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Racist structures and ideologies regarding Aboriginal people in contemporary and historical Australian society

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Abstract

Severe inequalities remain in Australian society between Aboriginal and non-Aboriginal people. This research has examined the role of race and racism in historical Victoria and in the contemporary Australian government, using a structuralist, constructivist framework. It was found that historical approaches to governing Aboriginal people were paternalistic and assimilationist. Institutions like the Central Board for the Protection of Aborigines, which terrorised Aboriginal people for over a century, were creating a racist structure fuelled by racist ideologies. Despite continuous activism by Aboriginal people, it took until 1967 for them to get citizens' rights. That year, Aboriginal affairs were shifted from state jurisdiction to national jurisdiction. Aboriginal people continue to be underrepresented in positions of power and still lack self-determination. The national government of Australia has reproduced historical inequalities since 1967, and racist structures and ideologies remain.

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1 Introduction and problem statement

Brutality and racism against the Aboriginal people of Australia has characterised colonisers' behaviour since the colonisation of Australia (Allison, 2013; Reynolds, 1987). It has been documented that many non-Aboriginal inhabitants of Australia have regarded Aboriginal people as a lesser people, to be controlled or dealt with (Rowland, 2004). This research addresses the historical and contemporary situation of Aboriginal people related to race and racism in Australian society, with a focus on the state Victoria.

Currently, Aboriginal and Torres Strait Islander people make up around 2.7% of the Australian population and make up a total of around 350,000 people (Brady, 2017, p. 438). The Aboriginal community of an estimated 20,000 in Melbourne, Victoria is a mix of people with heritage from many different tribes. To give an example of the extent to which the lifestyle of 'natives of aboriginal origin' was disregarded historically, the official report of the 1937 Conference of the Commonwealth of Australia states:

“That this Conference believes that the destiny of the natives of aboriginal origin [...] lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end.” (1937, p. 2)

As a result of this line of thinking, the Australian government practiced a genocide which lasted until the 1970s (see Barta, 2008; Moses, 2000; Tatz, 1999). An estimated 100,000 children, called the Stolen Generations, were taken from their families. There is no doubt, however, that discriminatory behaviour has abated over the past 50 years (Walker, 2001). Nevertheless, Aboriginal Australians continue to experience socio-economic marginalisation, due to racism, discrimination, and lack of education (Brady, 2017). Racism in Australia is widespread and widely experienced, with 70% of Aboriginal people experiencing it on a daily basis (Paradies & Cunningham, 2009). It has negative consequences on health (Awofeso, 2011) and access to health care (Bastos, Harnois, & Paradies, 2018), and impedes economic opportunities (Dovidio & Gaertner, 2004). Renewed attention was generated for the issue of racism in Australia by the report of a national survey in 2011, where it was found that 85.6% of Australians think something should be done to reduce or minimise racism in Australia (Dunn, Forrest, Babacan, Paradies, & Pedersen, 2011). Interestingly, only 12.4% of the over 12.5 thousand respondents perceive themselves as prejudiced against other cultures.

Race is historically rooted in colonialism. Like many other countries, Australia has a colonial past where its indigenous people were structurally discriminated against. In the early years of

colonisation, these ideas were mostly based on their ethnicity, with colonisers finding Aboriginal cultures to be inferior to the British culture. However, around the 1850s, coloniser's thinking became decidedly racial, with policies being based on Aboriginal skin-colour specifically. Additionally, the Australian settlers became convinced that Aboriginal people were doomed to go extinct, as a result of their 'inferior race'. The policies which were based on this idea nearly led to the destruction of Aboriginal people. Therefore, it is valuable to study Australian history through a racial rather than an ethnic lens. The remnants of this history are still present in Australian society today.

The majority of studies on race and racism take place in the United States, leaving a lot to be investigated in Australia. Since racism is a complicated result based on factors which are hard to quantify (Pedersen, Beven, Walker, & Griffiths, 2004), it is valuable to study the shape and causes of racist thought patterns, racist ideologies and a racist structure in society.

The aim of this study is to contribute to a better understanding of the role of race and racism in the contemporary Australia, by attempting to link modern day structures and ideologies to Australia's colonial history. Therefore, this research answers the following research question: what racist structures can be identified in historical Victoria and contemporary Australia, and how do they interact with racist ideologies? This is done by using the sociology theory of race and racism by Tanya Golash-Boza (2016) as a conceptual framework, against which the Australian situation is measured. Originally, the fieldwork was to provide all data for this research. However, several factors contributed to a lack of data. For this reason, it was decided retrospectively to make it a literature study.

Other questions that pop up are: how are race and racism experienced by people in Australian society today? How does racial thinking shape behaviour and identities? What is the importance of race in contemporary Australia? Are racist practices still common? What about questions of racial bias within institutions such as the government? This study aims to sketch an idea of the presence of race and racism in Australian society. What is the interplay between a racist structure and racial ideologies?

A literature study gives an overview of the Aboriginal history of Victoria. Then, the situation in contemporary Australia is investigated, with a focus on political representation of Aboriginal people in the Commonwealth government. Contemporary Australia is sometimes illustrated by examples from the two-month fieldwork in Melbourne.

2 Theoretical framework

This section introduces the sociological theory on race and racism by Tanya Golash-Boza (2016), which was used as a framework to analyse race and racism in Australia in this study. Before diving into the theory, the history of race is elaborated upon, which ends with the theory of Golash-Boza (section 2.1). A working definition of race is provided (section 2.2). Finally, it is explained why we talk about race rather than ethnicity (section 2.3), since ethnicity is a concept often mentioned in one breath with race.

2.1 The invention of race

Before colonialism, the concept of race did not exist (Cornell & Hartmann, 2007). Although some societies practiced distinctions based on skin colour, often related to class, no cultural consequences or personal abilities were connected to physical features on a grander scale. The conceptualisation of race in a biological sense, connected to characteristics and abilities, started with European domination of non-European countries. As early as 1684, a French scientist named François Bernier came up with a categorisation of humans in four groups: 'Far Easterners', 'Europeans', 'blacks', and 'Lapps' (Meer, 2014). In 1735, Carolus Linneaus wrote *Systemae Naturae*, where he popularised the pseudo-scientific idea that human beings could be classified in the four groups: 'Americanus', 'Asiaticus', 'Africanus', and 'Europaenus'. According to him, these groups were characterised by physical features, and connected to certain characteristics. For example, the black Africanus was indolent and negligent, where the white Europaenus was sanguine and inventive. Racial categories were invented by Europeans, and have formed the basis for colonisation, slavery and genocide (Golash-Boza, 2016). Indigenous people of Western colonies were generally portrayed in Western narratives as being wild, primitive, sexual, devious and/or less intelligent (Rowland, 2004). This brutal history forms the basis of contemporary racial thinking. Race is a modern concept invented by Europeans and is inextricably linked to notions of white superiority (Cornell & Hartmann, 2007). It has led to and continues to facilitate the oppression of non-white people on a global scale.

In the mid-19th century, prominent scientists began to try to give the illusion they called race a scientific basis, for example by measuring skull sizes and facial angles. Specific measurements were then connected to beauty or intelligence in the pseudoscientific study called phrenology (Meer, 2014). These early studies made four claims regarding race. First, that a person's biology determined both their physical appearance and their character or personality. Second, that differences in culture were described by biological differences, meaning that those two things

were equivalent. Third, which is important, that biological variation created and perpetuated conflict within and between societies. Therefore, one could think that lesser biological variation was somehow preferable, meaning that having lesser different ‘races’ was preferable. This way of thinking justifies genocide, which is important in the Australian context. And finally, that different biological races could be ranked, assuming an inherent superiority of some over others (Meer, 2014). This ranking could then be used to achieve the third point; the lower ranked races could be missed. These ideas in science coincided with the establishment of the British colony of Australia, which had been settled in 1788. The four previously mentioned ideas became highly influential in policymaking in the Australian colony, and in the way ‘white’ settlers interacted with the ‘black’ Aboriginal people of Australia. The consequences of this become clear in the next chapter.

This is the scientific landscape which hosted the publication of Darwin’s *The Origin of Species* in 1859. His evolution theory was adopted by many influential scientists, leading to a scientific stream called social Darwinism (Rogers, 2007). Social Darwinism provided an explanation for the existence of different races: non-white people could be portrayed as less developed, socially as well as biologically. In this way of thinking, the natural way was for them to either go extinct or assimilate into Western culture. Specifically, the English scientist Herman Spencer insisted that ‘superior’ races should dominate ‘inferior’ ones, an idea which was soon penetrating political spheres (Meer, 2014). The British government applied this idea to Aboriginal and Torres Strait Islander people as well as many other colonised people of ‘inferior race’. It was used as a justification for coercing Aboriginal people. Also, social Darwinism provided an explanation for the dwindling Aboriginal population: since they were of an ‘inferior’ race, they were destined to become extinct (Broome, 2005). Blackness itself came to be associated with disease, and whiteness with health, as Warwick Anderson lays out in *The Cultivation of Whiteness* (2003). The idea was that, since colonisers became sick by the bunches upon entering Australia, they were being infected by diseases that the black people must have been already carrying. The next chapter will show that the converse was true. It was not until the 20th century that critical views on ‘race’ and social Darwinism started to become widely accepted.

By the 1920s, social Darwinism was still prevailing in scholarship in the United States, and notions of eugenics were applied within the ‘white race’ as well. First, social distinctions were only applied to different races, but now the ‘superiority’ of people from Northern-European descent was established over other ‘whites’ (Ludmerer, 1972). Biology was still the main field of study used to explain and study groups, culture and institutions (Wiley, 1986). In Europe,

the departure from biology started early, with psychology and economics being fields of study on their own. Sociologists like Émile Durkheim founded sociology by establishing it as a distinct field of study from psychology and economics (Wiley, 1986). In the United States, the more fundamental departure from biology still had to be made, which was influenced by W.I. Thomas and Florian Znaniecki's *The Polish Peasant in Europe and America* (1918-1920), creating an intellectual sphere where only sociology could make sense (Wiley, 1986). From then on, uniquely sociological interpretations of race came into being, with a departure from biological approaches to the topic. This led to the formation of a range of ideas about race and racism (a term which started to be used frequently only after the second World War (Bonilla-Silva, 1997)).

In the aftermath of the second World War, there was an increase in global migration, the civil rights movement started gaining traction, and European colonialism was destructed (Winant, 2000). Influenced by these political changes, the sociology of race became a central topic. Establishing racial equality and justice became central themes. An idealistic view on race and racism emerged. Within this conceptual framework, racism is a set of beliefs, which could lead people to have negative attitudes, or prejudices, towards certain groups of people (Bonilla-Silva, 1997). When this happens with an individual, it might lead to real action or discrimination towards a racial group. It is argued that racist ideologies, or “a set of principles and ideas that (1) divides people into racial groups and (2) serves the interests of one group” (Golash-Boza, 2016), sprout from non-racialised structures and processes, like urbanization or industrialisation. Here, racism is seen as something that comes into being due to external factors, an idea which alleviates responsibility for racist behaviour. This view prevails in society today, in an ideology which has been dubbed colour-blind racism: “a racial ideology that explains contemporary racial inequality as the outcome of non-racial factors, such as market dynamics, naturally occurring phenomena, and non-whites’ supposed cultural limitations.” (Golash-Boza, 2016, p. 133)

Within the idealist view on racism, there are different approaches and explanations. Orthodox Marxists argued that race was an ideology of the bourgeoisie to legitimize class distinctions (Bonilla-Silva, 1997). The idea that race and ethnicity were ‘traditional’ social classifications that would disappear with modernisation, prevailed (Bonacich, 1980). Towards the end of the 20th century, neo-Marxist built upon this, still seeing class dynamics as central to the topic. For example, Edna Bonacich wrote in 1980: “...while race and ethnicity may appear to be primordial attachments, in fact they reflect a deeper reality, namely, class relations and

dynamics.” (Bonacich, 1980, p. 9) She goes on to critique primordial ideas about race and ethnicity, which hold that a person’s race and/or ethnicity become internalised and stay fixed throughout their life. A primordialist, Milton M. Gordon, wrote in his 1978 book *Human nature, class and ethnicity*: “The sense of ethnicity (in the larger definition of racial, religious, or national origins identification), because it cannot be shed by social mobility, as for instance social class background can, since society insists on its inalienable ascription from cradle to grave, becomes incorporated into the self.” (Gordon, 1978, p. 73) However, Bonacich argued that the boundaries of ethnic groups can be redefined, that intra-ethnic or intra-racial conflict exists, with class instead being the variable that leads to social solidarity within a group, and that these intra-ethnic or intra-racial conflicts differ over time and space. Therefore, she says, ethnic or racial groups cannot simply be accepted as units, and are rather socially created phenomena (Bonacich, 1980). In other words, Bonacich took a constructivist approach, saying race and ethnicity are socially constructed, rather than fixed permanently. This constructivist way of seeing race and ethnicity became accepted, also within structuralist approaches to race, which had started to emerge as alternatives to the idealist view.

The idea of institutional racism was introduced in the book *Black Power* (1967), and two years later structural racism was defined by Samuel Robert Friedman as a “pattern of action in which one or more of the institutions of society has the power to throw one more burdens and give less benefits to the members of one race than another on an ongoing basis.” (Friedman, 1969). In this view racism is deeply rooted in the system, in the institutions of society.

Within this structuralist stream, there are different approaches to the topic. In the institutionalist view, racism combines prejudice and power, and leads the dominant race to institutionalize its hegemony. For example, Louis Knowles and Kenneth Prewitt wrote the book *Institutional Racism in America* in 1969, where they argue that advantages of white people are reproduced through mechanisms and practices in society. Internal colonialists similarly argued that the white majority “raises its social position by exploiting, controlling and keeping down others who are categorised in racial or ethnic terms” (Blauner, 1972, p. 22). The difference with institutionalists is that internal colonialists view racial groups as colonial subject (Bonilla-Silva, 1997).

Following the structuralist view in sociology, Carol Camp Yeakey (1979) argued that individual and structural racism are mutually reinforcing. Specifically, she wrote: “The resource allocation of city schools; residential segregation and housing quality; the location, structure, and

placement of transport systems; hiring and promotion practices; academic underachievement of racial and ethnic minority youth; availability of decent health care; behavior of policemen and judges; a legal order that incarcerates more minorities than majorities; stereotypical images prevalent in the media and school curricula; price gouging in ghetto stores; morbidity, mortality, and longevity rates; lack of political clout and effective legislative representation—these and a myriad of other forms of social, political, and economic discrimination concurrently interlock to determine the status, welfare, and income of the racial and ethnic minorities of color.” (Yeakey, 1979, p. 203) Unfortunately, the same can be said regarding society today, almost forty years later (Golash-Boza, 2016).

Michael Omi and Howart Winant published the book *Racial Formation in the United States* (1986), creating a racial formation theory which proposes that race continuously evolves through racial formation, or "the sociohistorical process by which racial categories are created, inhabited, transformed, and destroyed" (Omi & Winant, 1986, p. 55). In 2014, a revised edition was published, which argues the same principle.

The structuralist and idealist view are in conflict with each other. Eduardo Bonilla-Silva (1997), a structuralist, lists the following critiques on the idealist view. First, social structures and the foundation of society are treated as non-racial, which is empirically untrue. Also, racism is ultimately seen as a psychological process and is treated as a static phenomenon. Racist people or people who commit racist acts are framed as being ‘irrational’, placing blame on the individual, instead of considering societal issues as well. Racism is seen as overt behaviour, and as a remnant of the past lingering in contemporary society. Instead, it has been shown that racism is increasingly covert (Dovidio & Gaertner, 2004), and continues to be reproduced nowadays (Dunn et al., 2011).

Bonillo-Silva elaborates on the relationship between racist ideologies, which precede for example acts of bigotry, and a structural racial foundation, which Yeakey had come up with. Within racialised societies, social, political or economic rewards could be allocated differently to different groups (Bonilla-Silva, 1997). This would then reinforce racist ideologies. Australia provides an example. The fact that Aboriginal people have higher rates of substance abuse could be seen as a consequence of a racist structure in society, with Aboriginal people having lesser economic opportunities. However, people thinking within a racist ideology might see it as inherent to Aboriginal culture or as a consequence of ‘the Aboriginal race’.

Recently, the relationship between racist ideology and racist structure has been investigated further. In 2016, Tanya Golash-Boza devised a comprehensive sociological theory of race and racism, by reviewing research on race, racism, racist structures and racist ideologies. The resulting theory is displayed in Figure 1 and will be discussed in detail later.

Sociological scholars tend to either focus on race (and/or ethnicity) or racism, effectively treating these two delicately connected topics separately. Race and racism are obviously different things: race is a theoretical concept, whereas racism is a social phenomenon, rooted in a socially constructed idea of the concept of race. For example, the previously mentioned book, *Ethnicity and race: Making Identities in a Changing World* (2007) considers race and ethnicity but does not explicitly connect it to racism. On the other hand, prominent scholars such as Eduardo Bonilla-Silva (i.e. 1997) focus on racism without a thorough consideration of race. Until recently, it even went as far as a consensus that a comprehensive theory combining the two did not exist: “Three of the most prominent sociologists of race in the United States agree on one thing: sociology lacks a sound theoretical approach to the study of race and racism.” (Golash-Boza, 2016)

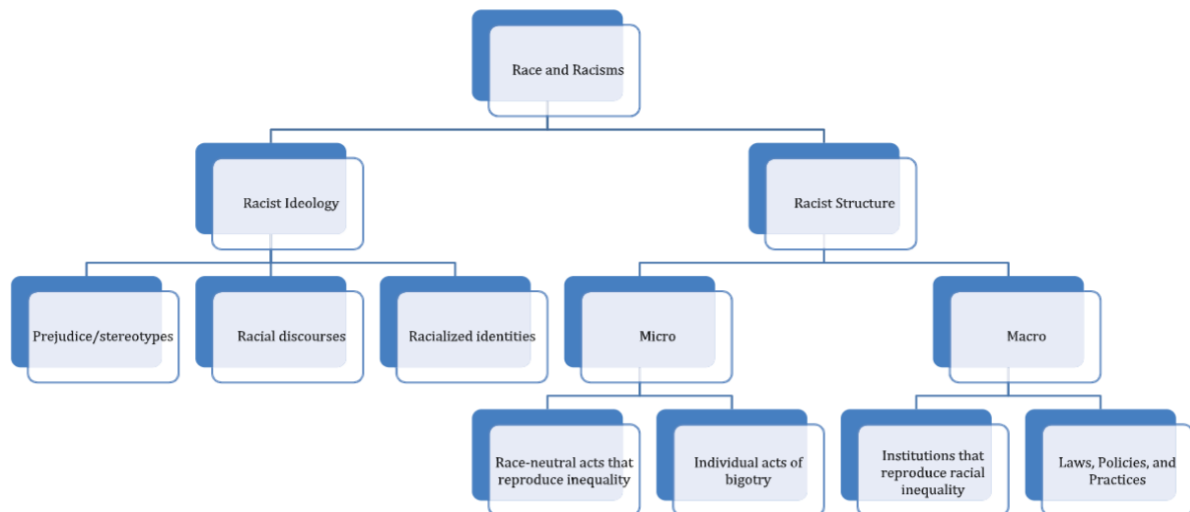


Figure 1 The sociological theory of race and racism by Tanya Golash-Boza (2016)

Tanya Golash-Boza ascribes to the structuralist, constructivist view and has developed a framework to connect race and racism with each other by bringing them together in the same theory, as well as to demonstrate the relationship between racist ideologies and racist structure (Golash-Boza, 2016). The image in Figure 1 shows a visual representation of the theory. The bold phrases refer to boxes in Figure 1. **Race and Racisms** at the top is split up in two concepts,

Racist Ideology and **Racist Structure**. Although race is a theoretical concept, and racism is a set of practices based on the socially constructed concept of race, they are placed next to each other in the same square. This displays that these two concepts are delicately connected. Golash-Boza argues that the relationship between these two things is often not treated enough, and the idea of this theory is to connect them and see which concepts sprout from the combination of the existence of socially constructed definitions of race and acts and structures of racism. It does not mean, however, that race and racism are the same thing. **Racist Ideology** and **Racist Structure** are connected to show their mutual dependency. One of the main aims of this theory of race and racism is to show the interconnectedness of a racist structure, embedded in institutions, and racist ideologies.

A racist ideology has been defined as “a set of principles and ideas that (1) divides people into racial groups and (2) serves the interests of one group” (Golash-Boza, 2016). Racist structure is a more pervasive concept, but what is meant by it exactly will become clear when explaining what it consists of in the next paragraph, namely micro and macro structures. First, this example from Golash-Boza’s article illustrates the connection between structure and ideology: “The racist ideologies that lead many Americans to see Mexican immigrants as unfit to be citizens or as undesirable residents have led to the implementation of a state apparatus designed to remove Latino immigrants. In turn, this state apparatus, which criminalizes Latinos as “illegal aliens,” reinforces ideologies of Latino criminality.” (Golash-Boza, 2016, p. 137)

Racist ideologies can manifest in different ways. First, there are **Prejudice/stereotypes**, on the more psychological side of social science (see Intermezzo 1). Although prejudice and racism often accompany each other, there is an important distinction to be made. Racism is broader than prejudice: it involves an ideology and is reflected in behaviour, attitudes and practices, whereas prejudice could be momentary (Dovidio, 2001). This also becomes clear in Figure 1, where prejudice is placed as a branch of racism. Then, **Racial discourses**, which are ideas and narratives regarding race and ethnicity which are prevalent in society. Thirdly, **Racialized Identities** regarding identity making based on race. Identity is, in its most basic definition, “a place in the social world” (Simon & Klandermans, 2001), where a place means a social position, for example class, education, race, gender, age, geographic location, belief system or relations. Therefore, identity is fragmented (Weaver, 2001). The facets of identity are inextricably linked, sometimes in untraceable ways. Over time, some facets may become of higher or lesser importance as circumstances are changing. In other words, some facets may be *salient* and others *dormant* (Simon & Klandermans, 2001), depending on personal and societal

circumstances. For example, due to a person's life history, they may attach importance to identifying as being Aboriginal. As a result, identities are constantly evolving. The process of identifying can be defined as follows: "identification is constructed on the back of a recognition of some common origin or shared characteristics with another person or group, or with an ideal, and with the natural closure of solidarity and allegiance established on this foundation" (Hall, 1996). The theory of Golash-Boza holds that identities will be constructed and assigned on the basis of race in racialised societies, as a part of racist ideologies in that society. In other words, if someone identifies a certain way, based on race, this will strengthen ideas about race and its role in society. The other way around, in a society where race is given high importance, like Australia, due to having a racist structure, the presence of racial discourses and stereotypes/prejudice, it is more likely for people to identify as having a certain race (Golash-Boza, 2016).

Racist structure, on the other hand, is split in two: **Micro** and **Macro** structures. A macro structure could be the government, or other **Institutions that reproduce racial inequality**, as well as **Laws, Policies, and Practices**, which are connected since they influence each other. In the earlier mentioned idealist view of race, racism is a consequence of these structures being in place, but they do not carry racist formulas within them. Golash-Boza's theory contradicts this by demonstrating that it is indeed these institutions, laws, policies and practices producing and being produced by racist ideologies. A micro structure in society is created on a more personal level, resulting from **Individual acts of bigotry** or **Race-neutral acts that reproduce inequality**. Notice how also Individual acts of bigotry can be connected to for example Prejudice/stereotypes. The scheme should be seen as displaying mutually reinforcing and reproducing concepts that are intricately connected. It provides a way to order these concepts, but they should not be separated completely. In her article, Golash-Boza puts it this way: "Racist ideologies lead to controlling images, discourses of hegemonic whiteness, and racialized identities, which in turn lead to racist practices on the micro- and macrolevel, which themselves reinforce racial identities and discourses. These structures and ideologies thus reproduce one another in a dialectical manner." (Golash-Boza, 2016, p. 137)

In summary, the concept of race was invented by colonisers in the 18th century, when social characteristics were ascribed to people based on their biology. By the 19th century, this view was still popular, but with the emergence of sociology as a scientific discipline came different conceptualisations of race. First, an idealist view of race and racism emerged, which saw racism as a psychological process, which could lead to prejudice and discrimination. Marxists

embraced this view but theorised that class dynamics were at the basis of racial categorisation. As an alternative, the 1960s brought a structuralist view, which lifted racism from the individual to the societal domain. Institutionalists focussed on race and power, seeing institutionalisation of race as a white power-play. Internal colonialists agreed but stated that racial minorities should be regarded as colonial subjects. The structural view continued to be expanded, and it was suggested that individual and societal ideas and structures of race reinforce each other. In 2016, Tanya Golash-Boza devised a conceptual framework to study race and racism in societies by focussing on the relationship between racist structures and ideologies. This framework will be used to analyse historical Victorian and contemporary Australian society in this study.

2.2 Defining race

We have seen that race has been defined and studied in different ways historically. Therefore, it is valuable to provide a definition of race as it is meant in this study. Race continues to be of influence socially, thus remaining a relevant topic to study. However, there are often less genetic differences between different races than within a racial group (Duster, 2003), showing that there is no biological foundation. Additionally, there is no universal understanding of the races. For example, the racial categories ‘African-American’ and ‘Hispanic’ are specific to North American culture (Golash-Boza, 2016). Therefore, following Stephen Cornell and Douglas Hartmann (2007), race can be defined as follows:

“a human group defined by itself or others as distinct by virtue of perceived common physical characteristics that are held to be inherent. A race is a group of human beings socially defined on the basis of physical characteristics.” (Cornell & Hartmann, 2007, p. 25)

Race remains a relevant category classifying people, not because of biological reasons, but due to the meaning that is given to it socially, which continues to influence lives every day. It shapes both individual as well as group identities and society as a whole (Durrheim, Baillie, & Johnstone, 2008). Consequences of racism, like restriction of socio-economic opportunities, are significant (Dovidio & Gaertner, 2004), which shows that there are significant real-life consequences to this day of the concept that Europeans made up centuries ago. Therefore, the socially constructed concept of race, in which racist practices are rooted, remains important to discuss.

2.3 Ethnicity and race

It became clear in the section 2.1 that scientists studying race often also discuss ethnicity. Although these concepts are similar, there are some differences. This section shortly elaborates on ethnicity and discusses the differences with race. It then explains why it was decided to use a racial framework in this research.

The word ethnic derives from the Greek *ethnos* (nation) and has been used in the English language in different ways, from people with the same origin to religious groups. However, the terms ethnicity, ethnic and ethnic group started to become commonplace in the 1960s. The only one to offer an early definition is the German sociologist Max Weber in his work *Economy and Society* (1922): “We shall call ‘ethnic groups’ those human groups that entertain a subjective belief in their common descent because of similarities of physical type or of customs or both, or because of memories of colonization and migration (...). It does not matter whether or not an objective blood relationship exists.” (Cornell & Hartmann, 2007, p. 17) It could be argued that, when a racial group sets out to construct identity based on race, it instantly becomes an ethnic group (Cornell & Hartmann, 2007). Aboriginal people can also be seen as an ethnic group.

Weber’s definition was used as a basis for many prominent sociologists after that. Nowadays, however, this emphasis on belief in common descent as central to belonging to an ethnic group has mostly been abandoned. Instead, having the same ethnic identity came to be seen as equal to having a shared culture. Even the *Harvard Encyclopedia of American Ethnic Groups* effectively uses this definition, consequently leaving out many groups that would qualify (Cornell & Hartmann, 2007). Reflecting on this definition shows that it makes ethnicity an extremely broad concept, allowing for a myriad of configurations of people to enter the realm of ethnic groups. Additionally, it has been shown empirically that it is not uncommon for people to identify as belonging to a certain ethnic group based on their ancestry, when having dropped most or all cultural practices. The book *Ethnicity and Race: Making Identities in a Changing World*, used as a basis for this section, ascribes to Richard A. Schermerhorn’s (1978) definition of ethnic group: “a collectivity within a larger society having real or putative common ancestry, memories of a shared historical past, and a cultural focus on one or more symbolic elements defined as the epitome of their peoplehood” (from Cornell & Hartmann, 2007, p. 19). Notably, as in Weber’s definition, the belief in common ancestry is enough for someone to belong to an ethnic group. Also, although there might be “one or more symbolic elements” which people share, they do not have to share the same culture, making ethnic and cultural groups different.

An ethnic group can be a cultural group, and the other way around, but this does not have to be the case.

Early approaches to ethnicity, similar to race, were essentialist, meaning that ethnicity was seen as an inherent characteristic, fixed from ‘cradle to grave’, as said by Gordon in section 2.1. Later on, a constructivist approach was embraced. The work of Frederik Barth (1969) contributed to this. He noted that the boundaries of ethnic groups, unlike those of culture, had not been investigated properly. Society was seen as a closed unit, consisting of the distinct fixed ethnic groups as units which could be analysed. Barth noted that boundaries exist, even when there is a flow of people across them, and that the existence of an ethnic group inherently implies the existence of people outside of that group, the ‘others’. The fact that in a modern society there is an increased level of exchange of people and information between different communities, does not mean there are no boundaries. However, this exchange can lead to a change in culture in all groups involved. What often happens is that subordinate groups depend on adaptation for survival. On a macro scale, this could be argued to have happened with Aboriginal people since colonisation. However, on a micro scale, many different factors contributed to the demise of Aboriginal ethnic and cultural practices, like the Stolen Generations and other assimilation policies (see section 0).

For each society, either race or ethnicity has played a more important role in the organisation of social structures. In the United States and South-Africa, for example, race has been institutionalised. In Quebec and Belgium, on the other hand, ethnicity has been as important or more important. In most colonial societies, race is the critical factor, consistently privileging *whiteness* over *non-whiteness*, with ideas about what *whiteness* means differing across time and space. This is true for Australia as well. A difference between race and ethnicity is that historically, race is a characterisation pushed on people from the outside. Although this happens with ethnicity too, some say it oftentimes begins with identification from within a group (Cornell & Hartmann, 2007). However, this is not universally agreed upon. Interestingly, race is more often associated with an asymmetry of power between different groups of society than ethnicity (Markus, 2008).

When studying Aboriginal people in Australian society, it seems more logical to study race rather than ethnicity, because the Australian government has historically regarded Aboriginal people as a different ‘race’ and based its policies on that notion. A strong belief that a differing biology caused social differences between Aboriginal people and European settlers permeates

the history of Australia. Therefore, this study considers Australian through a racial rather than an ethnic lens.

3 Fieldwork methodology

This section explains how the fieldwork for this research was conducted and which hurdles had to be overcome which led to the decision to conduct a literature study illustrated by examples from the fieldwork. Some issues with field access and data transfer have been experienced during the fieldwork for this thesis. The coming section details how field access was obtained, and which issues had to be overcome. After that, which data was collected and how is explained, as well as who the informants were, and where this data can be found in the result section of this research. It ends with a short reflection on my positionality and the limitations of this research.

3.1 A story about field access

On the 11th of April 2019, I travelled to Melbourne for two months, fully prepared to conduct a study on Aboriginal activism, specifically related to an activist organisation called Grandmothers Against Removals (GMAR). This movement protests the act of unduly taking away of Aboriginal and Torres Strait Islander children from their families. Protocols regarding placing children in out-of-home care are not properly followed, and children are taken away from their families or communities too easily. This research was born out of an interest in understanding the inequalities between Aboriginal and non-Aboriginal people. From reading an article detailing the personal experience of a member of the Stolen Generations, I learned for the first time about the genocide that occurred in Australia only two generations ago. This made me want to study something related to this topic.

Some people's reaction to injustice is to engage in activism, with the ultimate purpose of improving the situation. Initially, the topic of this study was going to be the identity of people who are active in GMAR. In June 2018, the first meeting of the Victorian department of the GMAR movement, which had started in Sydney some years earlier, took place in Melbourne¹. Despite not having contacts there upon arrival to Melbourne, I did know someone at the Victorian Aboriginal Child Care Agency (VACCA), an organisation which could surely help me. During the first few weeks, however, the following events made me change my research topic.

¹ See for example this press release of the Victorian department of the political party The Greens: <https://greens.org.au/vic/news/media-release/victorian-launch-grandmothers-against-removals-gmar>

Soon after my arrival in Melbourne, it turned out that the initial meeting of GMAR would not be followed up with a second one any time soon. Although information online had suggested otherwise, it seemed to be more of a one-time thing. Despite this early setback, I decided to continue working on activism, but to focus no longer on just one organisation. This would make it easier to find informants, since I would have a broader pool of possible candidates. I started by going to the Koorie Heritage Trust, an organisation meant to provide cultural education and located in the centre of Melbourne. They have a museum and are active in research regarding Aboriginal culture. Additionally, they play an important role in reconnecting people with family members who have been lost as part of the Stolen Generations.

During my first visit to the Koorie Heritage Trust, I learned a few important things. First, how activism is separated from other activities or from a person's identity. This resulted from a conversation with Judy, a middle-aged woman from Aboriginal heritage working for the trust. I explained the purpose of my research to her and asked if she knew what organisation I could contact to meet people engaging in activist activities. "Activism? We don't do that here.", she told me. She sounded friendly, but dismissive. She referred me to the Aborigines Advancement League, which is more oriented towards activism. I thanked her, and we started chatting more informally. Slightly later I asked her, "What about you? Have you ever attended a protest?" "Yes", she told me. It turned out that she goes to protests regularly, and she ended up informing me about NAIDOC week, a week dedicated to the celebration of Aboriginal and Torres Strait Islander achievements, history and culture. When asked about it, however, she denied being an activist and suggested again to contact the Aborigines Advancement League if I wanted to discuss this topic. My meeting with Judy taught me that activism is a sensitive topic, where word choice and the manner of questioning are important.

Aware of the delicacy of my task and the importance of making good connections, I decided to prepare myself more before visiting the Aborigines Advancement League. Therefore, I wanted to contact more experienced researchers, to ask for advice and hopefully benefit from local knowledge. I went to the renowned Monash Indigenous Studies Centre of Monash University, where I met with Dr Georgia Roberts and Associate Professor Maryrose Casey. Both were excited about my research idea but admitted to having no contacts whatsoever at the organisation I mentioned. This surprised me, because it is one of the most historically important organisations, which still plays a central role in the Melbourne Aboriginal community. Casey was surprised when I told her about the two-month timespan of my fieldwork and said it did not seem enough. This time limitation ended up being a major reason to change my topic. At

this point, however, I still had other strategies to make contacts and did not consider the lack of time an issue yet. I wanted to try another path.

Through a friend, I knew a person fostering for VACCA. I sent my CV and some additional information to her. She forwarded my information to someone working for the organisation, and also gave me the contact information of this person. However, this other person never replied to my emails. In the meantime, I was introduced to another researcher of Monash University, Dr Duane Hamacher, who specialises in Aboriginal Astronomy and its tension with Western knowledge systems. We ended up meeting multiple times to discuss my approach to my research, where he gave me valuable insights generated from his own experience as an outside researcher with an interest in Aboriginal topics. He is originally from the United States and arrived in Australia a decade ago.

Early on, Duane told me this: “I’ve been working on getting informants from within Aboriginal communities for years. I’ve only just now been invited into community.” He told me there is a lot of distrust, and specifically in Australia, a desire of people with Aboriginal heritage to tell their own story, instead of having (white) researchers appropriate experiences. My intention was to be mindful of this when doing my research, and make sure to understand as much and interpret as little as possible. However, an intention is not always enough, and might not come across either. In our second meeting, Duane suggested: “Why don’t you focus on those people who are more like you?” He suggested not to have Aboriginal people as research unit, but, to “look at the people who are the problem”. In other words, the idea was to switch from studying the oppressed to studying the oppressors. It would be less sensitive, more appropriate regarding my own background and ethnicity, and generally a more easily accessible group in this context.

Some time was needed to make the decision to follow Duane’s advice. Originally, I still wanted to try contacting possible informants. I figured I would explain myself well, and some people were bound to respond. I sent out emails to all the possible candidates I could find. Some told me they were out of town, or for me to read something first which would be “instructive”. After another week of this, without progress, changing the topic seemed the wiser choice to make. The general idea became to try to identify those ideas present in society regarding people with Aboriginal heritage.

Since this change happened about three weeks into the fieldwork, the ensuing data is not as extensive as I had hoped, and some interviews and observation sessions had to be improvised. However, even the new research topic ended up to not be ideal as a basis for this thesis.

Therefore, months after returning from fieldwork, having spent a lot of time struggling to fit my data into a research format that it just did not comply to, I had to adjust my research again. Finally, I realised it was not realistic to want to base an entire research on the sparse data I had gathered. Instead, I would have to use data from literature research, and use my fieldwork rather to illustrate than to base conclusions on. The following section details how I proceeded to gather data after the initial topic change. Bear in mind, however, that only a part of this was relevant for the final more theoretical research that I did.

After finding the sociological theory of race and racism by Tanya Golash-Boza, which happened months after I returned from fieldwork, I immediately saw the viability of the theory in Australian context, because many of the assertions of the theory comply with my observations and the other way around. However, my data was not gathered with this theory in mind and can therefore not provide full-fledged conclusions on this topic. Therefore, the theory was evaluated using literature, both on Australia's history as well as on contemporary ideologies and societal structure. The fieldwork has only provided examples to illustrate what was found in literature. Regardless, the next section describes the data collection process. Only a part of this data has been used in the final work.

3.2 Data collection and processing

Informants were chosen based on practical reasons. It was decided to talk with young non-Aboriginal Australians, since they were the natural group for a young non-Aboriginal to connect with. I met most of my informants through university and through the family that hosted me. Especially at university, snowball sampling was used, where people pointed me towards others who could be interesting to speak with. In addition, I attended several events where I could meet more people to have informal conversations with, including some university lectures, an Australian football match, two Aboriginal tours in Melbourne and several barbeques. Informal discussions occurred with both Aboriginal and non-Aboriginal people.

The data was gathered through participant observations and informal conversations. A conscious choice was made to focus on informal talks, after noticing that people seemed more guarded as well as ‘politically correct’ during some early formal interviews. For the purpose of this research, it seemed more important to know the reasons behind thought patterns, as well as to get a feeling for those things which are not explicitly said. In total, four 1,5-h in-depth semi-structured interviews have been held, in addition to around 50 informal conversations and a dozen participant observations which will be drawn on. The informal interview with judge Debbie specifically contributed.

The in-depth interviews were held with Arik, Josh, Paul and Jessie. They consisted of eight topics, designed to discover which narratives people contributed to or were a part of regarding Aboriginal people in Australia. The eight main topics were: daily life, education, personal interest, Stolen Generations, politics, sports, current situation, and reconciliation. Unfortunately, due to a mistake in data transfer, solely the recording of the interview with Josh, a 27-year-old law student from Deacon university, remains. This interview has been transcribed and ended up shedding light on Australia’s legal system. Parts of it can be found in section 5.3.1.

To complement the data from interviews, a variety of participant observations were done. This consists of engaging with and participating in daily activities of informants, while gathering data. This method allows for “ways to check for nonverbal expression of feelings, determine who interacts with whom, grasp how participants communicate with each other, and check for how much time is spent on various activities” (Kawulich, 2005, p. 4), which is suitable to uncover different narratives. I was a moderate participant (DeWalt, DeWalt, & Wayland, 1998), meaning I maintained a balance between being an insider and being an outsider. It was not appropriate nor possible to be a complete participant at all times, due to time restrictions and

different background from the informants. However, at social events dominated by young people like me, I managed to blend in. The following participant observation sessions

Federation Square

The first location which I visited several times is Federation Square in the Central Business District of Melbourne. This is a central location next to the main train station of Melbourne. It hosts several museums and cafés. The Koorie Heritage Trust, an organisation trying to preserve Aboriginal culture, was moved to Federation Square from a less accessible location a few years ago. Their main entrance is prominently visible on the square. Both downstairs and on the first floor, a museum is located. Furthermore, on the first floor you find an archive, and usually some enthusiastic volunteers. The purpose here is to help people connect with or find family members of Aboriginal heritage which they might have lost as a consequence of Stolen Generations. To this day, many people of Aboriginal heritage do not know who (all) their ancestors or relatives are. Data from a tour I joined organised by the Koorie Heritage Trust contributed to section 4.1.

I did several sessions of observations at Federation Square. I went there to observe whether people noticed the Koorie Heritage Trust, and whether they entered or not. I also observed a protest and an Aboriginal celebration in the context of Dreamtime at the G', which will be explained later. Furthermore, I went to the Trust itself to have a look and chat with visitors, which taught me about the type of people engaging with Aboriginal culture and their racial identification. Additionally, the chats helped me to redirect my research, as described in section 3.1.

Birrarung (Yarra River)

Between Federation Square and the train station, one of the main streets of Melbourne, King's Street, turns into a bridge and crosses the Yarra River, which was called Birrarung by the Wurundjeri people, the Aboriginal tribe native to the land where Melbourne was founded. However, a colonist gave the river the name Yarra Yarra, which most likely means waterfall or current in the Wurundjeri language. The story goes that this colonist was brought upriver in a canoe with a Wurundjeri host, with whom he did not share a language. The host pointed ahead and said something that to the colonist sounded like Yarra Yarra, which he took to be the name of the river. In truth, however, the host was pointing out a current up ahead. This current can be seen on old sketches of Birrarung. However, it has been removed since, along with the widening of the river and the building of stone riverbanks.

Nowadays, Birrarung and its banks have changed irrevocably since the time of colonisation. From Federation Square, steps lead down to one of the riverbanks. A bit further downriver, the river's original name is written. Behind there, there are several artworks celebrating the history of the location, including life-size Aboriginal artefacts and an interactive art piece on the wall where Aboriginal stories can be heard. I went to this location to observe how people interacted with the art, as well as with the historical tour organised by the Trust.

Dreamtime at the 'G

One of the most well-known and popular sports in Australia is Australian football, or 'footy'. Usually, different neighbourhoods within the city have their own teams, which are loyally supported. The Australian Football League has a huge platform, which they try to use, for example, to combat racism. In this context, every year one match is dedicated to ask attention for Aboriginal football players: the Dreamtime at the 'G match. In the culture of most Aboriginal tribes, the Dreamtime is the time before creation. The 'G is a nickname for the location of the game, the Melbourne Cricket Grounds (MCG). The yearly Dreamtime game is famously held between Richmond and Essendon (two neighbourhoods in Melbourne). In the afternoon before the game there is a market in Federation Square, with stalls asking for attention regarding several issues in relation to the way Aboriginal people are being treated. After that, a protest march, the Walk of Life, goes from Federation Square to the MCG. I conducted an observation at the market. Observations from this market are mentioned in section 5.1. Unfortunately, I was unable to join the Walk of Life, but caught up again at the MCG and attended the game for another observation.

University lectures

After making contacts at Monash University as described in section 3.1, I was allowed to audit a series of lectures on Race and Power, given by Doctor Jeremy Ash, as well as one lecture on Indigenous Land Rights. During the four lectures I attended, I learned from the content. Specifically, the lecture on Land Rights contributed to section **Fout! Verwijzingsbron niet gevonden..** I also observed the way the mostly non-Indigenous Australian students engaged with the material. Lastly, I went to the campus of La Trobe University, another of Melbourne's universities, and did an observation there. Both helped to give me a better feel for Australian campus culture. The observations there did not make it into the research.

Social activities

To be able to have deeper conversations with people in my research group, I also joined in the social life of non-Aboriginal young Australians. I did participant observations at two barbeques, a surfing trip and a road trip along the coast and an Aboriginal tour in the Botanical Gardens. These have led to some insights, mostly giving me a better general idea of the social landscape and the role of race and racism.

The end result is a small amount of data on a myriad of topics. As mentioned, the fieldwork was mostly used to illustrate contemporary Melbourne. On top of that, it gave ideas for further research opportunities on the different aspects of race and racism playing out in the social landscape in Melbourne.

3.3 Positionality and limitations

In section 3.1, it already became clear that my position as a Dutch white young researcher influenced my options for doing research regarding Aboriginal people in Melbourne. I am aware of the influence of my personal experience and background on the way I engage with data and have tried to keep this in mind at all times. It is easy to presume to understand another being, but when we engage with another's story, we interpret it using our personal frame of reference.

When realising people's frames of reference can differ widely, it becomes clear that it is not always as easy as expected. The stories people tell sprout from their axis of signification, resulting in different stories depending on where a person is from and how they grew up. Additionally, a story is crafted to fit a specific moment in time, a specific occasion, and often a specific person or crowd. Therefore, when being repeated, it might be told differently. A similar line of thinking can be applied to the way I carry out observations, what I notice and what I do not notice, who I talk to and what I ask. Therefore, the data of the fieldwork is tainted by my personal interpretation of my observations. This also applies to the way I engage with literature.

It is impossible for a white Dutch woman like me to understand the challenges Aboriginal people continue to face. I do not know what it is like to be discriminated against based on 'race'. I do my best to understand by writing about it.

A limitation was placed on this research by the short timeframe of 2 months of fieldwork, as well as the change of topic within this time. When coming back from fieldwork, I also lost about one-third of my data in a strange Google Drive accident (where I lost both the original data as well as my backups). I have tried to reconstruct this data as much as possible, but memory is not flawless, and it has made my research less rich.

It should be noted that this study of both historical and contemporary Australian society is in no way complete and does not mean to be. Many aspects of the relationship between Aboriginal people and the Commonwealth government, and all its consequences, have not been discussed. Instead, the study has attempted to provide insight in the way racist structures and ideologies collaborate.

4 The racial history of Victoria

In this chapter, a history of Victoria since the beginning of colonisation is given, mostly in chronological order. The influence of race and racism on the flow of history is shown. This information is used in the next chapter to demonstrate a historical continuity of racist structures and ideologies to this day.

4.1 Early colonisation (1835-1850s)

Following the British colonial tradition, James Cook claimed the East coast of a new continent, Australia, in 1770. The protesting American colonies had started refusing prisoners, and the British saw an opportunity for solving the problem of their overcrowded jails (Broome, 2005). They opened a penal colony on the 26th of January 1788 at the place which is now known as Sydney. From there, settlement continued. Melbourne was settled in June 1835 by John Batman, as part of a business alliance setting sail from Tasmania, which had been settled prior to that (Broome, 2005).

It is important to remember here that Australia is enormous, and driving by car from east to west, nowadays, takes at least 41 hours. Add deserts, rainforests, and untrodden terrain to the mix, and it becomes obvious that colonisation was a long-term process that had different effects on different areas. This thesis mainly focusses on the state Victoria, since the fieldwork for this study took place there.

The arrival of European settlers to Melbourne and its area in 1835 had a huge impact on the local Aboriginal tribes. By 1840, the European population of Melbourne had reached 4,000, which resulted in an enlarged germ pool (Broome, 2005). Dr P. Cussens was Melbourne's medical officer at the time. In May 1939, he recorded cases of dysentery, typhus fever, respiratory infections and syphilis among Aboriginal people. In his words, these diseases could "render them extinct in a very few years", if they remained unchecked (Broome, 2005, p. 26). In 1844, George Augustus Robinson, Chief Protector of the Aborigines, wrote in his yearly report: "As a People the Aborigines are rapidly on the decay. They are greatly reduced. They are but Remnant Tribes. Sections are extinct. Their diminution is attributable to several Causes. In their petty feuds and intestine strifes several have been sacrificed, but hundreds have fallen victims to the dire effects of European disease." (Gunson, 2002, p. 231) In just nine years, from first settlement in 1835 to 1844, Aboriginal went from around 10,000 strong to being 'remnant tribes' where 'sections are extinct'. The 'petty feuds' that he mentions, however, were more often than not ancient Aboriginal law in action. This will be discussed more later in this section.

Apart from the effects of disease, an estimated 1,000 Aboriginal people were killed violently between 1835 and 1850, opposed to a suggested 80 white deaths in the same period of time (Broome, 2005). First, it is important to get an understanding of what Victoria looked like before European settlers arrived. After that, a light will be shed on what happened in the early years of colonisation.

The Aboriginal people of Australia have been portrayed as being constantly on the move before colonisation, as nomadic hunter-gatherer people. Recently the case has been made that the people the British encountered when they first set foot on Australia did have permanent settlements and also practiced agriculture (Pascoe, 2014). Victoria was the most populated region in Australia, sustaining 36 different closely related clans, consisting of around 20,000 people (Broome, 2005). These clans were organised in tribes, each with their own language. Five of them, the Djadjawurrung, Boonwurrung, Daungwurrung, Woiwurrung and Wathaurong had formed an alliance, called the Kulin. The Kulin populated the area in Central Victoria which now houses Melbourne (Frankel & Major, 2014). By the time the British settlers arrived, Aboriginal people had been living in Australia for an estimated 65,000 years (Clarkson et al., 2017).

The Kulin migrated throughout the year, following the seasons. Each tribe inhabited their own territory, and they had strict laws of ownership. When strangers invaded their lands without clear purposes or invitation, they were executed according to tradition (Broome, 2005). Messenger wore decorated messenger sticks, which were a means of communication between neighbouring tribes. Through these, as well as through songs, information could travel all through Australia (Frankel & Major, 2014). For example, Kulin people living in the south of Australia would sing songs describing crocodiles, only existing in the rainforests all the way north. Although the Kulin had a migratory way of life, they strongly manipulated their surroundings to provide for themselves better, in ways which can be seen as practicing agriculture (Pascoe, 2014). They did this, however, from a philosophy best understood in Western terms as stewardship of the land.

Aboriginal worldviews were based on stories of the Dreamtime, when land and men were created. Each tribe in Australia had its own mythology and language, but stories of the Dreamtime seem to be a common thread in Victoria. In some myths of the Kulin nation, the eagle Bunjil and the crow Waa together are two halves of one whole, the Creator (Frankel & Major, 2014). In others, eagleman Bunjil shaped the surface of the earth by himself, and women and men were created from bark. Yet other versions relate how the warmth of the sun was

captured by Bunjil and released upon the earth to split it. Humans then emerged from the crack in the surface (Broome, 2005). Nature and natural phenomena played a central role in mythology and spirituality. Without going into detail, it is relevant to know that there was an intricate belief system, based on orally transferred knowledge. Most Kulin shared the belief that a ‘far-away place’ existed, and this notion was used to explain the emergence of the white men at the beginning. Names bore a special power, and an exchange of names was a way to establish a reciprocal relationship (Broome, 2005).

The Kulin tribes were divided into familial clans. The clans were organised hierarchically, headed by a *ngurungaeta* (chief or headman in Woiwurrung, Daungwurrung and Djadjawurrung languages) or *arweet* (equivalent in Boonwurrung and Wathaurong languages). There was an emphasis on familial ties and an important respect for the older people of the clan, the Elders, whose council played a big role in governing. They also functioned as mentors or guides to all other people of the clan (Broome, 2005). The Kulin lived in villages formed by huts, which could be relocated. They cooked using campfires or ovens; Aboriginal people were the first globally to start baking bread (Pascoe, 2014). They had intricate fish traps as well as canoes, and hunted for kangaroo, emu, bush turkey and more. A wide range of tools, mostly made from wood and stone, was employed. They ate eggs, fruits, vegetables, honey, insects and root vegetables, and more, with *murnong* (yam daisy) as a staple food. Possum cloaks kept Kulin people warm, and were also a status symbol of ceremonial importance (Frankel & Major, 2014). In some tribes, a person would be gifted a single possum pelt at birth. From then on, the possum cloak would be added to and decorated with art narrating their life throughout their lifetime. They had marriage ceremonies (sometimes polygamous) and burial ceremonies. Entertainment consisted of sports and games, most notably the predecessor of Australian football (which is currently Australia’s most popular sport). In this early version of football, a possum skin was turned inside out and used as a ball (Frankel & Major, 2014). Music and ceremony played an important part, both in executing justice and connecting with the spiritual (Frankel & Major, 2014).

In short, the Kulin maintained religious or spiritual knowledge, as well as an ancient legal system, and complicated livelihood strategies, social practices, and ways of relating to others, the physical and the spiritual world. Remember that all these things could be different for different Kulin people; each of the five Kulin tribes had their own practices, traditions and livelihood strategies. It is hard to distinguish retrospectively, because European sources where our information comes from, often did not distinguish properly between different tribes, clans

and languages. An average Kulin person would probably have spoken all five different Kulin languages (Broome, 2005). Due to their linguistic talents, Aboriginal people learned English soon after colonisation. The Europeans, however, fared much worse with Aboriginal languages, also due to a lack of trying and a lesser pressure to learn (Broome, 2005).

Encounters between Aboriginal people and European settlers did not all play out in the same way. Especially in the early years of Melbourne, a curiosity and certain respect existed for the local tribes. For example, a young Brit who arrived in Melbourne in 1840, George McCrae, described the Kulin people. He wrote they were “lively, loquacious, good-humoured and honest”, the women were “well-favoured and really pretty”, with children who were “bright-eyed, interesting and intelligent” (Broome, 2005, p. 15).

In those early years in Melbourne, the black-white relations were marked by mutual curiosity, friendliness, and openness (Broome, 2005). To Europeans, the Kulin people appeared to have no religion, government, farming system or other permanent structures (in which they were mistaken), yet they seemed happy and healthy. Like McCrae, other early settlers have written down their admiration for the Kulin. Many had views that were ethnocentric, but not racist, meaning there was a belief in cultural superiority rather than biological superiority at this time. Richard Howitt, a settler who published his observations called *Impressions of Australia Felix* in 1845, wrote that Aboriginal people were “as low as human nature can descend”, but they were “human creatures - of the same, I am convinced, origin with our race”. He described the men as “dignified” and “noble”, and some of the women as being “pleasing-looking”. Contrarily, he also wrote that the ochre Aboriginal people used to decorate their bodies made them “the ugliest pieces of human nature” (Broome, 2005, p. 17). The ideas of the Europeans making up the middle and lower classes of Melbourne at the time have not been recorded. It is known that they sometimes employed Aboriginal people and fraternised with them and slept with Aboriginal women. Fights erupted when tensions occurred, but generally relations seem to have been tolerable (Broome, 2005).

Simultaneously, records also bear witness to a curiosity on the side of the Kulin people. Melbourne was provided with food and resources by boat, making it an interesting opportunity to access food sources and obtain blankets and tools. The Kulin people most likely expected access to these things for two reasons. First of all, the Europeans were residing on their land, and therefore they were due payment as landowners. Secondly, strong philosophies of reciprocity colour the worldview of the Kulin people, and they likely expected the same from the newcomers (Broome, 2005). Originally, their expectations were fulfilled, and more and

more Kulin people started residing on the banks of the Yarra river close to Melbourne. When other strategies failed, they started working for the flour, meat and blankets they wanted. Some women started offering sexual services. The appeal was that compared to labouring for hours to gather grains to make flour, or hunting for meat or possum skins, the food and resources from the settlers cost less time and effort to obtain (Broome, 2005).

On top of this, promises of continued access to resources had been made by the Europeans to the Kulin people. In June 1835, John Batman, a colonizer and pastoral farmer, had negotiated with Wurundjeri Elders, from a Woiwurrung clan. They had signed a treaty, where in return for the occupation of Port Phillip, a piece of land close to Melbourne, he promised yearly payments in flour, meat, and sugar (Kenny, 2008). It is suggested that the Kulin people knew exactly what had been happening around Sydney, where settlement had started forty years prior, and finally led to the violently driving away of the local tribes by colonisers. Signing the treaty was a way to prevent violence and benefit from inevitable settlement (Kenny, 2008). Batman complied with his promise a year later, in May 1836, but no other payments were made.

Gifts and exchanges of food continued, however. For example, in March 1839, a new government official, appointed by the British, arrived in Melbourne. George Augustus Robinson had been appointed Chief Protector of the Aborigines. The existence of this position shows that, according to the British, the Aboriginal people needed protection from white settlers, hinting towards paternalistic ideas about the Kulin people. The philosophies of the British in this will be discussed in greater depth in section 0. When George Augustus Robinson arrived, he threw a big feast, where every Aboriginal attendee walked away with at least a kilo of flour and meat, as well as tea, sugar, and rice (Broome, 2005). This and many other instances where food was provided created expectations by the Kulin people, and agreements were long remembered. In 1840, government official Protector William Thomas wrote that a Daungwurrung man told him “plenty long time ago Mereguk (Master) Batman come here blackfellows stop long long time all blackfellow, plenty bread, plenty sugar, blanket, etc” (Broome, 2005, p. 19).

These food-gathering strategies in Melbourne resulted in a gradual de-skilling and pauperisation of the Kulin people (Broome, 2005). One other factor permanently changed the Kulin’s way of life: guns. The Europeans had brought them with them, and already in 1835, they became popular among Kulin men. By 1840 around 1 in every 3 Kulin men who camped out close to Melbourne possessed a gun, which became a status symbol among Kulin people (Broome, 2005). They had stopped catching bush foods and making possum-skin cloaks.

Seasonal planting strategies had also been impaired. When people camping close to Melbourne did hunt, it was often to sell their produce in Melbourne and buy sugar, flour or meats there (Broome, 2005).

In those years, the country slowly became deprived of bush foods, first only close to Melbourne, and later on in the greater area as well. It is hard to say how big the impact of colonisation was on this process. However, a number of factors contributed, notably pastoring of sheep and cattle. Originally, Aboriginal guides had shown the fertile grasslands to early colonisers. By 1840, there were over 700,000 sheep and around 50,000 cattle grazing in Victoria, and by 1842 both numbers had doubled (Broome, 2005). These ungulates compacted the soft airy Australian ground. This resulted in less drainage of water and less waterholes, leading to draught. Additionally, the invading animals monopolised the native grasses, leaving less food for kangaroos, emus, bush turkeys and other native fauna. Before colonisation, *murnong* had been a staple food of the Kulin people, but it turned out to be a favourite of sheep as well. In 1846, a settler named Isaac Battey noted that Kulin people had stopped gathering *murnong* “for the all-sufficient reason that livestock seemingly had eaten out that form of vegetation” (Broome, 2005, p. 20). In 1844, a landowner close to Melbourne complained that his potatoes had been stolen by Kulin people. The Kulin were moved off by assistant Protector Thomas, who noted: “I cannot but feel for the poor blacks. They had till this visit an undisturbed range among the lagoons and supplied themselves for a month or 5 weeks, now one side of the Yarra is forever closed to them.” (Broome, 2005, p. 20)

The result of all of this was that the Kulin people started to depend on European food and means. They had embraced European foods and items such as tobacco, as well as guns, metal items like axes, and interestingly, European dogs, which they fondled as pets (Broome, 2005). Another thing introduced by the settlers was alcohol, which provided an issue. In the beginning, Aboriginal people did not want to try it, but around 1839, reportedly more Aboriginal people dwelling around Melbourne were drunks than not (Broome, 2005). There are no accounts of sensible alcohol use by the Kulin, although it could be that this would not have been worth reporting. Reverend Waterfield, working in Melbourne at the time, wrote that “many of the poor natives were made drunk by brutal whites” (Broome, 2005, p. 25). This comment is interesting to unravel. First of all, it shows that only whites have agency in this situation, according to the reverend. The ‘natives’ were made to do stuff, without considering their own decision-making in this. Additionally, they are described as ‘poor natives’, in other words, victims of the colonisers. This is in line with the missionary narrative that non-white people are

like children who need white people's guidance, a view which is called 'paternalistic'. An amendment was made to the 1838 Publican's Act, creating the following policy. It was made illegal "to sell or give Aborigines liquor" (Broome, 2005, p. 25), acts that were being fined up to five dollars, a significant amount at the time. The amendment to the act did not seem to diminish the problem: "there were always whites willing to supply Aboriginal people with alcohol for some favour or other" (Broome, 2005, p. 25) What did help temporarily, however, was a warning by two Woiwurrung Elders, Billibellary and his cousin Murrumbean, against alcohol, with the reported cases of drunkenness subsiding to only three cases in April 1846 (Broome, 2005). There are many accounts of Aboriginal people in Melbourne at the time dying of alcohol abuse, by alcohol poisoning or as a result of accidents caused by an intoxicated state (Broome, 2005). Throughout history, and to this day, alcohol abuse among Aboriginal people remains common.

The reason that these new resources were embraced by the Kulin was beautifully worded by Richard Broome, a historian who wrote *Aboriginal Victorians: A history since 1800*: "These people were not 'savages', gaping in the face of magical innovations, but people willing to incorporate new artefacts, foods and technologies into their culture once they appreciated their advantages." (2005, p. 22) Unfortunately, this dependence on European items exacerbated the power difference between Europeans and the Kulin. Additionally, the Europeans were growing in numbers where the Kulin only declined.

It is a misconception that Aboriginal people did not have their own law. For example, an important legal tool the Kulin used were trials to defend and restore honour. In his 1845 *Impressions of Australia Felix*, Richard Howitt describes a trial, which he merely perceived as a fight. A Woiwurrung woman had been taken by a Daungwurrung man. Members from both tribes gathered, and much shouting ensued. Spears and boomerangs were thrown from one group to the other. However, the purpose was clearly not to wound or hurt as many people as possible: only one man was speared in the leg eventually. Elders supervised such trials, to prevent them from getting out of hand. Then, when it was decided justice was done (for example, when the perpetrator was speared in the leg), a corroboree (reconciliation in the form of dance) was held. After that, the two tribes could continue on good terms (Broome, 2005). Offences of women could be punished by group-rape, which they should undergo silently. In the words of Richard Broome: "This was age-old Aboriginal law at work, not 'savagery', war and chaos." (2005, p. 29)

Kulin law was also very strict on Aboriginal people from other areas in Australia visiting their territories. Such strangers had magical powers, capable of making the Kulin sick, for example by stealing their hair, or using other types of sorcery against them (Broome, 2005). Ritual killings often followed when Aboriginal people from other territories intruded. However, traditions like this were not perceived well by the settlers, who viewed them from a different perspective as well as without understanding. This contributed strongly to accounts of Kulin people being savage or uncultured. Under European influence, it became more and more difficult to practice Kulin law and rituals. The trials, thought to be fights, were broken up when discovered by Europeans (Broome, 2005). On top of this, the Kulin were coping with the beforementioned deprivation of traditional food sources and impairment of livelihood strategies. Additionally, due to the copious amounts of deaths among the Kulin, traditional knowledge was being lost. The numbers of the Kulin people had declined substantially, their livelihood strategies were no longer available, their food sources became deprived, and their culture and legal practices were not always tolerated by the colonisers (Broome, 2005).

Meanwhile, the Kulin were made to comply with laws not their own and punished heavily when failing to follow these rules. The Police Magistrate of Melbourne, William Longsdale, ignored Kulin presence for five months upon his arrival, until he no longer could justify his silence on the topic. He then wrote, in 1839, that Kulin in the Yarra Camp were “fighting almost every evening and in the night indulging in the most awful scenes of debauchery, which create fresh frays for the coming day.” (Broome, 2005, p. 30) In 1840, the Superintendent of Melbourne, Charles La Trobe, banned Aboriginal people from Melbourne, stating that “no Aboriginal blacks of the District are to visit the township of Melbourne under any pretext whatever” (Broome, 2005, p. 31). Woiwurrung and Boonwurrung people then picked a place further from Melbourne to camp, but the directive that all Aboriginal people should stay away was impossible to implement (Broome, 2005). The fact that the directive was put in place, however, displays the entitlement of white officials and the arbitrary power that the imported government held in Australia.

Other examples of coloniser’s law being applied to Aboriginal people include the jailing or shooting of perceived criminals, who were people not willing to comply with the colonial police. In 1840, over 200 Woiwurrung, Boonwurrung and Daungwurrung were arrested, without charges, when officers failed to find the two Aboriginal people they were meaning to detain. Two Aboriginal people were shot when attempting to escape. Most of the others were released later, but around 35 Daungwurrung men were held captive for eight months. After that,

nine of them were convicted for robbery (Broome, 2005). Notably, within the British legal system, Aboriginal people were not allowed to testify in court, and the nine convicted Daungwurrung men were not able to defend themselves (Broome, 2005). This is an example of the unfairness created by the power imbalance between colonisers and Aboriginal people, almost from the beginning of the settlement of Melbourne. Aboriginal law was not recognised, with their trials only contributing to them being perceived as inferior savages, and within British law Aboriginal people were treated unequally and unfairly. The colonial legal system has played an enormous part in shaping the lives of Aboriginal people and continues to do so to this day. Relationships between police and Aboriginal people remain tentative. Since it is so important, emphasis will be placed on the contemporary legal system in the next chapter, which will turn out to still carry many of the unfair policies that were present in early colonial times which have continued to shape Aboriginal lives since then.

All these factors combined contributed to a feeling of hopelessness amongst the Kulin people. Billibellary, a *ngurungaeta* of the Woiwurrung, said in 1843 that eight children had been born in his clan since 1839. Of those eight, only two had survived. The others had been strangled or smothered by their mothers, according to Billibellary. To understand this, we need to consider Woiwurrung culture. The country they lived on was the birth right of Aboriginal children (Frankel & Major, 2014). Without country, there was no reason to exist. In times of scarcity, smothering children was a necessary tradition to prevent the people from becoming too numerous (Broome, 2005). In these early colonial years, desperation was such that this tradition was practiced. Noticeably, around this time, poor women in British rural communities also practiced infanticide for similar reasons. However, their actions were perceived differently: where Aboriginal infanticide was merely savagery according to the British, poor rural white women in Britain were unfortunate victims of circumstances (Broome, 2005). It should also be noted that it is not clear how common infanticide really was among the Kulin; little evidence is available. Regardless, Billibellary explained that “blackfellows all about say that no good have them *Pickaninneys* (children) now, no country for blackfellows like long time ago” (Broome, 2005, p. 32). Derrimut, *arweet* of a Boonwurrung clan, said to a white officer around the same time: “you have all this place, no good have children, no good have *lubra* (a woman), me tumble down and die very soon now” (Broome, 2005, p. 32).

Land ownership in Australia was based on the *terra nullius* principle since the beginning of colonisation. *Terra nullius*, which is Latin for land belonging to no-one, is the British principle that the land of Australia legally belonged to no-one at the time of colonisation, a policy

reproducing inequality: Aboriginal claims to the land prior to colonisation were dismissed. According to *terra nullius*, Aboriginal land was free to be claimed by colonisers under British colonial law (which was the basis for Australian law) (Banner, 2005). This contributed to policies that restricted Aboriginal access to certain places, like the 1840 ban from Melbourne, or the charges against Aboriginal potato thieves. It also enabled the vast amount of sheep and kettle farming, the consequences of which for native flora and fauna have been discussed earlier. No wonder that the Kulin soon felt there was no country available anymore for their new-borns. Meanwhile, the settlers also attempted to ‘educate’ the Kulin, trying to change their way of life.

4.2 Schools, missions and protectorates (1837 onwards)

In 1830, British Evangelicals had taken a prominent position in the British government, bringing with them ideas which were both enlightened and ethnocentric. In 1835, they managed to establish a Select Committee on Aborigines in the British government. Their reasoning looked something like this: Aboriginal people had been severely disadvantaged since colonisation and should be recognised as equal British subjects. Therefore, they should be governed from Britain, and as compensation for the taking of their land would be educated in British religion, language and culture for free (Broome, 2005). The report that the Committee wrote on the subject stated that Aboriginal people were “probably the least-instructed portion of the human race in all the arts of social life” (Broome, 2005, p. 36). This thinking led to the opening of many missions and protectorates for Aboriginal people in Australia. What the British were trying to accomplish was to turn Aboriginal people into British Christians, for their own advancement. Richard Broome explains: “Such hierarchical views of human progress were common among enlightened and evangelical thinkers, whose world view sought social and moral advancement to Christian and respectable western standards.” (Broome, 2005, p. 36) These ideas strongly resonated with the Governor of Australia, Sir Richard Bourke (Broome, 2005). Because of this, these ideas were the foundation of the way Aboriginal people were treated and have profoundly shaped the relationships between Aboriginal people and settlers.

The very first Government Mission was opened in Melbourne in 1837, and was soon followed by another mission, the Wesleyan Buntingdale Mission (1838), the Port Phillip Aboriginal Protectorate (1839, expanded to four stations by 1841), a Government School (1841), a Native Police Corps (1842), and a Baptist school, the Merri Creek School (1845). More schools and missions followed after that. All these institutions possessed the same dual purpose that was born from this combination of Enlightenment and ethnocentricity: to educate and to protect Aboriginal people (Broome, 2005). By 1853, all of the institutions that were just mentioned by name had closed and failed to achieve the British goals (some argue only the Native Police was somewhat effective; it did achieve some things the British had wanted (Fels, 1986)).

From an Aboriginal perspective, these institutions only provided opportunities. The Government Mission, headed by George Langhorne, housed about 20 boys, most of them from the Woiwurrung tribe. Children in the Government Mission were provided with three daily meals, while parents were paid for labour on the grounds (Broome, 2005). Possibly, the school was seen as a convenient day care centre by the parents, who were used to shared childcare between kin. Two incidents, when some Woiwurrung took potatoes from a neighbouring farm,

as well as slaughtered sheep who had grazed the area, led to tension. In the eyes of the Woiwurrung, these resources were occupying their land, and therefore theirs by rights of ownership and reciprocity with neighbours (similar to instances which were discussed earlier). However, after two confrontations where both Woiwurrung and settlers fired guns, two Woiwurrung men were arrested and sent to Sydney for trial, though they later returned. In 1838, all Woiwurrung abandoned Melbourne and travelled to the mountains, taking their children with them (one child was left behind, but he was not Woiwurrung. Instead, he came from a northern tribe and thus had no ties in the area). Most likely, there was an important initiation; some Woiwurrung youths in the Native Police left as well (Broome, 2005). This move shows an Aboriginal disregard for the plans of the British. Instead, it seems opportunities were taken as long as they were deemed profitable, in this case providing parents and their children with food. As soon as something more important came up, they would not scruple to leave the British institutions.

The Port Phillip Aboriginal Protectorate was headed by the beforementioned George Augustus Robinson. Since the beginning, protectorates were controversial amongst settlers, and its Protectors were seen as unsuited to the task of “taming a race of wild and lawless savages” (Broome, 2005, p. 40). In truth, settlers were angry that the protectorates took up land which they wanted to farm, and often ruled in the favour of Aboriginal people in disputes over resources (Broome, 2005). The most popular station of the Port Phillip Aboriginal Protectorate, the Loddon station, was headed by Edward Stone Parker, an Evangelist, and was mostly attended by Djadjawurrung people. There are accounts of Djadjawurrung playing with Parker’s children and cooking them bush foods, while Parker told them that the station would compensate them for the loss of land that they had experienced due to the colonisation. It seems that affection existed between some Djadjawurrung and Parker, who was attempting to speak the Djadjawurrung language (Broome, 2005). The Djadjawurrung worked on clearing the station’s surroundings and planted crops there under Parker’s instructions. The youth were targeted with Christian education. One of Parker’s prayers that he recorded, illustrates his mindset in all this: “Take from them their bad spirit. Give them a good spirit. Be not angry with them. They are very stupid.” (Broome, 2005, p. 42) After a review in 1849, the station was closed, and Parker wrote in his final report: “The mass of the Aboriginal population of this District remains unchanged in their characteristic habits and inclinations, and in some instances I have witnessed more determined hostility to religion, and more inveterate attachment to their

own sensuality and superstition than ever.” (Broome, 2005, p. 43) Again, the British purpose had not been fulfilled.

The Native Police Corps was similarly used for Aboriginal purposes. Originally, only *ngurungaeta*, like Billibellary (albeit with a ceremonial function), *arweet* or descendents of those joined. Marie Hansen Fels, who conducted an in-depth study on the Corps in 1986, wrote: “(...) joining the Corps was an attempt to share in the power and authority of the invader who was so clearly here to stay, (...) the men of the Corps used the prestige and influence they derived from membership (and the material things they acquired) to extend their influence within traditional Aboriginal social relationships.” (Fels, 1986, p. 3) It even turns out that all *ngurungaeta* and *arweet* of the tribes around Melbourne joined the Corps at one point or another (Fels, 1986). Native Police officers were using their station to overpower Aboriginal people from distant tribes, who were perceived as trespassing sorcerers (Broome, 2005). The position of these Native Police officers was complicated; on the one hand they did need to comply with the Corps’ rules to maintain their position, on the other hand their loyalties were often to their kin, traditions and tribes. The Corps was sent on excursions to the country, often to protect settlers. They were used to smash down Aboriginal resistance and are thought to have played an important role in doing this (Broome, 2005). Nonetheless, the Corps was dismantled in 1853, when an important captain died, the number of Aboriginal people continued to dwindle, and more and more white officers resigned as a result of the gold rush (Broome, 2005).

Around Australia, there were places where the Europeans and local Aboriginal people coexisted, such as has been described for Melbourne. Missionaries might start churches in one spot, and Aboriginal settlements may be existing in another. Usually, however, disagreements arose, for example when the Kulin people did not receive the goods they felt were due to them. Stories of these early settlements are riddled with complicated and often conflicting interests, misunderstandings, and violence, as well as curiosity, exchange of language and goods and openness, although these last three were usually out of balance. The Aboriginal people, the less powerful ones in colonial relationships, experienced a higher pressure to change (Broome, 2005). In the end, the Europeans always turned out to be more numerous and to have better access to resources.

4.3 The Melbourne Gold Rush (1851-1860s)

In Victoria, by 1850 relations had shifted in such a way that it became clear that in order for Aboriginal people to survive, they would need to comply with British laws, policies, practices and institutions. The Kulin had been deprived of their land, their livelihood strategies were no longer available, they were being targeted as criminals, their children were pressured to join schools or missions, while parents were set to work on protectorates. Additionally, numbers had declined substantially, through disease as well as violent deaths. Alcohol addiction was a serious issue, and Kulin depended on European goods for their survival. The white hegemony was legitimized by the idea that European culture and religion was more evolved and bringing it to the Aboriginal people meant doing them a favour. The missionary narrative of spreading the 'true faith', based on enlightened and ethnocentric ideas, played a big part in this and continued to shape the lives of Aboriginal people from that point onwards.

Another factor was about to make life even more complicated for the Kulin. In 1851, gold was discovered in Victoria. As a result, young (white) men travelled to Melbourne from all around to make their wealth. In the ten years after the discovery of gold, the non-Aboriginal population of Melbourne became nine times as big. By the 1860s, there were about 540,000 non-Aboriginal people living in Victoria (mostly Melbourne), versus a mere 1,800 Kulin people, whose numbers only continued to decline (Broome, 2005). Additionally, less and less of the land was available to the Kulin, because of the digging of mines around the area, as well as increased pastoral activities and farming to feed the growing white population. Also, where some early settlers had still displayed some curiosity and a certain respect for Kulin people, and tentative relationships had been built between whites and blacks, public opinion on Aboriginal people was now controlled by the vast amount of newcomers (Broome, 2005). Mostly, the Kulin were now seen as a group who were not only culturally but also biologically inferior, who were doomed to become extinct sooner or later. This is when ideas about Aboriginal people shifted from the ethnic to the racial domain.

In the 1850s, "theorists overseas were increasingly convinced that biology or race, not environment, was the key to human difference" (Broome, 2005, p. 99). In Australia, however, it took longer for these ideas to become widely known. Racial theories permeated to the Australian colonies by the 1860s. Remember that Darwin's *The origin of species* had been published in 1859, which seemed to confirm the recent theories about biologically different races, as has been discussed in section 2.1. From this time onwards, the differences between people who looked differently were suggested to have a biological basis, most specifically

based on skin colour, but including other physical characteristics as well. This scientific development had major influence on the way Aboriginal people were seen by those of European descent. For example, William Westgarth, a politician and historian in Melbourne, wrote in his 1864 book *The Colony of Victoria*: “It could almost seem an immutable law of nature that such inferior dark races should disappear – people hardly see how – before the white colonist.” (Broome, 2005, p. 98) Notice how he employs the word ‘race’ as a defining characteristic of people. Since black people were thought to be biologically inferior, there was a loss of respect for Aboriginal people. Because of this loss of respect, generally whites did not mind if they would disappear (Broome, 2005). Through this thinking process, theories of biological inferiority of Aboriginal people led to efforts to eradicate the black population, often by assimilation into white society.

The Select Committee on Aborigines, established in 1835 by the British Evangelicals in the British government, illustrates these changing views. As explained in the previous section, originally the idea was that Aboriginal people were culturally inferior to the British, which led to their efforts to educate them in British social skills. By 1858, opinions within the committee had shifted. One member, William Hull, wrote that Aboriginal people would surely go extinct, since it was “the design of Providence that the inferior races should pass away before the superior races” (Broome, 2005, p. 99). Generally, the Committee was divided on whether or not Aboriginal people could ‘be saved’, but agreed that Aboriginal decline was their own fault, because of their alcohol abuse, and since they were “weak and ignorant, even for savages” (Broome, 2005, p. 99).

Early settlers, who by this time were seen as experts on Aboriginal culture, started giving lectures about their knowledge. The reception of some more nuanced lectures shows the convictions of the general public that Aboriginal extinction was inevitable. In an 1850s lecture, Gideon Lang, a pastoralist who had arrived in Melbourne in 1841, admired the intellect of the Kulin and pointed out the responsibility of white people in their decline. The reception, however, was not as Lang, pleading for increased protection of the Kulin, intended. A reviewer wrote in the regional newspaper that Lang did not manage to disprove the “inevitable degeneracy of the inferior animal” (Broome, 2005, p. 100). Apart from the better-informed settlers, such as Lang, there was a range of ‘scholars’ who started collecting and presenting, often misinterpreted, information about Aboriginal culture. These works were frequently tainted with racist ideologies regarding their study subjects. For example, Brough Smyth wrote in his 1878 magnum opus, *The Aborigines of Victoria*, that Aboriginal people had a limited

capacity to learn once they had reached maturity (Broome, 2005). Often, the cultural preferences of the Kulin, or Aboriginal people in general, were framed as a biological incapability to learn about superior British religion and culture. In truth, of course, the Kulin perfectly understood the lessons, but just did not believe them, often sticking with their own knowledge and belief systems. Smyth's book was highly influential, since the Victorian Parliament distributed it freely to institutes and libraries everywhere in Victoria (Broome, 2005).

Simultaneously with these emerging notions of race, Europeans started to make a distinction between people of mixed Aboriginal and European descent and 'full-blooded' or 'real' Aboriginal people, who they were convinced would tragically go extinct (Broome, 2005). A certain romanticism towards these 'noble savages' existed, paired with feelings of nostalgia and inevitability (Rowland, 2004). Poems were written about those who were 'the last of their tribe', and their deaths were extensively recorded. The 1869 poem *The Last of His Tribe* by Henry Kendall recorded these sentiments. It was taught in Australian schools from around 1900 until the 1960s; such was the importance of these romantic notions (Broome, 2005). This romanticism probably acted to distract attention of white responsibility for the fates of Aboriginal people.

People of mixed Aboriginal and European descent were thought to be superior to the 'full-blooded'; the higher the percentage of white blood, the closer to the biologically superior white people (Broome, 2005). Complicated ways of classifying people were invented, with terms like 'half-caste' (one black parent), 'quadroons' (one black grandparent, or two black great-grandparents), and 'octroons' (one black great-grandparent, or...) being coined and used in legal writing. Apart from enabling romantic ideas about people 'being the last of their tribe', and racist ideast about Aboriginal people going extinct (since people who were not 'full-blooded' Aboriginal were not considered 'real'), they also legitimised the continued land grab in the continent.

Meanwhile, in the 1850s, the Kulin struggled to maintain their culture and ways of life. The frequency of contact with white settlers, which had brought them many innovations and new sources for food and resources between 1835 and ~1850, decreased (Broome, 2005). However, going back to traditional ways of living was impossible, for all the reason that have been elaborated upon in the previous section. Less and less land was available, bush flora and fauna was slowly becoming less accessible, and a wealth of traditional knowledge was already lost due to the many deaths they had had to cope with. They lived mostly in camps close to rivers

and waterways, like the Yarra River, although they attempted to maintain traditional movement to follow the food. They also continued travelling to Melbourne. On the one hand, this was to sell stuff, like lyre bird feathers or clothes, and buy alcohol (illegally, often from gold diggers), tobacco, or food when they could (Broome, 2005). On the other hand, Melbourne was located on a spot which was a traditional meeting grounds for the different Kulin tribes, and appointments to communicate, exchange information or strategies were kept. These traditional meetings were often broken up by white people, attempting to stop the Kulin from 'dwelling'. For example, in 1851, a group of eight Woiwurrung and three Daungwurrung was broken up by William Thomas (who had first been a Protector of Aborigines, but now that the protectorates had been closed, he was a Guardian instead). The Daungwurrung said "they had arrived but yesterday and they did not come to go to Melbourne but to talk with my blacks [the Woiwurrung]" (Broome, 2005, p. 105). Guardian Thomas also recorded that he was often asked by Kulin people if he knew where other tribes were residing at that time (Broome, 2005).

Another important change happened for the Kulin around this time. Kulin tradition had always dictated strict rules about territory, ownership, marriage, family, and intruders (remember for example how the Native Police have been recorded to violently target Aboriginal people from non-Kulin tribes, and how in 1838 a young non-Woiwurrung boy was left behind by himself at the Government Mission). However, these traditions started to become impossible to practice with the decline of the Aboriginal population. The Kurnai were a neighbouring alliance to the Kulin, who also consisted of five tribes with their respective languages. In 1847, the first Kurnai-Kulin marriage exchanges have been recorded, and social ties between the neighbouring alliances (historically enemies) strengthened from there (Broome, 2005). Additionally, more and more Aboriginal people from far-off tribes started to arrive in Victoria. This happened mostly because white people were trying to organise Aboriginal people by grouping them in specific locations, first only in missions and schools, and later also in reserves (see section 0). Other reasons included marriages or other alliances with white people, where Aboriginal people voluntarily left their clans. Also, some Aboriginal youths from 'up-country' had jobs which permitted them to travel to Melbourne (Broome, 2005). Others started to roam, looking for better opportunities, for example when their kin had been wiped out. These changes led to shifting ties of kinship and resulted in changing Aboriginal identities.

It became clear that, if the Kulin wanted to survive, something had to change. They needed to own land that was acknowledged as theirs by the Victorian Parliament. The first to officially ask for this was Woiwurrung *ngurungaeta* Billibellary, as early as 1843 (Broome, 2005). From

then on, requests became more insistent and more frequent. In 1850, Guardian Thomas reported on a conversation with a few Woiwurrung when they “again point out the spot they would wish to locate upon. I again object, they reason the matter with some degree of art.” (Broome, 2005, p. 106) In 1852, both the Woiwurrung and the Boonwurrung were assigned a spot, both about 25 kilometres away from Melbourne. These early reserves were neither supervised by whites nor permanently inhabited by Woiwurrung or Boonwurrung people. Rather, Guardian Thomas wanted to use them as distributions centres. The main task he had been given as Guardian was “to keep the blacks out of Melbourne” (Broome, 2005, p. 120). He reasoned that, in order to do this, the Aboriginal people would need to be provided with other sources of food: “I would guarantee to keep my own blacks out, and then I know the others would not come.” (Broome, 2005, p. 107)

The rest of the decade, almost nothing was done for the Aboriginal population of Victoria. There was one Aboriginal school that had survived the previous decade, at the former Loddon station of the Protectorate. Apart from that, there were a few Christian missions that continued to receive funding, and a mere six Aboriginal farmers were granted a small amount of land. It took until the late 1850s for another significant change to happen in Victorian policy-making regarding Aboriginal people (Broome, 2005). A prominent politician and historian, Thomas McCombie, had a committee investigate the plight of the Aboriginal people in 1858. The results were an interesting mix of sympathy and racism, which is reflected in the way he spoke about it to the Victorian Parliament: “they [Aboriginal people] had too frequently been treated savagely and inhumanely by the white population of this colony... they had in fact, been almost exterminated, and it was one of the darkest enigmas of the world that the progress of the civilised nations appeared always to eventuate in the extermination of the inferior race.” (Broome, 2005, p. 121) He argued that, although the ‘superior race’ had the Divine right to take land as they pleased, they also had a duty towards their ‘inferiors’. Notice how commonplace it had become by this time to talk about distinct human races, and how even those sympathising with Aboriginal people strongly believed them to be somehow ‘less’ than whites. The report resulting of his committee’s research suggested a system of reserves for Aboriginal people, which would be overseen by whites. The idea was that Aboriginal people could be protected and educated there (Broome, 2005). It is interesting to note the similarity to early colonial ideas of protection and education. Their efforts had originally failed and had been put on the back burner for about a decade, while people started believing Aboriginal people would go extinct soon. Ideals of protection and education, however, now resurfaced. The difference was that the

suggested protection measures were more restrictive, and the education was seen more as a way to civilise a people who were markedly inferior.

4.4 Establishment and early years of Aboriginal reserves (1860-1886)

Coincidentally, the desires of the Kulin and suggestions of the McCombie Committee coincided somewhat. By this time, Billibellary's sons, Simon Wonga and Tommy Munnering, had continued their deceased father's efforts to secure land for the Woiwurrung as well as other Kulin tribes (Broome, 2005). After visiting Guardian Thomas in February 1859, accompanied by Daungwurrung men with the same plight, in March a request was made with Charles Duffy, the Minister of Lands. Duffy had arrived in Australia in 1856, after having fought desperately for land and independence in his native Ireland. He approved all the Kulin's proposals, and a piece of land that they had selected was appointed to them (Broome, 2005). In 1860, the Victorian Parliament created the Central Board and all the necessary infrastructure to create a reserve system. Managers were appointed, correspondents selected, all of whom strongly ascribed to notions of racial inferiority (Broome, 2005). From this time on, a system was in place aimed to manage Aboriginal people in this new way, which continued to be in place for a century. Soon after the Kulin had been appointed their first reserve, a powerful squatter named Hugh Glass objected, and successfully forced the removal of the Kulin from that location (Broome, 2005). This shows the power difference between colonial farmers and Aboriginal would-be-farmers at the time.

In March 1863, Wonga and his people had selected another spot at the Yarra River, called Coranderrk, and settled there. By displaying a grasp of the complicated rules of British diplomacy, they sent a variety of gifts to the Prince of Wales, who was soon to be married. Additionally, an address was given, confessing loyalty to Queen Victoria and proclaiming they merely wanted to be able to farm, "like white men almost" (Broome, 2005, p. 124). In June of that year, the land at Coranderrk was granted to them. The community became known as the Coranderrk Reserve, the first of its kind in Australia. First, Coranderrk was inhabited mainly by Woiwurrung, Daungwurrung and Boonwurrung people, but later the two remaining Kulin tribes, Wathaurong and Djadjawurrung, joined as well. Around this time, only 32 Kulin people were left in Victoria.

The Kurnai alliance soon followed suit, and selected two locations in their area, at Lake Wellington and Lake Tyers. People from another Aboriginal tribe, the Gunditjmara, travelled to Melbourne and were granted a reserve at the Hopkins River. By the end of 1863, there were seven reserves in place, as well as 23 locations used as distribution centres, similar to the early reserves of Guardian Thomas (Broome, 2005). Due to the paternalistic ideas of the time, as well as the belief of racial inferiority, Aboriginal people were not allowed to own the land of the

reserves. The reserves were small, each less than 1,000 hectares. Five were partially funded by different churches and the other two were under full government control, including Coranderrk. Each was placed at distances of about 25 kilometres from coloniser towns (Broome, 2005).

A historian, Michael Christie, oversaw the reserves until 1886, and reported that their goals were, unsurprisingly, “to eradicate Aboriginal culture and replace it with British forms” (Broome, 2005, p. 127). On top of that, he noted that “they governed all aspects of the Aborigine’s daily life” (Broome, 2005, p. 127). Aboriginal people continued to ask to govern themselves, but the opposite happened. When the Central Board was struggling to properly ‘manage’ the reserve inhabitants, they consistently lobbied with the Parliament for more power. In 1869, they were successful when the Aboriginal Protection Act was passed, which turned the Central Board into the Victorian Board of the Protection of Aborigines. The Act was legitimised with: “These children of nature [Aboriginal people], as they are poetically termed, are almost incapable of caring for or protecting themselves, and it is therefore necessary that the state in regard to them should assume a somewhat exceptional attitude.” (Broome, 2005, p. 130) Richard Broome describes the impact of the Act as follows: “This ‘management’ Act, a sharp departure from earlier non-coercive policies, became a black mark in Aboriginal affairs and the history of human rights in Australia.” (Broome, 2005, p. 130) The Act outlined where Aboriginal people could live, where they could work, how they should use their money, and how they should care for and educate their children (Broome, 2005). In truth, the Board was, first overtly, later covertly, trying to control and exploit the Indigenous population (Dodson & Wilson, 1997). By this time, there were six reserves left, and the Board aimed to oblige all Aboriginal people to live on them, to which end they started to actively seek out Aboriginal people. They had been given the option to relocate “any child neglected by its parents, or left unprotected” to a reserve (Broome, 2005, p. 131). What this meant exactly was left to judgement of government officials. Many Aboriginal people came voluntarily, however, with little other options left to them (Broome, 2005). Death rates at reserves, however, were more than 10 times as high as those of the white population, but also higher than those of free-living Aboriginal people, mostly due to infectious diseases wreaking havoc (Broome, 2005).

The Aboriginal reserve inhabitants had a range of ideas about life, and ways of relating with Christianity and the British culture. Little of the campfire conversations or personal musing that must have existed, has been preserved. In each reserve, depending on the inhabitants and management, the atmosphere, regulations, day to day business, and possible issues must have been different. Generally, children in reserve schools, which were obligatory from 1872

onwards, performed well, often better than their white peers. Adults originally did not receive wages, but the men managed to force salaries on each reserve one by one (women were not paid at that time). There are accounts of reserve inhabitants opening savings accounts, holding shares, and mail ordering products from Melbourne. Many Aboriginal people on the reserves chose to embrace Christianity. More and more, they embraced Christian ideas of marriage and stepped into that voluntarily. Those who were educated often went on to use their knowledge and skills to petition for Aboriginal rights with the Parliament (Broome, 2005).

Meanwhile, a part of the Aboriginal people of Victoria continued to live outside of the reserves. By 1877, almost half of over a thousand people were reserve residents (Broome, 2005). This percentage continued to increase. Apart from the six reserves, about 61 locations were known at that time where Aboriginal people resided, including Melbourne, where two women lived. Most of these spots had five or less people living there, some even had just one. This truth made it even more complicated to practice tradition, or even to avoid loneliness (Broome, 2005). Instead, most healthy adults were labouring for whites to be able to take care of themselves, their children or Elders. In addition, they collected occasional rations from the Board, and they also hunted and gathered bush foods when possible. The 1869 Aboriginal Protection Act managed opportunities for these people by obliging white employers to ask for approval when hiring an Aboriginal person (Broome, 2005). The most common jobs were some type of manual labour, like sheep-shearing or building, but there were also men working as athletes, and the Victorian Police had a permanent legion of Aboriginal men working as ‘bush-trackers’, basically conducting rescue operations. All these positions were severely underpaid. Nonetheless, some managed to save money, and use the colonial legal system to become landowners (Broome, 2005). As far as recorded, these ‘wanderers’ maintained a mix of Aboriginal and British culture, incorporating parts of one into the other as they saw fit.

Although the Kulin had originally supported the idea of reserves, and even diplomatically fought for their spot at Coranderrk, attitudes changed after the 1869 Act (Broome, 2005). Their lives became increasingly regulated, and it became clear that the ownership of the land of the reserves would not be transferred to them, as promised. Wages were low, and profits from the reserve (from farming and crafting) went directly to the Board. Most of the Board’s budget (about two-thirds) was used to pay the salaries of the white managers. When Simon Wonga, Billibellary’s son, died in 1874, William Barak became the new *ngurungaeta* of the Kulin (at this point, the Kulin had centralised their government, rather than trying to maintain separated tribes). Barak had been educated on the first Government Mission as a little boy and had been

a member of the Native Police. Because of this, he was knowledgeable about white institutions, language and culture. He led an impressive decade-long campaign, supported by younger Coranderrk men and women, as well as a range of white allies. During this time, Reverend Alexander Mackie, one of their allies, wrote down this comment that a Kulin man made: “the white people have only left us a miserable spadeful of ground, and now they want to take that away from us” (Broome, 2005, p. 169). What had happened at the end of the 1860s was this: again, colonial farmers were dissatisfied that farmland was being used by Aboriginal people, and those settlers applied with the Board for the closure of Coranderrk. The idea was to sell the ground (with huge profit, no doubt), and relocate the Aboriginal inhabitants to a less desirable spot. Remember that this was exactly what had happened with the Kulin’s first reserve, which had been taken over by squatter Hugh Glass in 1860. Coranderrk’s manager, John Green, vehemently opposed this plan, and managed to postpone it while he held his position. Meanwhile, Green had built a unique relationship with the people of Coranderrk. However, in 1874 the Board finally removed him from his post, which started Barak’s campaign to maintain Coranderrk (Broome, 2005). The Kulin went to the press, appealing to romantic notions by saying things like “the Yarra [is] my father’s country” (Broome, 2005, p. 170), and lobbied with politicians by visiting them and inviting them to Coranderrk. They were continuously asking for the same thing: freedom, and country to maintain themselves. In an 1881 petition, Coranderrk’s people wrote: “We want the Board and the Inspector, Captain Page, to be no longer over us. We want only one man here, and that is Mr John Green, and the station to be under the Chief Secretary; then we will show the country that the station could self-support itself.” (Broome, 2005, p. 175) Finally, in 1884, Coranderrk was made a permanent reserve, the only one of its kind in Australia (Broome, 2005). In 1886, however, the Board managed to pass the Amending Act (also known as Half-Caste Act) in Parliament, dealing another blow to Victoria’s Aboriginal people. The next section discusses what happened after that. Richard Broome wrote about the period which came immediately after: “The two generations following the passage of the 1886 Act and its amendments were the most coercive time for Aboriginal people since white settlement.” (Broome, 2005, p. 185)

4.5 Child removals and the closure of reserves (1886-1924)

The 1886 Amending Act differed from the 1869 Aboriginal Protection Act in that it distinguished between ‘full-blooded’ and ‘half-caste’ people, with ‘half-caste’ now meaning any person of “mixed Aboriginal blood” (Broome, 2005, p. 186). Remember how the notions of ‘full-blooded’ and ‘half-caste’ had been invented in the 1860s, as a way to categorize Aboriginal people, and diminish their claims to the land. The Amending Act decided that only ‘Aboriginal’ people were allowed to live on reserves, providing its own definition of ‘Aboriginality’: a person had to be either ‘full-blooded’, ‘half-caste’ and under 14 or over 34 years old, or married to a ‘full-blood’ (Broome, 2005). By the beginning of 1887, all others were to leave the reserves. If it was needed, those people could have access to food and clothing for a limited amount of years afterwards. The removals of ‘half-castes’ from the reserves did not happen as promptly as the Board had planned, due to a number of factors. First, the people living on reserves did not want to leave their families, and their families did not want them to leave. The Aboriginal reserve dwellers did not comply happily. Second, it was hard for the Board to find accommodation and work for the ‘half-castes’. Last, some reserve managers did not agree with the new policies of the Board, and tried to prevent people from having to leave if they did not want to (Broome, 2005). Nevertheless, slowly but steadily, people were removed from their homes.

So why did the Board start to implement these policies? There were, most likely, two reasons. First of all, although the ‘full-blooded’ Aboriginal population was declining, the amount of people from mixed descent was growing (Dodson & Wilson, 1997). The Board did not think there would be a place in society for ‘full-blooded’ Aboriginals, but for those of mixed descent it was different. Although the Board (and the rest of white society) assigned them a decidedly lower status than white people, they could be allowed a place in society. Secondly, the Board wanted to save money: the result of the Act was that less people were owed rations. Additionally, Australia had a fast-growing economy at the time, and the ‘half-castes’ would provide cheap labour (Dodson & Wilson, 1997).

In 1890, the Amending Act was replaced by a similar Act which specified additional regulations regarding both ‘Aboriginals’ (as defined before) and ‘half-castes’. For ‘Aboriginals’, it was specified where they could live (namely on one of the, by this time, five reserves), what they would earn for labour at the reserves, and where they were allowed to work outside the reserves. ‘Neglected’ children from ‘Aboriginals’ living outside reserves would be removed. On the reserves, children could be obligated to live in dormitories away from their families. For ‘half-

castes', the Act mainly offered some assistance in finding work. 'Half-castes' under 18, however, stood under the complete supervision of the Board, and were provided with apprenticeships (Broome, 2005). Importantly, the Board also had to give permission for marriages involving 'Aboriginals'; in practice, all marriages between 'Aboriginals' and 'half-castes' were denied. Marriages between 'half-castes' and white people, however, were only encouraged: it would help the absorption of the 'inferior' race into white society, and the Board would not have to pay for them (but they did have financial obligations towards 'Aboriginals') (Broome, 2005). All of these regulations were based on one idea: Aboriginal people were like children, since they were an inferior race, and white people were entitled to make decisions for them. Additionally, the goal was assimilation: the disappearance of Aboriginal people by absorption into white society. In 1894, additional regulations for 'Aboriginals' living on reserves were created: they were not allowed to leave the reserve "without good cause" and needed permission to receive visitors. This meant, for example, that 'half-castes' who had had to leave the reserves could not easily be in touch with those who were left behind (Broome, 2005).

Survival outside of the reserves was often hard for 'half-castes'. Inside the reserves, people at least received rationed food; outside, the rations stopped after a few years, as outlined in the Amending Act. When they tried to find work or a place to live in white communities, they were often shunned and discriminated against. Government welfare assistance, which was given to the unemployed, was denied to 'half-castes' (Dodson & Wilson, 1997). In the Depression of the 1890s, many 'half-castes' were suffering, and secretly returned to live with family on the reserves when possible, or visited their parents, or camped close to reserves. When they would ask for support from the Board, they would get an answer like was given to Henry Albert in 1897: "The Board cannot grant rations to Henry Albert and family, as they are half castes, but every assistance will be given to place their children into the Industrial Schools and get them boarded out to respectable families." (Dodson & Wilson, 1997, p. 51) In some cases, jealousy from 'half-castes' towards 'full-bloods' arose, since they were rationed where 'half-castes' were not. Conversely, 'Aboriginals' sometimes reported 'half-castes' who refused to leave the reserves (Broome, 2005). In this way, the Act drove a wedge between family members, both literally because of the removals, as well as mentally due to the distinctions that were being made (Broome, 2005).

In 1899, the Amending Act was amended once again, this time specifically targeting Aboriginal children. Where first only 'neglected' children could be transferred to institutions, they now

allowed the removal of any child who was of mixed descent. They were sent to the Department of Neglected Children, who relocated them to charity institutions or boarding schools (boys' schools for farming skills, girls' schools for domestic service) (Broome, 2005). Importantly, most removals of children were not properly recorded, and many were hard to trace back.

More amendments were made in 1910 and 1915, each coming with their own set of additional regulations which had been designed to further control the Aboriginal population of Victoria. As a result of all Amending Acts since 1886, reserve populations declined, with Coranderrk's population being halved already in 1887. Additionally, dire health conditions, poverty and alcohol abuse drove up Aboriginal mortality rates. Where there were over 1,000 Aboriginal people in Victoria in 1877, the 1901 Census counted only 652 (Broome, 2005).

By 1900, Coranderrk had a little more than 80 inhabitants left, including the now aged William Barak. The farmed lands continued to be productive, and rations were supplemented with bush foods and milk from Coranderrk's cows. The reserve housed 13 children, who attended a school with mostly white children at this time, a Board strategy parents were forced to comply with (Broome, 2005). Barak died in 1904, and Coranderrk's population continued to decline due to deaths and removals. Because of this, there were not enough labourers to farm the lands, and production waned (Broome, 2005). However, Coranderrk inhabitants once again invented a new survival strategy, this time benefitting from tourism. Already since the 1870s, people had become interested in visiting the Aboriginal reserves for entertainment purposes. Also, since whites strongly believed Aboriginal people were doomed to go extinct, some went to see them 'before the end', or as researchers for ethnographic purposes (Clark, 2015). From the beginning, Aboriginal people had sold traditional tools like boomerangs and spears and gave performances to visitors (mostly European and Chinese). In 1910, women learned how to weave and started selling baskets as well (Broome, 2005). From the beginning, the Board heavily controlled touristic visits, and objected to the economic independence it offered to the reserve inhabitants. Also, setting traditional Aboriginal practices in the spotlight, exactly those things that tourists were interested in, challenged their assimilation policies: they wanted to replace corroborrees with waltzes and boomerangs with footballs (Clark, 2015). Ian Clark wrote in his book about tourism at Coranderrk: "The ability of Aboriginal people to respond successfully to the opportunities offered to them by tourism challenged the stereotypical views permeating Board policies that Aboriginal people were 'abject' and helpless and destined to die out." (Clark, 2015, p. 8)

In 1917, the Board decided to group all 331 remaining 'Aboriginals', by their definition based on blood, in one reserve, meaning to save money by doing so (Broome, 2005). The biggest reserve at that time, Lake Tyers, was appointed as the new home of all remaining Coranderrk residents. The fact that Coranderrk had been granted the title 'permanent reserve' in 1884, after much lobbying by Barak and others, was conveniently forgotten. It was also not considered that many inhabitants of Coranderrk, and the other reserves that were being closed, were strongly attached to the reserve lands that they considered theirs. This was especially true because of the cultural importance of land and country to Aboriginal people. Nonetheless, over the next six years, most people transferred, since the only way to continue to receive rations from the Board, on which they depended for survival, was by moving to Lake Tyers (Dodson & Wilson, 1997). The Board continuously used rations as a means to control Aboriginal people. In 1924, only 12 elderly people were left at Coranderrk. The Victorian Cabinet sympathised, and allowed them to stay at Coranderrk for the rest of their lives, granting them a small area of land to live on (Broome, 2005).

4.6 Lake Tyers and scattered communities (1920s-1960s)

With the continuing removals of people from mixed descent from reserve communities, these Aboriginal people were forced to change their lifestyle once again. 'Half-castes', who were now living outside of reserves without any assistance, grouped together and started encampments (Dodson & Wilson, 1997). They sometimes ended up on the locations of former reserves, other times on the fringes of small white country towns. The people in these communities, which will be called campers, usually lived in poverty. Adults would do occasional farm work, but permanent positions were hard to find. Diets were supplemented with bush foods, like emu or possum (Broome, 2005). In this, there were marked differences with poor white people who lived in similar conditions. From all accounts, campers were incorporating traditional Aboriginal culture in their day to day life, creating a new culture of their own (Broome, 2005). This was persistently misunderstood by scientists at that time. A.P. Elkin, an anthropologist and advisor to the government, wrote that 'half-castes' were 'cultureless' and on their way to become white (Broome, 2005). Still, ideas about the fate of 'inferior races' strongly influenced scientific as well as political thinking.

The campers were heavily discriminated against, being served last and not allowed to try on clothing in shops, their children bullied and given looks in school (which they often stopped attending) (Broome, 2005). Shop owners might refuse to sell them alcohol, referring to the 1928 Licensing Act, which in fact forbade alcohol supply only to 'full-blooded' Aboriginal people. Often, children were removed from such communities, being dubbed 'neglected' by the Board. Parents regularly became alcohol addicts after removals (Broome, 2005). In 1919, a legislation was passed which allowed 'half-caste' parents to ask for government assistance, so that they could keep their children. However, the process was complicated and included a court hearing. Most parents did not know how to apply for the assistance, were scared to go to court (besides its unfamiliarity, historically Aboriginal people dubbed 'criminals' had been brought to court to be convicted), and if they did, were often unsuccessful (Dodson & Wilson, 1997).

Meanwhile, other Australian states were employing similar tactics to rid themselves of their Aboriginal populations. The NSW (New South Wales) Protection Board was especially strict and prone to remove children, and Aboriginal people from that area started fleeing to neighbouring Victoria (Dodson & Wilson, 1997). An example is provided by the Karpany family, who flew to Victoria to avoid removal of daughters Lettie and Betty. The family joined a small community of campers in Swan Hill in 1935 (Broome, 2005). Betty later recalled eating bush foods and being taught words in the Aboriginal language of her grandparents, as well as

knowing the use of bush medicine and Aboriginal contraceptives. She learned to gather eggs, but was told always to take only a third of the eggs from a nest (Broome, 2005). This is in line with Aboriginal ways of relating to the land: never take so much that the country suffers. Even in times of extreme poverty, these Aboriginal values were honoured by the Karpany's. The family lived in a tent, which was always kept tidy and clean. Betty also recalled that her Elders taught her honesty and hard work. She was working by the age of seven, early in the mornings before going to school (Broome, 2005). Other campers tell similar stories. Another girl, Betty Clements, who grew up around the same time, explained how she was taught to reply if she would be teased in school: "I can't help it if God made me in the night time and you in the day time." Her Elders also said: "Be proud of what you are, be proud that you are a Koori. Don't ever deny it, be proud of it and don't ever hide behind a wall of shame." (Broome, 2005, p. 261) The word Koori, derived from the Awabakal language of a tribe of Eastern Victoria, means People. It had come to be used to designate Aboriginal people from Victoria and New South Wales, since traditional tribes and clans had started mingling to form new societies. Richard Broome writes: "[Campers] maintained a unique family and work culture based on shame and respect, used bush tucker and the forest in their own way, practised traditional crafts of carving and basket-making, maintained a belief in *bugeens* [spirit beings] and other spirit beings, and entertained themselves with distinctive stories and music." (Broome, 2005, p. 281) From the 1920s onwards, more and more campers also started to move to Melbourne, usually grouping together in neighbourhoods like Fitzroy (Broome, 2005). The situation of Aboriginal people in Melbourne will be discussed more extensively in section 0.

By this time, life at Lake Tyers was controlled by the Board in detail. When numbers grew to about 250 with the closure of other reserves, resistance to the Board continued to grow. For example, in 1927, residents went on strike, demanding an inquiry into living conditions (Broome, 2005). The Board reacted by expelling the strike's leaders from the reserve, including Braggin Scott and Jack Green, leaving them in a similar situation as many 'half-castes' who were unable to make a living. A few months later, others managed to leave the reserve to ask for help from an allied secretary of the Baptist Church, named W. Gordon Sprigg. Sprigg visited the reserve to conduct a research, supported by the Baptist Assembly. He noted that there was not enough food for inhabitants and living conditions were inadequate. Unfortunately, the Board refused independent interviews with inhabitants, and Sprigg left in anger. He returned six weeks later and wrote a milder report, but still asked for repairs and the addition of vegetables to the reserve diet. In his report, he quoted inhabitants explaining why they had been

striking; it was “for more tucker [bush food] and more freedom” (Broome, 2005, p. 220). In 1928, a new Aborigines Act (another name for the Amending Acts) was passed, with its 1931 regulations introducing fines and banishments as punishment for bad behaviour and striking.

A new manager was appointed for Lake Tyers in 1929, Captain J.A. Newman, who improved conditions somewhat (Broome, 2005). Although in a disciplinary and paternalistic way, making use of police patrols and punishment, farming machinery was introduced, houses were fixed up and morale ameliorated. The Board wrote: “Newman is a wizard. (...) grievances have evaporated, work has become popular and cooperation a factor” (Broome, 2005, p. 221). Helped by the Lake Tyers School teacher, George Chapman, the educational system was reformed. The focus shifted from language and cultural training to more practical skills. Effectively, girls were working as seamstresses and boys as woodworkers, with their products saving the Board expenses (Broome, 2005). Newman also promoted Lake Tyers sportsmanship, and Aboriginal teams started competing in local competitions in the 1930s. They went from losing most matches in 1930 to competing on the highest level by the end of that decade (Broome, 2005).

Due to increasing tourism at Lake Tyers in the 1920s, the residents became more self-sufficient. In 1930, the Board decided that profits from the sales of crafts and performances would be overseen by them, rather than going directly to the people earning the money (Broome, 2005). Again, as described earlier, tourism worried the Board. Apart from reasons noted before, they also thought tourists were influencing the residents: “a number of the tourists sympathise with the inmates and lead them to believe they are not being well treated” (Broome, 2005, p. 218). Notice how the Board, by this time, is speaking of ‘inmates’ rather than inhabitants or residents. But, under Newman’s management, Aboriginal musicians were allowed to perform outside of the reserve (Broome, 2005).

Despite increasing interaction between Lake Tyers residents and the white surrounding community, in the form of sports and music, and the outflow of Aboriginal produce from the reserve, prejudice ran strong. In one court report from 1929 the Magistrate commented on the intelligence of Aboriginal people: “their brain development ceases at 12 years of age, and they acquire undesirable habits by memory and association” (Broome, 2005, p. 226). The Aboriginal people living outside of reserves continued to struggle. An Aboriginal woman, Alice Connolly, complained to a member of parliament in the 1930s: “our colour is a curse to us we are too white for the station [Lake Tyers] & when you ask for help here they say why ain’t you on the station” (Broome, 2005, p. 227) She also noted that she could not pay her rent, but did not dare to move to a tent, expecting that it would encourage the Board to take her children from her.

Inside Lake Tyers, child removals continued to be dreaded as well. Some families left the reserve to prevent their children from being taken or sent them to family members already living independently (Broome, 2005). Albert Mullet, a boy who lived at Lake Tyers in the 1930s, had three brothers taken away. After that, his family left the reserve, and sent him to live with relatives elsewhere (Broome, 2005). Child removals increased in the 1930s, often purely based on the opinion of the reserve manager (Barwick, 1963). Albert Mullet himself estimated that about 200 children were removed from Lake Tyers over a generation (Broome, 2005). But, he also said that “growing up in the wider community made us stronger to be activists for the rights of our people” (Broome, 2005, p. 228). While growing up with his relatives, his elders told him: “Aye, you’re better than the whitefella, remember that. You have something they will never have: your values, your connection with the land. It goes back to your ancestors, through your bloodline.” (Broome, 2005, p. 261)

In the 1940s and 1950s, more and more people decided to leave Lake Tyers, looking for freedom. By 1950, only 150 residents were left (Broome, 2005). Meanwhile, child removals continued, and frustration continued to grow. Alcohol abuse in the reserve remained an issue, and fights born out of boredom and anger were common. In 1953, Cora Gilsenan, a white woman who was a member of the Women’s International League for Peace and Freedom, wrote about life on the reserve: “For the young boys all life seems to hold is to get drunk and gamble, and for the girls all they can think of is having babies along with gambling drinking and brawls. (...) My own thoughts on these regular outbreaks of violence, [is that they] may be a fore-runner to revolts. Quite often during these outbreaks, all the white residents on the station are threatened and told to leave.” (Broome, 2005, p. 234) Still, Lake Tyers effectively remained under Board control until 1967.

4.7 The continuing quest for Aboriginal Rights (1930s-1967)

In the 1930s, white criticism against the way Aboriginal people were being treated on reserves increased. First, more benign commentaries were made by support groups such as the white-led Victorian Aboriginal Group. Usually, such groups had little understanding of what Aboriginal people wanted, and rather operated based on their own ideas about how they should be treated (Broome, 2005). Campers, on the other hand, were sometimes helped by individuals or religious organisations. For example, the Save the Children Fund sent field officers to camper communities, trying to improve the performance of Aboriginal children in school. Still, this was always done in a paternalistic way, with welfare workers holding clear ideas of what Aboriginal needed. Even the name, Save the Children Fund, is suggestive. Connie Barling functioned as the Fund's officer from 1954 until 1966. She described some of her observations: people "had to fight as they were called 'niggers', which they hated" (Broome, 2005, p. 283). She also remembered that other white people in town were angry with her for 'helping the niggers'. For example, she was told by a police officer that "the Aborigines should all be sterilized and allowed to 'die out'" (Broome, 2005, p. 283). Clearly, even in the 1960s these ideas were prevailing. Generally, welfare workers seem to have achieved mixed success, sometimes alleviating burdens for Aboriginal people (Broome, 2005). Others, however, facilitated the continuing child removals.

Aboriginal people themselves, on the other hand, continuously protested, lobbied, and advocated, on the reserves for more freedom and food, and later, for equal rights. By the 1950s, Melbourne was the centre of Aboriginal protest. As mentioned earlier, campers started moving to Melbourne in their search for new homes and employment from the 1920s onwards. At that time, the neighbourhood Fitzroy was classified as a slum, therefore sporting the lowest rents in the city. For that reason, Aboriginal people grouped together there. Both the Depression of the 1930s and the Second World War of the 1940s brought more people to reclaim their right to live in the city (Broome, 2005). Ever since the first ban of Aboriginal people from Melbourne, made by Superintendent La Trobe in 1840, officials had tried keeping Melbourne 'white'. Remember that the main task of Guardian Thomas at the end of the 19th century had been to keep Aboriginal people out of Melbourne. Meanwhile, Aboriginal people had always continued to try to live wherever they wanted. In the 1930s, about 100 Aboriginal people were living in Fitzroy and by the 1950s there were about three times as many, and another 300 Aboriginal people living in other parts of Melbourne (Broome, 2005).

Mixing between Aboriginal people from different backgrounds, which had started with the first Kulin-Kurnai marriages around 1847, continued. Still, the vast majority of Aboriginal people married others from their own region, and prejudices between different regional groups existed (Barwick, 1963). For example, the following comment made by an Aboriginal person (possibly Kulin) was recorded: “Those people don’t know how to behave down in Gippsland [Kurnai]. Real shy of white people they are, seem to have inferior complexes. Of course, they’ve never mixed with white people and learned how to deal with them the way we have.” (Broome, 2005, p. 288) Aboriginal identities were clearly shaped by region. Despite how white people had often grouped all Aboriginal people together, there was no strong ‘pan-Aboriginal’ identity. Some also protested the use the word Koorie (and some still do), saying it does not reflect the enormous regional variation in culture (Broome, 2005).

Fitzroy had, in true Aboriginal fashion, a lively social scene. Diane Barwick, who wrote her PhD thesis studying the Aboriginal population of Melbourne in the 1960s, explained that casual visitors and a constant flow of people from city to country and back were common (1963). This also helped to keep everyone up to date about conditions and struggles in different parts of Victoria, including Lake Tyers. She also noted scandals and quarrels, kinship duties and community activities as commonly discussed (Barwick, 1963). Some Aboriginal people were devout Christians, others less so; Christian communities both united and divided the Aboriginal population (Broome, 2005). Sports was a popular pastime, with fervent support for Aboriginal Australian football and cricket players.

One of those sportsmen was Doug Nicholls. Nicholls, a Yorta Yorta man, had been born in 1906 on the Cummeragunja reserve in New South Wales, but moved to Melbourne to make a career playing Australian football (Broome, 2005). He became the first Aboriginal interstate player, beloved in the community of Fitzroy (playing for six seasons with the local club). During his years as a professional football player, he became more devoutly Christian. With his wife Gladys, he opened an Aboriginal chapel in 1943 at Gore Street. Soon, his Sunday services were attended by more than 80 people, although other churches were attended by Aboriginal people as well (Broome, 2005). Gore Street became something of the centre of Aboriginal Melbourne, a vibrant street to get food and socialise. Interestingly, Nicholls started inviting black people from the United States to perform at his church, facilitating interaction between them and the Aboriginal community (Broome, 2005). Apart from having a respected position in the Aboriginal community, Nicholls also moved in white circles, through both football and

religious contacts. This made some Aboriginal people mistrust him, but it helped a lot with his later activist activities (Broome, 2005).

Intermingling with other communities happened, in some families more than others. By 1960, about 1 in 4 married Aboriginal men had non-Aboriginal spouses, versus 1 in 2 married Aboriginal women (Barwick, 1963). These unions, however, did not often lead to acceptance of the Aboriginal spouse in the white community. Contrarily, the Aboriginal community continued to be strongly distrusted, not least by the police. An Aboriginal inhabitant of Fitzroy, 'Banjo' Clarke, said: "The police were locking people up just to keep them off the street... Police would pull you backward, then pull you all over the street, making out that you were drunk and staggering." (Broome, 2005, p. 293) In 1949, a study about *The Dark People of Melbourne* was done by the Victorian Council of Social Services. The researchers focussed on Fitzroy but did not speak to any of its Aboriginal inhabitants. However, they found that Aboriginal people as a whole were "more law-abiding than the whites" (Broome, 2005, p. 295). They did survey non-Aboriginal Fitzroy residents, finding about half of them to be prejudiced against Aboriginal people, often indicated by poverty and unfamiliarity (Broome, 2005).

Another Yorta Yorta man who had lived on the Cumberagunja reserve, William Cooper, moved to Melbourne in 1932. He had already (unsuccessfully) petitioned for land rights in the 1880s, and now continued his efforts from Melbourne. A year after his arrival, in 1933, he founded the Australian Aborigine's League (AAL) together with other Aboriginal activists (Broome, 2005). In 1935, Cooper went with a deputation, including his nephew Doug Nicholls, to the Minister for the Interior, asking for political representation, referencing the New Zealand Department of Native Affairs, amongst other things. All requests were denied by the Minister, on the basis that they provided 'constitutional difficulties' (Broome, 2005). The Minister was referring to the fact that under the Constitution, all Aboriginal affairs were state responsibility, in which the national government could not interfere (Cunningham & Baeza, 2005). In 1937, they sent a petition to the King (George VI at that time) with about 1,800 Aboriginal signatures, asking for the same. That same year, they collaborated with a similar Sydney-based organisation, to organise a 'Day of Mourning' on the 26th of January 1938, the day of the 150th anniversary of the settlement of Australia. A manifesto was published: *Aborigines Claim Citizens' Rights*, and ten objectives were presented to the Prime Minister (Broome, 2005). Two months later, they got notice that their petition had never been sent to the King, and was denied because the government 'had no jurisdiction in Aboriginal affairs under the Constitution' (Broome, 2005).

Throughout the war years, the issue of Aboriginal rights continued to be pushed by Cooper, Nicholls and other activists. Critiques on the Board also continued. By this time, the Board did not have the power in Parliament that it once had, but was still responsible for life at Lake Tyers (Broome, 2005). Globally, the post-war reconstruction period brought new ideas of the importance of equal citizenship, which resonated with the Aboriginal population of Victoria. Due to mounting criticism, in 1947 an Aboriginal man, Shadrach James, was appointed as a member of the Board for the first time. Although James was a prominent activist, he was also known to be on the more moderate side. His activist activities mainly focussed on better access to food, clothing and education for Aboriginal people, rather than citizens' rights, which is probably why he was chosen (Broome, 2005). Bill Onus, who had succeeded William Cooper as Secretary of the AAL, was angered by the appointment, since many had supported him as the more radical candidate for the position. In that same year, the AAL asked for complete reformation of the Board and an inquiry into living conditions at Lake Tyers (Broome, 2005).

In 1949, the Victorian State Government announced that it would consider bringing all Aboriginal people under the jurisdiction of the state (instead of the Board), which would mean that citizens' right could finally be granted. However, the next elected Minister did not agree, saying there was no 'Aboriginal problem', referencing that there were only nine 'full-bloods' left in Victoria (Broome, 2005). Once again, Aboriginal people were dismissed based on their 'half-caste' status, decades after that label had been appointed to them in order to undermine land claims. The 1886 Amending Act, which had for the first time defined 'Aboriginality' based on 'blood', continued to be shape political thinking in the 1950s. The unstable Victorian government (there had been 10 configurations between 1943 and 1955) had little attention for Victoria's Aboriginal population (Broome, 2005).

In 1955, a new stable government finally instigated action by charging Charles McLean, a retired Magistrate, with the task of evaluating the operation of the 1928 Aborigines Act, which was in force at that point. Not surprisingly, the investigation again distinguished between different Aboriginal people based on bloodlines, this time only considering people "believed to be of not less than one-fourth part Aboriginal blood" (Broome, 2005, p. 314). For his report, he interviewed activists like Doug Nicholls and Shadrach James, as well as a variety of Aboriginal people of different stations. Additionally, he talked to Board staff, welfare workers and police (Broome, 2005). The 1957 McLean report counted about 1,300 Aboriginal Victorians (probably a number underestimated by 500 (Barwick, 1963)). He was very hard on campers, calling them 'immoral', and noting that children were malnourished and dirty; he said they were 'neglected'.

The need for better housing and education was highlighted. Importantly, McLean did decidedly neglect the notion of Aboriginal mental inferiority, which had been so prevalent throughout history. He also wrote that white people tended to be prejudiced against Aboriginal people, based on 'race and colour'. Regarding Lake Tyers, he encouraged dismantlement in its current shape, perhaps retaining it as an infirmary. Regarding the Board, he encouraged maintaining a similar institution, but suggested mimicking the NSW Aborigines Welfare Board to continue to go in the "direction of assimilation" (Broome, 2005, p. 315). Notably, despite his rejection of 'racial inferiority', he still favoured notions of assimilation. The McLean report was mostly received enthusiastically, with the ideal of assimilation continuing to be favoured by the government, who announced a new Aborigines Act would be drafted based on the report. Reactions within Aboriginal communities were mixed, with the main criticism being that Aboriginal people were encouraged to act white, and a reluctance to accept closure of Lake Tyers (Broome, 2005)

The 1957 Aborigines Act incorporated many of McLean's recommendations. The Board was replaced with an Aborigines Welfare Board with ten members, including Doug Nicholls and one other Aboriginal man. Still, the new Welfare Board held considerable power of the life in Lake Tyers, managing money, food and clothing, as well as regulating visits. Regarding Aboriginal people outside of the reserve, males under 18 and all females needed permission of the Welfare Board to work (Broome, 2005).

In the late 1950s and 1960s, there was a focus on improving the housing of campers, who were often living in badly isolated huts, cramped with extended family. They started a 'transitional housing' experiment with about three communities. However, often huts were demolished before alternatives were available, forcing campers to move into tents (Broome, 2005). Also, when transitional housing was provided, it was often in complexes overseen by white managers, where residents faced evictions if they did not live up to white standards. These transitional complexes also forced Aboriginal people to live with their nuclear family, which was not the preferred way in camper communities (Broome, 2005). The houses themselves lacked indoor doors and basic functionality. Complexes were patrolled by police, and almost as strictly regulated as Lake Tyers. Violet Harrison, an Aboriginal woman who lived in one of those complexes, said: "We didn't have the same freedom... There was no longer the same spirit of sharing and supporting each other that we had on the river bank [in her camper community] ... There were too many rules." (Broome, 2005, p. 321)

Then, the Welfare Board started offering housing in white neighbourhoods to Aboriginal families. Living in these conditions was often tough: the families were displayed as models of assimilation, often resented by white neighbours, but also having to deal with jealousy of other Aboriginal people (Broome, 2005). Meanwhile, the Aboriginal population multiplied threefold, resulting in over 5,000 Aboriginal people in Victoria by the late 1960s. By 1967, there was a shortage of 220 houses, and the Welfare Board was critiqued for its inactivity (Broome, 2005).

Throughout all this, child removals continued, still on the basis of 'neglect'. In 1957, about 150 Aboriginal children were housed in institutions, and removals continued in the 1960s. In 1964, Glenda Austin (born Proctor) was removed from her parents at age 9, together with three siblings. She had been staying with her older sister, who was a mom herself, while their non-Aboriginal father provided them with food. Glenda said about the Aboriginal Welfare Board that "they could write anything up, I suppose, just to, you know, take the kids away" (Broome, 2005, p. 329). Glenda, who ended up becoming a teenage mother, had her own daughter taken away from her just after the birth four years later, in 1968: "They gave me a nurse of her and they just took her off me. They said I was too young." (Broome, 2005, p. 329) It took Glenda 25 years to reunite with her child (Broome, 2005).

In 1957, the Victorian Aborigines Advancement League was co-founded by Doug Nicholls. It became a mixed organisation, with both white and Aboriginal members. Cooper's Australian Aborigine's League was reformed soon after, and became seen as the all-Aboriginal branch of the Advancement League (Broome, 2005). They started to actively oppose assimilationism, instead stating that they wanted "to work towards the complete integration [meaning, the ability of a minority to retain its identity] of people of Aboriginal descent with the Australian community with full recognition of the contribution they are able to make" (Broome, 2005, p. 331). Other all-Aboriginal activist organisations were formed as well, including the Aboriginal Elders Council. Their activism finally led to the 1967 Referendum, where an overwhelming 'yes' was voted to change the Australian Constitution. From then on, Aboriginal Australians had citizens' rights, and for the first time they were considered as part of the population in the Australian census (Broome, 2005). That same year also saw the Aboriginal Affairs Act being passed, which created a Ministry of Aboriginal Affairs in 1968, something the League had been advocating for. At the same time, the Welfare Board was finally abolished (Broome, 2005).

Before the dismantling of the Welfare Board, they had still made an effort to close Lake Tyers. In 1963, they officially announced its closure, meaning to move the residents to rural communities. Doug Nicholls resigned from the Welfare Board in protest (Broome, 2005). Forty

residents, led by Nicholls, marched through Melbourne to the Parliament in protest. By this time, 84 people lived at the reserve, less than half than five years earlier, because the Welfare Board had already been rehousing families. The Advancement League also sent a telegram to the United Nations, writing: "Australian Government ignoring minority rights of Aborigines. Two million acres of reserves alienated since 1859, further half million threatened. Residents moved without consent or compensation. United Nations inquiry requested." (Broome, 2005, p. 334) There was intense press coverage of the fight for Lake Tyers, as well as significant public support. In 1965, the Welfare Board finally conceded, and Lake Tyers was declared a 'permanent' reserve (Broome, 2005).

Within the Aboriginal Advancement League, a power struggle unfolded, with a fraction of Aboriginal members asking its white committee members and paid workers to resign. After resisting shortly, they complied. Myra Atkinson, the new Aboriginal secretary, said about the change: "There was sadness at that happening, but also self-determination for us to start handling our own affairs and helping our people to make changes." (Broome, 2005, p. 336) This event was exemplary for broader calls for self-determination at that time.

4.8 Changes (1970s onwards)

With the abolishment of the Welfare Board, and in 1975 also the Ministry of Aboriginal Affairs, Aboriginal people were finally free to shape their own life, arguably more so than at any time since early colonial years. Aboriginal people started forming their own education, legal, health and housing services, in Melbourne in the 1970s and across the countryside in the 1980s. Businesses were opened, creating employment, and more and more Aboriginal people could go into higher education (Broome, 2005).

Still, Aboriginal people were faced with significant challenges. As a group, they had a low socio-economic status and faced continued discrimination. Although no longer legally supported, child removals continued, now based on general youth welfare rules. Aboriginal families were still targeted and deceived. For example, a young boy, Ray Marks, was removed from his father's house together with his six siblings when their mother died around 1970. He recalled that Welfare dropped by at school, telling him and his brothers and sisters that they would be taken to the cinema. Instead, they were placed in out-of-home care. Their father won them back in a court battle, and managed to keep them with the support of another Aboriginal family (Broome, 2005).

Australia-wide, between one and three out of every ten Aboriginal children were removed from their families and communities between the early 20th century and the 1970s (Dodson & Wilson, 1997) and placed in a white environment. In practice, this meant that Aboriginal people in Victoria usually ended up in positions serving whites (Fejo-King, 2011). Originally, the removals were focussed on children with a lighter skin. Later, darker children were targeted as well. After removal, they were educated in white-run Christian institutions or placed with white foster parents and forced to join the workforce (Marcus, 2001). As described before, practices of child removal had been prevailing ever since the beginning of colonisation, but in this period, they were supported by active government policies.

The estimated 100,000 children taken in these times are referred to as the Stolen Generations. Nowadays, it is mostly accepted among scholars that the Australian government practiced a genocide (see Barta, 2008; Moses, 2000; Tatz, 1999), since there was “the attempt to bring about the disappearance of an ethnic or racial group by suppression of its culture, language, and religion” (United Nations, 1948). The Stolen Generations continue to have a significant impact on Aboriginal communities and identities. Family members often lost track of each other, with many people still being alienated from their kin today (Broome, 2005).

Interactions between Aboriginal people and police officers started off negatively when Aboriginal people refused to comply with the 1840 ban from Melbourne. Ever since, police often victimised Aboriginal people. People tended to be arrested for drunkenness or theft of potatoes and sheep in the early colonial years and were not given fair trials. Later, there were the reserve patrols, as well as child removals where police often played an active role. In camper communities, police surveillance was common too. One officer of the Advancement League spoke about police in a camper town: “it was common practice for the police just to walk into places there and a police patrol, the panel van, just drove around to arrest people” (Broome, 2005, p. 368).

In 1975, the Racial Discrimination Act was passed in the Australian Parliament, finally officially prohibiting discrimination based on race, but discrimination did not instantly disappear. According to Richard Broome: “Racism against Aboriginal people festered from the 1970s in the playgrounds, workplaces and lounge rooms of Victoria.” (Broome, 2005, p. 370)

Stories of police harassment were common in Melbourne. In 1983, especially frequent harassments of Fitzroy youth led to the instatement of the police-Aboriginal Liaison Committee, and the appointment of an Aboriginal liaison officer, Len Clarke. Their goal was both Aboriginal crime prevention, minimalization of incarceration time, and education of police. Tensions caused Clarke to leave, and his successor quit a few years later, giving inherent racism in the police as his reason (Broome, 2005). Studies in the late 1980s and early 1990s found “significant police violence and prejudice against Aboriginal people and over-policing of Aborigines in some areas” (Broome, 2005, p. 369). Laws relating to drunkenness as an offence were critiqued, as they were said to lead to Aboriginal deaths in custody.

The struggle for land rights, first fought by people like Billibellary and his son Simon Wonga, which led to the creation of reserves, then by William Barak and other reserve inhabitants to become owners of the land they were farming, and continued by Lake Tyers residents and activists like William Cooper and Doug Nicholls, did not end with Lake Tyers becoming a ‘permanent’ reserve in 1965. Calls for ownership of native lands, both in Victoria and around Australia, continued. Finally, in 1993 a Native Title Act was passed in the Australian Parliament, "to provide a national system for the recognition and protection of native title and for its co-existence with the national land management system" (Native Title Act, 1993). Since then, there has been a legal tool for Aboriginal people to claim rights over the land of their ancestors. However, these claims are difficult to win, partly because claimants are required to

proof continued connection to the land, from colonisation until now, which is often impossible (Strelein, 2005).

To this day, Aboriginal people have a unique position in Australian society, shaped by the history of colonisation that has been described. In the next chapter, aspects of what it means to be Aboriginal in contemporary Victoria are described. Some current challenges that Aboriginal people face are discussed, chosen based on the things that contemporary Aboriginal activists address. Additionally, contemporary policies and education are examined critically. Before that, an analysis of the history of Victoria is done, using the sociological theory of race and racism by Tanya Golash-Boza. A similar analysis will be done regarding the contemporary situation.

4.9 Analysis

This section uses the previous sections in this chapter for an analysis based on the sociological theory of race and racism by Tanya Golash-Boza. All information is taken from the other sections in this chapter.

In her sociological theory of race and racism, Tanya Golash-Boza provides a framework to study the prevalence of structures and ideologies of race and racism in societies. She outlines the relationship between racist ideologies and racist structures. Additionally, a scheme is provided which splits those ideologies and structures in more manageable parts. A representation of her theory has been presented in Table 1. For more information on the theory, see section 2.1. In this analysis, her framework will be applied to historical Victoria, to make sense of the given history in racial terms. The analysis will also show that different aspects of race and racism in societies are interconnected and reinforce each other.

Race and racism						
Racist Ideology			Racist Structure			
Prejudice/ stereotypes	Racial discourses	Racialised identities	Micro		Macro	
			Race-neutral acts that reproduce inequality	Individual acts of bigotry	Institutions that reproduce racial inequality	Laws, Policies, and Practices

Table 1: Tabular representation of the sociological theory of race and racism by Tanya Golash-Boza (2016)

4.9.1 Racist ideology

Remember that, by definition, a racist ideology is a set of principles and ideas that (1) divides people into different racial groups and (2) serves the interests of one group (Golash-Boza, 2016). Australia is a textbook example of this, since the ideas of Aboriginal people having an ‘inferior’ race served the interest of the ‘superior’ white people. When such ideas first became

common in Victoria in the 1860s, the benefit for white people of this way of thinking was twofold. First, it was used to legitimize and justify the way Aboriginal people had been impacted by white settlement, providing ways to ease the white conscience. Second, current and future claims to land rights by Aboriginal people could be dismissed with a narrative saying that Aboriginal people were incapable of caring for themselves or the land due to their ‘inferiority’. As discussed, racist ideologies permeate the history of Victoria, exemplified by comments such as:

- It is “the design of Providence that the inferior races should pass away before the superior races” – William Hull of the Select Committee on Aborigines in 1858
- “it was one of the darkest enigmas of the world that the progress of the civilised nations appeared always to eventuate in the extermination of the inferior race.” – Politician Thomas McCombie when discussing his 1858 report
- A lecture by Gideon Lang had not disproved the “inevitable degeneracy of the inferior animal”, according to an 1850s newspaper review
- “It could almost seem an immutable law of nature that such inferior dark races should disappear – people hardly see how – before the white colonist.” – Historian William Westgarth in his 1864 book *The Colony of Victoria*
- “[Aboriginal people’s] brain development ceases at 12 years of age, and they acquire undesirable habits by memory and association” according to a court report in 1929

Racist Ideology		
Prejudice/ stereotypes	Racial discourses	Racialised identities
Alcoholism/prone to addiction Child neglect Low intellect Incapable to take care of themselves	White superiority Aboriginal inferiority Paternalism Assimilation	Cultural changes through assimilation Reserve identity Camper identity

Table 2: Tabular representation of the left branch of the sociological theory of race and racism by Tanya Golash-Boza (2016): Racist Ideology, applied to historical Victoria

The racist ideologies in historical Victoria have manifested themselves in different ways historically. They can be split up in three different aspects, as seen in Table 2.

Different prejudices and stereotypes have influenced the way people viewed Aboriginal people. Some examples are that Aboriginal people are prone to addiction, neglect their children, have a low intellect, or cannot take care of themselves. Regarding addiction, the following example shows that such a stereotype existed. ‘Banjo’ Clarke made this comment about life in Fitzroy in the middle of the 20th century: “The police were locking people up just to keep them off the street... Police would pull you backward, then pull you all over the street, making out that you were drunk and staggering.” Also, the 1929 court report suggests that Aboriginal alcoholism has a biological cause: “...they acquire undesirable habits by memory and association”. The idea of Aboriginal people neglecting children continuously pops up in history and has led to the Stolen Generations. Also, the stereotype of having a ‘low intellect’ is obvious; it directly results from the notion of being of an ‘inferior’ race. The paternalistic reserves show that it was assumed that Aboriginal people could not take care of themselves. Next to this, other well-meaning initiatives, such as religious missions or even later welfare initiatives like the Save the Children Fund carry similar implications.

Racial discourses are basically the way there is generally communicated about a specific racial group. Specifically, discourses of white superiority and Aboriginal inferiority stood at the basis of racial thinking in historical Victoria. It also becomes apparent that assimilationism and paternalism were two common ways to discuss Aboriginal people.

Identities of people from different Aboriginal tribes were shaped by colonisation at first, with traditional knowledge being lost and livelihood strategies becoming unavailable. Later, forced living situations in reserves or camps influenced identity and place-making.

4.9.2 Racist structure

Racist structures are created as a result of racist ideologies. Racial thinking based on notions of ‘superiority’ and ‘inferiority’ led to the creation of institutions to enforce or facilitate those notions. On an individual or micro level, racist ideologies also created structural racist actions. In Table 3, some aspects of the racist structure of historical Victoria are shown, which emerged based on the history given in the previous sections.

Racist Structure			
Micro		Macro	
Race-neutral acts that reproduce inequality	Individual acts of bigotry	Institutions that reproduce racial inequality	Laws, Policies, and Practices
<p>Nepotism Favouritism</p>	<p>1,000 violent deaths in early colonisation Name calling (blackfella, niggers, etc) Refusal to serve No acceptance in white communities Discrimination in schools, workplaces, etc</p>	<p>Central Board, later Welfare Board Victorian Parliament National government Courts Police</p>	<p>1840 ban from Melbourne 1928 Licensing Act 1886 Amending Act (and those after that) All Board regulations Australian Constitution Removals of children</p>

Table 3: Tabular representation of the right branch of the sociological theory of race and racism by Tanya Golash-Boza (2016): Racist Structure, applied to historical Victoria

Nepotism and favouritism always automatically disadvantage minority groups, since they are less likely to have connections in high places. The fact that someone like Doug Nicholls needed his white contacts that he got through football and religion, shows how important these connections can be.

Individual acts of bigotry are often not recorded, but some examples emerged. First, violence used against Aboriginal people during early colonisation, which resulted in about a thousand Aboriginal deaths, provide an example. Remember how farmers sometimes pulled out their

guns to shoot at Aboriginal potato ‘thieves’. Later such bigotry might not have been deadly directly but impacted Aboriginal people continuously. ‘Half-castes’ who had been expelled from reserves in the late 19th century, found shops not willing to serve them, or sell them alcohol. They were often not allowed to try on clothes in shops. Name-calling was common, as Connie Barling, welfare officer in the 1950s and 1960s recalled: Aboriginal people “had to fight as they were called ‘niggers’, which they hated”. During the Boards housing experiments, when some Aboriginal families were dispersed throughout white communities, they had a hard time being accepted. Also, Fitzroy inhabitants married to white people were rarely fully accepted by their in-laws. Richard Broome noted that even after the 1967 Referendum, discrimination in playgrounds or workplaces was common in the 1970s.

The Central Board is the most obvious racial institution, continuously pushing assimilation policies and contributing to racial discourses. However, the Victorian Parliament also played its part in this, by creating the Board, but later also by refusing citizens’ rights to Aboriginal people based on ‘constitutional challenges’. Courts had the power to convict Aboriginal ‘criminals’, but until the 1967 Referendum, Aboriginal people were not allowed as witnesses. They were also the institutions capable of upholding the Board’s and Parliament’s policies and laws.

Laws and policies that specifically target Aboriginal people, were, until the 1967 Referendum, almost uniquely based on assimilationist and paternalistic ideas. Most specifically, the 1886 Amending Act which for the first time legally defined ‘Aboriginality’ based on ‘blood’, shaped all Board policies after that, and resulted in a horrific genocide. The practice of continuous child removals was supported by discourses of neglect.

5 Race and racism in contemporary Australian government

The last chapter ended with a discussion regarding life for Aboriginal people in Victoria after the 1967 Referendum (section 4.8). Since then, the Aboriginal population of Victoria has skyrocketed. The 2016 Census counted almost 50,000 Aboriginal and Torres Strait Islander² people in Victoria, more than double the amount compared to before colonisation. Half of these people live in Melbourne.

Despite the growth of the Aboriginal population, inequalities prevail. For example, the median age of Aboriginal and Torres Strait Islander people in Victoria was 23 years, versus 37 years for the general Victorian population. Aboriginal and Torres Strait Islander people have the lowest economic status of all Australians and experience higher rates of unemployment, and drug and alcohol abuse, as well as lower levels of educational attainment compared to non-Aboriginal Australians (2016 Census). They are underrepresented in positions of power, and overrepresented in jails (Cunneen, 2001). Both the physical and mental health of Aboriginal and Torres Strait Islander people is poor compared not only to the non-Aboriginal population of Australia, but also to the native populations of other countries such as New Zealand (Gupta & Sadler, 2019). Indigenous men and women have a life expectancy that is 10.6 and 9.5 years lower, respectively, than the rest of the population (Gupta & Sadler, 2019). This is largely due to a higher prevalence of chronic diseases such as diabetes and cancer, and suicide rates that are double that of non-Aboriginal Australians. Apparently, there are severe inequalities existing in Australian society today. Although the nature of racism may be changing, the consequences for victims prevail (Mellor, 2003).

A study in urban context in 2009 showed that 70% of Aboriginal respondents experienced interpersonal racism, mostly by service providers, in public spaces and in the context of employment (Paradies & Cunningham, 2009). Racism is experienced across the whole domain of Australian society, but by indigenous people twice as often compared to non-indigenous people (Dunn et al., 2011), and has a negative impact on health of Aboriginal Australians (see Awofeso, 2011; Bastos et al., 2018).

² Torres Strait Islanders are native to the islands located between mainland Australia and Papua New Guinea. They are considered a different ethnic group than Aboriginal Australians, who are the original inhabitants of the mainland and Tasmania. Torres Strait Islanders are estimated to have arrived in their lands 2,500 years before the British and have a distinct history from Aboriginal people, but often face similar challenges.

This chapter considers aspects of the role of race and racism in contemporary Australia, with a focus on national policies. After the 1967 Referendum, Aboriginal people were placed under national jurisdiction. Therefore, there is a shift in focus from state to national policies. A continuity with the previous chapter will emerge, specifically when considering racist institutions. Racist ideologies, however, are also embedded in the historical context. The interplay between ideology and structure emerges. But first, it is important to investigate what Aboriginality is.

5.1 Aboriginality

As has become clear in the previous chapter, colonisers have actively tried to ‘remake’ Aboriginal people in their own image, both culturally, economically and physically. Capitalism overtook Aboriginal economies, while cultural and traditional knowledge was actively suppressed by government control, missionary activities and colonialism in general (Broome, 2005). By the 1920s, Aboriginal language use had severely declined. In the 2016 Census, only 1 in 100 Aboriginal people in Victoria spoke an Aboriginal language at home. Still, Aboriginal identities prevail and emerge in ways which are different for each person individually. This section addresses this identification process and aims to shed light on how this continues to be impaired in contemporary Victoria.

There is a range of ideas about what it means to be Aboriginal, both culturally, socially and physically speaking. These ideas exist inside and outside Aboriginal communities. For example, Anita Heiss, scholar and writer, wrote: “In our own Aboriginal community, comments in discussion around who is and who is not Aboriginal can range from ‘They’re not black enough’ to accusing individuals of being ‘Johnny-come-lately’s’” (Heiss, 2007, p. 51). Discussing Aboriginality with an approach that focusses on ‘who is’ and ‘who isn’t’ creates issues. Bronwyn Carlson, an Aboriginal identity expert, says: “These ways of talking strictly categorise the particular and diverse historical narratives of Aboriginal individuals in an oppositional relation where one stands in a devalued relation to the other.” (Carlson, 2016, p. 144) It also results in narratives which can be particularly hurtful or destructive to individuals, with Aboriginal people calling each other names like ‘coconut’ or ‘upper-class black’ (Carlson, 2016).

Outside Aboriginal communities, perceptions of what it means to be Aboriginal have always been strong. As we have seen, historically it has mostly been associated with negatives like being dumb and incapable, which led to paternalistic and assimilationist policies. Originally, blackness was the main characteristic used by colonisers to classify people according to racial standards. Nowadays, however, due to intermarriage with non-Aboriginal people, in a large part due to the Stolen Generations, Aboriginal people cannot be grouped based on skin colour.

Some people have a darker skin, or are otherwise physically recognisable as having Aboriginal heritage. Others can only be recognised by their fervent enthusiasm and deadly outfits: T-shirts with the Aboriginal flag on it, or shirts that commemorate some march or event held in the past. [Field notes; May 5th, 2019]

Three discourses existing in Australian society regarding Aboriginal people are interesting to mention. First, there is a discourse in Australia that people identify as being Aboriginal with the sole purpose of getting benefits from it (Carlson, 2016). Eduardo Bonilla-Silva (1997) theorised that the different allocation of for example social, political or economic rewards to different racial groups within racialised societies could lead to racist ideologies. The allocation of economic rewards to Aboriginal people has led to resentment within Australian society. Second, a prevailing idea is that Aboriginal people neglect their children, when the problem rather lies with poverty (Funston & Herring, 2016). Third, there remains a discourse of deficit when discussing Aboriginal communities, leading to feelings of inadequacy within communities, and disdain outside (Fforde, Bamblett, Lovett, Gorringe, & Fogarty, 2013). These discourses are problematic for many reasons, including their influence on the identification process of Aboriginal people. Self-esteem may be positively or negatively influenced, depending on the external, societal perception of a certain community (Galinsky, Hugenberg, Groom, & Bodenhausen, 2003). For example, a person could more proudly identify as Aboriginal if those around her or him proudly proclaim themselves Aboriginal as well. Conversely, Aboriginal identity might be rejected by those moving in a largely non-indigenous environment (Weaver, 2001). If the environment does not enable pride in Aboriginal heritage, as it has not historically, and often does not now, this influences the way people identify.

Aboriginal people nowadays can be broadly divided in two groups: those who have always known they were Aboriginal, and those who found out later in life. For the first group, a range of 'Aboriginal' practices could be identified, things that people use to exemplify their Aboriginality. These include a respect for ancestors and the dead, respect for land, or Country, respect for tradition, and respect for family and Elders (Broome, 2005). However, each Aboriginal person may feel these things in a different way, with changes happening through time.

People in the second group, who found out about their Aboriginality later in life, may not have grown up engaging with other Aboriginal people, their culture and heritage. There is a variety of reasons why this might happen. For example, a person might have Aboriginal ancestors who were hiding their heritage, either out of shame or convenience. Or, their ancestral lineage might be lost due to (purposeful) forgetfulness of officials in Stolen Generation cases. Either way, it "often appears to be related to the historical era or the legacy of earlier policy eras." (Carlson, 2016, p. 196) One informant of Bronwyn Carlson in her book *The politics of identity* (2016) said that the impact of colonial history was entwined in the meaning of being Aboriginal,

referring to historical efforts to deprive Aboriginal people of “their right to claim their heritage” (Carlson, 2016, p. 197), for example by placing them in non-Aboriginal out-of-home care. Another informant recounted being told that their Aboriginal uncles had Indian Sioux heritage, and a third thinking they were probably part Kenyan. Since being Aboriginal sometimes has a negative intonation, some people deny their connection to it. This shows a connection with structural historical racism: because of this history, the identification process of people has been significantly changed or impaired. It could also be that no-one in the family knows about their Aboriginal heritage (Carlson, 2016). Because of the Stolen Generations, a lot of people have grown up in a different environment, which also prevented them from identifying as Aboriginal. This goes for both people who were taken away from their families as a kid, and for their descendants.

Discovering your Aboriginal heritage can have a big impact on someone’s life (Carlson, 2016). Two examples from the fieldwork of this study also show this. The first one talks about Rowena, who works at university and teaches a mindfulness practice at an Aboriginal community centre, and how she felt when she discovered she has Aboriginal heritage. The second one discusses a man working at Cape Otway Lightstation, who shared a similar story as Rowena did.

Rowena started by explaining us a bit about herself and how she learned about her Aboriginal heritage: it turned out she had not always known she has Aboriginal ancestors. [...] She shared that finding out about her heritage felt like a homecoming and has been a huge part of her life ever since. [Reconstructed fieldnotes]

When I went on a weekend trip along the coast, we visited Cape Otway Lightstation, a historical sight. As part of the open-air museum, a small house was decked out with artefacts displaying the Aboriginal history of the site, from before the lighthouse was built. In the house, a man of Aboriginal heritage was giving talks to visitors and answering questions. Like Rowena, he had found out later in life that he was of Aboriginal heritage. Since then, it has become a huge part of his life. He told me: “I needed to learn everything from scratch. I didn’t know anything.” He made contact with an Elder from the local community and learned most of what he knows about Aboriginal culture from him. [Reconstructed fieldnotes]

We can see that both found the discovery of their heritage important. This is not to say that everyone who discovers Aboriginal heritage finds it important or incorporates it in their life. However, there are many stories of it having a big impact (Carlson, 2016). Still, different

Aboriginal people have different stories, and incorporate Aboriginality in their lives in different ways.

In the 1980s, the since disbanded Department of Aboriginal Affairs introduced a definition of Aboriginality. To be publicly recognised as an Aboriginal person, an assessment consisting of three parts needs to be done, called the Confirmation of Aboriginality (Carlson, 2016). To be assigned an Aboriginal identity, you need to be “a person of Aboriginal or Torres Strait Islander descent and who identifies as an Aboriginal or Torres Strait Islander, and is accepted as such by the community in which he (she) lives or has lived” (Gardiner-Garden, 2003, p. 5). When successful, a person will obtain a Confirmation of Aboriginality document, which is needed to be able to work in certain positions and to access services designed for Aboriginal people (Carlson, 2016). These services could include funding for health care or housing, legal or welfare aid, as well as programmes or other benefits, established to “assist the imbalance caused in the past” (Carlson, 2016, p. 132). A range of institutions require said proof of Aboriginality.

Aboriginal community-controlled organisations, which have been formally recognised under state legislation, have the power to assign Aboriginality due to the last step of the Confirmation of Aboriginality process. These organisations are the result of a federal government policy meant to give local communities the opportunity to be involved in their affairs (Carlson, 2016). The Confirmation of Aboriginality process is relatively easy to complete if a person is embedded in the local Aboriginal community. However, when they are not, they need to rely on documentation to proof their Aboriginality to the community, which is often not as easy (Carlson, 2016).

There are some problems with the Confirmation of Aboriginality, specifically because it is often hard to proof ancestry, due to the lack of documentation resulting of colonial practices. Often, deaths, births, marriages, or movement of Aboriginal people were not properly recorded. People who either moved to a new community themselves, or whose ancestors moved, often have a hard time (Carlson, 2016). Arguably the most difficulties, though, are experienced by Aboriginal people living ‘independently’, with little to no Aboriginal contacts, because within communities this can be seen as having abandoned Aboriginal values (Carlson, 2016). Additionally, Aboriginal communities struggle to design a fair and consistent process, which often leads to a lack of transparency. Sometimes ‘looking Aboriginal’, or not, can be enough to be accepted or denied, respectively (Carlson, 2016).

So, what can we say about Aboriginality? It is complicated. A government-recognised process, the Confirmation of Aboriginality, has defined Aboriginality in three steps: having Aboriginal heritage, feeling Aboriginal, and having community recognition. Although this definition helps to allocate funds and services to those people they are meant for, it has some problems as well. First, that it can be hard to prove your ancestry without documents or other proof. Second, that Aboriginal community centres lack a sound apparatus to assess claims.

In society, Aboriginality continues to be associated with deficit and child neglect. Nowadays, it is also said that people identify as Aboriginal solely to get benefits. Within Aboriginal communities, there are ideas about what it means to be Aboriginal, leading to people being called ‘not black enough’. In truth, it is hard to say what Aboriginality is, since everyone engages with their heritage and culture in a different way, which should all be valid and recognised. However, it is complicated to figure out a way to do this, especially with the widely varying life stories that Aboriginal people have had historically, which we have seen in the previous chapter.

As has been explained in the beginning of this chapter, there continues to be a specific set of challenges that Aboriginal people face. We will now try to go in greater depth regarding the political structure perpetuating these challenges.

5.2 Politics

After the 1967 Referendum and the abolishment of the Welfare Board, Aboriginal people could finally start taking full control of their lives. After the Referendum, which led to a constitutional amendment which gave Aboriginal people citizenship, the Office of Aboriginal Affairs was opened by the government. In 1972, the Office of Aboriginal Affairs was transformed into the Department for Aboriginal Affairs, which was in office until 1990. At the same time, a range of Aboriginal community-led organisations operating on local and regional levels were sponsored by the government. By the 1990s, there were about 2,000 of those, functioning in different ways (Sanders, 1993).

The Department for Aboriginal Affairs, although concerned with Aboriginal people, was not necessarily Aboriginal-led. At the same time, the government attempted to create bodies facilitating Aboriginal self-determination (Sanders, 1993). For this purpose, they started the National Aboriginal Consultative Committee (NACC), present from 1973 until 1977, and later the National Aboriginal Conference (NAC), from 1977 until 1985. The members were elected by Aboriginal people. However, both were only advisory, lacking governing power (Sanders, 1993). In 1980, the Aboriginal Development Commission (ADC) was started for the same purpose, but with a more specific focus on development projects. Members of the ADC were appointed rather than voted for (Sanders, 1993). In 1984, the ADC was criticised for having administrative issues by the Parliament.

In 1990, the Department for Aboriginal Affairs merged with the ADC to create the Aboriginal and Torres Strait Islander Commission (ATSIC). ATSIC was abolished in 2005 and has never been replaced with a similar institution. As the last national-level institute facilitating self-determination for Aboriginal people, we will focus on ATSIC and the reasons it was discontinued.

In 1987, Prime Minister Hawke and his Labour government proposed to create a commission with decision-making power, combining regionally and nationally elected Aboriginal people (Cunningham & Baeza, 2005). Notably, members of the ADC quite strongly opposed the proposal, but those who did were discharged from their stations shortly after and replaced (Sanders, 1993). A research into these dismissals and into the proposal for ATSIC delayed the creation of the commission. An important point of criticism coming from the opposition was the perceived lack of accountability of the body, which sprouted from a fear that they would not have clear oversight over what ATSIC would be doing. Almost 100 amendments were made before the 1989 ATSIC Act created both ATSIC and 60 regional councils, the Regional

Indigenous Councils (later reduced to 36) (Cunningham & Baeza, 2005). Although ATSIC was originally supposed to be responsible for a broad range of topics considering Aboriginal Affairs, two things came to dominate their budget over time. One was the Community Development Employment Projects Scheme (CDEP) and the second the Community Housing and Infrastructure Programme (CHIP) (Cunningham & Baeza, 2005).

In 1996, the federal government was changed to a liberal-national coalition under Prime Minister Howard, which led to a range of ATSIC reforms, creating conflict between the organisation and the government. Amongst other things, ATSIC had to deal with budget cuts, downsizing, and they stood under disproportionate scrutiny. Already since its creation, ATSIC had had an Office for Evaluation and Audit; it was the only commission of its kind that was subject to such an office (Pratt, 2003). This is in line with the historical tendency of Australian governments to closely monitor Aboriginal people. Even now that an Aboriginal decision-making body had been incorporated in the government, they were disproportionately watched. The Office for Evaluation and Audit had been conducting an average of 60 briefs annually since 1990, never finding any big problems in the activities of ATSIC (Cunningham & Baeza, 2005).

Still, after the 1996 elections, a Special Auditor was appointed, which had to approve all ATSIC grants and loans before they would be distributed. In the first report of the Special Auditor, 95% of grants and loans to 1,022 organisations were approved. The issues with the other 5% were mostly minor, boiling down to a lack of training of the staff (Cunningham & Baeza, 2005). Ironically, budgets cuts forced ATSIC to economize on community training programmes (Cunningham & Baeza, 2005). To compare, a 1997 survey into company fraud found that half of 490 big Australian companies had committed significant fraud in the past two years (Ivanitz, 2000). The Special Auditor was dismissed a year after his appointment, since the initiative was found to be illegitimate under the ATSIC Act. Still, it kicked off the continued scrutiny and questioning of the accountability of ATSIC.

Meanwhile, a two-decade long campaign by Aboriginal activists had led to a formal inquiry into historical wrongdoings: The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (Dodson & Wilson, 1997). In 1997, the report prepared by Mick Dodson and Sir Ronald Wilson was published under the name *Bringing them Home*. The findings were shocking for many, not least the government, who had been practicing a policy of covering up or playing down what had happened (Haebich, 2011). Importantly, the last chapters note that the history of removals has “profound ongoing implications for social relationships in Australia, between as well as among Indigenous and Non-Indigenous people.”

(Van Krieken, 1999, p. 305) In other words, “that the operations of contemporary child protection agencies were replicating many of the destructive dynamics of the Stolen Generations era” (Gibson, 2013). This suggested a continuity of policies reproducing inequality to this day.

Furthermore, it was recognised that the taking away of children from their families had led to far-reaching social and emotional consequences, for those who were taken as well as those who were left behind. This shows the influence of the racist structure from the past on racist ideologies, including identity making, which is also visible in the theory of Golash-Boza (Golash-Boza, 2016). Professor Anna Haebich, a specialist on the Stolen Generations, summarises it as follows: “[In the Bringing them Home report] there were (...) tragic disclosures of the ongoing medical, psychological and emotional problems, addictions, mental illness, incarceration, violence, self-harm and suicide that haunted the Stolen Generations.” (Haebich, 2011, p. 1033)

After the Bringing them Home report, some funds were made available for compensation, but they were focussed on instant relief rather than prevention, and designated based on Western standards of child care (Funston & Herring, 2016), which disregards Aboriginal practices such as community childcare. The report itself was not endorsed by the government and critiqued for telling only one side of the story. The perspective of white officials and foster parents was said to be underrepresented.

The 1997 Bringing them Home report was very harsh on historical as well as current Australian governments, speaking of a genocide towards Aboriginal people (Dodson & Wilson, 1997). Still, its publication did not ameliorate conditions for ATSIC.

In 1998, the ATSIC board tabled a motion of no confidence in the Minister of Aboriginal and Torres Strait Islander Affairs John Herron after substantial funds had been discontinued without consultation. The Minister, however, refused to meet with the board until they would withdraw the motion. After a year, ATSIC did so, saying it was a gesture of reconciliation, but the distrust did not disappear (Cunningham & Baeza, 2005). Relationships became worse again when the government proposed a set of amendments to the 1993 Native Title Act, which had been created after the 1992 high profile *Mabo vs Queensland* case, the first time a Torres Strait Islander (or Aboriginal) gained ownership of his ancestral lands (Gregory, 1992). ATSIC opposed the amendments, despite pressure from the Howard government to comply. The United Nations Committee on the Elimination of Racial Discrimination (CERD) became involved, receiving

information from both ATSIC and the government (Cunningham & Baeza, 2005). CERD finally asked the government to postpone amendments and continue negotiating with Aboriginal and Torres Strait Islander stakeholders. They also questioned the legitimacy of amendments to the Native Title Act under international law (Cunningham & Baeza, 2005).

In 1999, Geoff Clark was elected as the new chair of ATSIC. Like his predecessor, he expressed hope for improved collaboration. However, ATSIC and the Howard government had very different agendas. At this point, ATSIC had a few main points. First, they wanted an apology to members of the Stolen Generations. Ignited by the 1997 Bringing them Home report, Aboriginal activists had been making efforts to achieve this. Additionally, ATSIC wanted the principle of self-determination to be accepted, and both customary law and colonisation without consent to be recognised. Lastly, they were pressing for a treaty between the government and Aboriginal people (Cunningham & Baeza, 2005). The Howard government was instead focussing on (short-term) gains in health, environment, housing and employment, and highlighted 'mutual obligation' and Aboriginal responsibility (Cunningham & Baeza, 2005).

Meanwhile, in society, there were debates and intense activism, pointing out that little had substantially improved for Aboriginal and Torres Strait Islander people since the 1970s. Some had unrealistically high expectations of ATSIC at this point, which was still plagued by a lack of funding (Cunningham & Baeza, 2005). Since the beginning, there had been a perception that ATSIC was 'just not doing enough' and they were sometimes unreasonably blamed for things they had no jurisdiction over. For example, a national newspaper wrote in 2003 that poor Aboriginal health in remote areas could be blamed on ATSIC, when they had not had a responsibility for Aboriginal health since 1995 (Pratt, 2003).

At the end of 2002, the Howard government announced an independent review of ATSIC, but started making changes before it had been completed. Effectively, they split ATSIC in two: an executive branch and an administrative branch. The executive branch continued as ATSIC, while the administrative branch became Aboriginal and Torres Strait Islander Services (ATSIS) (Cunningham & Baeza, 2005). The transition was hard to handle, especially since the re-elected chair Clark was suspended by the new Indigenous Affairs Minister, Philip Ruddock, as a result of a criminal conviction (because of a pub brawl). Months of negative media attention had made Clark a criminal in the eyes of the public. Still, he appealed and became reinstated in 2003, but had missed the early months of the transition (Cunningham & Baeza, 2005). Meanwhile, the report of the independent review came out at the end of 2003, which had found ATSIC in disarray. They found that ATSIC was unaccountable, underachieving, unrepresentative and

lacking legitimacy, which further decreased public support. The review recommended more regional autonomy, meaning more power for the Regional Indigenous Councils, and a change in structure (Cunningham & Baeza, 2005). The Howard government, however, announced ATSIC's abolishment in 2004. The Regional Indigenous Councils continued to operate and do so to this day, but they did not maintain decision-making or even advisory power.

ATSIC was replaced with the National Indigenous Council, whose 14 members were experts who were appointed by the government. NIC only had an advisory function and was discontinued in 2008. A similar body was not instated after that. Most of ATSIC services, like housing, legal and employment services, were mainstreamed. However, some of its functions could not be easily replaced, specifically its role as advocate for Aboriginal and Torres Strait Islander people (Cunningham & Baeza, 2005).

Meanwhile, Aboriginal and Torres Strait Islander activists had actively sought for recognition for the events made visible by the Bringing them Home report. For example, the annual national Sorry Day was constituted on May 26th, 1998, the day the report was tabled in Parliament. As mentioned before, ATSIC had also made it a priority to get an apology for members of the Stolen Generations (Cunningham & Baeza, 2005). After 11 years of being ignored by the right-wing government (Barta, 2008), in 2008 the liberal prime-minister, Kevin Rudd, finally gave an apology speech called "Apology to Australia's Indigenous Peoples"³. It was the first formal recognition of what has happened.

The speech was celebrated as a formal recognition sparking hope and leading to awareness. Even overseas it was influential, and it was seen as part of a global reconciliation movement (f.e. Fejo-King, 2011). Others, however, speak of empty promises and coveted cover-ups that the apology represents. The apology could be seen as a showpiece to distract the attention from the lack of governmental action (f.e. Barta, 2008; Van Krieken, 1999). Rudd did not explicitly reference genocide, presumably to avoid the related financial compensation (Funston & Herring, 2016). It has been said the government suffers from "considerable amnesia" regarding the Stolen Generations (Van Krieken, 1999, p. 305).

In 2017, more than 250 Aboriginal and Torres Strait Islander leaders, all members of Regional Indigenous Councils, came together at Uluru, a sacred rock located in the desert in Central

³ The website of the Australian government provides links to audio of the speech, and a full transcript: <https://www.australia.gov.au/about-australia/our-country/our-people/apology-to-australias-indigenous-peoples>

Australia. Here, they achieved a consensus position on what Aboriginal and Torres Strait Islander participation in governance should look like (Rubenstein, 2018). In the Uluru Statement from the Heart⁴, they presented their plans. It says: “The Constitutional Change involves enshrining a First Nations Voice in the Australian Constitution that would empower Aboriginal and Torres Strait Islander people. The Legislative Change involves the establishment of a Makarrata Commission. The Makarrata Commission would supervise a process of agreement-making with Australian governments. The Makarrata Commission would also oversee a process of truth-telling about Australia’s history and colonisation.”⁵ So far, none of these changes have been made, but there has been talk about a Referendum regarding the constitutional change.

On May 29th, 2019, Ken Wyatt was appointed as Minister for Aboriginal Affairs. It is the first time that an Aboriginal person holds the position. Before this, he was the first Aboriginal member of the House of Representatives, the first Aboriginal appointed to cabinet, and the first Aboriginal to become a minister (Minister for Aged Care and Minister for Indigenous Health). Nowadays, there seems to be a focus on equal representation of Aboriginal people within the existing government structure, rather than creating a separate governing body. Still, Aboriginal and Torres Strait Islander people remain underrepresented in positions of power, on national, regional, as well as local levels. In May 2020, Minister Wyatt stated that the Referendum to consult on the constitutional change, which the Uluru Statement from the Heart had asked for, will be postponed due to the COVID-19 global crisis.⁶

In conclusion, since the 1967 Referendum, Aboriginal and Torres Strait Islander participation in Australia’s governance has not been achieved to satisfaction of Aboriginal and Torres Strait Islander people. After several attempts with elected advisory bodies like the National Aboriginal Consultative Committee and the National Aboriginal Conference, the Aboriginal and Torres Strait Islander Commission was the first elected decision-making body. However, throughout its life it was critiqued, often unfairly, and the Howard government announced its dismemberment in 2004. Another advisory body was created, the National Indigenous Council, this time with appointed rather than elected members, but it was discontinued in 2008. Since then, there has not been a replacement with similar functions nationally. Regional Indigenous Councils continue to exist. Aboriginal and Torres Strait Islander people have been asking for

⁴ <https://ulurustatement.org/>

⁵ <https://ulurustatement.org/>

⁶ <https://www.theguardian.com/australia-news/2020/may/29/ken-wyatt-concedes-referendum-on-indigenous-recognition-unlikely-before-election>

better representation, and through the 2017 Uluru Statement of the Heart outlined exactly what that should look like. Currently, there is a plan to have a new Referendum, which would enable a constitutional change to embed an Aboriginal and Torres Strait Islander governing body in the Constitution.

5.3 Challenges for Aboriginal people

Section 5.1 has established that racist ideologies continue to be in place, specifically surrounding Aboriginal identity making. Section 5.2 showed historical continuity in the governmental handling of Aboriginal affairs, and it established that proper national Aboriginal representation is lacking. This section explores some consequences of these racist ideologies and structures, which can impact Aboriginal people severely.

5.3.1 Land rights and the legal system

Although the Racial Discrimination Act was passed in 1975, land ownership was still an issue for Aboriginal people. On this front, not much had changed since Simon Wonga had tried to secure land for his people at the end of the 19th century. The landmark 1992 *Mabo v. Queensland* case has become known as the first case where *terra nullius* was successfully challenged, when the native title of Eddie Mabo over his ancestor's land in Murray Island, the only town on Meer Island in the Torres Strait, north of the Australian mainland, was recognised (Gregory, 1992). Native title has been explained as follows: "this legal concept differs from land rights legislation in that its authority derives not from the government's legislative power but from the recognition of pre-existing rights embedded in traditional Aboriginal laws and customs, which the Crown's absolute title, declared at the point of colonization, was subject to." (Gupta & Sadler, 2019, p. 7) Since Mabo, *terra nullius* has been under scrutiny, leading to the 1993 Native Title Act. This is the legal basis for many land rights cases. However, apart from the legal possibility to claim land, other factors prevent Aboriginal people from making successful claims as well.

In addition to a disadvantage as a result of the unfamiliar setting, language differences can play a part. A case in court is based on a question and answer system, as is common in Western cultures. Therefore, language and communication play a big role in this. However, socio-cultural as well as semantic language differences can impede communication (Eades, 1994). For example, in some varieties of Aboriginal English, it is common to use the word 'he' when referring to a person of either gender. In court, these particularities can have a big impact. Also, in many Aboriginal communities, specifically remote rural communities, a more indirect form of communication is common: "where Aboriginal speakers seek *substantial information*, such as important personal details or reasons, *questions are not used*." (Eades, 1994, p. 240, emphasis in original) This cultural practice can have consequences during hearings as well.

A disadvantage for Aboriginal people in court was recognised by judge Debbie during the fieldwork, who deals with many land rights cases. Debbie is a non-Aboriginal woman from

New-Zealand who moved to Australia decades ago. She told me that being called to court can be very intimidating for Aboriginal people. Some people from remote rural communities might never have been to the city before. Of course, a court case would impact all Aboriginal people differently, depending on their history.

Historically, Aboriginal people have been at a disadvantage when trying to fit the mould of colonial practices (Broome, 2005). Think, for example, about Simon Wonga trying to secure land for his people at the end of the 19th century, or the uniqueness of the Eddie Mabo case. These disadvantages remain today.

Debbie said the court started to visit the disputed areas in land rights cases, if possible. She has visited lands, in order to have people explain their side of the story in a less hierarchical environment, and she told me people were noticeably more successful in sharing their story and making their arguments. It suggests that legal practices in Australia, for example having a case treated in court, might disadvantage Aboriginal people, especially those from remote communities or rural areas.

The court itself is an institution which reproduces inequality. Nowadays, even people who are familiar with these legal practices, like Debbie, have started to see that they might not be fair. Although probably not the only reason, the racial bias within legal institutions could play a part in the overrepresentation of Aboriginal people in jails (Cunneen, 2001). Conversely, the fact that there is a disproportionate amount of convicted Aboriginal people, reinforces racial discourses and stereotypes.

From around 2000 onwards, Aboriginal courts have increasingly been recognised within Australian law in different states of Australia. Although each can have a slightly different set-up, generally they treat criminal cases and are characterised by having a board of Aboriginal Elders advising on the sentence (Harris, 2004). Usually, the requirement for a case to be brought before an Aboriginal court is that the offender has already pleaded guilty before the Magistrates' court (Harris, 2004). The Victorian Aboriginal court is called the Koorie court.

Since the Racial Discrimination Act was passed in 1975, it has been bypassed in parliament three times, each time regarding a policy involving Aboriginal people. The most recent policy that was passed in this manner was the Northern Territory Emergency Response (Australian Human Rights Commission, n.d.) in 2007. The Northern Territory Emergency Response regulates the income of Aboriginal families in specific areas, with the supposed purpose of combatting the overuse of alcohol (Watson, 2011). The high rates of violence and abuse against

Aboriginal women and children in these areas were the motive (Watson, 2011). Once again, Aboriginal people are treated as a group that needs to be led or protected, rather than having the power of self-determination. This is an example of how Australia's government still reproduces inequality, with discriminatory laws being in force to this day (Allison, 2013).

The Northern Territory Emergency Response exposes an interesting historical continuity. In the beginning of colonisation, colonisers brought alcohol to Australia. The Northern Territory Emergency Response is almost an exact copy of this similar early-colonial policy designed to protect Aboriginal people in a paternalistic way. This shows that in almost two centuries, this paternalistic way of treating Aboriginal people has not disappeared.

The following interview excerpt treats the case of a modern-day Australian citizen and his way of engaging with a policy like the Northern Territory Emergency Response. The interviewee is Josh, a 27-year-old non-Aboriginal law student from Melbourne. Upon being asked whether he thought that the Australian state was making progress towards reconciliation with people with Aboriginal heritage, he mentioned that he thought not enough was being done. He proceeded to explain that the Northern Territory Emergency Response is a discriminatory policy which was recently put in place.

R: (...) we were talking about the alcohol legislation.

J: Alcohol intervention [Northern Territory Emergency Response]. Basically, under the Australian constitution you cannot single out a class of people, except if it's Aboriginal. And that's despite a referendum in which discrimination against Aboriginal people was removed [Racial Discrimination Act]. There is still that discrimination within there, and under those grounds managed to pass legislation which allowed them to basically... I don't remember whether it was whole areas that were looked at if you were an Aboriginal you couldn't get alcohol, or whether it was if you were within an area you couldn't get alcohol. I don't remember whether it was discriminatory against the people or the area. But it was specifically areas where most of the community was Aboriginal.

R: Yeah, so if it was areas it was just to hide that it was actually about the people.

J: Oh it was, they couldn't not say that it was about the people, because they passed it under the constitutional grounds that it was targeting Aboriginal people, so it wasn't a hidden fact that it was. They were doing it in Aboriginal areas. And because there was a high level of crime being committed by and against Aboriginal people, particularly

under the influence of alcohol. So that was their way of managing it. And probably half-assed, because there was plenty of alcohol being smuggled into these areas. But yeah, I don't know whether it helped or not.

[...]

J: In 2007 and concluded in 2008. And similar policies were then implemented after the apology [edit: Kevin Rudd's 2008 Apology Speech, see section 5.2] and continued in 2010. I know that has been commonly quoted as reasons for removing the constitutional grounds which allows for discrimination or targeting of Aboriginal people.

R: Has it been removed?

*J: So there used to be a clause in the constitution that would not count Aboriginal people as citizens or as people, and that has been removed, but there are still parts in it that allow them to legislate for Aboriginal people and that has not been removed. **So the constitution is inherently racist**, and I don't know whether they would be able to pass a constitutional referendum in Australia, just because there has been talk from some people in parliament that they are not supportive of it, of it being removed, and history dictates in Australia that in order to have a constitutional referendum passed, you have to have everyone in parliament in support of it, both major parties, otherwise it fails on one of the two grounds that are required for it to pass, which is the majority of the population and the majority of states. So, if either one of those grounds fails, then it fails.*

[...]

*J: That's right. [silence] **It's for discriminatory reasons.** Often these are people of the hard right, of the liberal party that don't want to change these things. [Interview 1 transcription; emphasis added]*

Notably, Josh himself is convinced that the Australian constitution is inherently racist. Throughout the interview, Josh keeps emphasising that he does not know enough about Aboriginal culture, history, or politics to have a well-founded opinion on it. He also admits to not thinking it is relevant for him personally to inform himself more.

It is interesting to pay attention to the position of Indigenous law within Victorian law, as well as how it is embedded legally. In the following excerpt Josh explains the place that the Koorie court has in Victoria:

R: Do you get classes about Indigenous law, or law regarding indigenous people?

J: It came up at the start of my degree. And it has come up in my particular subject regarding family law. But I don't know much about it. They talk about things like, I think it's the Koorie Court, which is in Victoria, a court specifically for Aboriginal people, to sort of merge the sort of Aboriginal tribal law and Victorian law. So yeah.

R: Are the cases that go to the Koorie Court, or what is it called, are they valid under Victorian law?

J: Yes, they are given basically under Victorian law, the Koorie Court is allowed the final say on matters. And often they get the, the particular cases can get referred to Aboriginal tribal bodies to make a determination on. And these are criminal cases, I think they have to be under a certain sort of threshold, so they can't be serious criminal cases, but I think it's things up to, I believe it's common assault, can be determined in the Koorie Court.

R: So if it's worse than that you have to go to the other court let's say, the general court or I don't know.

J: That's right. Division of the Magistrates' court. [Interview 1 transcription]

Interesting here is that “the Koorie court is allowed the final say on matters”. Inherent to this construction is a specific hierarchy in Australian law: first and foremost, there is the national law, the Victorian law, the coloniser's law. Within this framework, Aboriginal traditional law may be *allowed* a place, a policy clearly reproducing inequality (Harris, 2004). This idea is ingrained in the structure of Aboriginal courts itself, since an offender first has to plead guilty before a Magistrates' court.

In short, difficulties remain for Aboriginal people when they are called to court, specifically people from remote rural areas. The next section further elaborates on the high incarceration rates of Aboriginal people.

5.3.2 Aboriginal incarceration rates

Ever since colonisation, tensions have existed between Aboriginal people and the police, as had been seen in the previous chapter. Today, Aboriginal people account for a disproportionately high percentage of the Australian prison population. In late 2019, Aboriginal people accounted for 29% of the Australian prison population⁷, but for only 3% of the general population.

Due to Aboriginal communities pointing out high rates of Aboriginal deaths in custody, the Royal Commission into Aboriginal Deaths in Custody (RCADIC) was appointed to investigate 99 Aboriginal deaths in custody that happened between 1980 and 1989. The 1991 RCADIC report said that the high death rates were caused by the high amount of Aboriginal people in jail, holding that there were no additional causes related to discrimination. If we look at the period after that, between 1980 and 2018, there were 2,608 deaths in prison and police custody combined. Of those 2,608 deaths, 500 were of Aboriginal or Torres Strait Islander people⁸, which is not out of line with the Aboriginal prison population in percentages. Therefore, although Aboriginal deaths in custody remain a highly debated topic, and steps should be taken in general to prevent deaths in custody or jails due to bad circumstances, the overrepresentation of Aboriginal people in jails seem to be the more pressing issue.

Most analysts attribute this fact to “a systemic bias in policing, the law or the operation of the criminal justice system” (Weatherburn, Fitzgerald, & Hua, 2003, p. 65). For example, Chris Cunneen has analysed the relationship between Aboriginal people and the police extensively in his 2001 book *Conflict, Politics and Crime: Aboriginal Communities and the Police*, and found that interactions between Aboriginal people and the police define and are defined by the relationship between Aboriginal people and the state. Also, he focusses on the overcriminalisation of Aboriginal people, which manifests itself in over-policing of Aboriginal communities. This is in line with the protectionist history of Australian governments and has colonial roots. According to Cunneen, this makes the police presence in Aboriginal communities a type of terrorism, embedded in the history of invasion and dispossession, and in the collective consciousness of Aboriginal people (Cunneen, 2001). Others argue that the high rates of crime amongst Aboriginal people cause the high prison rates, and changing the situation should happen by a focus on crime prevention (Weatherburn et al., 2003). However, this approach seems to oversee that the high crime rates are likewise a consequence of that same

⁷ Corrective Services, Australia, December Quarter 2019, Australian Bureau of Statistics

⁸ National Deaths in Custody Program report: Deaths in custody in Australia 2013–14 and 2014–15

history of oppression of Aboriginal people, making an analysis of this structure imperative to solve the issue of Aboriginal overrepresentation in jails.

In short, rates of deaths in custody of Aboriginal people seem to be proportionate with those of non-Aboriginal people. However, Aboriginal presence in jails is ten times higher than in society. The contemporary racist structure, which has its roots in colonialism and reproduces colonial relationships, contributes to high rates of Aboriginal incarceration.

5.3.3 Continuing child removals

In addition to high incarceration rates, the Aboriginal population of Australia also suffers from high child removal rates. In 2017, 5.5% of all children under 18 in Australia were Aboriginal or Torres Strait Islander. Yet, 36.9% of children in out-of-home care were Aboriginal or Torres Strait Islander⁹. Over 30% of these children are not placed with either family or other Aboriginal or Torres Strait Islander caregivers¹⁰.

As has been mentioned before, there remains a discourse of neglect when it comes to Aboriginal children (Muir & Bohr, 2019). Additionally, community childcare practices in Aboriginal culture are commonly ignored or misunderstood (Muir & Bohr, 2019). Diane Barwick put it like this: “Few [Aboriginal] women refuse to foster the children of close kin or to help unemployed relatives and friends for short periods.” (Barwick, 1963, p. 27) It is also not uncommon for close relatives to help out with childcare for longer periods. However, this practice has not been properly acknowledged. Therefore, Aboriginal community childcare practices remain misunderstood by or invisible to state officials, also contributing allegations of neglect (Dodson & Wilson, 1997). Of course, other challenges for Aboriginal communities also contribute to the high child removal rates, like the high incarceration rates and high alcohol and drug abuse rates. All these issues are interconnected. Clearly, Aboriginal child removals have historical roots, with the Central Board actively pursuing them for almost a century.

Some challenges that Aboriginal people may face on an individual level have been discussed. The next section analyses these challenges using the sociological theory of race and racism by Golash-Boza. The Australian governmental structures discussed in section 5.2 and factors influencing Aboriginal identification discussed in section 5.1 are analysed as well. It will become clear how these things influence each other.

⁹ Australian Bureau of Statistics,
<https://aifs.gov.au/cfca/publications/children-care#:~:text=How%20many%20children%20live%20in,children%20at%2030%20June%202017.>

¹⁰ Australian Bureau of Statistics,
<https://aifs.gov.au/cfca/publications/children-care#:~:text=How%20many%20children%20live%20in,children%20at%2030%20June%202017.>

5.4 Analysis

This section summarises how some things that have been discussed could be seen through the lens of the sociological theory of race and racism by Tanya Golash-Boza (2016). In the previous sections, we have seen that inequality continues to exist in Australian society. This theory states that all these manifestations of race and racist patterns in society are interconnected, and that racist ideologies create a racist structure, and the other way around (Golash-Boza, 2016).

5.4.1 Racist ideology

Racist Ideology		
Prejudice/ stereotypes	Racial discourses	Racialised identities
Alcoholism/prone to addiction Child neglect Low intellect Criminals	Deficit in Aboriginal communities Child neglect Remnants of paternalism	Aboriginal identities Ideas of what it means to be 'black'

Table 4: Tabular representation of the left branch of the sociological theory of race and racism by Tanya Golash-Boza (2016): Racist Ideology, applied to contemporary Australia

Table 4 displays some aspects of racist ideologies that emerge in this chapter. Three discourses regarding Aboriginality have been mentioned: a discourse of deficit, born out of a way of talking about Aboriginal people as victims, and as people who lack something, whether it be health, money, education, intelligence, or anything else. Second, a discourse that people identify as Aboriginal, only to gain access to certain targeted services or to claim land ownership. Third, a prevailing discourse of Aboriginal child neglect. These three are visible in Table 4 under Racial discourses. Prejudice and stereotypes prevail as well, born out of and creating those discourses, and also born out of the colonial history. A few have been listed in Table 4. As had been discussed in section 5.1, there is a range of ways in which people engage with their Aboriginal heritage and identify as Aboriginal. It became clear that these are sometimes influenced by prejudice or stereotypes, with some families denying their Aboriginal ancestry. Also, within some Aboriginal communities there are clear ideas about what it means to be 'black' or 'white', exemplified by comments such as 'coconut' (black on the outside, white on the inside).

5.4.2 Racist structure

Racist Structure			
Micro		Macro	
Race-neutral acts that reproduce inequality	Individual acts of bigotry	Institutions that reproduce racial inequality	Laws, Policies, and Practices
Nepotism Favouritism	Over-policing of Aboriginal communities Name-calling Racism in employment or health care	Commonwealth government Police Justice system (courts)	1993 Native Title Act 2008 Northern Territories Emergency Response Constitution Continuing child removals

Table 5: Tabular representation of the right branch of the sociological theory of race and racism by Tanya Golash-Boza (2016): Racist Structure, applied to contemporary Australia

Regarding the racist structure, historical continuity is visible in different ways. For example, the story of the Aboriginal and Torres Strait Islander Commission gives examples of paternalistic tendencies, with both the Office for Evaluation and Audit and the later appointment of the Special Auditor. The dismembering of ATSIC and the mainstreaming of Aboriginal and Torres Strait Islander services displays a certain discomfort with Aboriginal self-determination. The high rates of experienced racism in for example health care or employment services (i.e. Paradies & Cunningham, 2009) show that individual racism prevails. Institutions like the police and the justice system have been discussed, which reproduce racial inequality. Like always, nepotism and favouritism favour majority groups. In Australia, this is visible in the fact that only in 2019 there was an Aboriginal Minister of Indigenous Affairs for the first time, although other factors have also contributed to that.

Ideologies and structures influence each other. For example, the fact that the Commonwealth government reproduces racial inequality, is supported by the racist ideologies of its members, like Prime Minister Howard in the ATSIC era. Additionally, it has become clear that Australia’s colonial history is still reflected in Australia’s contemporary governing structures.

6 Conclusion

Since the beginning of the colonisation of Australia by the British in 1788, Aboriginal people have been discriminated against based on their race (Allison, 2013). This discrimination has been justified by the colonisers by a paternalistic narrative, portraying Aboriginal people as incapable of taking care of themselves ‘properly’. Social characteristics were related to biological differences by categorizing people this way. Colonial distinctions based on race have prevailed to this day, and racism remains a widespread societal problem. Aboriginal people have worse socio-economic positions, more health problems and higher criminality and substance abuse rates than average (Awofeso, 2011; Cunneen, 2001). A majority of Aboriginal people experiences racism on a daily basis (Paradies & Cunningham, 2009).

In 2016, Tanya Golash-Boza devised a theory about the role of race and racism in societies. In her theory, she emphasised the interconnectedness between racist structures and racist ideologies in societies. Racist structures consist of institutions, laws, policies, and practices, as well as individual acts of bigotry and race neutral acts reproducing inequality (Golash-Boza, 2016). Racist ideologies manifest themselves as prejudice and stereotypes, racial discourses and racialised identities (Golash-Boza, 2016). This research has analysed historical Victoria and the contemporary Australian governmental structure using this conceptual framework.

In historical Victoria, Aboriginal people were severely disadvantaged. The ideology that they were of an ‘inferior’ race which was destined to go extinct, led to racist policies exploiting and controlling the Aboriginal population. Through this process, a wealth of traditional and cultural knowledge was lost. It took until 1967 for Aboriginal people to get citizens’ rights. However, racial inequalities still exist.

In the contemporary governmental structure of Australia, Aboriginal people continue to be underrepresented. There is no national-level Aboriginal decision-making body, despite Regional Indigenous Councils asking for this. The Aboriginal and Torres Strait Islander Committee (ATSIC) filled this role from 1990 until 2005. However, the way the government interacted with this body was paternalistic and unfair. In 2005, ATSIC was discontinued, and has since not been replaced with a similar institution. Colonial histories and continuing racist ideologies contributed to this.

In historical Victoria, racist ideologies created a racist structure, which reinforced racist ideologies. The contemporary Commonwealth governmental of Australia reproduces this history of patronising, terrorising and disregarding Aboriginal people.

7 Recommendations

There is an endless supply of topics related to race or racism that could be studied. Racism continues to be a far-reaching social issue. Severe inequalities on the basis of race exist globally. This research has aimed to contribute to a better understanding of race and racism in Australian society. However, many questions remain. Continuing to attempt to better understand the role of race in society is crucial for achieving equality for every human, in Australia as well as globally. Some further suggestions for research based on this study are done.

Further research could answer questions like: What is the best way to design an inclusive education? What are the social consequences of the current lack of education? What would be the consequences of inclusive education? Why do people display a lack of interest in Aboriginal history and culture? Are there historical or cultural reasons? To which degree do Australian people base their identity on an idea of whiteness or pride in the colonial history? Research into for example identity making of non-black Aboriginals would be interesting. Additionally, it provides an opportunity to study the extent to which physical characteristics influence the perception people have of someone.

Furthermore, much more can be using Tanya Golash-Boza's sociological theory of race and racism. This research has attempted to make a beginning. However, many questions remain unanswered, in the case of Australia, but also in other contexts. Some examples are: what are racial discourses present in Australia? How do they connect to stereotypes and identity, and how do they interact with the racist structure? How big is the impact of the racist structure, micro and macro, in Australia?

What are the consequences for the lack of respect for Aboriginal knowledge? What can we learn from Aboriginal people? How does the lack of respect for Aboriginal knowledge influence racist ideologies and structure, and how do these two things create this lack of respect? What are the social consequences of this? And, how prevalent is apathy towards improving equality? What can be done to change it? What is the role of (white) privilege in Australian society?

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