‘miscegenation’ to breed out the colour? Neither is it definite that Neville intended the agreed policy of absorption of natives by the people of the Commonwealth to include full bloods as well as half-castes. His support for the resolution was dependent upon the Conference finding ‘a term that will apply to people of mixed blood’\textsuperscript{37} The phrase adopted in the resolution was, ‘the natives of aboriginal origin, but not of the full blood’. A separate resolution was agreed for the supervision of full-blood natives and that focused upon preserving, ‘as far as possible the uncivilised native in his normal tribal state by the establishment of inviolable reserves’.\textsuperscript{38} That meant segregation, not assimilation. Furthermore, did ‘the assimilation of ‘half-caste’ children’ as referred to in the Aboriginal Legal Service submission mean more than bringing them into the community where they might co-exist with white Australians?

The objective of national policy agreed to by the 1937 Conference delegates was the ultimate absorption of natives not of the full blood by the people of the Commonwealth, but matters raised in the Conference debate indicated no general consensus about the meaning of


\textsuperscript{36} \textit{After the Removal: A submission by the Aboriginal Legal Service of Western Australia (Inc) to the National Inquiry into Separation of Aboriginal and Torres Strait Islander Children from their families}, Aboriginal Legal Service of Western Australia, Perth, 1996, p.8.

\textsuperscript{37} \textit{Aboriginal Welfare}, \textit{Initial Conference of Commonwealth and State Aboriginal Authorities}, p.21.

\textsuperscript{38} \textit{ibid}, p.34.
absorption. The representative of the Queensland Government and Chief Protector of Aborigines in that state, J.W. Bleakley, for example, advised the Conference that in Queensland the marriage of whites and blacks had been rigidly restricted and ‘every encouragement has been given to marriage of crossbreed aboriginals amongst their own race’. 39

At home, after the Conference as well as before, Neville’s legislated authority under the 1905 Act to disallow the marriage of Aborigines and non-Aborigines, and after 1936 the statutory requirement that the Commissioner’s written approval be given before any natives could marry, were resisted by church authorities and missions. Church marriage of Indigenous people contravened Anglican canon law, for example, and only those who were baptised into the church could marry within it. On the recommendation of members of the clergy, Neville sought a suitable form of marriage for Aborigines, but could not get all clergy to agree. 40 There was dissension in the Anglican Church even as to whether a special form of marriage was at all necessary. 41 Similarly, while missionaries encouraged monogamous Christian marriage of Aborigines to counter cultural practices such as promised brides and polygamy, they were reluctant to comply with regulations drafted under section 42 of the Native Administration Act, 1905-1936. 42 At the same time as negotiations on those matters continued at official levels, Aborigines and half-castes who had not accepted the Christian faith, or even some who had, but who were accustomed to quite different conventions regarding marriage, took partners and raised children with little regard to the legal requirements of either the Aborigines Act or the Marriage Act.

In those circumstances, how might biological absorption be achieved? If indeed there was a veiled assumption that assimilation meant biological absorption, that controlled miscegenation to breed out the native colour was the best solution to the half-caste problem, how was that to be translated into operational policy if the state could not control whom half-caste Aborigines might take as conjugal partners? Under those circumstances, managed miscegenation to breed out the colour seems an impracticable proposition.

Controlling marriage among Aborigines was not Neville’s only challenge if he wanted to pursue a policy of breeding out the half-caste colour. In his statutory role as Chief Protector he

39 ibid., p.8.
40 State Records Office, Native Affairs, Acc 993, Item 460/1939, Marriages – General Correspondence, Folios 38, 49, 86-88.
41 State Records Office, Native Affairs, Acc 993, Item 879/1942, Marriages Between Natives – Suitable Form of Service Instructions re, especially folios 3-5, Correspondence from the Bishop of Bunbury and the Archbishop of Perth.
42 State Records Office, Native Affairs, Acc 993, Item 243/30, ‘Marriage Between Aboriginals or Half-Caste Couples & Other – Instruction to Missions Re’, general correspondence between the Chief Protector/Commissioner and Forrest River, Drysdale River, Lombadina, Mt Margaret, Port George IV, Beagle Bay and Sunday Island Missions. See also, Acc 993, Item 460/1939, folios 131-132, correspondence between C.N.A. and Schenk, Mt Margaret Mission.
was influential in shaping Western Australian government policy for Aborigines, but he was not the sole arbiter of policy. Neither did he always have his way in how it was interpreted or applied. Countervailing influences in the political and social milieu such as church authorities invested with the pastoral care of Aborigines, conflicting interpretations by magistrates or the Crown Solicitor of what the law meant and how it might be applied, or about whom was an Aborigine, or delays in amending the law caused by competing priorities in government legislative programs, sometimes prevented Neville from pursuing programs he might otherwise have preferred. Some might even argue, as did the Member for Roebourne, Mr Teesdale, in Legislative Assembly debate on the 1929 Bill to amend the *Aborigines Act*, that ‘The worst that can be said of him is that he carried out the Act’.\(^43\) Even then, he acted only as a servant of successive State Governments, each with different political agendas and priorities.

Neville was appointed Chief Protector in 1915. He presented to the Chief Secretary and his relevant minister of the day almost annually between 1919 and 1935 submissions for the drafting of bills to amend the *Aborigines Act 1905*. Cabinet considered his submissions on four occasions, but only once did it proceed as far as sponsoring a bill in Parliament. In October 1929 the Collier Government introduced a *Bill for an Act to amend the Aborigines Act* in the Legislative Council. After the Council had assented to it, the Bill was defeated in the Legislative Assembly. On each of the other occasions Neville’s submissions to amend the Act were considered by Cabinet, the decision was not to proceed. The Collier Cabinet in September 1925, the Mitchell Cabinet in November 1930 and the Mitchell Cabinet again in March 1932, declined to present amendments for Parliament’s consideration because matters relating to Aborigines were politically sensitive.\(^44\) On other occasions, Neville’s submissions were not even passed on for Cabinet’s consideration. Sometimes the deferment was at the decision of his Minister or the Under Secretary and at other times at the decision of the Cabinet Secretary, usually on the pretext that other matters had more urgent priority.

For twenty of his twenty-five years as Chief Protector, Neville had to work within legislation which, substantially at least, had been enacted in 1905, but was drafted some eight years previously and reflected values of colonial administrators. When the *Aborigines Act* was amended after the Moseley Royal Commission reported in 1935, it would appear that, even though Neville had decisive influence in the wording of the amendments and of the Royal Commission recommendations, it was the force of Moseley’s report rather than the direct suasion of Neville that encouraged the Collier Ministry to action. In the meantime, successive interpretations of the law in decisions of magistrates or on advice of Solicitors General constrained the Chief

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\(^43\) Western Australia Parliamentary Debates, Legislative Assembly, 12 December 1929, p.2164.

\(^44\) Department of Premier and Cabinet, *Cabinet Record*, 10 September 1925, p.388; 4 November 1930, p.589; 31 March 1932, p.29, not published.
‘Too White to be Regarded as Aborigines’

Protector’s authority. Matters like prosecution for cohabitation, preventing marriage between half-castes and full bloods or between half-castes and persons of other races, and the removal of half-caste children from their families and communities were tested at law and ascribed more limited meanings than the Chief Protector might otherwise have preferred. Responsibility for public policy did not rest with him alone.

Research Propositions

The following propositions will be considered in this thesis:

- The belief that Aborigines were remnants of a race in terminal decline was attached to the Swan River Colony by the British Colonial Office and became lore in public policy for Aborigines;
- Neville recognised there was an increasing population of Aborigines, the majority of whom were alienated from the mainstream society, uneducated and unable to play a meaningful role within it. His policy intention was to provide opportunities for Aborigines, in the first instance half-castes and possibly at a later stage full bloods, to take their place in the white community, if not on an equal footing with whites, then not in social conflict with them;
- Neville intended that the Aboriginal settlements and Aboriginal cattle stations across the state would provide opportunities for the education and training of Aboriginal half-caste children to advance them toward employment and meaningful participation in mainstream society. Similarly, settlements and stations would offer full blood Aborigines opportunities for advancement if they so chose. Alternatively, if that was their unavoidable destiny, they might die-out in their homelands;
- While Neville did believe that the Aboriginal colour could ‘breed out in three generations’ and acknowledged that absorption of the Aboriginal race by the European could resolve community friction arising from colour prejudice, he never advocated active policies of ‘biological absorption’, meaning managed miscegenation to select against Aboriginal physiognomy;
- The process of assimilation envisaged by Neville was an ‘evolutionary’ rather than ‘revolutionary’ one that might be realised not in a single generation, or even three, but required a hiatus that might extend over several generations; and
- Neville’s policy intentions were frustrated by political resistance, the unwillingness of governments to allocate sufficient resources for Aboriginal purposes, and widely-held
racist values which condoned government inaction and which preferred segregation so that Aborigines were ‘out of sight and out of mind’.

Processes for the formulation and implementation of public policy to address what Neville and others called ‘the half-caste problem’ are scrutinised in this thesis. Neville was aware of theories that over three generations of crossing with Europeans the Aboriginal skin colour would breed out. Relevant assumptions and propositions were debated publicly in the West Australian and elaborated in submissions to the Moseley Royal Commission.\(^45\) Neville even compiled his own photographic records of apparently recessive Aboriginal physiognomy.\(^46\) In three generations of families, half-castes appeared to be paler than their Aboriginal mothers, their children paler than themselves, and their children’s children more identifiable as whites than as descendants of Indigenous great-grandparents. It is disputable, however, that, as was contended in the report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, and by others, Neville intended that public policy should effect the ‘breeding out’ of the Aboriginal peoples. Rather, his objective for assimilation may have been far less sinister, namely, that Aborigines might live and participate as equals in white Australian society. His own words in Australia’s Coloured Minority seem to suggest as much:

If, divorced from their antecedents, you can but bring yourselves to regard those coloured children as meriting equal care with your own, then the rest would be easy—nay it should be a pleasure to produce and watch over the result, this slow growth towards the total enlightenment of a people’.\(^47\)

Fundamental to the policies developed and pursued by Neville were notions of who was an Aborigine. Legislative actions and legal and administrative decisions progressively changed the meaning of ‘Aborigine’ for purposes of public policy. From the time of colonisation in June 1829 until the passage of the Aborigines Protection Act 1886, Aborigines were considered to be the Indigenous inhabitants of the colonised territory and their direct descendants. After 1886 Aboriginality was determined by prescribed arithmetic reckoning of Indigenous and non-Indigenous ancestry, or blood quantum, and judgments about manners of living. After 1905 the Aboriginal status of a person also could be decided by a magistrate or dispensed with by ministerial consent. In every instance, the status of Aborigine was ascribed to individuals either


\(^{47}\) A.O. Neville, Australia’s Coloured Minority, p.262.
by law or by judicial process. It was not until the 1936 amendment of the Aborigines Act 1905 that selected individuals of Indigenous descent were allowed to elect to be Aborigines for purposes of the law.

Arbitrary indicators of Aboriginality such as blood quantum now are generally discredited. Indigenous status is largely a matter of personal election and peer acceptance. Notions of racial temperament and intellectual disposition that accompanied those earlier indicators of Aboriginality likewise have been rejected. For Neville and his contemporaries responsible for public policy for Aborigines in the first half of the twentieth century, however, those were matters for serious consideration and helped shape policy. Notions of race then prevailing were influenced strongly by theories of biological evolution. Adherents of Francis Galton’s General Law of Heredity predominated in debates about the relative influences of nature and nurture in human temperament and the transmission of racial characteristics.\footnote{48} In that context Australia’s Aborigines were regarded as a primitive race, described by Fry and Pulleine as ‘a biological species which existed a long period apart from world competition,’ which might be expected to exhibit ‘anatomical and mental characteristics of a former era in the evolution of the more culturally developed human races of the present day.’\footnote{49} Their innate intelligence and their temperament, as reflected in their technology and manner of living, were assumed to be primitive.\footnote{50} Again, those sorts of judgments have been discredited, but there was general acceptance in the period under consideration here that Australian Aborigines ranked low in the hierarchy of races of man.

The same reasoning that assigned Aborigines to a primitive order of mankind and Europeans to the highest level of that evolutionary hierarchy and the belief that intelligence and temperament also were racially assigned and genetically transmitted helps explain the different treatment of full-blood, half-caste and quarter-caste Aborigines in public policy. Full-blooded Indigenous Australians were thought to be primitive peoples with restricted capacity for learning, adaptation and change. Their descendants might be redeemed, but only if protected over a long time. Half-castes on the other hand, although Aborigines at law, were, in fact, half white. Their intellectual capacities and temperament might be diluted by the inherited traits of their Indigenous ancestry, but they also inherited an equal proportion of the redeeming features of


their British forebears. It was believed they could master basic literacy and numeracy, be trained for useful manual occupations, and could learn to conduct themselves reasonably according to European manner and custom. Quarter-castes, being of three-quarters European heritage, and therefore inheriting at least three-quarters of European intellect and disposition, were more than trainable; they were educable and capable of taking a meaningful place in mainstream society. For people of mixed descent, the determining factor of how they might be treated in public policy was not their Aboriginality, but rather their degree of whiteness. Those closest to the black might be best left to live as blacks; those closest to the white might best be raised and educated to function as whites.

Neville’s challenge in trying to resolve the half caste problem had two separate dimensions: first, how to meet the welfare needs of a rapidly growing population; and second, how to advance the standing of half-castes so that they might be merged with and come to live as Aborigines within the dominant white community. For full bloods, those dimensions were reversed: how to meet their needs without offering intrusive white welfare, and how to protect the separate existence of full bloods so that they might either experience demise within their traditional culture or be raised to a level where they might be integrated with the mainstream white society, however long those alternatives might take. Neville saw the separation from whites, of blacks and coloureds as fundamental in the care of both groups and as a necessary first step in resolving their futures.

How to Read this Thesis

The primary purpose of this thesis is to investigate public policy for Aborigines, and in particular half-caste Aborigines, in the period from 1898 to 1940. Relevant information is examined to establish how policy evolved in that time; to determine the purposes or particular policy initiatives; and to evaluate the intended and unintended outcomes of programs directed by those policies. The thesis is about political process and the relative power and authority of participants in that process, how conflicting values influenced the formulation of policy and how programs were implemented to convert policy into practice.

Understanding those processes involves evaluating the influence of the Chief Protector of Aborigines, and A.O. Neville in particular, in his role as head of the government department which then had principal public responsibility for Aborigines, as well as the impact of other public officers, members of successive governments and parliaments who established the legislative parameters and allocated annual public resources for Aboriginal purposes, the relevant managers or superintendents of native settlements, church authorities and missionaries,
newspaper journalists and editorialists, spokespersons for groups with altruistic purposes and lobbyists on behalf of vested interests. All brought personal values and opinions to the policy process, and since public policy determines the allocation of public resources among competing values, understanding them is essential. Policy exists in a political context.

Public policy also exists in an historical context. The policies pursued and implemented for the protection of Aborigines were founded in Western Australia’s colonial past. For example, the legal parameters for the whole of Neville’s term as Chief Protector were set by a 1905 law which reflected social and moral values of the Colonial Office in London as much as the not-always-compatible values of colonial law-makers. The principal expectation they shared was that the Indigenous inhabitants of Western Australia eventually would die out. The Colonial Office and colonial governments agreed, however, that if Aborigines could be preserved, Christianised and civilised, a public responsibility existed to protect them from persecution and undue exploitation. They disagreed about the sum of public financial resources that might be charged to that responsibility. As Chief Protector and principal public officer charged with protecting the well being of Aborigines, Neville had to work within the limited public resources provided by a political system which displayed little interest in the current condition or the long term future of the state’s Indigenous people.

Finally, public policy exists at three levels of actuality that might be referred to as the ideational, the perceived, and the operational. There is not always consonance among the three. Ideational policy is a theoretical construct and belongs at conception in the minds of its sponsors. Policy begins as an idea that is shaped to meet the political, social or economic circumstances it is intended to address. Ideational policy is abstract, but in the course of public policy formulation it is transformed into tangible functions and procedures. Perceived policy is the interpretation of the idea, but not necessarily interpretation by those who conceived it. It might be the translation of a written policy instruction by parliamentary draftsmen into legislative form, which in turn is interpreted and sometimes amended by legislators; it might be legal interpretation by magistrates, judges or other officers appointed to adjudicate upon particular aspects of policy or program; or it might be interpretation of practicability by public officers tasked with implementing or enforcing programs which embody the policy. Operational policy is the practical application, with routine and procedure recorded in regulations, operations manuals, or management instructions. It is not uncommon that a functioning program has completely different manifestation than was anticipated in the idea from which it originated.

The thesis is developed around three episodes in the evolution of policy for Aborigines. The first is the establishment and continued operation of native cattle stations at Moola Bulla and Munja, and their satellite feeding depots, to manage the Indigenous people in the East and
West Kimberleys. The second is the establishment of native settlements at Carrolup River and Moore River to address the half-caste problem in the South-West. The third is the commencement of the Children’s Cottage Home Queen’s Park, or as it is usually called, by some affectionately and by others contemptuously, ‘Sister Kate’s’. Neville called it ‘the home for quarter-caste children’ and looked upon it as an experiment in the assimilation into the mainstream community of quarter-caste children ‘too white to be regarded as Aborigines’. Sister Kate’s home is of particular interest because it brought to focus Neville’s aspirations for the future of Aborigines and offers the best guidance as to whether in advocating ‘assimilation’ he meant, to use Peter Biskup’s terms, ‘tutored assimilation’ or ‘breeding out of colour’.51

Two other chapters offer critical commentary on historical and political influences upon policy for Aborigines. Chapter 3 examines colonial attitudes towards the people found inhabiting the colonised territory and how the British Colonial Office shaped legislation to protect them. Understanding the influence of Britain and the antipathy of some colonial legislators towards the British sentiments then prevailing helps explain, in part, the directions of subsequent state policies for Aborigines. Chapter 6 examines the politics of legislative change in the several attempts by Neville to have the *Aborigines Act 1905* amended to meet the changing nature and needs of the Aboriginal population.

This thesis is not narrative history; it is forensic history. It does not set out to recount the story of how over forty-two years policy evolved to meet changing circumstances among Western Australia’s Indigenous population. Rather, interrelated historical and political considerations and recurrent themes at the three levels of actualisation, from the ideas to their application, are examined in significant events. Multi-layered relationships are unravelled to try to understand the intentions and outcomes of public policy. That process of unravelling sometimes is likened to peeling the layers of an onion.

Most of the evidence examined comes from public documents or from public commentary in newspapers and similar sources. There is very little extant personal material available which might have allowed this researcher into A.O. Neville’s mind, for example. His recorded public statements often were circumspect because of the sensitivity of his position as a senior public officer and confidant/adviser to successive Ministers, and his participation in public forums such as the inter-governmental conference in 1937 programmed to meet political purposes. It is apparent, however, that Neville’s attitudes changed markedly from his appointment as Chief Protector of Aborigines in 7 May 1915 to his retirement as Commissioner of Aborigines on 23 March 1940. In 1915 he knew little about Aborigines, but by 1940 was an

acknowledged authority. Initially he was a disinterested segregationist following policies initiated by his predecessor, Charles Gale, or preferred by his Minister, Rufus Underwood. At the end of his career he was an advocate of assimilation whose position was described by his former Minister, W.H. Kitson, as sometimes ‘that of a man trying to produce bricks without straw’.

Finally, public policy for Aborigines cannot be discussed without acknowledging the terrible consequences of dislocation and disaffection caused by the removal of children from their families because the Chief Protector thought that to be ‘almost a necessity’ for ‘the future of the race’. Much has been revealed about the enduring effects upon children forcibly removed from their mothers, upon their mothers and upon their extended families. Even though the primary focus of this thesis is to examine the formulation and the purposes of public policy rather than its consequences, the process of dislocation is recounted in brief narratives to offer insights into the disassociation and alienation of Indigenous Australians and some personal consequences for individuals caught up by public policy and the actions of governments.

These narratives are presented as prologues to each of the chapters of critical commentary. The first three, ‘His Majesty’s Subjects’, ‘Fraitin la gadiya prapli’ and ‘Whitemen’s Country Now’, trace not only the confiscation by colonists and settlers of the lands and waters of the traditional owners, but also the destruction of their sources of food, the expropriation of their women and the naissance of a group of peoples whose biological inheritance belonged with Indigenous and European forebears, who were officially categorised as Aborigines, but who existed in a nether world at the fringes of both cultures. The story of the setting up of the Moola Bulla Native Cattle Station in ‘Fraitin la gadiya prapli’ tells of how the interests of the traditional Kija owners of the land were disregarded even though an ostensible purpose of the cattle station was to protect them. Similarly, ‘Whitemen’s Country Now’ tells of the alienation of traditional lands and waters of the Ballardong, Wil:men, Kanang, Ko:reng and Min:ang peoples, their loss of cultural identity through alien invasion, and the emergence of an Indigenous diaspora, the Nyungar people.

The ‘Kitty’ narrative tells of how Aboriginal children were innocent victims of government action. Ten children were exiled from their Indigenous roots for the sins of their

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52 ‘Neville Pioneered’, *West Australian*, 16 April 1955.
53 ‘Native Girls, Mr. A.O. Neville farewell’, *West Australian*, 14 March 1940.
54 Moseley Royal Commission, Transcript of Evidence, A.O. Neville, 14 March 1934, p.120, paras 170-1.
white father and by the inept response of public officials to the living circumstances of those children. Before official interference those children were happy in the care of their mothers and under the protection of their putative white father. Afterwards, the nine who survived dislocation were destitute wards of the state brought up in the unconscionable environs of the Moore River Native Settlement.

The final narratives, ‘Sister Kate’s Children’ and ‘Arnold’, describe an attempt to assimilate quarter-caste children, children of Indigenous descent who were ‘far too white to be regarded as Aborigines’, treating them rather as though they were ‘not quite white children’ who might be brought up separated from their half-caste mothers eventually to be merged into the white community as its equal members. ‘Arnold’ gives the lie to that intention. Arnold’s story is related very much in his words as told to the author of this thesis. He tells of his journey through dislocation, alcoholism, imprisonment and his eventual location as an Aboriginal man, thought of as a child to be too white, but accepted in adulthood as an initiated tribal member comfortable within both the white and the black worlds.
Aboriginal Men and Children, New Norcia, c.1865. Berndt Museum of Anthropology, University of Western Australia WU-P685.