

School of Media Culture and the Arts

**Who was “Big George”? An exploration and
critique of Aboriginalist discourse within
historical photographic and written texts**

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Doctor

of

Philosophy

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Declaration

To the best of my knowledge and belief this thesis contains no material previously published by any other person except where due acknowledgment has been made.

This thesis contains no material which has been accepted for the award of any other degree or diploma in any university.

Human Ethics (For projects involving human participants/tissue, etc): The research presented and reported in this thesis was conducted in accordance with the National Health and Medical Research Council National Statement on Ethical Conduct in Human Research (2007)—updated March 2014. The proposed research study received human research ethics approval from the Curtin University Human Research Ethics Committee (EC00262),

Approval Number HR162/2010

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**Aboriginal and Torres Strait Islander readers are
advised that this thesis contains images and names of
Aboriginal people who have passed away**

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Abstract:

Against the backdrop of the devastating impacts of colonisation, a figure known as Big George, a construct of anthropological, historical, governmental and other colonialist discourses, weaves in and out of official colonial records and popular cultural texts. This research follows the Yamaji figure known as “Big George the Cannibal” and “King George of Meekatharra”—who I refer to as Jaal, his Yamaji name—through the colonial archive. Anthropological photographs represent some of the earliest visual records of my Yamaji forebears and have complex histories. The photographs of Jaal were taken by Alexander Morton on a scientific expedition to the Murchison district of Western Australia in 1897, and have circulated repeatedly over time in newspaper publications, lantern slide shows for Royal Society of Tasmania members, in representations of race type for British scientists and in a recently published book of reminiscences by a retired police officer. Concurrent with the mobility of these images of Jaal, events in his life have also been documented in the scientific and politically motivated anthropological writings of Daisy Bates; in police records and occurrence books; in prison charge sheets; Bernier Island Lock hospital records; in legal proceedings, and in books by local historians. Such texts and contexts privilege the voices of those in positions of power and authority and who formed international discursive networks of some considerable influence. This project aims to critically analyse the multiple and conflated representations of Jaal and other Yamaji figures. It will include my own Yamaji perspectives and family stories and those of some of Jaal’s kin as counter-narratives.

Acknowledgements

For My Mother

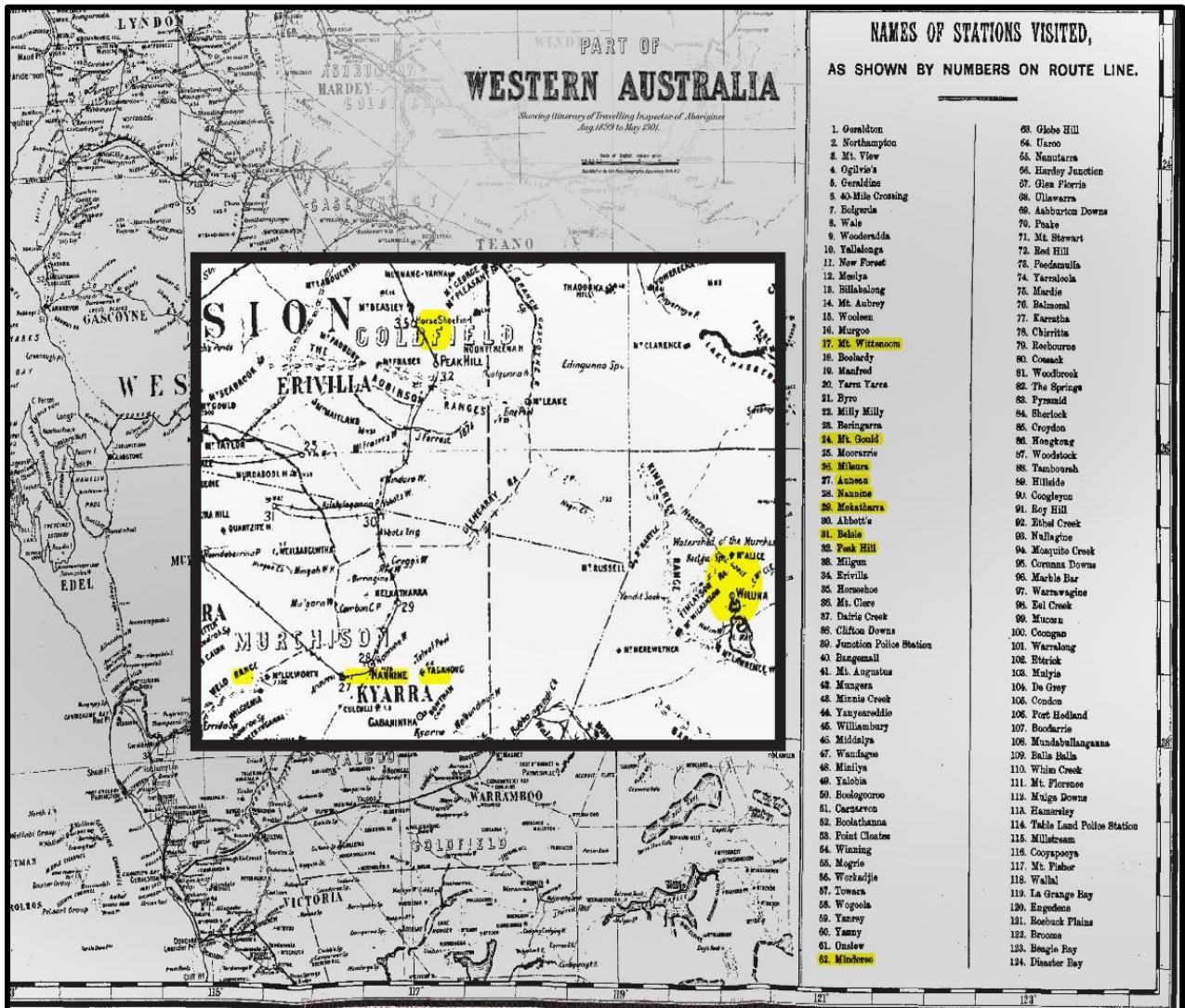
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Preface: Wahda—Looking for—Jaal

Those intent on obliterating Indigenous memory privilege particular and unproblematic colonial representations of the past that deny the realities of persistent attempts to dispossess Indigenous people (Birch 2007, 108).

Against the backdrop of the devastating impacts of colonisation, a Yamaji figure known as Big George, a construct of anthropological and other forms of colonialist discourse, weaves in and out of official government documents, colonial records, popular cultural texts, newspapers, scientific publications and photographs. He was named Jaal when he was born at Lake Way near Wiluna, about 1870, but lived most of his life on his mother's Yamaji country around Nannine and Meekatharra. Yamaji are individuals and groups of people who are connected by descent, country and community to the Yamaji peoples of Western Australia (WA). Yamaji (also spelt Yamatji) country is comprised of many language groups from the mid-west region of WA, including Badimaya (also spelt Badimia) and Wajarri.

Jaal became an anthropological object of some interest to Alexander Morton, the curator and later director of the Tasmanian Museum and Art Gallery (hereafter TMAG) in 1897, and a significant ethnographical informant for Daisy Bates. Jaal featured prominently in Bates' manuscript, field notes, books, scientific papers and popular newspaper articles. Neither Morton nor Bates were recognised as anthropologists from within the discipline itself, but their contributions to this then emerging science were significant. There are several indications that Jaal exercised a kind of fascination over the colonial society of the time and his confrontations with the law are well documented. He was a physically imposing figure, as the name "Big George" suggests, and the colonial record labels him many things, including outlaw, cannibal and king of the Meekatharra natives (*Meekatharra Miner* Feb 27. 1915a; *The Black Range Courier* Mar 3. 1915b). The practice by colonial administrators of appointing Aboriginal elders throughout WA as "governors" or "kings", as a means of control and "advancing the savage", was no longer in use during Jaal's time (see Biskup 1973).

However the title of “king” was assigned by reputation, indicating both Jaal’s position as a senior lawman and the status attributed to Jaal by colonial society.

The photographs of Big George which are the focus of this thesis were taken by Morton while on a scientific expedition to the Murchison area of WA from 21 August to 25 October, 1897. Morton’s photographic images of “Big George” will be contextualised against the events in Jaal’s life, as documented in the scientific and politically motivated writings of Morton and Bates; in police reports and occurrence books; in prison and hospital records; in letters and legal proceedings, and in books by local historians. These visual and written documents have remained largely hidden in the archives of libraries and museums around the world. Weaving together what I can retrace of Jaal’s story with a discursive analysis and historiographical critique of these colonial archival texts presents some challenges: expositional, methodological and ethico-political. However, this is what I have set out to do in this thesis, embedding the stories of Jaal and my own Yamaji ancestors within a multidisciplinary theoretical framework. This approach attempts to make visible the grounding disciplinary and epistemic assumptions through which the figure of Big George was manifested. The figures of Jaal and Big George shadow each other uneasily in the pages that follow, and remain shimmering reflections in the unsettled space between the real and the imaginary.

The Alias: Re-naming Jaal

This research began with a photograph and a name that is not a name: Big George. Why and when Jaal was given that particular nickname is unknown. Here I include a brief discussion of his naming, suggesting it was a form of colonial control and convenience. Yamaji who came into contact with settlers at this time were rarely given surnames, and instead were assigned English first names like George, Judy, Mary, Kitty, Biddy, Shilling, Melbin etc. As there were many Yamaji like Jaal who only had first names, the police and pastoralists used the @ symbol—meaning alias—after their Yamaji names to differentiate them in official records, such as arrest warrants, blanket and rations lists. Derogatory aliases like *Fat Charlie, Monkey, Mickey the Mucher, Sambo*—and much worse—

were used to identify Yamaji. Jaal's name has been written down in a variety of spellings including Thol, Jal, Thal, Joil, Thaial, Chail, and Garlie, each with the alias of George attached by using the @ symbol. Cross referencing the many different name spellings attached to Jaal with the alias of George in various texts has confirmed that each of the names referred to the same person. It is this defining @ symbol, most often associated with criminality, which has been a significant key to tracking Jaal through the confused phonetic spellings of his name in the archive. This naming of Jaal as George, even with the addition of an adjective such as "Big", did not prevent him from being conflated with other Yamaji figures who were in conflict with colonial laws at the Murchison frontier in WA. The police, settlers and government agents relied on the phonetic spellings of Yamaji names, and so they varied significantly in each of the official documents held on Jaal. The name Jaal and this particular spelling of it is the one most consistently used in the genealogies compiled by Bates later in his life, when she spent considerable time interviewing him on Bernier Island in 1911 while with the Cambridge University expedition. I will refer to "Big George" as Jaal unless the historical context requires the use of his anglicised aliases. I will speak of him as Yamaji because he, his mother, wives, sons and mother in law all lived on Wajarri and Badimaya country even though he was recorded by Bates to be a Ngaiawonga and Wanmula man from Lake Way in WA (1911c). Although I cannot know my exact relationship to Jaal, it is one of kinship connection with the Yamaji peoples of the Murchison area of WA. Jaal belonged to Yamaji people and country through his mother, and many Yamaji families, including Badimaya and Wajarri, are connected through marriage. Jaal and Yamaji peoples have also been united through trade and ceremonies, and have also at various times been in conflict with one another.

Positioning the Research and Researcher

The concept of Indigenous Standpoint (ISP) as Indigenous ways of being, knowing and doing (see Nakata 2007; Moreton-Robinson 2013; Rigney 2001; Foley 2003, 2005/2006) points to both the diversities and commonalities of Indigenous perspectives, and at the same time acknowledges the partiality and subjectivity of Indigenous knowledge production. Martin Nakata's contribution

to the discussion on ISP resonates with me. As a Torres Strait Islander man he recognised “that standpoint derived from within my own lived experience of my world, was not considered admissible unless I could explain and defend it according to the content, logic and systems of thought of others” (Nakata 2007, 10). Nakata’s “task” or tactic was “not simply to know my position but to know first how I was positioned in and by Western disciplines and knowledge practices” (2007, 11). To do this Nakata chose two key texts; *Among the Cannibals of New Guinea*, published in 1888, and the reports of the *Cambridge Anthropological Expedition to the Torres Strait*, 1898. He looked “at the various inscriptions of the Islander into Western disciplines” and how they were constructed as “savages” by anthropologists and as “lost souls” by the London Missionary Society (2007, 11). Nakata also analysed how Western inscriptions of Indigenous Australians both regulated and disciplined Islander bodies “into webs of government legislation and policy” (2007, 11), webs that extended to a “moral regulation by the church and economic exploitation” by global commercial interests (2007, 130). It is these particular aspects of Nakata’s application of ISP as a critical methodological tool—the analysis of the knowledge/power relationship between science and governmentality—that I find a useful starting point for speaking against, or back to, a dominant Western episteme that has defined and represented Yamaji, especially through the discipline of anthropology.

The term anthropology in this thesis is used as an umbrella term that includes sub disciplines such as phrenology, craniology, ethnology and ethnography. I use the terms ethnology and anthropology interchangeably, while ethnography refers to the data collected and recorded on individuals and groups of people during fieldwork. In the broadest sense, the formation of anthropology as a discipline of objectified knowledge about Yamaji and other Aboriginal peoples by scientific “experts” is a key element of Aboriginalist discourse.

Aboriginalist discourse is understood and applied here in a colonial context as a set of regimes of truth about Yamaji peoples that had material effects, and that influenced, and was influenced by, local institutions of power. At the same time, I am keenly aware that I am using the language of the coloniser in

order to interpret the Aboriginalist discourse in colonial, scientific and popular narratives relating to Jaal and other Yamaji figures. The discipline of Australian anthropology in both its amateur and professional stages of development was influenced by British intellectuals:

Initially, the ultimate value of anthropological information was not to understand other “races” and their cultures in their own right; the contemporary savages and their customs were important because they provided essential information on Europe’s own antiquity, the origins of its institutions, the stages through which its peoples had advanced and how the achievements of civilization had distanced European “races” from savagery and barbarism. The comparative method allowed not only reports on other cultures to be fitted into this grand, unified view of world “history”, but also for classical sources and details from Europe’s own past, including prehistory, history, “surviving” custom and folklore to be utilised to produce an integrated schema of human kind’s evolution (Urry 1993, 3).

The use of the comparative scientific method discussed by James Urry (1993), Nakata (2007) and others can be seen in the anthropology of Bates, Morton and Alfred Radcliffe-Brown, who all contributed to this unified Western view on the social and physical evolution of man. In WA, Yamaji were being defined and categorised by scientists using data gathered from their anthropological expeditions during a period similar to that researched by Nakata with regard to Torres Strait Islander peoples.

The discursive regimes and historical backgrounds of two WA expeditions are central to this thesis: firstly, the scientific and collecting visit by Morton to Yamaji country in the Murchison during 1897, and secondly, the Cambridge University Ethnological expedition to the same region during 1910-11. The key texts produced from these expeditions to define and categorise Yamaji were the visual and written material in Morton’s “Notes on a Visit to Western Australia”, and the ethnographical writings and journalism of Bates, much of which encompassed her work undertaken with the Cambridge University expedition. Although Radcliffe-Brown spent one week with Yamaji at Sandstone in November 1910, the majority of his ethnographic work was conducted on Bernier Island with Aboriginal prisoner patients from the north Gascoyne and

Pilbara regions (Radcliffe-Brown 1911b, 1911a; Grant-Watson 1910-11; Bates 1904-1912; Radcliffe Brown 1913). Morton's letters, field journal, presentation paper and photographs were utilised by others to construct their own racialised theories and representations of Yamaji, which will be discussed further in Chapters Two and Three (Woodward 1898; Tunney 1897; Morton 1897, 1898b).

On Being Badimaya Yamaji

"Who do you belong to?", and "what country are you from?" are usually the questions asked when meeting another Aboriginal person for the first time. To a large extent these questions, and those that I pose relating to the historical Yamaji figure of Big George and the representations of him, parallel my own search for answers about Aboriginality and belonging. My positioning as a Yamaji woman is founded in my kinship relationships to family, community and country. Reflecting on the concept of being singularly "located" somewhere and "possessed" of particular or general ontological properties and qualities for the most part returns me to a strong sense of connectedness to my Yamaji kin and land. As a Badimaya Yamaji researching and writing for an academic audience, I acknowledge that my positioning is also filtered through a myriad of disciplinary, social, and cultural experiences. Determining how these experiences impact on the ontological, epistemological and axiological lenses that influence my world view as a knowing subject, and therefore my approach to this research, requires an ongoing reflexivity to this process. The way I understand and interpret my identity and positioning as a Yamaji woman, and my place in the world more broadly, is complex and dynamic, and raises more questions than answers. The information discussed and analysed in this research must be accessible, valuable and relevant to my Yamaji community; at the same time, it is written for a scholarly audience to satisfy the requirements of a Western academy. Some research considerations can be problematic, for example when negotiating relationships with my Yamaji community. Immediate and extended family know me, but to Yamaji who are distant kin, I am a "stranger" and "outsider" who lives away from country. The usual protocol to re-establish these relationships is to link up through family networks, and my position within family kinship systems and my connection to country offers up a starting point to explore shared, as well

as broken, Yamaji relationships, knowledges, understandings, histories and stories.

Despite continual questioning, my mother and grandmother refused to talk about our Yamaji family ancestors and history when I was growing up. The subject was completely off limits because my family were made to feel inferior to white European society. Although I “look white”, my mostly absent white father reminded me constantly that I had a “touch of the tar”, and attached other derogative names to me. The term “touch of the tar” was also used officially to describe our family in Native Welfare files. In between the stubborn silence of my Yamaji family, the words of my father, and the strictures of government records, I was also led to believe that being Yamaji was some terrible stain or affliction. This is often referred to as internalised racism. Many “half-caste” children were born from brief unacknowledged relationships between Yamaji women and European men; some from more permanent ones, based on affection, mutual benefit and companionship. I was born from both these types of unions, formed during the mid to late nineteenth century when de facto marriages between Yamaji women and European men on the Murchison, as elsewhere in Australia, were tolerated and in some cases even encouraged by colonial administrations offering financial incentives for the purchase of land grants (Paul and Foster 2003; Biskup 1973).

From the 1890s, there were increasing colonial anxieties around “mixed blood” children articulated in the growing public fears of degeneracy and racial contamination published in government reports and newspapers (Biskup 1973; Marsden 1896; Haebich 1992). These fears of a perceived threat to a white European nation state were enshrined in the legal codes of the *Aborigines Act 1886* and its subsequent amendments. The marriage between a Yamaji woman and a European man required approval from the Chief Protector of Aborigines and cohabitation was made an illegal offence under the 1905 *Aborigines Act* (hereafter the Act). As well as regulating “half-castes” through state sanctioned marriages, certificates of exemption were issued to Yamaji who agreed to “live

like a white person" (Personal Files 1927-1972)¹, and to refrain from speaking their language or associating with extended family members. "Living like a white person" was not specifically defined in the Act, and these certificates could be revoked at any time. Many Yamaji children were removed to carceral institutions such as Moore River, New Norcia and the Swan River Native and Half-Caste Institution. Michel Foucault has described government institutional apparatuses as "technologies of power" and proposed that at the level of the state, "disciplinary technology" was instrumental for what he terms strategies of governmentality or the "art of government" (see Burchell and Miller 1991). Carceral spaces set aside specifically for Aboriginal people such as those mentioned above and Lock Hospitals on Bernier and Dorrè Islands (see Chapter Four) were set up as total institutions and required "technicians of behaviour [and] engineers of conduct" (Foucault 1977b, 294) who operated in local tactics of domination (Foucault 2004, 46). The enforcement of the Aborigines Acts were technical instruments of governmentality aimed at controlling the lives and deaths of Yamaji and are explored further in Chapter Four and Seven.

In an attempt to redress the wrongs of state assimilationist policies, *The Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (1997) recommended "provision of access to personal and family records". I convinced my mother to apply for our departmental records after some reluctance, long discussions and many reassurances. What followed was a difficult re-living and remembering of our family whose histories had been not so much forgotten, but left unspoken.

From the 1880s onwards, and particularly after the introduction of the Act, many Yamaji, including myself, became institutionalised as "children" or "wards" of the state that acted as a guardian until, as in my case, they reached the age of sixteen. The anthropological inscriptions of Aboriginal Australians as "children", "child-like", or a "child of nature" permeate the texts of its many

¹¹ "Personal Files" held about my family by Native Welfare and Community Welfare Departments from 1927 to 1972. Obtained on application to the Department of Community Development 28 April 2009.

authorities, including Baldwin Spencer whose work, along with others in his field, influenced government policy in Australia. D. J. Mulvaney noted that “visitors to Spencer’s museum in 1901 were instructed that Aborigines ‘may be regarded as a relic of the early childhood of mankind’...and the display described survived the Second World War” (Spencer quoted in Mulvaney 1985, 70). Descriptions of Aboriginal people as representing, for example, “the childhood of humanity itself” (Wake quoted in Mulvaney 1985, 70), and Spencer’s Darwinian perspective of Aboriginal peoples, still influence public opinions and perceptions today.

My life story is beyond the scope of this thesis, but the process of piecing together family histories, to understand who I am and where I come from, started when I convinced my mother it was ok, that it wasn’t dangerous or shameful, to pass on our Yamaji culture and history. There are members in my extended family who want to be known as “white”, and this stems from the era of the Acts aimed at assimilation. What follows is a partial account of my Yamaji family history obtained from sharing photographs, studying Native Welfare records, and interviewing my mother, relatives and other Yamaji people who know our family. My aim in recounting some of this history is to offer a point of ontological departure, or positioning, by providing a background to the ways in which discursive regimes and practices of colonialism have shaped the lives of Yamaji families, including my own, into the present. As noted by Watson, “colonisation brought its own way of looking at us, and in turn this construction affected how we also looked at ourselves...[and] anthropologists working in Australia also constructed their identities of Indigenous peoples—identities constructed from a place beyond our power” (Watson 2007, 27).

Looking from Thundelarra (Figure 0.1) it is generally agreed by our family and Elders that Badimaya country extends from near Yalgoo in the west, south to Wubin, and east to Sandstone and north to Mt Magnet. Badimaya Yamaji boundaries have since been contested through a protracted, very divisive and ultimately unsuccessful Native Title claim finally decided in 2015. The discipline of anthropology, and in particular data collected by Bates, was used as “preferred” evidence in dismissing Badimaya claims to Native Title on genealogical and geographical information as seemingly lost in “the mists of

time”, a white euphemism to elide Badimaya oral history and testimony (see Barker 2015). This struggle for recognition of land rights through the white legal system took almost twenty years, and only serves to demonstrate the privileging of white state laws, government documents and “scientific” knowledge, and the subjugation of Badimaya oral histories. This is an experience shared by other Aboriginal peoples in Australia and will be taken up again in Chapter Seven. Our connection to country, our knowledges and our sovereignty as Yamaji peoples cannot be extinguished by the white laws that protect the interests of miners and pastoralists and at the same time set the rules that drive the Native Title process. I offer these geographical coordinates of country based on our Badimaya oral histories (see Figure 0.1).

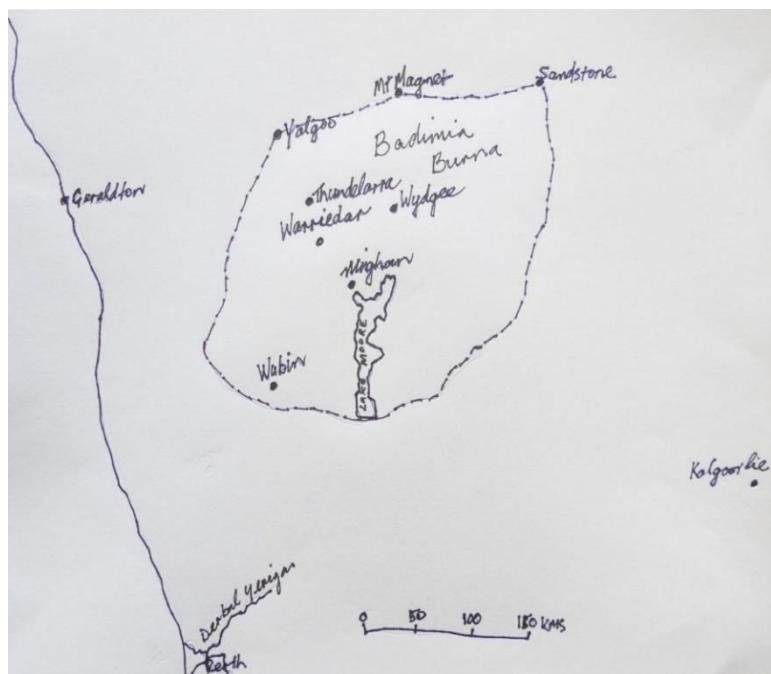


Figure 0.1: Badimaya Burna, a Personal Mapping of Country

Photographs get passed down the generations and in so many cases the identities of the subjects become lost. A Facebook page was set up specifically to share family photographs, in an ongoing personal project involving family elders who hold the keys to unlock the stories attached to the photographs. My Badimaya great grandmother Jiddin was born around 1880 on Thundelarra station (near Yalgoo) where she lived with her mother known as “Shilling” who was also born there. Jiddin was said to be named Mary Ann Barrington by a drover, George Barrington, and although he is recorded on her marriage

certificate as "father", it was also believed he had "adopted" her. Jiddin, as she was known by Yamaji people, was "Big Granny" to her family and was referred to as Mrs Galbraith by others on the Murchison who knew her. Jiddin was a very tall Badimaya woman strong in her cultural knowledge passed on to her through her mother and my other Yamaji forebears.



Figure 0.2: Jiddin (second from left) on Ninghan with Dinah Shepard and the Lawson family ca 1940s. Personal collection, photographer unknown.

During this research I saw a photograph of my great grandmother Jiddin for the first time, taken on Ninghan with other Yamaji kin while she was working there as a domestic sometime during the 1940s (see Figure 0.2). As I gazed for the first time upon the face of Big Granny in this small black and white snapshot, a shadowy figure of my imagination suddenly dissolved into an overwhelming sense of a longed for recognition: in her image was a likeness of my grandmother, mother and me. My great grandfather, Robert John Galbraith was a white man born in 1864 at Cub Hill, near York in WA. When Morton and his assistant John Tunney camped at Yalgoo on 27 August 1897 on their way to Nannine, Jiddin was working as a domestic servant on Badja station (near Yalgoo). Robert was employed as a boundary rider there, at a time when there were few if any fences dividing up Badimaya country. Native welfare records and my Nana's birth certificate show that he and Jiddin married in 1902 at Yalgoo: he was 38 years

old and she was said to be aged twenty two. Robert died in 1931 leaving Jiddin to raise their seven youngest children (see Figure 0.3).



Figure 0.3: Jiddin (behind) with eight of her children ca 1932. Personal collection, photographer unknown.

One of twelve children, my Nana Grace Galbraith (see Figure 0.4), was born at the No. 2 Well on Rothsay Road near Yalgoo in 1907.



Figure 0.4: Kangarooing at Eradu: Nana Grace, Mum and Aunty Shirley ca 1950. Personal collection, photographer unknown.

During their life together in the bush, my Nana's family managed to avoid state scrutiny and controls up until November 1927 by staying away from towns and working out east beyond the rabbit proof fence, harvesting sandalwood. It was from this time onwards that our Native Welfare Department records included the correspondence between the local police and the Chief Protector of Aborigines, A. O Neville, in their efforts to govern the lives of my great grandparents. These controls included demands from Neville that they provide proof of their marriage which took place back in 1902, prior to the Act. The surveillance extended to all their descendants through the enforcement of various Aborigines and Native Welfare Acts of WA. This included plans to remove Jiddin and Robert's children to the Moore River Native Settlement. The Inspector of Aborigines Meekatharra wrote to CPA Neville:

The mother and girls do the work and procure the game for food. Galbraith is a sandalwood cutter....Removing the children is another matter. Still if you followed up from your end they might entertain the idea of voluntarily sending them to M.R.N.S. [Moore River Native Settlement] at the usual small fee (Inspector of Aborigines to The Chief Protector of Aborigines 30 March 1928 in Personal Files 1927-1972:).

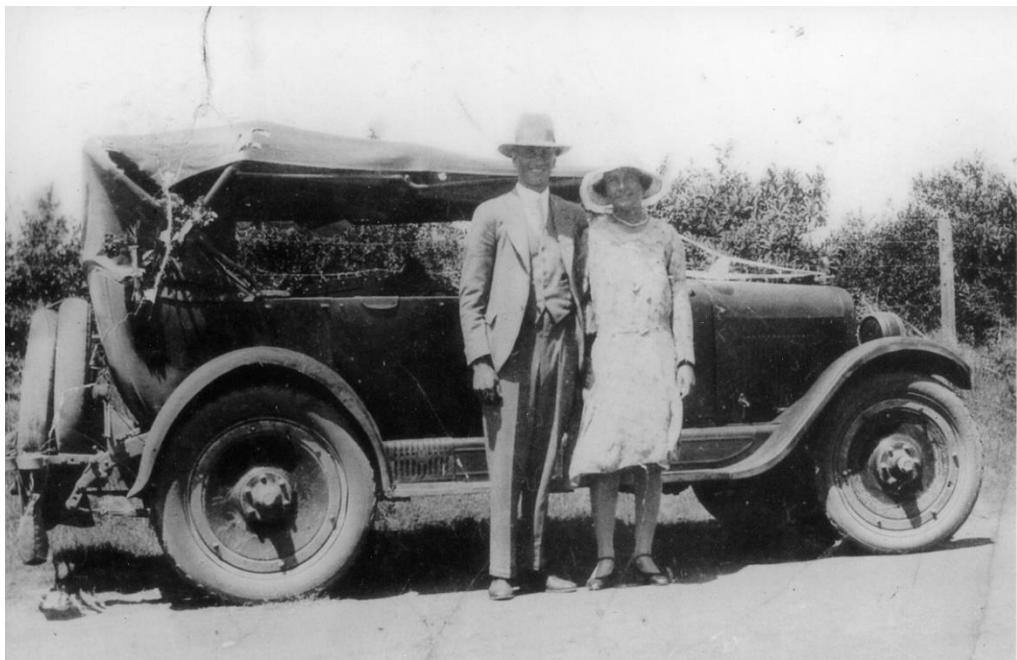
My grandfather's (mother's father) mother, Mary Ann Oliver, also known as Tuppeny and "Little Granny", was born on Wydgee station near Gulleway (or sometimes spelt New Gullaway) around 1882, to Melbin, a Yamaji woman and a white man named Edward Oliver. Edward Oliver was an explorer, pastoralist and miner, originally from York, Guildford, and then the Irwin district in WA, who took up a pastoral lease at Wydgee. Although we know this is where Little Granny was born, we are not absolutely certain what country her mother Melbin was from. Melbin was not married to Edward and when he married a white woman from the Irwin district in 1887, not long after he and his brothers took up a pastoral lease on the Murchison at New Gulleway, it is said that Melbin went back to her "tribal husband". Little else is known of Little Granny's mother Melbin or Jiddin's mother Shilling (no aliases were given to either) except their names, and that they were classed as a F.B. (full blood) on marriage certificates and in Native Welfare records.



*Figure 0.5: "Tuppeny" Mary Ann Latham ca 1930s (est).
Personal collection, photographer unknown.*

As a young child, Mary Ann Latham (nee Oliver) (see Figure 0.5) moved to New Gulleway station which borders Wydgee station, near Mount Magnet, with her father and his white bride. When Morton arrived in Mt Magnet on 6 September 1897, Mary Ann was about 15 years of age and possibly still working on New Gulleway as a domestic servant to her father and her white siblings. Edward's wife Amy had died in 1894, leaving Mary Ann (Little Granny) to look after him and the rest of his children. Edward died soon after in 1898, at the "Baron Mine" near Pinyalling on the Yalgoo Goldfields in WA. Mary Ann was married in 1906, to the son of a convict, Francis Arthur Latham (alias, Groves and Green) from Victoria. He and Mary Ann had nine children including my grandfather Frederick Latham. Fred married my nana, Grace Galbraith, in 1931 (see Figure 0.6). Both my grandparents were classified as "half-castes", "quadroons" and sometimes as "octofoons" by the Aborigines Department. They and their descendants, including my mother, myself and my siblings were

monitored and controlled by government agents (protectors and social workers), and our lives are documented in Native Welfare records up until 1972.



*Figure 0.6: Nana Grace and Grandfather Fred Latham 1931 at Dalwallinu.
Personal collection, photographer unknown.*

Constituted and Continuing Aboriginalities...

Aboriginality or Indigeneity and who can claim to be, or who “qualifies” as a “real” Aboriginal person, were constituted and regulated by government definitions. These definitions are part of complex and ongoing debates among Indigenous and non-Indigenous people based upon essentialist concepts of race that produces stereotypes, and where “the body is understood as a target and effect of discourses that manipulate, fragment, categorise, spatialise and discipline” (Konishi, Lui-Chivizhe and Slater 2008, 3). Often these discussions are centred on racialised “purity”, especially on skin colour and other physical features considered as corporeal markers or indicators of Aboriginality. They also concern a pre-modern “cultural” or “traditional” authenticity. Such disputes around stereotypes and imposed definitions cause hurt and confusion for many Aboriginal Australians, including myself. In the 1905 Act, definitions of an Aboriginal person were both ambiguous and anomalous, with the power of legal identification relying initially on police testimony, but ultimately with a decision by the Chief Protector of Aborigines (see *Aborigines Act* 1905; Haebich 1992;

Personal Files 1927-1972; Biskup 1973). Research on over 700 pieces of Australian government legislation identified 67 separate definitions of Aboriginal people (McCorquodale 1986).

Legislation and public opinion on Aboriginality continues to define, divide and regulate Indigenous Australians today. Aboriginality or Indigeneity remains a contested legal, social, political and ideological position around racialised notions of “real” and “authentic”. Native Title legislation has become the latest process that requires anthropological evidence in the form of genealogies to establish links to “apical ancestors” as proof of Aboriginality and connection to country. The legal battle over land rights and identity is dependent on a process that involves lawyers, “preferred” evidence by anthropologists (mostly white) and members of an Aboriginal Land Council or “incorporated” community organisation to make this determination. The use of Bates’ ethnography in some of these tribunal cases can be rather treacherous, and her views of racial purity and extinction will be discussed over the coming chapters. The Native Title process has been very divisive and continues to split Yamaji families. It has excluded some and called into question their Aboriginality, their authority to represent the Yamaji community and their claims to land. As noted above, since 1996 consultation with Yamaji community members through the process of native title claims has also resulted in disputes over boundaries around country previously drawn up by anthropologists.

The inclusion of accounts of invasion, massacres and dispossession into the historical discourse of Australia—a recent counter-history to the more convenient and comfortable narratives of peaceful settlement and accommodation—is part of a battle for the present in what has been described as the “history wars”. This research project is part of this counter-history which is informed by Indigenous research methodologies including Indigenous Standpoint theory (Nakata 1998; 2007), Aboriginal terms of reference (Oxenham 1999) and Indigenous imperatives (Smith 1999). However, the silenced and lost Aboriginal histories are not so easily found, and many more remain to be told.

Although no direct descendants or oral histories could be traced, the story of Jaal continues to resonate and impact into the present. Through a chance conversation with a researcher from the Department of Aboriginal Affairs, I made contact with Jan, who has been trying to find information on her father Hugh's early life since his death in 1984. Hugh was Jaal's brother in law, and he and other members of his family became permanently separated in 1910. Jaal's wife, Mailgurdi, was one of at least three siblings, including Jan's father Hugh, but Hugh had refused to answer any of Jan's constant questions about where he grew up and who his family was (further discussed in Chapter 7). The stubborn and complete silence of many Yamaji parents, including my own, about their past was motivated by fear, shame, and the desire to protect their children from their own traumatic and painful experiences of dispossession, incarceration, racism and oppression. Jan's search for her missing Yamaji family is filled with administrative obstacles and the many unanswered questions she put to her father. Mission records are missing, and those that remain are incomplete. Jan's story is one of disconnected family and their unspoken histories, one that is repeated many times in Aboriginal families, including my own. This research has assisted Jan in piecing together the horrific and tragic story of her ancestors' lives which her father would not reveal. Through this PhD research on "Big George", Jan has learnt for the first time that she had a large extended Yamaji family and hopes that one day she can be reunited with them.

Introduction: nhundu guwandalgu yaa dhana burda-burdadyanha—you will listen to how they tell the story of—Big George

The research question “Who was Big George?” is not posed in order to discover a “real” Yamaji man who was known as Jaal, but with the aims of repositioning this figure as a more complex subject of colonial violence and scientific encounters on the Murchison during the late 19th and early 20th centuries. Histories are non-linear and traces of the events in Jaal’s life presented here are episodic rather than a continuous narrative. This research will re-interpret the archival fragments of local colonial histories from a Yamaji perspective, analyse their imbrication in relationships of colonial authority and power, and discuss how the representations of Jaal and other Yamaji were disseminated through discursive networks that constructed an Aboriginalist discourse as a set of regimes of truth about Yamaji. This critical analysis will also explore the material effects of Aboriginalist discourse by incorporating Foucault’s ideas on knowledge/power relations, discipline and punishment, governmentality, surveillance and biopolitics (1970; 1977a; 1980; 2000; 2004; 2008; 2009).

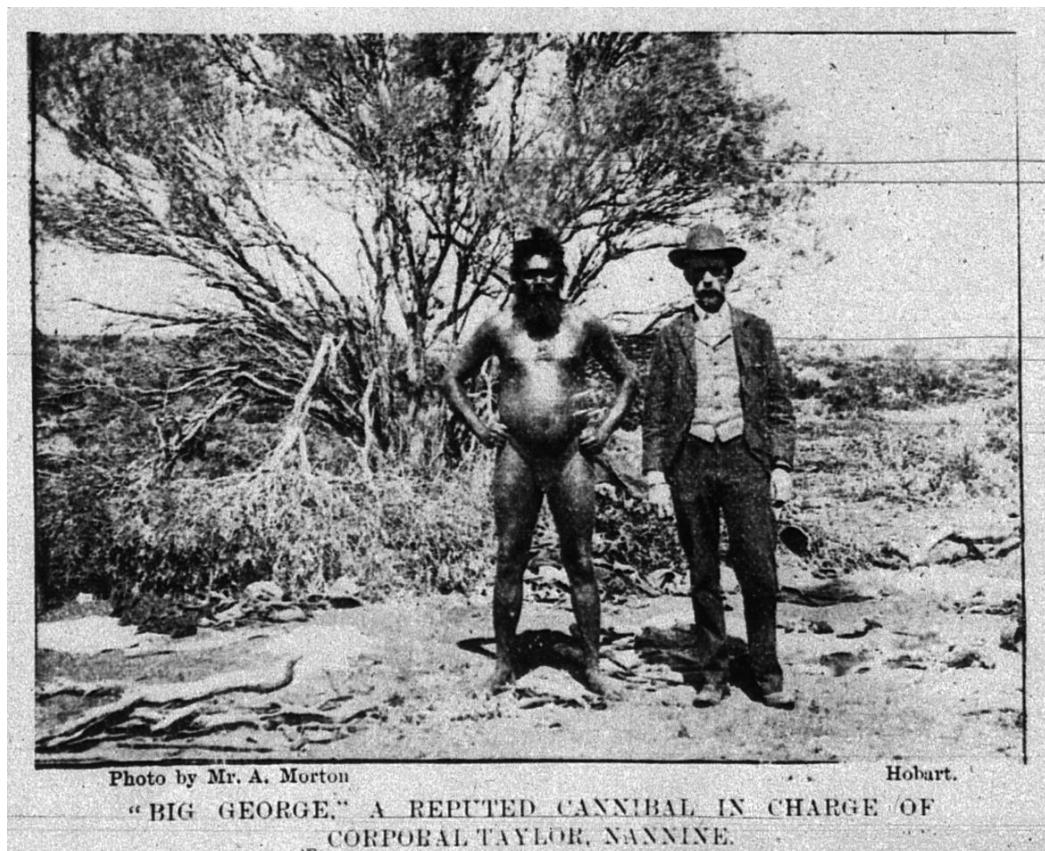
The knowledge formations and photographic representations of Yamaji offered by early anthropologists and disseminated in popular texts as regimes of truth exemplify an Aboriginalist discourse which relied to a large extent on the views of settlers, travellers, and colonial officials (also see Urry 1993). The epistemic violence in representations of Jaal as a threat to colonial society functioned seamlessly across the disciplines of anthropology (savage, primitive, uncivilised); colonial law and policing (dangerous prisoner, criminal, cannibal, cunning outlaw); and medicine (diseased syphilitic, doomed to die). The thesis explores the colonial and anthropological representations of Yamaji in written and photographic texts and critically analyses the discursive relationships, regimes and practices of scientists, police and other colonial agents.

The research project will reveal the histories of discursive, epistemic and physical violence in which the photographic representations of Yamaji have been

constructed, disseminated and interpreted. As suggested by Elizabeth Edwards, “the analysis of photographs cannot be restricted only to sorting out structures of signification, but must take into account that signifying role of photography in relation to the whole nature of the object and its social biography” (2001, 2). Tracking the social biography of photographs of Yamaji at the same time provides very specific insights into the degree and extent of colonial frontier violence and conflict experienced by Yamaji on the Murchison, forms that have ramified for Yamaji families into the present.

Jaal was at the same time an object of both colonial fascination and fear, enabled by the contemporary visual as well as verbal representations of him. As Goldman, Hall and others point out, “photography was used extensively in the colonial effort to categorize, define, dominate and sometimes invent, an Other ... and the representation became a form of cultural and legal power” (See Scherer 1992, 33). Jaal was portrayed as a cannibal and king who was both reviled and revered through the “productive ambivalence” of the colonial stereotype that produces “otherness” as a regime of truth (Bhabha 1994, 96).

The images taken by Morton were instrumental in this discursive construction. Jaal’s existing reputation as a towering figure of colonial criminality and danger was sealed in Morton’s photographic representation of him (see Figure 0.7) published in *The Western Australian Goldfields Courier* (Jan 18. 1898b, 18) and *The Western Mail* (Dec 24. 1897i). The accompanying caption, and newspaper text make up the first reference to Jaal as “Big George” and are a construct of the powerful confluence of photography, colonisation, anthropology and policing. The first record where Jaal appears as “King George of Meekatharra” is in a newspaper article in *The Western Mail*, written by Bates in 1911, soon after her departure from the Lock Hospital on Bernier Island where Jaal was incarcerated as a prisoner patient (Bates 1911b). The last entry of him with the title of “king” is in police records and newspaper reports on his death in 1915.



*Figure 0.7: 'Big George a Reputed Cannibal in Charge of Corporal Taylor [Tyler]'
Photographer A. Morton 1897. (*The Western Mail*, Dec 24. 1897i: 24).*

Methods and Methodology

The research will follow the figure of Jaal through the colonial archive, sourcing relevant and related texts and undertake an analysis of the photographs and other documents through a range of approaches within the interdisciplinary framework of Indigenous, historiographic and cultural studies methodologies. I adopt the methodological approach of exploring official colonial documents that recorded events involving Jaal and his kin, cross referencing names, times and locations. These records include: the annual reports of Aboriginal Protection Board (APB), Chief Protector of Aborigines (CPA), Aborigines Department files and Travelling Inspector of Aborigines reports (TIA); Police gazettes, occurrences books, records and reports; scientific papers and correspondence, and letters and returns submitted by station owners to the APB and CPA. The controversial and contested writings of Bates, who was employed by the WA government from 1904-1912 as an ethnographer—and later “travelling protector” of Aboriginal people—are a major resource for this study. All these

official records are read alongside and in relation to the scientific writings, letters, diaries and field notes of contemporaries such as Radcliffe-Brown (a.k.a A. R. Brown), Elliot L. Grant Watson, E. B. Tylor, Alfred Cort Haddon and Morton, and to the forms of colonial governmentality which they enabled and sanctioned. They are also read against the grain in the context of unwritten Indigenous knowledges and histories.

Understanding Aboriginalist Discourse

As outlined above, the research will critically analyse and re-present photographic images taken by Morton in 1897, and images held in the Bates collection at the National Library of Australia (NLA), within the context of scientific and historical colonial records. This includes an examination of the ethnological and collecting activities carried out by Morton on behalf of the Western Australian and Tasmanian museums, and the dissemination of cultural objects, human remains and photographs to British and Australian museums. The research explores the intersections of my Yamaji family history with the stories of Jaal and aims to collate a resource of photographic and other historical records that can be returned to assist Yamaji people in tracing their ancestry and reconstructing Yamaji histories.

My research has been influenced by the ground breaking investigations of Roslyn Poignant in her search for the forgotten narratives relating to Aboriginal members of Cunningham's international ethnological tours (2004). In *Professional Savages*, her project interrogated "the entanglement of fact and fiction in these narratives ... [where] those who resisted were 'criminals', and ... savagery could be read in the features and on the body as a visible sign—as scarification, tattooing and so on—and it was said to be evident in behavioural traits such as 'ranting' (talking gibberish) and cannibalism" (2004, 10). Poignant also researched the photographs' histories and the ways in which the personal stories of their Aboriginal subjects intersected with the "entanglement of anthropology and popular culture" (2004, 6). The intersections of science, law and popular culture in the discursive constructions of Jaal will be explored throughout this thesis, and the scholarship of Elizabeth Edwards has been

particularly significant with regard to making these connections (1992a, 1992b, 2001; Edwards and Hart 2005).

The relationship between power and Aboriginalist discourse is inscribed in anthropological photographs where “visual knowledge is being produced not for the people who are the subjects of the camera, but for those behind it and for the institutions they served” (Willis 1993, 107). An emphasis on Yamaji bodies as visual evidence of difference was reinforced through the power of the photograph. The careers and reputations of many scientific “experts”, government officials, commercial and amateur photographers have been built upon the enterprise of visually constructing the racialised bodies of Indigenous Australians as the other. Attwood suggests that Aboriginalist discourse:

exists in three interdependent forms: first...as scholarly knowledge about indigenes by European scholars [particularly anthropologists]; second, as...an epistemological and ontological distinction between ‘Them’ and ‘Us’—in this form Europeans imagine the ‘Aborigines’ as their ‘Other’...third, as a corporate institution for exercising authority over Aborigines by making statements about them, authorising views about them, and ruling over them (Attwood 1992, 1-16).

These three forms of Aboriginalist discourse, outlined by Bain Attwood as Western frameworks for representing, governing and “knowing” Yamaji, will be addressed throughout this thesis in the context of the anthropological and collecting activities of Bates and Morton which occurred during a period of violent colonisation. Representations of “Big George” in photographs and other texts that circulated within colonial networks will be analysed as a strategic field of discursive relationships and practices (Morris 1992b). Photographs were used as powerful visual statements of scientific authority in the construction of an Aboriginalist discourse within anthropology, popular myth and the politics of Australian nation building. The photographs will be critically analysed using visual research methods at the sites of production, image as text, audiences and modalities of representation (Stanczak 2007; Rose 2007).

The Morton images have been published repeatedly over time and an analysis of this recycling of the photographs will consider their social biography.

This attention to the photograph's cultural function and its "production, exchange, usage and meaning ... has emerged from the material turn in anthropology in recent years" (Edwards and Hart 2005, 4; see also Edwards 2001). As Anne-Marie Willis argues:

The photographic image moves easily between different contexts and at the same time contributes to the formation of particular contexts ... Here it is not a question of the more anchored anthropological meaning being the true meaning and the popular usage being "inauthentic" because of its lack of specificity; rather it is a case of one photograph taking on different meanings as it is transported between different discourses (Willis 1993, 108).



"GEORGE," A NATIVE OF W. AUSTRALIA, TAKEN AT
NANNINE, W.A. 15.9.97. THE WHITE MAN CORP'T TYLER, OF POLICE.

Figure 0.8: Pitt Rivers Museum Photographic Collection 1998.249.39.2 Donated by E. B. Tylor Photographer A. Morton 1897. (Also Published in *The Western Mail*, Dec 24. 1897i: 24).

From the beginning, the images and stories of "Big George" functioned seamlessly between scientific and popular domains (see Figures 0.7 & 0.8), and their publication 100 years later in popular form suggests that the latent discursive power of photographic images remains.

The Tasmanian Museum and Art Gallery have retained very little information about many of the Yamaji subjects captured in the Morton photographs. The Western Australian Museum (WAM) recorded some detail about the locations that the Morton photographs were taken in, including places such as Berrinarra (Berringarra), Nannine, Mt Weld, Day Dawn, Coodargie (Coodardy), Mileura, and Moorarie. Jaal was one of only two subjects named in Morton's photographs at the Western Australian Museum, captioned in one image as "George a Nannine Native" (see Figure 5.1), and another was "Billy".

Foucault's ideas, despite their eurocentricity, have been applied by Indigenous and non-Indigenous scholars in a critical analysis of an Aboriginalist discourse and its deployment in the justification of British invasion, dispossession, colonisation, and the governmentality of Aboriginal peoples (see Attwood 1992; Rowse 1998; Moreton-Robinson 2006; Bhabha 1994). As noted by Aileen Moreton-Robinson, representations of the Aboriginal other as objects rather than subjects "have circulated in white Anglo discourse since the 1700s" (2004, 75-76). Adam Kuper also argues that the representations of Aboriginal people originated when "the voyages of discovery of the late fifteenth century brought back news of a yet stranger figure: half beast, half man ... [and he] ... was christened the savage" (2005, 26). Anthropologists and ethnographers of the late nineteenth and early twentieth centuries appropriated and relied on earlier descriptions of Indigenous Australians recorded by explorers such as Cook, Grey and Dampier, and as argued by Pauline Strong, "in attempting to fathom the primitive, then, [white European] explorers were charting the contours of a human unknown by measuring it against the presumably well-known coordinates of their own existence" (1986, 175). The Aboriginalist discourses used to define "Big George" also were structured by the well-known binaries of the noble/ignoble savage living in harmony with nature (see Attwood 1992). As will be discussed in Chapter Three, labels attached to Jaal such as "Big George the Cannibal" and "The Notorious Black Outlaw" were colonial tropes that conflated Yamaji figures. These representations were juxtaposed with bifurcated narratives and visual representations of Yamaji in which Jaal appears simultaneously as both the "uncivilised" and "semi-civilised" savage.

Discursive practices and the ways in which meanings are made “are the outcomes of encounters between individuals, groups and classes and their respective cosmologies and conditions of existence” (Tomaselli 1996, 29). Yamaji cosmologies based on land custodianship, family relationships, kinship systems, lore and laws that promote sustainability and reciprocity conflict with colonial and Western scientific ideologies of rationalist thought, individualism, competition, capitalism and progress. The ontological positions of Morton, Bates and other key agents who interacted with Jaal—we will meet them below and again in other chapters—were influenced by evolutionary theories of race and human society that claimed that a superior, rational and objective white Western male subject of science was at the centre of all that is knowable. Morton in his roles as a collector, museum curator and director, also took a keen interest in anthropology, defined broadly as the study or science of Man. The evolutionary ideas of early scientists such as Lewis Henry Morgan, Tylor, Sir John Lubbock, Charles Darwin, J.F. McLennan and others proposed “that savagery preceded barbarism... [and] civilization” (Morgan in Foucault 1978, 75). These were significant scientific figures who influenced Morton’s and Bates’ anthropological and ethnographical work in WA.

A dominant strain of discourse that motivated the ethnography of Bates and Morton is referred to as salvage anthropology. Salvage anthropology was based on the perception that Aboriginal peoples were doomed to extinction because of their incapacity to adapt to the inevitable progress of “civilisation” or would at least be “contaminated” by it (see McGregor 1997; Pinney 2011; Edwards 2001; Garson and Read 1892). Morton and Bates were two of the key agents in the discursive network that constructed representations of Jaal, and were major contributors to Aboriginalist discourses as a set of Western “regimes of truth” about Yamaji. I provide an outline below of their professional backgrounds and will later include information about other significant figures who also interacted with them and Jaal.

The two Key Actors in Jaal's Story

Alexander Morton:

Alexander Morton was born on the 11th September 1854 near New Orleans in the United States of America. He moved to England with his father Thomas William Morton, after losing the family plantation during the American civil war sometime between the years 1861 to 1865. The Morton family then migrated to Australia where Morton's father took up the position of general manager of the Manchester Queensland Cotton Company, where he was to have applied his experience acquired on the southern plantations of the USA. Thomas Morton died before establishing the business and after his father's death, Morton spent two years as a seaman, employed part of that time, transporting Melanesian labour to the Queensland cotton and sugar plantations (Mercer n.d.; Huxley 2008). Although details of Morton's early years are scant, it is likely he experienced a privileged upbringing in the Southern States of America, England and Australia. His employment transporting Melanesian labour to Queensland plantations in the practice known as "blackbirding" would not have conflicted with his childhood experiences of white privilege and entitlement when slave labour was the legalised norm in the cotton plantations of the southern USA. In 1877 Morton was said to have completed studies in the natural sciences (details of which are not known) and was employed as an assistant curator and collector for the Australian Museum in Sydney, travelling to New Guinea, Solomon Islands, Queensland, New South Wales and the Northern Territory on collecting expeditions (Huxley 2008; Mercer n.d.). His main role and reputation was as the curator and later director of the Tasmanian Museum and Art Gallery in Hobart from 1884 until his death in 1907. Bates would refer to him as "Tasmania's chief scientist" (1904-1912). Morton was a prolific collector for the Tasmanian museum and significantly expanded the anthropological and biological specimens at the museum at a critical time in its history (Huxley 2008). In 1895 he was offered the position of curator at the Western Australian Museum, but declined (Morton 1897).

Morton was responsible for featuring Aboriginal material culture and remains in the Tasmanian room at the museum. Following consistent pressure on the colonial government in December 1878, the Royal Society of Tasmania had eventually succeeded in their demands to exhume the skeleton of Truganini for the purposes of "science". Truganini's dying wish to be buried in the mountains was ignored, and her body was dug up on 14 December, 1878. Morton is reputed to have "saved" a box which contained the skeleton of Truganini during the late 1890s—apparently just as it was about to be thrown out as rubbish. Lucy Frost suggests that these "actions taken [by Morton] seemed considerably more deliberate" (2001, 86). Morton's reputation as a collector and curator was well established at the time of his Western Australian visit, and "by 1891 ... [he] reorganised the [Tasmanian] museum, using the latest British Museum labelling methods and evolved a highly regarded system of classification and arrangement" (Mercer n.d.). As Secretary of the Royal Society of Tasmania, Morton read, and possibly proof read, the Society's Papers and Proceedings prior to publication. One such paper published in April 1898 by Walter R. Harper and Arthur H. Clarke, "*Notes on the Measurements of the Tasmanian Crania in the Tasmanian Museum, Hobart*," included a number of photographs of Truganini's skull with measurements and descriptions. After the apparent "discovery" of Truganini's skeletal remains, Morton sent them to Melbourne to be "articulated...under the professional eye of Australia's leading anthropologist Baldwin Spencer" (Frost 2001, 86). Morton's actions typified the attitudes of science that Aboriginal bodies only held anthropological value as specimens of racialist theory. On 31 March 1904, he instructed:

My dear Spencer, By the boat leaving for Melbourne to-day I am sending a small box containing the skeleton of 'Truganni' (sic) that you kindly promised when in New Zealand to set up for me. I am afraid you will find a few of the smaller bones of the hand and feet missing still you may have a few spare ones that may do. I hope your man will be able to get the bones white (Museum Victoria archives accessed July, 2012).

In 1904, while the government of WA was defending itself over its mistreatment of Aboriginal people in a Royal Commission inquiry (Roth 1905), Morton placed Truganini's skeleton on display in the Tasmanian museum. Although much has

been written about the use of Truganini and other Tasmanian Aboriginal peoples in “scientific” debates on race, to the best of my knowledge the Tasmanian links to anthropological representations of Yamaji and Morton’s collecting expedition to WA have not been noted elsewhere.

Daisy Bates:

The controversial and enigmatic Daisy Bates, a fellow of the Royal Anthropological Society of Australia and self-proclaimed “expert”, “Kabbarli” (spirit grandmother) and “friend” of Aboriginal people, plays a key role in the discursive representations of Jaal. The name Kabbarli was said to be given to Bates on Bernier Island (Hill 1973; Bates 1938), and although its origin is not clear, it is similar to a kinship term, “Kabali”, meaning paternal grandmothers (father’s mother and her sisters) in some Pilbara languages recorded by Radcliffe-Brown during 1911 (1913). The name Kabbarli is associated with Bates by Aboriginal and non-Aboriginal people. When talking with Yamaji Elders at Sandstone in April 2012 about Jaal and Bates, I found that this was the name by which they knew her. The onerous task of unravelling the histories and many reputations attached to Bates is admirably covered by others (Reece 1987; Reece 2007b; Reece 2008; Salter 1971; De Vries 2008; Hill 1973; Hiatt 2006). Bates’ own memoirs and newspaper articles that span her life also provide glimpses into her world via her eccentric, fabricated and often contradictory narratives (Bates 1938). Any discussion of Bates in terms of her gender, sexuality, or class, through an analysis of Bates’ own writings or those recorded by others, is beyond the scope of this thesis. In all of these social categories, she did not seem to fit the norms expected by the societies to which she attached importance, especially all things British. There was much ambiguity about aspects of her persona, which is complicated by her own reinventions of herself in terms of marriage status, and her ethnic (Irish) and religious (Catholic) origins.

Although her work was not recognised by many in the scientific fraternity, Bates was considered an “expert” on matters relating to Aboriginal people in Western Australia within the perceptions of the public and some government agencies of the time, and by some Native Title lawyers in the present. Bates

supplemented her income as a journalist throughout her life by writing articles about “her” Aboriginal Western Australians, particularly for the *West Australian*, *Western Mail* and *Adelaide Advertiser*, in which Jaal featured. Jaal was a significant informant for Bates during her ethnographic work in Western Australia, including the Cambridge Expedition from 1910 –11. Only the events in Bates’ life which relate directly or indirectly to her interactions with Jaal and the stories she published about him will be covered in this thesis. This includes the photographs of Yamaji in the Bates Collections at the NLA Canberra and the University of Adelaide Library which will be discussed in relation to her journalism and ethnography.

Overview of Chapters:

The arrangement of each of the chapters does not follow a narrative or chronological sequence, but rather is structured by an analytical focus on the formations of Aboriginalist discourse, and the written and visual statements that were used to represent Jaal and other Yamaji. The research and analysis is concerned with the ways in which the key actors who were involved in the discursive constructions of Jaal interacted with one another, and how the figure of Jaal as “Big George” became conflated with other Yamaji. These powerful agents of colonial institutions at the frontiers of the Murchison district were the pastoralists, magistrates and police who were responsible for managing what Foucault (2004) has described as a “race war” where evolutionary discourse justified the biopolitics of a white Australia’s governmentality of Yamaji.

Chapter One charts the key events in Jaal’s life in the context of violent colonial expansion on the Murchison and the salvage anthropology of the late 19th and early 20th centuries. It was Jaal’s conflicts with colonial laws and his encounters with scientists that secured him a place in the archive and his enduring reputation as king, criminal and savage. What can be pieced together from the fragmentary texts in the colonial archives, newspapers and ethnographic information from Morton and Bates will provide at least a partial history of Jaal’s life, his family, and country and language group. The chapter will also briefly discuss the criminalisation of Yamaji and the devastating impacts of

disease that followed the rapid colonial expansion into Yamaji country on the Murchison.

Chapter Two provides context for the Morton and Cambridge University scientific expeditions to Western Australia. It establishes the extensive network of discursive relationships and the links between key agents of colonial power, and their instrumental roles in the collecting and ethnographic activities of Morton and Bates. It demonstrates how the knowledge/power relationships between science and the law operated in the midst of colonial violence on the Murchison frontier. Morton relied to a very large extent on information he obtained from settlers to construct and represent Jaal as "Big George the Cannibal". Bates ascribed to Jaal the title of "King George of Meekatharra" in 1911, and through a discursive analysis of Bates' scientific and popular narratives, I argue that she mapped the theories of Classical studies in mythology and folklore to represent Jaal, amongst other things, as the fearsome and powerful magician/king.

Chapter Three continues the critical analysis of Aboriginalist discourse and photographic representations of Yamaji with reference to a system of centralised colonial and state power that functioned through localised sites of policing on the Murchison in WA. The authoritative voices of pastoralists, police and scientists such as Morton had a direct impact on the construction of Aboriginalist discourse and demonstrates the circularity of knowledge production, in particular among anthropology, the law and popular discourse. The analysis in this chapter includes an account of how Jaal and other Yamaji were treated and represented in the midst of colonisation, frontier violence, growing international condemnations by humanitarians of the mistreatment and murders of Aboriginal people in WA and the political transition from colony to state self-government and Federation in 1901.

Chapter Four argues that government policies of protection, segregation and assimilation were administered by a sovereign power that became overlaid with a state biopolitics based on legal and political practices to breed out, or let die. It extends the discussion on the connections and relationships of

power/knowledge in the practices of biopolitical governmentality that sought to define, subjugate, and marginalise Yamaji in order to maintain legalised control over their lives and death. The analysis of governmentality as techniques of power over individuals and populations will focus on the relevant historical texts in which Jaal appears and what they reveal about Yamaji peoples' experience of institutionalised authority and control. This chapter will apply Foucault's concepts in terms of state tactics, such as legislation, and the regulatory and disciplinary practices of police and other agents who formed relays of power-knowledge in the governmentality of Yamaji. This chapter looks at how Yamaji were governed as a separate group within a population imagined as white Australian, and as a subject of exception defined by legal and biopolitical discourse within the Aborigines Acts. The chapter returns to the central question of the thesis that asks "who was Big George?" and how Jaal and other Yamaji were constructed and represented in forms of Aboriginalist discourse as part of a process of governmentality.

Chapter Five discusses the photographs of Yamaji taken by Morton, and how they were interpreted within influential internationally based scientific networks and their discursive frameworks. Photographs were powerful visual statements of evidentiary truth given authority by scientists such as Morton, Spencer and others. These images were deployed in the construction of an Aboriginalist discourse within anthropology, popular myth and the politics of nation building. The recycling of photographs among scientific, legal and popular contexts was one of the functions of Aboriginalist discourse. This chapter discusses how Jaal was represented as a race type in these constructions of anthropological knowledge, and in popular narratives, through an Aboriginalist discourse and its truth effects.

Chapter Six will critically analyse photographic representations of a number of Yamaji figures surrounding Jaal—Jinguru, Baeljarra, Booreeangoo, and "Murchison Woman"—in the context of Bates' ethnographic work, newspaper articles and photographic collection. This analysis extends the discussion on the use of photography in the context of a developing social anthropology employed by Bates to investigate Yamaji language, cultural

practices, social organisation and belief systems on behalf of the government and scientific institutions. Anthropological photographs were circulated, exchanged and consumed by popular audiences as postcards and prints. Commercial studio portraits and photographs taken by amateurs for their private albums were purchased by eminent scientists throughout the world who were debating evolutionary theories of racial origins. The discursive constructions of Jaal and other Yamaji woven into the many stories, myths, legends, and genealogies published by Bates in her popular newspaper articles and scientific papers contributed to an Aboriginalist discourse based on salvage anthropology, evolutionism and extinction theories. Anthropologists, settlers and colonial administrators—and I include Bates here—claimed to be experts on Aboriginal people. This chapter discusses the discursive relationships and the ideological and disciplinary influences on Bates' journalism, as well as her use of photographs and ethnography in the context of her constructions of Yamaji as raciological stereotypes.

The final chapter begins with a brief account of the personal experiences that Jaal and his family confronted on the Murchison goldfields from the 1890s. It continues into the present and the search by Jan, the daughter of Jaal's brother-in-law Hugh, for information about her missing Yamaji relatives and ancestors. The Murchison Goldfields became a significant source of state wealth from the late nineteenth century onwards; however, there has been little attention directed to the early interactions between miners and Aboriginal peoples in WA. Chapter seven explores the role of the miners, and the impacts of the mining industry on Jaal and his family in the context of imperialism, colonisation and the ethnology of Bates and Morton. It traces the tragic consequences of a rapid influx of white miners and settlers to the Murchison goldfields that resulted in the increased spread of diseases, and the incarceration of Jaal and members of his family and kin in various institutions before their final separation in November 1910.

Conclusion

This research makes a significant contribution to unravelling the histories of anthropological photographs and the Yamaji subjects in them by reading them in the context of other documents held in the colonial archive, museums, libraries and newspapers. The research question “Who was Big George?” aims to interpret Jaal as a more complex Yamaji subject of colonial violence and scientific encounters during the late nineteenth and early twentieth centuries. The thesis explores the colonial and anthropological representations of Yamaji in written and photographic texts and critically analyses the interdependent discursive relationships, regimes and practices of scientists, police and government. It discusses the circulation of Aboriginalist discourses within institutions of colonial authority and power and how representations of Jaal and other Yamaji were disseminated and translated across scientific and popular contexts. The research aims to make a contribution to the histories of Yamaji material cultural heritage collected by Morton and Bates that are now held in a number of museums and libraries.

Chapter One: Re-locating Jaal in the Archive

Introduction

Indigenous people were the object (and subject) of the gaze of colonial authorities and ‘experts’, and from which Indigenous knowledge, perspectives and voice were excluded (Russell 2006, 32).

The archive is an unsettling space. In her retelling of the story of Mathinna, an Aboriginal girl from Tasmania who lived for a time with Lady Franklin, Penny Russell reminds us that “[w]e cannot deconstruct the legacies of colonialism unless we learn to recognise their hidden burden in the fictions to which we cleave” (2012, 342). Revealing this burden was one of the unanticipated outcomes of this research. In Russell’s search for Mathinna her focus was not on the “true” or “real” story, but on “the process by which certain fictions have become fixtures in her story” (2012, 342) In very much the same way, Jaal has occupied a productive, though unsettled, colonial cultural space where the repetitive narratives about him as the villain in the piece have persisted over time, and through which he became conflated with other Yamaji figures. The photographs of Jaal and other images used to represent Jaal as “Big George” were published during periods of frontier violence and increasing international condemnations over atrocities committed by white pastoralists on Aboriginal people in the north west of Western Australia. As I demonstrate in Chapters Three and Five, the photographs published in the Western Australian press were not a visual appeal to humanitarian sentiment, but rather part of a campaign to promote the “civilising mission” and to refute allegations of cruelty and slavery.

The colonial archive holds fragments of personal Aboriginal histories which have remained hidden, are harrowing to read and are equally difficult to re-present in either visual or written forms. Re-telling the partial histories recorded about Jaal entails stories about other Yamaji, and indeed, non-Yamaji figures who interacted with him. The information amassed on Yamaji peoples by scientific “experts” and colonial officials, now more than a century old and publically available, requires sensitive and respectful consideration, and at times

injunctions on its re-presentation to descendants and the public. Wherever possible, I have contacted the descendants and kin of Yamaji subjects in the written texts for permission to use them, and where I could not make contact I have left out names or changed them. The dilemma of rights to privacy versus censorship is not specific to research on Aboriginal people and histories, and the decision to include or exclude information must be guided by personal, cultural as well as institutional ethical guidelines. The endorsement by the Yamaji Marlpा Aboriginal Corporation (YMAC) Wajarri working group, and permissions granted by Jan Carter (Jaal's niece), and Colin Hamlett (Booreeangoo's great grandson), guide my publication of photographic and written materials here. Some decisions mean refraining from publishing culturally sensitive information, while at the same time ensuring that the Yamaji community are aware of its existence for the purposes of recovering Yamaji knowledge and material cultural heritage.

To help realise the historical figure of Jaal as a more complex character than the one represented and constructed through scientific and popular discourse, I will begin by tracing an outline of him within the context of his country, his kinship relations, and also within a period of relentless colonialist expansion and dispossession on the Murchison. Yamaji from the Murchison, including Jaal, have resisted and lived with the impacts of colonisation that had its beginnings in 1846 with the arrival of explorers. The explorers and surveyors were soon followed by pastoralists in the 1870s, and prospectors came looking for gold from the 1880-90s onwards. These colonial agents came to fence and mine the Murchison with pre-existing notions of Yamaji as primitive, savage and inferior, ignoring the sovereign rights of Yamaji to their lands. Many Yamaji were dispersed, forced to work for rations around pastoral stations and towns, and incarcerated in institutions far away from country and kin. These institutions included New Norcia Mission, Moore River Settlement, Lock hospital prisons on Bernier and Dorrè Islands, and gaols such as Rottnest Island. There are oral histories and documented evidence in the colonial archives of murders, violence, incarceration, and epidemics that have devastated many Yamaji people, and which continue to impact into the present.

This chapter will provide some historical background to colonial expansion on the Murchison before elaborating on specific accounts of Jaal's conflicts with colonial laws in the following chapters. Jaal was more than an object of science, and an ethnological "specimen", he also worked for settlers and acquired some knowledge of the colonisers' ways (including how to use firearms), though always on his terms as a Yamaji leader and lawman. My interpretation of the archival materials relating to Jaal affirms his agency through his retaliations against colonial violence, and at the same time, it lays bare its utterly devastating impacts on him and his family.

Fragments of Jaal's story surface repeatedly in the colonial record from 1891 until his death and burial, which was recorded in police occurrence books (Commissioner of Police 1915), and published in newspapers in 1915 (*Meekatharra Miner* Feb 27. 1915a; *The Black Range Courier* Mar 3. 1915b). As an informant for Bates' ethnography we can know that Jaal spoke with her about his family, his country and cultural knowledge, even though much may have been lost in translation. The narratives about Jaal which emerge from the archive are all written from western perspectives. The key historical texts explored in this thesis are the colonial records of the Colonial Secretary's Office, the Chief Protector of Aborigines, the Police, Prisons and Health Departments, the New Norcia Mission, letters from pastoralists, the notes and journals of scientists (predominately anthropologists), and the accounts of local historians and in newspapers. These documents and photographs are archived at a number of institutions: the State Records Office of Western Australia, the Battye Library of Western Australia, British Universities, and the Western Australian, Victorian, Tasmanian and British Museums.

Salvage Anthropology: The Last of His Tribe

The question "Who was Big George?" in this chapter is also posed in the context of what is usually referred to as salvage anthropology, as most of the ethnographical information collected on Jaal and his family was motivated by this global scientific project. In the story of Jaal, the lives and careers of prominent figures of science some of whom we have already met, and will meet again in this

thesis—Radcliffe-Brown, Morton, E. B. Tylor, Spencer and Bates—intersected at various points between 1897 and 1915.

Salvage anthropology or ethnography has a number of meanings, periods and applications, but each one is associated with a sense of urgency to collect and preserve—in museums, film, photographs, libraries, universities—the human remains, material culture and ethnographic data of “primitive” peoples before it was too late (Gruber 1970). As a discourse, it was driven by a perception that Indigenous Australians represented a living relic of the early stages of mankind and were rapidly disappearing, either by ‘dying out’ or ‘contamination’ from the effects of the ‘civilising’ mission (see Edwards 2001; Pinney 2011; McGregor 1997). Anthropologists of the early twentieth century justified their collecting of “scientific” data, Indigenous human remains and cultural objects on this basis, and it informed their research practice and discourse. Bates described Jaal, as she did many of her Aboriginal informants, as “the last of his tribe” (1938), even though she had named his son as living in 1911 when she completed the last of Jaal’s genealogies. Bates made similar and inconsistent references throughout her work, and firmly believed in the inevitable “extinction” of Aboriginal peoples. The phrase “the last of” became an anthem for her salvage ethnography and the title of her tome, *The Passing of The Aborigines: A Lifetime Spent Among The Natives of Australia* (1938). The refrain of Aboriginal peoples as a “dying race” litters her writings and genealogies, either directly (“last of his tribe”), or through the acronym, “N.C.” (No Children). This statement itself was made early, as her relatively brief period of ethnographic work in Western Australia ended in 1912.

Over recent decades, scholars have explored the direct relationship between the discipline of anthropology and its entanglement with the colonial enterprise, particularly that of law (Gray 2007). As Kuper has noted, the study of “primitive” societies that made the project of anthropology into a science was initially the subject of lawyers (2005). As will be discussed in Chapter Three, the anthropological representations of Jaal by Morton, Bates and others as the “primitive savage” are juxtaposed with the constructions him as a criminal, “perfectly civilised” and a “diseased native” by police, magistrates and doctors. As well as ethnographic data, both Morton and Bates would take back sacred and

other cultural material objects belonging to Jaal and his family for national and international museums and private collectors. Jaal's value as a scientific specimen of salvage anthropology and evolutionary science coexisted with his positioning at the very centre of colonial conflict and violence.

Jaal's Country, Kinship and Genealogies

The information about Jaal's country, birth, and kinship, were recorded by Bates under the ethnographic categories of genealogies, social organisation, language, myths, legends, initiation ceremonies and religious beliefs. This work occurred during her two fieldtrips to the Murchison area—for a total period of approximately six months between 1908 and 1912—and includes five months on Bernier Island in 1910-11. According to Bates, when Jaal was born at Yarnder near Lake Way, in the East Murchison area of Western Australia, he was given many Kurdaru (totems) (Bates 1913; Bates 1883-1990 MS 365/11/1-55, 10/11, 20/22). There are some inconsistencies in Bates' genealogical notes on Jaal's family members which will be discussed below. Her manuscript was edited and sections of it were published posthumously (Bates 1985), but there has been no comprehensive study of her ethnographical work published to date (Reece 2007a; Reece 2007b). Negotiating the ethnography compiled by Bates is a treacherous undertaking, and its use can be a double edged sword, particularly for Aboriginal people involved in Native Title claims (see anthropological reports in Barker 2015). Despite these inconsistencies, Bates did gather extensive ethnographic materials from Jaal later in his life at Nannine in 1908, and again on Bernier Island in 1911. It has been possible to cross-reference a number of Jaal's genealogies with other family informants, including his mother-in-law Ngalai-indu, aunty Ninga-nungu, and brother-in-law Jinguru, in order to establish a reasonable level of consistency.

According to Bates, Jaal's father Mijamurda was a Ngaiawonga man, and his mother Mungada was Wajarri. He had a sister, Kallibee, who was also Ngaiawonga, and four wives in the course of his life: Yangula, Wurdainma, Yangwi and Mailgurdi. Jaal and Yangula (or Yangooloo) had a son Mulujindi (Bates, 1883-1990 MS365/20/25, 117), and he and Yangwi or possibly

Wirdainma also had a son, Mujamurda/Mijumurda (Bates, 1883-1990: MS365/9/107-108, 10/145). Jaal's genealogies and those of his mother in law Ngalai-indu, and aunty Ninga-nungu (see Figures 2.1 and 2.2) were recorded in 1911 on Bernier (for men) and Dorrè (for women) Islands.

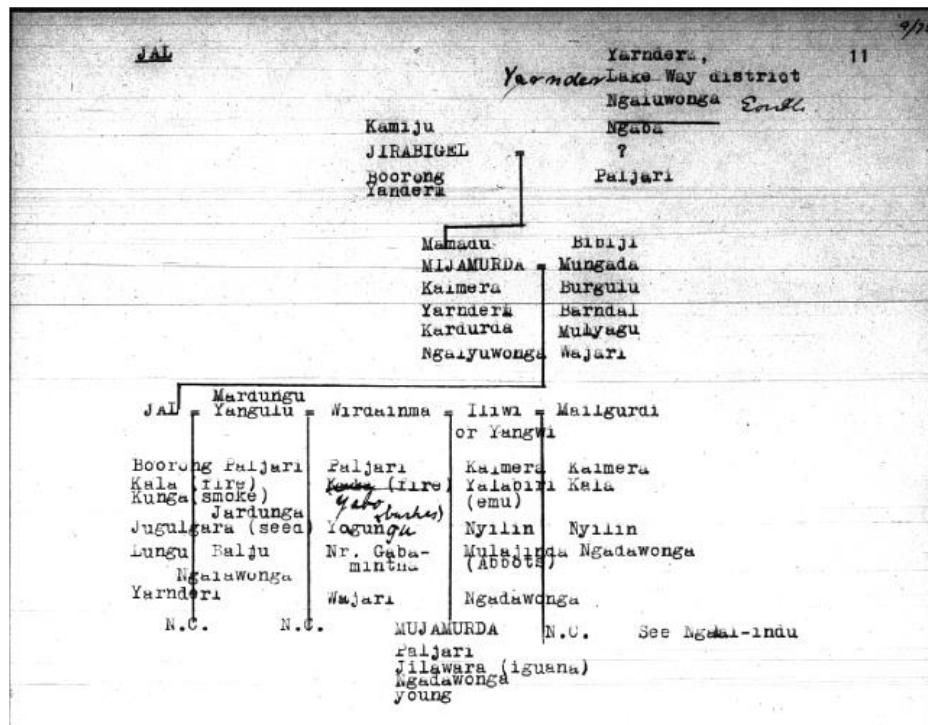


Figure 1.1: Jal's (Jaal) Genealogy, (Bates 1883-1990 MS365/9/75).

It is not yet known if Mujamurda or Mulujindi (Mulajindi) survived Jaal, or whether he has any living descendants. What is known through this research is that Mailgurdi and Yangwi also had three brothers, Hugh, David and Miluburdi (see McDonald 1906). Although Hugh and David were not listed by Bates, they were recorded in police and Native Welfare records. These discrepancies are important to highlight as it has been recently noted in the Badimaya native title claim that Bates' genealogies do not list all family members and therefore should be read in conjunction with other historical records (see Barker 2015). Hugh's daughter Jan is still living, and her story and those of Mailgurdi and her siblings are included in Chapter Seven.

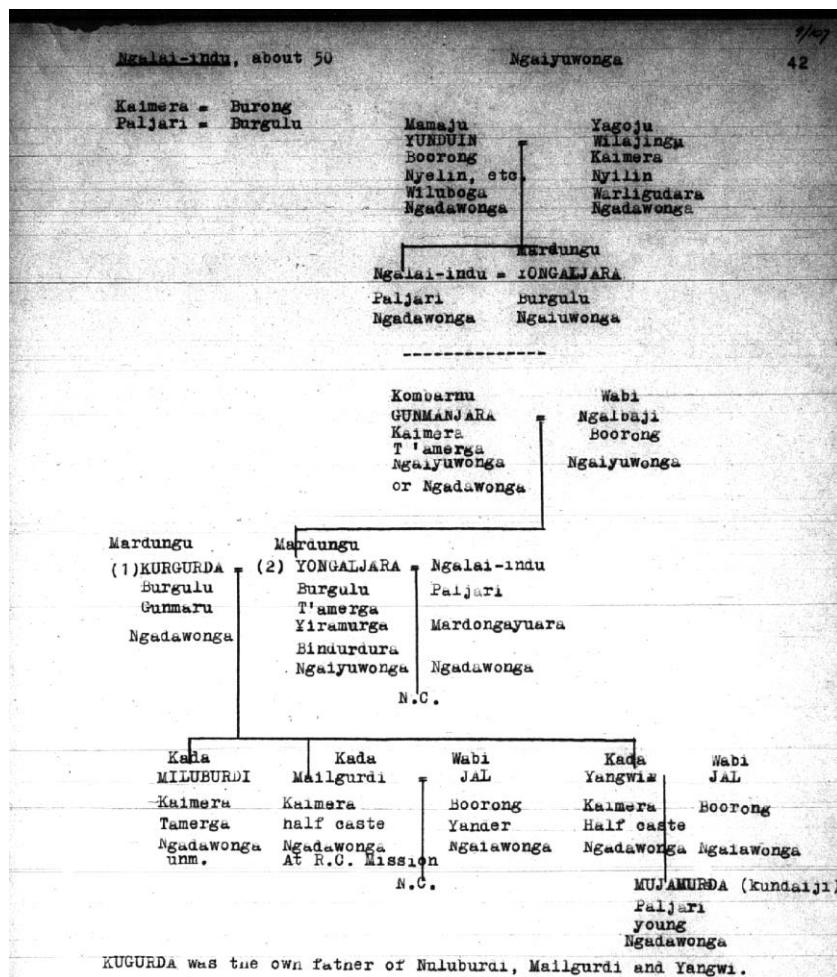


Figure 1.2: Ngaiyuwonga's Genealogy (Bates 1883-1990 MS365/9/107).

Jaal was categorised as a "savage", "wild" or "bush native". His journeys between his camps and his other travels over a very large area of the Murchison from Peak Hill out to Sandstone and Lake Way are documented in the colonial archive, including police records which show also that he regularly travelled eastwards from Meekatharra across to his sacred totem ground or *miamba kurdaru burna* (Bates 1883-1990 MS 365/11/1-55, 20/117) near Lake Way. The police and pastoral station records also located his camping places on country around Meekatharra, Mt Wittenoom, Mt Gould, Cue, Nannine, Stake Well, Tuckenarra, Mt Yagahong, Annean, Quinns, Errols, Barrambie, Sandstone and across to Lake Way near Wiluna. It should be noted that, during the 1890s, gold mines were established at all of these places (McDonald 1906).

Wonyalguna was Katijardu's country. He is dead.

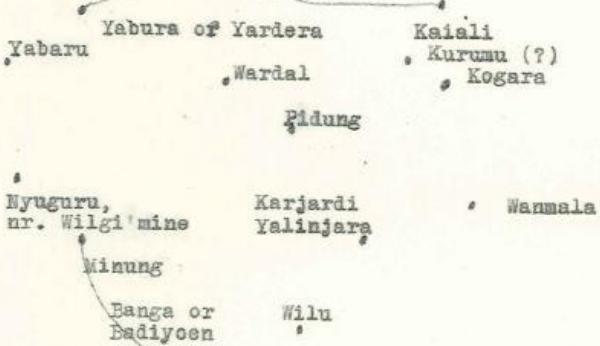
Ord River, Kalamūji, Robinson Range, Peak Hill, Jibilya's country.

J. is at Bilili.

Mariangurari - Mikathara, Yalgeangu's country.

Jaal's locality of tribes

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Yalgeangu owned Mikathara. He died at Annean Stn. His country is Wanjilbarna or Kutu barna. Jaal usurped this group area and lived there until his death, the only instance of a native usurping "orphaned group area" whose owners were dead.

Birdi - cave or hole.
 Karrba - rock
 Wijiri - a long time ago.
 Kiniga - native cat.

Figure 1.3: Jaal's Locality of Tribes (Bates c1912d).

Bates stated that Jaal moved to the Murchison—but does not specify when—and “annexed that group area, while still keeping hold of his own Lake Way ground”, on the death of “the last Meekatharra man” (Bates 1938, 110). As will be discussed in Chapter Two, Bates stated that Jaal’s hold over Wajarri country was rather tenuous, and that when he was sent to Bernier Island, all his family and kin had to “clear out” of Meekatharra to Burnacoora (Bates 1911b; 1985, 65). Jaal and other Yamaji from Lake Way were recorded by Bates as Ngaiawonga. She also noted that Jaal referred to himself as wanmula, meaning from the east, when speaking from Wajarri or Badimaya country (Bates 1883-1990 MS365/10/53). Jaal’s brother-in-law Jinguru, also known as George Coil (or Coyle, Koyle), was another significant informant of Bates, during 1912 when he was serving a life sentence at the Rottnest Island prison. Jaal and Jinguru were both recognised as “kings” and senior lawmen, and their lives and confrontations with the law ran parallel.

Colonial Incursions into the Murchison

Frontier violence on the Murchison between Europeans and Yamaji, as elsewhere in Australia, was over land and water resources. It was as brutal as it was relentless. For the colonisers, land represented wealth and power to exploit, for Yamaji, country sustains life itself, and is sacred. The brothers Augustus and Francis Gregory were explorers and surveyors employed by the WA colonial government during 1846 to find suitable country for stock in the interior, to satisfy the demands of early settlers for land. During August and September they and another brother, Henry, made their way over Badimaya country, seeing “the smoke of many native fires”, and watering their horses at scarce “native wells” and waterholes along the way. While camped not far from Ninghan, Gregory describes coming upon “a party of four [A]borigines, who hastily decamped, leaving their spears and shields behind in the hurry of retreat; they appeared to be of rather small stature, and somewhat darker in colour than the blacks near the Swan River” (Gregory 1884). Ninghan is a significant cultural site and this is possibly the first description of Badimaya people by a European person. It was referred to in the recent Badimaya Native Title case as evidence of a “presence” of Badimaya on our country at the time a British “sovereignty” was imposed (Barker 2015, 196).

A similar scene was recounted by another explorer Robert Austin, whose journals were also mentioned in evidence in the Badimaya Native Title case. Austin travelled through the Murchison in 1854, searching for country suited to the pastoral and mining industries. Austin and his party also camped near Ninghan, a place for meetings and ceremony between Yamaji, Nyungar and Wongatha. From here Austin wrote in his journal on 10 August:

As it became dusk, we saw the firebrands of several of the poor naked inhabitants, travelling towards the Great Lake [Lake Moore] that had most probably fled in alarm, in consequence of their log huts having been visited by a party I sent to the SW...though in pursuance of general orders, they never disturbed anything belonging to, or sought a meeting with the natives. As I watched their moving lights, I regretted that these people were not better acquainted with us, and when I reflected that they were perhaps making this forced

march with their little children, I was very sorry we had disturbed them (Austin 1855).

Austin documented his reliance—as did other explorers before and after him—on Aboriginal guides and access to the “native wells”, creeks and waterholes for his men and their horses. It is noted at several points in Austin’s journals that demands by him and his party on water and game caused Badimaya and other Yamaji—who were already camped near their waters, hunting and trapping game—to suddenly leave their camps. Badimaya retaliations to this invasion saw Austin’s friendly concerns give way to his fear of Yamajis’ “murderous” and “hostile intentions”. On 25 October 1854, Austin recorded in his journal:

I determined to move the party down to Grass Mount, and water at the hole the native had pointed out, and which, on our arrival, we called Captive Spring, in compliment to the poor old fellow whom I detained when he wished to leave (1855).

From this period onwards, other explorers and surveyors, including Carnegie and Canning, made their way through the Murchison area. In 1869, around the time of Jaal’s birth, John Forrest, who later became the Premier of WA, also explored country around Ninghan while looking for the lost explorer Leichardt. When Jaal was a young man, his father Mijamurda and mother Mungada would have warned him about the dangerous strangers invading their country. By the late 1870s, the first white settlers, including my great-great grandfather Edward Oliver, were taking up pastoral leases, and by the 1890s, many more thousands came to the Murchison goldfields intending to make their fortunes in mining. It is from this time that Jaal’s retaliations against the invasion and colonisation of his country is criminalised and he enters the historical record. The remainder of this chapter sets out a brief outline of the existing records available on Jaal. Future chapters will provide a more detailed analysis of the events introduced here.

Dispossession and Yamaji Retaliations 1891–1910

This counter-history will focus on the discursive formations, relationships and practices of power in the criminalisation of Jaal and the role of police as a

form of “administrative modernity par excellence” (Foucault 2009, 321). The histories of Yamaji peoples are inextricably linked to colonial and imperialist expansion. Jaal and other Yamaji were incarcerated following their repeated confrontations with the settlers and the police, and for carrying out inter se “pay back” murders. Jaal first appears in the colonial record as a prisoner at the Mt Wittenoom police station on 19 June, 1891. The charge sheet entry registers his arrest under the name Thol @ George, along with Buckangully, Ngilla @ Johnny, Cooginbooroo @ Charley, Coogin @ Frank and Yendababba @ Peter. All were arrested for sheep stealing at Coodardy and Annean stations and were admitted to the Mt Wittenoom lockup on 27 June, 1891(Donovan 1891). Mr A.W. Cruickshank, manager of Annean station, made the allegations after his overseer Robson had reported 900 sheep missing “since the last shearing” (Donovan 1891). Jaal was sentenced at Mt Wittenoom police station by station manager Thomas Little. Little and other pastoralists like Henry (Harry) Walsh, whose story will be discussed later, were routinely appointed as justices of the peace (J.Ps) and magistrates. Amanda Nettlebeck has demonstrated how extensive and arbitrary the powers of this paralegal network of pastoralists—with no legal qualifications—were in “shaping the evolution of colonial legal culture” in the management of Aboriginal people at the frontier (2014, 20). This research supports Nettlebeck’s conclusions that the forms of punishment and the length of sentencing were inconsistent, the laws of evidence were not met, and it was often the police who were called as witnesses.

Several suspects, including Jaal, were rounded up and taken to Mt Wittenoom gaol where Cruickshank appeared to give evidence. Cruickshank said he couldn’t spare Robson—who had made the allegations—because he was too busy shearing. Based on Cruickshank’s hearsay, the charges were “proved”, and Jaal was condemned to three months hard labour on Rottnest Island. The remainder of Jaal’s countrymen, who were arrested at the same time, were each given six months hard labour at Rottnest Island prison. Jaal and his kinsmen were taken in chains to the Geraldton police station from Mt Wittenoom by Police Constable Donovan. They remained there while awaiting the arrival of a ship to transport them to Rottnest Island and were imprisoned there on 15 August 1891

(Donovan 1891; Rottnest Gaol 1886-1900). Jaal's brother-in-law Jinguru had only recently returned from serving six months hard labour on Rottnest for sheep stealing, so he would have told Jaal about his experiences while incarcerated there (Rottnest Gaol 1886-1900). Having completed his term of hard labour, discipline and punishment, Jaal was discharged from Rottnest Island prison on 10 Sept 1891 and was returned to the Murchison.

The Wittenoom police records of 1883—1900 show that the majority of “offences” committed by Yamaji people were sheep stealing and absconding from duty (Commissioner of Police. 1883-1910) as Yamaji peoples’ right to land and resources were correspondingly criminalised. There had been a severe drought throughout Jaal’s country since 1890, so water and game were scarce, especially with the added pressure of the recently discovered goldfields in the area. It was on Jaal’s country at Nannine that the first registered gold mine on the Murchison was established. Police Constable Troy reported: “The country on the Upper Murchison, and Upper Gascoyne Districts is in a very bad state from the effects of drought ... Kangaroos and emus especially the latter have died by hundreds. The stations on the Murchison are the worst off” (Troy 1891). In March 1891, just prior to Jaal’s arrest, P. C. Pollard travelled through the Greenough and Murchison districts to deliver census report forms to all the stations. He recorded in his journal that:

About a fortnight ago three uncivilized natives, a man, a woman and a boy came in ... the natives had been some time without water and the woman drank till she killed herself. The man returned to his tribe leaving the boy on Mr Cruickshank’s station. The natives state that the country outback is in a dreadful state for want of rain (Pollard 1891b).

The following year, Premier John Forrest wrote to His Excellency the Governor, “I have reason to believe that the natives on the Upper Murchison are suffering from scarcity of food, owing to the entire disappearance of the small marsupials in that part of the Colony” (Forrest 1892). Inspector Lodge confirmed this and reported to the Police Commissioner from Mt Gould police station in 1892:

From conversations with the different owners and managers, I have come to the following conclusions, that previous to the late drought, there was very little trouble with the natives ...

but during the drought I think there is no doubt but (sic) that the natives have on some occasions killed sheep in great numbers (Lodge 1892).

Despite this knowledge by the police and Forrest (also Protector of Aborigines) of the desperate conditions, Yamaji continued to be arrested for sheep stealing. Inspector Lodge's report went on to say that many of the sheep were in fact dying for "want of water" as were the horses used to muster the sheep. Consequently, Yamaji shepherds "absconded"—also a criminal offence for Yamaji—as it was a matter of survival due to competition for the scarce water resources available. How many sheep were actually killed, as opposed to Yamaji butchering sheep already dead or dying, can't be known. The drought, the destruction of precious water holes by sheep, and restricted access to hunting grounds contributed to Yamaji killing the livestock in order to survive. As a result, many hundreds of Yamaji men found themselves incarcerated on Rottnest Island (Commissioner of Police 1883-1910; Green 2011). It was also at this time that the powerful pastoral lobby was demanding the reintroduction of whipping and harsher penalties for "absconding from duty" and sheep and cattle killing. Mt Wittenoom was one of the first police stations on the Murchison, and the dual role of station managers as local Magistrates responsible for the trial and sentencing of Yamaji prisoners will be taken up again in Chapter Three.

On 2 January, 1895, Police Constables Breen and Grover arrested Jaal and four of his Yamaji kinsmen for the murder and cannibalism of Coolynoo, a Yamaji boy from the Ashburton. Although Jaal was chained by the neck and leg to a tree, he and Mucha made a daring escape from police custody at around 2 am on 5 January. Jaal's wife "Jenny" (most likely Wurdainma) had freed Jaal with a handcuff key that she had been given by the "native assistant" Toby, who was later charged and imprisoned (Breen 1895). After a month evading the police through the ranges and rocky country, Jaal was recaptured on 4 February 1895. Constable Breen recorded this capture as follows:

Left camp at 6.30am when about 10 am I came across Joil's [Jaal's] track quite fresh I chained up the prisoners and left PC Grover to look after them. I took the native assistants with me and followed Joil's track after two hours tracking I came on his midday camp where his women were sound asleep, after

making them secure they told me Georgie [Jaal] and Nundall were kangarooing and would soon return, we laid in ambush presently Nundall arrived we got him, soon after Joil made his appearance and we got him also. I then searched his camp and found a [?] with a file and a padlock key filed down to fit a handcuff, a few cartridges, bullets, box of caps and other articles of little consequence. I returned with both prisoners to PC Grover and we camped for the remainder of the day. I then made all the prisoners fast around the necks using split links with copper rivets in place of handcuffs. I also arrested Georgie's woman Jenny to bear witness against Toby as it was to this woman Toby gave the key which liberated Joil and Mucha (Dolan and Breen 1895).

Despite his best efforts to remain free, on March 7 1895 Jaal was one of 24 prisoners taken in chains on a 52 mile journey from Mt Gould gaol to Mileura, a pastoral station west of Meekatharra. Jaal and his kinsmen were committed for trial by Walsh (Ord 1895), who as we will see in later chapters, became an "expert" informant and of "great assistance" to Morton during his scientific collecting expedition to the Murchison in 1897. During their forced 800km walk in chains from Mt Gould to the Geraldton gaol during March 1895, all the Yamaji prisoners became ill. Nundall (Nundarn) died in prison two days after their arrival in Geraldton on 26 March, while Jaal, Mucha, Wonjada (Wongatha) and Coowall (Cowal) remained incarcerated there awaiting trial until April 1895 (*The Daily News* Jan 15. 1895a: 3; *The Western Mail* Apr 27. 1895c: 18). The lack of a conviction at the trial was attributed to claims that the testimonies given by Aboriginal witnesses were unreliable, and probably because of the ambiguity about how inter tribal murders should be dealt with in the white legal system at this time (see Hunter 2011). Jaal and his countrymen, described as dangerous cannibals, were found not guilty and released on 27 April to make their own way back through settlers' pastoral leases, on country belonging to other Yamaji, but who may have been unknown and therefore also hostile (Breen 1895; Dolan and Breen 1895).

Extensive legal powers were devolved through a system of law and punishment by the police, JPs and magistrates at the frontier regions of Western Australia, including the Murchison, but it was difficult to coordinate and manage. The trial and sentencing laws in relation to Yamaji accused of various crimes were

left to remote magistrates and JPs. Prominent figures in the pastoral industry such as Walsh and Little, who were assigned to these positions, held enormous power over Yamaji lives. This localised approach to law was meant to reduce costs and to instil confidence in the settlers, investors and miners flocking to Murchison district from the 1880s onwards. This form of policing and governmentality was promoted as a fairer and more just process for dealing with Yamaji accused of breaking colonial laws. In practice it was open to abuse by settlers who took the law into their own hands (see Nettlebeck 2014). When Police Constable Ritchie made a complaint, in March 1899, against Walsh as the district Magistrate and owner of Mileura station, it was dismissed. Ritchie wrote: "I beg that an inquiry be held and things altered in the future. I do not want to fall out with Mr. Walsh, but I cannot stand the way he is dealing with the court, the police and the cases" (1899b, 3). Ritchie outlined concerns relating to the brutal flogging of Yamaji station workers and the indiscriminate sentencing of "natives" to gaol sentences for "absconding from duty" on the word of station owners, without evidence, legal representation or proof of employment agreements. P. C. Ritchie asserted:

The way the Police Court and cases are conducted by Mr. Walsh J.P... is a disgrace ... Mr. Walsh was strongly in favour of dismissing the case as tribal when the two natives in question had been reared on the station you might say...Two days later Mr Walsh tried one of his own natives at Mileura ... there was not trial about it, the native was never brought to court. There was no prosecutor present or any agreement produced, although the native was supposed to be signed to Mr Fred Walsh [brother of Harry and co-owner of Mileura station] (Ritchie 1899b, 3).

For his efforts to maintain a semblance of judicial process Ritchie was suspended from duty pending the investigation, and forced to resign from the police force on August 14 1899. He died within a year of an inquiry which exonerated all those accused (Ritchie 1899a; Olivey 1899-1901). Similar treatment was meted out to other humanitarians attempting to voice their protests on the mistreatment of Aboriginal people in Western Australia, particularly those who worked on pastoral stations. These voices will be discussed further in Chapter Three.

Colonial Conflations and Fabrications

The colonial fascination with Jaal has spanned a century. A comparison of the colonial archival records with newspaper reports has revealed a series of stark contradictions, conflations and fabrications in the stories told about him. After his alleged cannibalism in 1895, and his appearance as "Big George the Cannibal" in 1897 (see Figure 0.7), Jaal next surfaces in newspapers in June 1905, when the *Murchison Advocate* reported that "Georgie, better known as 'Big George the Cannibal' and other natives" were arrested at Peak Hill for the murder of three white men between there and Nullagine (Jun. 1905b; see also *The Express and Murchison and Yalgoo Goldfields Chronicler* Jun 30. 1905a). The article quotes Constable Growden as saying: "he can trace the murders of no less than nine whites by natives between Sixteen Well and View Canon Gorge in the Ashburton country" (*Murchison Advocate* June. 1905b). When fuller details of events were published by *The Western Mail* newspaper on 22 July 1905, Georgie is identified as "Nangoorgardi" not "Big George" (1905d: 12). Police records and another article in *The Western Mail* on 12 August 1905 show that all those captured were tried at Marble Bar (a considerable distance from Jaal's country) and subsequently discharged (1905e: 11). The *Western Mail* reported on 19 August 1905:

Dr Durack gave evidence that he made a careful and exhaustive examination of the remains produced by the police ... he was of the opinion that they were of a very old [A]boriginal male who had been dead for years...and the other lot were those of an [A]boriginal [woman] who died within the past year. He found no traces of violence and he thought death was due to natural causes (1905f: 11).

The coverage in Western Australian newspapers of these alleged murders at the time of the Roth Royal Commission findings—including the views of settlers anxious to disarm "dangerous natives"—ran over many weeks, with a full police report of events leading up to a trial of Peedawong (Monkey) and Narabong (Toby). By the time, Jaal's reputation as "Big George" the cannibal was well known throughout the Murchison. It would not be the only time he was conflated with other Yamaji arrested for the murder of white men. In his memoirs, retired Police Inspector G. J. C. McDonald would write that "Big George" was a cruel and

dangerous man, reputedly responsible for the death of several white men, and for inflicting the most horrific punishment on one of his wives for going with another man (1996, 54-55). Jaal was cast here as violent and cruel, typified in these colonial stereotypes as the fearsome cannibal savage and brutal abuser of Yamaji women. This demonisation of Aboriginal masculinity as violent and misogynistic has been “applied throughout the colonised world”, and “reinforced the hegemonic myth of ‘white civilised manliness’” (Konishi 2011, 173). This juxtaposition is represented most vividly in the image of Jaal beside Corporal Tyler as “Big George the Cannibal” (see figures 1.1 and 1.2). I return to this image in Chapters Three and Five.

Also in 1905, *The Express and Murchison and Yalgoo Goldfields Chronicler* reported on the same alleged killings of white men by Jaal as “Big George... a powerfully built man standing close to 6ft in height [who] would probably turn the beam at 16 stone” (June 30. 1905a). Similar representations of Jaal as a powerful cannibal and king were published some thirty years later by McDonald, writing under a pseudonym “Suter Abis” in a series of articles called “The Dolly Pot” in *The Western Mail* (Abis 1936a, 7). The articles encouraged “[white] old timers and the new generation” to compete for a prize of ten shillings and sixpence in bringing “picturesque personalities of the past and present to life” for public consumption (see Abis 1936a, 7). Then as now, media representations of Aboriginal people as a form of discursive violence were being interpreted by people considered to have expert knowledge about “their subjects” for audiences who had no experience of or interactions with Aboriginal people. Jaal, Jinguru and other Yamaji were represented as colonial spectacles and racialised stereotypes. They were dehumanised, ridiculed, lampooned and vilified, using the ambivalent language of the coloniser that represented them as almost but not quite civilised—often referred to as semi or half-civilised—and at the same time dangerous and savage.

Big George alias Carringoora

An article in *The Sunday Times* in 1935 was another example of colonial nostalgia and again emphasised Jaal's bodily presence standing "Six feet high 15 stone and as strong as a lion" (December 15, 1935c). The photograph of unidentified Aboriginal prisoners (see Figure 1.4) does not include Jaal but this exact description of Jaal and his body measurements appear in three other articles in *The Western Mail*, on 12 December 1935, 28 September 1939, and 14 December 1950 by different authors (1935b; 1939; Walsh 1950).



Figure 1.4: Carringoora Alias 'Big George' (Sunday Times Dec. 15, 1935c).

Julitha Walsh from Mileura station (a great niece to Harry Walsh) wrote the 1950s article (see Figure 1.5) that reconstitutes the story of Big George, alias Carringoora, from the *Sunday Times* published in 1935. The reference to Jaal as Big George alias Carringoora as "strong as a lion", and as one who "terrorised" the Murchison district, positions him as a wild savage beast of nature, as does this framing under the heading "Westraliana Fauna" (Walsh 1950).

WESTRALIANA

FAUNA

Memories of Mt. Gould and
the black outlaw

BIG GEORGE

by JULITHA WALSH

CARRINGOORA, better known as Big George, was a powerfully built aboriginal who terrorised the Murchison district in the early part of this century. He would halt at nothing, in order to get his own way, and even forced frightened natives in to the pastoral stations to obtain food and tobacco for "Big George." They were always given what they required as everyone knew that his threats to those unfortunate natives who disobeyed were very real. He was a big man . . . six feet in height, 15 stone in weight and as strong as a lion. Big George came face to face with Mr. Harry Walsh, of Mikura Station, near a well on the property one day, and advanced brandishing a spear, threatening to kill him. Mr. Walsh knocked the spear from the native's hand with his stockwhip, which was the only

stockwhip, which was the only weapon he had with him. It proved effective and Big George disappeared into the bush.

Mr. Harry Walsh was the Magistrate at the Mt. Gould Police Station, not far from the Murchison River and situated at the foot of the isolated

National Library of Australia

<http://nla.gov.au/nla.news-article39108887>

Figure 1.5: Memories of Mt. Gould and the Black Outlaw: Big George by Julitha Walsh in the Western Mail (Walsh 1950).

Although Aboriginal people were legally considered "British subjects", their position as such was always ambiguous and separate (Biskup 1973; Hunter 2011; Chesterman and Galligan 1997). Assigning Aboriginal people to the scientific category of fauna, fixed in nature, was a discursive practice of science, government, popular media and settler lore that was etched into paternalistic protectionist legislation, state policies, and administrative correspondence. Aboriginal people were dehumanised and reclassified amongst the flora and fauna in natural history museums according to Darwinian principles (Mulvaney 1985)—a grouping seen also in the amalgamation of the Western Australian Department for Aborigines and Fisheries in 1909. Although it was claimed that the merging of the departments was due to financial and logistical reasons, it is difficult to imagine any other people in Australia before or since being administered under this combination of ministerial responsibilities. The cumulative and relational aspects of discourse as a set of "regimes of truth" supports the suggestion by Hommi Bhabha that otherness within colonial

discourse cannot be contained or fixed but must be constantly recycled or reinvented (1994). Jaal's body signified the objectified other within written and photographic texts which were recycled in a process of reinventing Jaal as "Big George", the dangerous savage and outlaw, that began in 1895 with his arrest for alleged murder and cannibalism (Perth 1935; Suter 1936; Walsh 1950).

In *Nannine by the Lake*, local historian, P. R. Heydon weaves together (with some additions of his own) a number of anonymous letters addressed to a "N.C.O." (Non Commissioned Officer), and others by Suter Abis (Constable McDonald), as published in *The Western Mail* between 1935 and 1940 (Heydon 1990). The authoritative voice of retired Police Inspector G.J.C. McDonald as a form of discursive power is recycled as colonial "truths" about Jaal that extend across time and space. Heydon's book also perpetuates the myth of Big George the cannibal, alias Carringoora, because he simply transcribes the writings of previous authors discussed above.

Carringoora

The constitutive violence of Aboriginalist discourse that conflated Jaal with a Yamaji man named Carringoora is not so much about truth as it is about "the inseparable nature of the real and the imagined, of truth and [its] distortion on the colonial frontier" (Morris 1992a, 72). Law and justice were in hands of remote and powerful pastoralists like Walsh who worked in tandem with the police. Research into the Mt Gould Police letter books has revealed that Carringoora alias "Fat Charlie", and Jaal alias "Big George" were two different Yamaji men (see Gordon 1901). Jinguru, Jaal and Carringoora were each constantly in trouble with the law during this period and considered by police as a real threat to settlers in the Murchison. All three men were known to McDonald and to Walsh. Carringoora, like many Yamaji during this time, was originally charged with "absconding" from duty in November 1895. He had previously attacked Walsh and was finally captured in April 1896 after spearing P.C. Richard Phelan and "leaving him for dead" during an attempted arrest on 8 March 1896. Carringoora was sentenced by Walsh to five years imprisonment with hard labour on Rottnest Island on 16 May, 1896 (Evans 1896). Jaal was photographed

at Nannine by Morton in 1897, when Carringoora was still on Rottnest Island (Colonial Secretary's Office 1899). Shortly after his release on the 12 May, 1901 Carringoora speared two white settlers, Mr Satterthwaite and Mr Smythe, near the Manfred Homestead. While resisting his arrest on 10 June 1901, Carringoora "shipped" three spears and was shot dead by Police Constable J. Gordon at Wangoola on the Lower Murchison. Even though the fierce confrontation and the death of Carringoora was reported to Walsh as magistrate (Gordon 1901), this Yamaji man also known as "Fat Charlie" still became conflated with Jaal as Big George.

Jaal's conflation with other Yamaji was not at all unusual in a racialised justice system on the Murchison where police considered that one "nigger was just as black as another" when making arrests (Bates 1938, 95). In addition to this practice there was a haphazard nature about prisoner identification that was deemed a problem for government officials (Green 2011), as well as a broader system of justice at the colonial frontier that was inconsistent, questionable and open to abuses.

Jaal as the Diseased and the Degenerate Other

Jaal and many other Yamaji suffering from various forms of illness were represented as the diseased and degenerate natives who posed a biological threat to white settlers on the Murchison. Diseases such as influenza, small pox, bubonic plague, measles and syphilis were reported on the Murchison from the 1880s (Barker 2015). The deaths from these introduced epidemics devastated countless Yamaji families, with their grief and loss compounded by the need for Yamaji to move away from burial sites. The belief then held by Yamaji that deaths were caused by an enemy's magic may have also led to an increase in "pay back" murders. This was the reason Jinguru and his brothers were sentenced to life on Rottnest in 1911, which will be discussed again in Chapter Six. By 1906 the incidence of venereal disease had increased on the Murchison, and Jaal's youngest wife Mailgurdi and her brothers were treated by McDonald (then a Police Constable) and the local doctor (McDonald 1906). On 27 May 1908, Jaal's kinswoman Noondong died from influenza, and he was instructed by the Nannine

police to bury her. Despite his initial refusal because her husband was away, it was reported that “Big George” and several miners buried her at Stake Well (Aborigines Department 1908).

On 26 September 1908, Bates arrived in Nannine by train to continue her ethnographic work for the Western Australian government, and it is here that she would have first encountered Jaal. She found “several natives in camp about two miles from town...obtained a Lake Way pedigree and dialect ...also several Nannine district pedigrees and some dialects” (Bates, 1908). On 3 March 1910, Constable Grose stated that “50 Natives have come from Sandstone and Tuckenarra into the camps near Barrambie”. Two weeks later he reported: “Daisy a gin died this afternoon and was buried two miles from Barrambie” and “nearly all natives have left for Sandstone on account of the gin dying” (Police Department 1910). The surveillance, harassment and disruption to Yamaji lives was constant, and included the daily police dawn patrols on “native” camps, during which dogs were shot and arrests made causing terror and yet more dispersals.

Aboriginal people from Western Australia suspected of infectious diseases like venereal disease, leprosy and tuberculosis were quarantined at medical gulags such as the leprosarium at Derby and the Lock hospitals on Bernier and Dorrè Islands in Western Australia’s north. Many Aboriginal men and women—in some cases children—from the Murchison, Gascoyne and Pilbara suspected of having venereal disease were sent to the Lock Hospitals on Bernier and Dorrè Islands from 1907 until 1918 when it was closed. In October 1910, Jaal was “interrogated” by Bates in Sandstone while she was working for the Cambridge University Expedition with Radcliffe-Brown and Grant Watson. It was at this time that Jaal and other Yamaji were captured, chained together and transported to the Lock Hospitals on Dorrè and Bernier Islands (also see Chapters Two and Four). Many years later, Bates lamented:

I shall never forget the anguish and despair on those aged faces. The poor decrepit creatures were leaving their own country for a destination unknown, a fate they could not understand, and their woe pitiful. The diseased and the young half-castes were housed in a different section of the gaol in

Sandstone, and the grief of the [A]boriginal mothers at this enforced parting with their children was pitiful to see (1938, 96).

Bates' involvement in the removal of "half-caste" children will be taken up again in Chapters Two and Four.

The ethnographical notes recorded by Bates, together with police and Bernier Island medical records, establish that Jaal, Big George, and King George, all refer to one and the same figure. This is also confirmed by Bates' list of "Sick Natives in Sandstone camp No. 1" and in her bamburdu (message sticks) lists for Bernier Island (Bates 1883-1990 MS365/71/17). Before Jaal was taken to Bernier Island, Bates claimed that he had bequeathed her the gold mines of Wiluna and all his country including his sacred sites. This thread of the story will be taken up again in Chapter Seven which looks at the impacts of the Murchison gold rush on Jaal and his family.

Shortly after his discharge from the Lock Hospital in September 1911, there is compelling evidence that Jaal was arrested again at Barrambie (near Errolls and Sandstone), on 18 December 1911. This record is indicative and serves as one example of the inhumane and violent treatment endured by Yamaji alleged to be suffering from venereal disease. A Dr Overend ordered that George be removed from Barrambie to Bernier Island, and he was sent by train from Nannine to Geraldton (Overend 1911). "George" was kept in a secured yard adjacent to the Geraldton hospital called the Emu paddock, during which time the CPA and Geraldton police tried unsuccessfully to charter a boat to Bernier Island. George "absconded" from the Emu Paddock on 15 January 1912 (Ryan 1912) but was recaptured on 23 January. He was imprisoned at Mt Magnet police station while the Geraldton police and CPA again tried unsuccessfully to make arrangements for his transport back to Bernier Island (Ryan 1912). On February 29, "George" escaped once again from the Mt Magnet Police station. Police Constable J. Ryan reported:

I beg to report that at about 7am this morning diseased [Aboriginal Native] George cleared out from Police Station. Since his detention here, I have left him in the Lockup Yard where I daily made him attend to his venereal sores by having

them washed in hot water and condy's (sic) fluid which was necessary to keep down the disagreeable odour that emitted from the sores... The native is evidently walking towards Nannine have advised Nannine Police (sic) and asked them to communicate with you should they locate him. I regret that he got away, after the source of trouble he has been (Ryan 1912).

George was recaptured and returned to the Mt Magnet gaol on 13 March 1912 and treated there while futile arrangements continued for his transport to Bernier Island. The CPA complained continually of the difficulty getting "diseased natives" passage on board the boats bound for Carnarvon. Eventually, the CPA suggested to the police that George should be treated locally at Mt Magnet, provided he did not get "away before being properly cured". On 19 April 1912 George is reported to have "left for his 'country' Barrambie" (Ryan 1912). The route taken by George back to Nannine and finally on to Barrambie is the strongest indication that this George was in fact Jaal.

There is no known record of Jaal from this time until his death. When Jaal died and was buried at Barrambie on or around 22 February 1915, the police recorded that "...@ (sic) George, King of the Meekatharra natives was killed by lightning at Errolls [near Barrambie], Nannine sub district. The natives buried the body". Jaal's fate was noted in a few lines by the Sandstone police, as reported by "native woman Polly". The story of his death was also published in a number of newspapers (*Meekatharra Miner* Feb 27. 1915a; *The Black Range Courier* Mar 3. 1915b; *Kalgoorlie Miner* Mar 4. 1915e: 4; *The Daily News* Mar 5. 1915f: 8; *Meekatharra Miner* Mar 20. 1915g: 3), indicating his status and the fascination that colonial society held for him (see also Commissioner of Police 1915).

The stories about Jaal by Bates and McDonald perpetuated the myths and legends surrounding him as Big George the outlaw, cannibal and king. When Jaal (as King George) was reported as having been killed, McDonald was stationed in Northampton near Geraldton Western Australia. The Barrambie police records of February 22 1915 stated the cause of death was a lightning strike. McDonald's version of death by "foul play" in his memoirs bears no resemblance to the police report. In McDonald's account of Jaal's death, Jaal is reinvented as the outlaw, the dangerous individual and enemy of colonial society who allegedly had met his

end by the “lightning” from the end of a gun (McDonald as Suter 1936). Many years later McDonald claimed: “there were four bullet holes in his [Jaal’s] big frame” (McDonald 1996, 57). This was certainly a more familiar narrative for McDonald who had spent most of his life policing the Murchison and writing about his exploits with Yamaji outlaws. Newspaper articles printed at the time had reported severe, unprecedented thunderstorms and flooding in the area following a cyclone (*Murchison Times and Day Dawn Gazette* February 27. 1915c). Whether thunderstorms were a ruse to cover up Jaal’s murder will perhaps never be known. We are left again to speculate on the “truths” constructed around Jaal, even extending to the cause of his death. McDonald, an important figure of frontier policing, may have been privy to official information, but the police and newspapers reported at the time that Jaal died by lightning strike and that, as “King George of Meekatharra”, he was buried near Barrambie “by the natives” (*Meekatharra Miner* Feb 27. 1915a; *The Black Range Courier* Mar 3. 1915b; Commissioner of Police 1915).

The news of Jaal’s death was set amidst reports of World War One, when German and Italian men were being arrested and imprisoned on Rottnest Island, and as Australians were about to land at Gallipoli to fight in their Great War. Metaphors of war permeated the local press at this time and at Meekatharra a meeting was postponed due “a rumour of German spies in the town” (*The Meekatharra Miner* Feb 27. 1915d). As in life, Jaal’s death was also marked with controversy over the way he died, and there was a lengthy speculation over his successor. Newspaper articles written about him during his life and death were framed within a discourse of war and sovereignty—Jaal as King George, the “dangerous individual” for so long represented as the “enemy within” colonial society (Foucault 2004), was now dead.

An extensive article was published in the *Meekatharra Miner*, written in an obituary style and titled “King of His Tribe”. The page length column used the lexicons of war and applied satire and parody to denigrate and humiliate Jaal rather than honour him. He was referred to, for example, as “King George...who was more feared than loved by his subjects, as he always adopted a Kaiser-like attitude and was generally mistrusted by white people on site” (*Meekatharra*

Miner Feb 27. 1915b). The article was divided into several sub headings including, "The Next King", "The Coronation", "The Kings Policy" and "Queen Nelly", and named "Bullocky," a boxer of some repute from the Kimberly, as Jaal's successor. The reports on Jaal's death became mere amusement and entertainment in the style of circus promotion. The planned "triumphal coronation" of "Bullocky" with "Queen Nelly" was to be held at the Granites near Meekatharra and "whites" were invited at the cost one shilling for entry (*Meekatharra Miner* Feb 27. 1915b 1915b). Long after Jaal's death, into the 1950s, he continued to make headlines as "Big George" "the black outlaw" and "notorious native". These and earlier representations of Jaal as both king and cannibal will be discussed further in the following chapters.

Chapter Two: Two Scientific Expeditions to Western Australia: The Making of “Big George the Cannibal King”

Introduction

This chapter establishes a historical and discursive context for Jaal’s construction as a cannibal and king. Morton and Bates are the primary sources for these representations and labels attached to Jaal. This chapter focuses on two scientific expeditions to Western Australia and Jaal’s encounters with the key colonial agents (anthropologists, pastoralists, collectors, police, prospectors and journalists) involved in these activities in various ways. The extent of their entanglements was revealed by cross referencing archival sources and other documents including colonial government records (prison, police, medical, Chief Protector of Aborigines, Colonial Secretary’s Office); personal communications (letters of Morton, Bates, Watson and Brown); official letters (pastoralists, WAM, Museum Victoria, TMAG); scientific papers and journals (Bates, Morton, Tylor and others); newspaper articles (particularly by Morton and Bates) and memoirs (of Bates and McDonald). Many truth claims and labels surfaced from these discursive relations, and this chapter will critically analyse their formations.

The suggestion for the first expedition led by Morton in 1897 occurred at a meeting of the Federal Council of Australasia. The Council was originally established in Australia by an Act of British parliament to make decisions on defence and border controls, territories and international trade. However during the late 1880s it became responsible for debating plans for Constitutional change and the Federation of Australia in 1901. The second expedition was the Cambridge University Ethnological Expedition in 1910, led by Radcliffe-Brown (then Brown) “to study the social organisation and magico-religious beliefs and observances of the natives” (Haddon 1911, 24-25). At Cambridge University, Frazer had offered the Western Australian expedition to Baldwin Spencer, however as Francis Gillen could not accompany him due to ill health, Spencer regretfully declined (Mulvaney and Calaby 1985).

Haddon's announcement that "in the south-west corner of the State the natives are extinct" reflects the views held by Morton, Spencer and others, that urgent salvage anthropology was needed and that "real natives" were only to be found in the "unopened and mainly desert country" of Western Australia—a view held by many that still persists today (see Haddon 1911). Grant Watson, who assisted Radcliffe-Brown, was also the expedition's photographer and sent some photographs to his mother (Grant Watson 1910-11). These photographs are also referred to by Haddon of Cambridge University (Haddon 1911) and further research may be successful in locating them.

Colonial Entanglements: Police, Magistrates, Scientists and Protectors

The entanglements between significant colonial figures who interacted with one another and with Jaal are difficult to prise apart. The colonial agents who engaged with Jaal during the late 19th and early 20th centuries played multiple and powerful roles in the colonisation of Western Australia, especially in the remote frontier towns on the Murchison. Primarily for economic and administrative reasons, the police, missionaries and pastoralists also acted as magistrates, justices of the peace and sub-Inspectors / Protectors of Aborigines for the colonial government. The individuals who undertook these combined roles also collected ethnographic information and Aboriginal material culture for government departments, museums and scientists.

The collection of ethnological objects and contributions to the discipline of anthropology were key aspects of these discursive and material relationships. The police in particular played a pivotal role in the collection and removal of Yamaji material cultural artefacts. Anthropologists such as Walter Roth and Spencer were collectors and Chief Protectors of Aborigines in Queensland and the Northern Territory respectively, who amassed large quantities of Aboriginal artefacts (see Mulvaney and Calaby 1985; Peterson, Allen and Hamby 2008; McInnes in Satterthwait 2008). A. O. Neville considered himself an amateur anthropologist. It has been revealed in this research that he and his predecessor Henry Prinsep managed the collection and international trade of Aboriginal material culture from Western Australia through the Office of the Chief Protector

of Aborigines (CPA), local police stations and the WAM over a period of at least thirty years (Neville 1915-1939). From 1904 until 1912, Bates was a collector of sacred and other cultural objects, a journalist, an ethnographer and a Travelling Protector of Aborigines. Jaal operated at the margins of this interrelated web of colonial power relationships and activity that had devastating and long lasting consequences for him and his family.

The system of removal of “half-caste” children from their families and the setting up of the Lock Hospitals on Bernier and Dorrè Islands was policed through the *Aborigines Act 1905* (WA). This legislation had a direct impact on Jaal and his family. Its enforcement required a well-coordinated administration and involved a systematic collaboration between the state and church based missions. In her role as Travelling Protector, Bates worked in tandem with the police and was involved in activities such as the surveillance and removal of half caste children to missions, authorisation of rations for Aboriginal people classed as indigents; identification and transport of suspected syphilitics and providing information on those wanted by the police for criminal offences.

While she was in Sandstone with the Cambridge expedition in October 1910, Bates distributed an allocation of government issued rations given to her by McDonald. This was convenient for all concerned as it saved McDonald the trouble and simultaneously provided “incentives” for Aboriginal people being “interrogated” by Bates, Brown and Watson to stay. In response to an inquiry from the Chief Protector of Aborigines, McDonald reported: “the issuing of rations assisted the party [The Cambridge Expedition] by keeping the natives together” (McDonald 1910 in Bates 1904-1912). McDonald was stationed at Sandstone, Meekatharra, Nannine and Peak Hill from 1898. As a Protector of Aborigines he was also responsible for recording and arranging the payment of accounts to storekeepers and station owners who were being recompensed by the government for supplying rations of flour, tea, sugar and tobacco. Bates and McDonald knew each other very well, and she protested to the Chief Protector of Aborigines on 1 May 1911 about the transfer of the McDonalds to Beverly in the south west of Western Australia, describing him then as “a fair and just man to them [Aboriginal people] as far as I can see, but naturally they do not like being

disturbed by the [police] raids, however necessary these are" (Bates 1904-1912). Writing from Meekatharra in May 1911, Bates also complained to the Chief Protector that "A native woman named Annie who has been working for Constable and Mrs McDonald at Nannine and Sandstone is now thrown back into the bush life...her man is at Rottnest" (Bates 1904-1912). Many hundreds of Yamaji women and children were left vulnerable following the imprisonment of their men, and their dire circumstances only ever quantified in the prison admission sheets. The impacts of the criminalisation and governmentality of Yamaji will be taken up again in Chapter Four.

McDonald may have met Bates first when she travelled to Nannine in 1903 to write an article on the mining industry. He also penned stories about "Big George" in newspaper articles under the pseudonym of "Suter Abis" during the 1940-50s. In a similar way to Bates, his newspaper articles were later published as a memoir, *Beyond Boundary Fences* (McDonald 1996). McDonald was still at Nannine in 1908 when Bates was compiling ethnographic information on Jaal, Booreeangoo (who we will meet in Chapter Six) and other Yamaji in this area on behalf of the Western Australian government. They made contact with each other again in 1911 at Sandstone. Although he was transferred to Perth in the same year, McDonald later returned to the Murchison, and was stationed first at Youanmie from 1916 to 1917, and then at Meekatharra during 1918 to 1924 (McDonald 1996).

The well-established networks of colonial control were important to the success of the "scientific" visits by Morton and Radcliffe-Brown. Police and pastoralists provided a "safe passage" and also acted as "interpreters" for scientists and collectors on their journey through the Murchison. It was a period of rapid colonial expansion and escalating frontier violence. Corporal Tyler was assigned to provide assistance and protection for Morton on his visit to Jaal's camp near Nannine in September 1897. This was following incidents of violence including the alleged murder of two white men at Lake Way in January 1897, in which Corporal Tyler's initial investigations had implicated Jaal's brother-in-law Jinguru who, like Jaal, was labelled a "notorious" native (Tyler 1897). When Morton was camped at Mt Magnet on September 6 1897, there was a brutal

murder nearby at Gullewa(y) reported in the *West Australian* (Sept 7. 1897f: 5). The “Bendhu Atrocity” also occurred during this time and will be covered in Chapter Three. The now famous Bunuba leader Jandamarra, also known as “Pigeon”, was shot dead and dismembered in April 1897, following a three-year pursuit by police. The full account of Jandamarra’s murder and beheading, including the escape of his kinsman Lillimarra from the Derby prison, continued to be reported in the *Western Mail* in the period leading up to and during Morton’s visit (Oct 15. 1897e: 24). I return to these events in more detail in Chapter Five.

The frontier violence and conflict of the 1890s resulted in a backlash from the Western Australian public. Powerful political figures such as John Forrest defended the actions of those accused of the mistreatment of Aboriginal people in the Northwest. The police, pastoralists, settlers and magistrates were at the centre of these controversies, providing the “evidence”, coordinating the arrests, and imposing sentences, including in the cases that involved Jaal during 1891–1905.

This extended period of conflict resulted in a Royal Commission in 1904. It was led by Walter Roth, a medical doctor and Chief Protector of Aborigines in Queensland. He recommended setting up Lock Hospitals for Aboriginal people, while other findings were incorporated into the 1905 Act. Roth’s investigations into allegations of slavery and cruelty came at the end of a long and brutal period of frontier violence in the North West and were publically criticised by settlers, officials and politicians. As previously mentioned these criticisms coincided with mounting settler fears that were reported in the press under headlines such as: “Wholesale Murders ... White Men’s Skeletons Found” (*Murchison Advocate* Jun. 1905b) and “Sleeping Men Tomahawked and Speared” (*The Western Mail* Jul 1. 1905c).

In 1897, Walsh assisted Morton with his collecting activities. As with other prominent pastoralists, he was also made a Protector of Aborigines as well as a magistrate of the Upper Murchison. Walsh was responsible for distributing rations to Aboriginal people in the district, issuing warrants for their arrest and also for passing sentences on Yamaji prisoners. The interests of magistrates and

justices of the peace who were largely unqualified in the area of law were “closely enmeshed with the social and economic interests of the settler community” (Nettlebeck 2014, 20). In 1892, Walsh warned of the increasing threat posed by the “natives...who will shortly make the country unbearable and dangerous to live in”, and called for the reintroduction of flogging (1892, 2). In April the same year, following pressure from Walsh and others in the powerful pastoral lobby, the *Aboriginal Offenders Act* 1892 reintroduced the whipping of “Aboriginal Native Offenders” as legal punishment.

Big George the Cannibal

As discussed in Chapter One, Walsh had charged Jaal with murder and cannibalism in 1895. It cannot be known if Jaal and other Yamaji practiced cannibalism and if they did so, to what degree. This author has not discovered any primary sources to support claims of widespread cannibalism practiced by Yamaji. Most evidence for Jaal’s case, including the later assertions made by Bates and Morton about Yamaji men and women regularly practicing cannibalism, was speculative and was acquired second hand. The sensationalist newspaper stories relating to these charges were taken from police reports, and their popular reach had established Jaal’s reputation as a cannibal long before Morton’s expedition in 1897.

The word “canibale” was first used by Columbus to describe Native Americans and it has evolved into the term cannibalism, understood in this context as a person who consumes human flesh (Berglund 2006). Western scientists were obsessed with classifying the Indigenous peoples they studied as cannibals, it was in fact a prerequisite for those peoples they assigned to the category of the primitive savage. Anthropophagy or cannibalism is a controversial and contested site of scientific, popular and political debates regarding evidence for its practice among Indigenous cultures, and its association with colonisation and the stereotyping of Indigenous peoples as savage and uncivilised, especially during the eighteenth and nineteenth centuries (see Konishi 2002). Nakata ably exposes the contradictions and suspect assertions made by Haddon in his report on the 1898 Cambridge University

expedition, in which he claimed cannibalism was regularly practiced amongst Torres Strait Islander peoples (Nakata 2007). In Western Australia, early claims by settlers of rampant cannibalism were investigated and rejected by Travelling Inspector Beurteaux, following his extensive interviews with police, “pioneers” and “natives themselves” throughout Yamaji country in the Murchison and out to Lake Way (Beurteaux 1906).

As a colonial trope cannibalism positioned Jaal and all Yamaji as savages. This discursive violence was given authority through the photographs taken by Morton. This trope will be considered in this chapter and at other points throughout this thesis as a particular form of racialised binary logic of “othering” that has marked the boundaries between the civilised and uncivilised (see Berglund 2006, 1-3). Jaal remained an object of interest to science throughout his life and was an embodiment of the racial stereotype, with constant references to his alleged cannibalism. In addition, the commonly held views that Aboriginal peoples would become extinct included a theory of “auto-genocide” that was allegedly caused by widespread “cannibalism” (Brantlinger 1995; Bates 1938). Europeans rationalised the rapid decline in Aboriginal populations by blaming Aboriginal peoples for their own demise, a move that at the same time justified colonisation and the extreme controls imposed on Yamaji lives (Brantlinger 1995).

Bates firmly believed that all Yamaji were cannibals. She would also allege in the same vein that Yamaji women at Peak Hill practiced infanticide. Throughout her life, Bates was obsessed with proving this as fact, and a photograph of hers taken amongst Yamaji women at Peak Hill is captioned: “Every one of these women killed and ate her new-born child, sharing it with every other woman in her group” (see Hiatt 2006; Reece 2007b; Bates 1938). Bates made similar claims in her widely read newspaper articles and books. These colonial tropes of savagery and cannibalism not only signified Yamaji as the primitive other who were in need of salvation and civilisation, but they also conveyed a deep sense of fear and loathing of Yamaji that justified white settler violence.

The reputations of Jaal and other Yamaji as murderers and cannibals was very likely a factor in the police protection extended by McDonald to the Cambridge Expedition in 1910. Bates wrote in the margin of her manuscript that "as Mr [Radcliffe-] Brown feared the Aborigines too much to enter into any native camp area beyond the station's homestead, he must be referred to the pages of my mss [manuscript] for a full study of any subjects he may be interested in" (Bates 1883-1990 MS365/20/157). Bates made a similar reference to Radcliffe-Brown and Watson's fear of Yamaji, stating: "your two sons- why are they afraid of us? I was asked more than once" (Bates 1936e).

Like Morton in 1897, Radcliffe-Brown found himself in the midst of conflict, violence and police raids during his expedition. The Morton and Cambridge expeditions to the Murchison occurred during these periods of colonial expansion and escalating violence and conflict. The testimonies of Yamaji they regarded as "semi-civilised" or "de-tribalised" was the foundation of their ethnological research.

Morton's collecting visit to Western Australia 1897

Morton's collecting and scientific expedition to Western Australia took place against the backdrop of the Empire, the Diamond Jubilee celebrations of 1897, growing support for Australian nationhood, and the emergence of the science of anthropology. Following a meeting of members of the Federal Council in March 1897, the Western Australian government and museum representatives, Sir James Lee-Steere and Mr J. W. Hackett, agreed:

Mr Alexander Morton, the curator of the Hobart Museum and Secretary of the Tasmanian Royal Society should make a trip to Western Australia ... with the object of collecting biological, ethnological and other specimens, on the joint behalf of the museums of the two colonies (*The West Australian* Aug 23. 1897a: 3).

The study of Aboriginal peoples to test scientific theories of racial origins was of increasing interest at the time of Morton's visit, and can be understood in the context of salvage anthropology. The questions of anthropology and its search for the origins of man can also be considered as part of imperialism and the discourse

on modernity (see also Bhabha 1994). This search for the origins of man as a species is explored further in Chapters Five and Six with regard to the ethnology and photographs of Morton and Bates.

Before his departure Morton wrote to Bernard Woodward, curator and director of the Western Australian Museum: “my idea is we should pay particular attention to the ethnology of your country as every year the natives are getting lesser and lesser” (Morton 1897). Woodward had been corresponding with Morton in 1896, exchanging and purchasing duplicate specimens, works of art and forwarding copies of the Papers and Proceedings of the Royal Society of Tasmania. Morton purchased paintings on behalf of Woodward worth £804 for the Western Australian Museum in December 1896, prior to its renaming as the Western Australian Museum and Art Gallery in 1897. At the time of his trip in 1897, Morton had a great deal of experience including work as a professional collector and at the Sydney Museum.

Morton first travelled from Hobart to Melbourne where he spent time with Spencer, then Professor of Biology at Melbourne University. Morton sailed from Melbourne to Perth aboard the steamer “Arcadia” on 6 August 1897. He stopped over in Adelaide for two days, where he provided advice on the “gaps” within the Adelaide Museum and Zoological Gardens and promised to acquire a live Thylacine (the now extinct Tasmanian Tiger) for the Adelaide Zoological Gardens (Morton 1898b). As with others involved in the relatively new science of anthropology, he considered extinction an inevitable consequence of civilisation and a justification for his prolific collecting activities.

Morton arrived in Albany on 14 August 1897, and travelled by overnight train to Perth. After a stay of four days in Perth, he arrived in Mingenew by train and met up with Mr J. T. Tunney from the Western Australian Museum. Tunney had been employed as a collector by the museum since 1895, and was assigned to act as Morton's assistant during the expedition (see Chadwick 2008; Gray 2015; Whittell 1938). They left Mingenew on 23 August, travelling in a horse trap towards Cue via Yalgo on the Murchison (Morton 1897; Tunney 1897). Morton noted: “for miles and miles the country consisted of sand, sand, nothing but sand

... It was not until I actually reached the Murchison district that I came across the natives (Morton 1898b, 5).

Morton's "full description" of "the natives", in a paper written and presented by him to the Royal Society in Hobart on 13 June 1898, begins with a travel itinerary including a description of Perth as a developing city centre and its progress. Although Morton spent five days with Jaal and his family at Nannine, only two of his seven pages of notes are given over to the "full account" of "the natives". It includes: "the treatment and conditions of the natives on various stations", a "corroboree" at Mileura station, a description of black tracking skills, "wizards", medicine, cannibalism, burial and mourning practices (Morton 1898b, 5-7). These categories relate to specific topics of ethnographic enquiry as set out in the manual *Notes and Queries*, published by the Royal Anthropological Institute of London (Garson and Read 1892).

Much anthropological information gathered in the field by scientists was filtered through white settlers acting as interpreters, many of whom considered themselves experts on Aboriginal cultural knowledge (see also Urry 1993). As will be discussed in Chapter Five, most of Morton's ethnographical information and the collection of Yamaji cultural objects were provided by local police Walsh and other owners of the pastoral stations. Morton's ethnological activities were largely restricted to collecting material objects such as weapons, tools, artefacts, human remains and sacred objects and taking photographs of Yamaji. Morton acquired the material cultural objects and ethnographical data—including a language list—from settlers, and "the greater number of the valuable ethnological collections in the interior" from Walsh (Morton and Unknown Reporter 1897).

Jaal and his family were camped four miles from Nannine, by then a major goldmining town, when Morton appeared there. His first interactions with Jaal and his family took place with the assistance of Corporal Tyler, who was armed and accompanied by a black tracker who also acted as an interpreter. There is no record of any direct communication between Morton and Jaal, though Morton described the "mutterings" of an old Yamaji woman (he described as a "gin") who was camped with Jaal. Her conversation in her own language, which could only be understood by Morton through an interpreter, related to the technique of

drying, storing and transporting kangaroo flesh for future use. Morton announced: “a sample of this dried kangaroo meat...I obtained. The natives had had this for three months, and some I show to-night must be at least 12 months old, and is quite fresh” (Morton 1898b, 5). The sample if it is still held at the Tasmanian Museum may be of interest in relation to the return of material objects and the history of Yamaji technologies of food preparation and storage.

There is little evidence in any publications (scientific or popular) that Morton achieved his stated aim to “study the habits and customs of the [A]borigines, and the naturalistic features of the country” in any significant way (*The Inquirer and Commercial News* Oct 1. 1897d: 6; Morton 1898b). The degree to which Morton relied on the interpretations of others is indicated in a news report that: “he [Morton] stayed at Coodardy station where Mr Townsend gave Mr Morton some valuable information regarding the habits of the blacks” (1897d: 6). Similar newspaper reports also state that the basis of Morton’s knowledge of “the natives” was limited to that conveyed by white settlers and officials and that these knowledge relationships were to continue beyond the expedition (*Murchison Times* Sept 21. 1897c).

In a newspaper article published on his return to Tasmania in November 1897, Morton publicly thanked all those who were of assistance to him including Sir John Forrest and the Western Australian Museum staff and directors (*Daily News* Apr 25. 1897b). Morton also praised those who assisted him on the Murchison and recommended them for election as corresponding members of the Royal Society of Tasmania. They were duly elected and included the powerful colonial figures: Mr. B. H. Woodward, Curator Perth Museum; W. J. Greenard, Inspector of Mines, Cue, western division; and Mr. H. B. Walsh, Police Magistrate, Upper Murchison, Mileura Station, West Australia (Morton 1898-1901). Following Morton’s visit, Corporal Tyler also became a collector for the Western Australian Museum (Woodward 1898). These power knowledge relationships extended to British scholars who also were involved in the discursive constructions of Jaal as a race type (see Chapter Five).

Morton's interest in Jaal and his family was primarily focused on their bodies as evidence of racial difference. As well as taking back Yamaji skeletal remains, this fixation can also be inferred from Morton's notes and by the number of photographs that he captured of Yamaji men and women posed naked. By taking photographs, Morton obviated the need for more detailed notes on physical descriptions such as skin colour, size, hair, scarification etc. set out in *Notes and Queries*. Morton wrote he was "surprised to see such fine specimens. One native known as 'George', a man that was recognised as a cannibal, measured 6ft 1in and was well built in proportion" (Morton 1898b, 5). At the time of Morton's visit, cannibalism amongst Indigenous Australians had been proposed as a scientific fact, popularised in newspaper reports and touring international exhibitions (see also Poignant 2004). Morton's use of the term "recognised" implies that the label "cannibal" was already attached to Jaal, and this reputation was presented by Morton as fact to his scientific audience. Morton's descriptions of Jaal in his later presentation to the Royal Society of Tasmania in 1898 can be found repeated in the newspaper and police reports about "Big George" that preceded and followed Morton's visit to the Murchison area.

Although Morton did not witness any anthropophagy while on the Murchison, he stated with authority: "Cannibalism is not at all uncommon among them. Some of the natives whose pictures I will show to-night have been guilty of that practice quite recently" (Morton 1898b, 5). Morton's references to cannibalism would have been obtained from Corporal Tyler and local pastoralists, particularly Walsh. All of these colonial figures who assisted Morton either knew of or were directly involved in Jaal's arrest for murder and cannibalism, his subsequent trial and his release in April, 1895.

Jaal's physical size was compared with other Yamaji men and emphasised by Morton, Bates, journalists and McDonald in various scientific and popular texts (Morton 1898b; McDonald 1996). In newspaper reports his towering bodily presence was attributed to his apparent "weakness for consuming picaninnies [babies] at every available opportunity" (*Murchison Advocate* Jun. 1905b; *The Express and Murchison and Yalgoo Goldfields Chronicler* Jun 30. 1905a). The alternatively ambivalent and binary logic of othering is instanced in the police

report on Jaal's alleged cannibalism of 1895 that described him as both a "powerful and perfectly civilized native" (Dolan and Breen 1895). The *Daily News* reported during the court case in Geraldton: "One of the culprits is civilised, and was in Rottnest gaol as a convicted ruffian...George was working for a long time about the Nannine public house" (Jan 15. 1895a: 3). Jaal was one of a number of Yamaji, including Jinguru, who worked occasionally for settlers and police, and who were at the same time classed as criminals and outlaws. The descriptions of Jaal as a cannibal and outlaw articulated by Bates, Morton, pastoralists, and the police in writings, reports and newspaper accounts were juxtaposed with representations of him as "civilised", a "leader", "King" and "Kaiser," that denoted his influence, status and power as a Yamaji lawman. As suggested already, Aboriginalist discourse is articulated through the binaries of the noble and ignoble savage, a binary logic that forms the colonial stereotypes that gather meaning through repetition at "changing historical and discursive conjunctures" (Bhabha 1994, 95). The anthropological theories that formed the discursive links between savagery and kingship will be explored further below.

Morton left the Murchison for Perth on 26 October, and departed for Hobart on 29 October 1897, after two months in the area. His original plans to go east to Lake Way and north to the Gascoyne area were abandoned due to the severe drought that was exacerbated by the relatively new mining industry. Morton deposited two thirds of the specimens and the photographs he had taken with the Western Australian Museum, as contracted. His own collection of weapons, sacred objects and artefacts for the Tasmanian Museum and Art Gallery were shipped from Perth to Melbourne. On his return journey to Hobart in 1897, he met again with Spencer in Melbourne. Spencer was a significant influence on Australian anthropology, including the scientific views and practices of Morton, Bates and many others. Morton noted this in a paper he read to the Royal Society in Hobart 1898, and stated: "my [Morton's] observations are similar to those of Baldwin Spencer, a formative figure in Australian ethnography" (1898-1901). At this meeting in Melbourne, Spencer gave an undertaking to Morton to furnish contributions to the Hobart Museum (*The Mercury* Nov 13. 1897b: 2). In what was either a direct trade or donation, Morton gifted a collection to Spencer of at least

18 Yamaji artefacts and sacred objects donated by Walsh of Mileura station. During a period of research at Museum Victoria, I learned that Spencer displayed some of these items belonging to Yamaji at the museum in Melbourne. Following the gift to Spencer on route, Morton arranged the transport of the remainder of his collection back to Tasmania.

Like Morton, Spencer was a prolific collector, acquiring many objects from direct and indirect sources, taking the registered ethnographic collection of the Museum of Victoria from 1190 items in 1899 to over 36,000 in 1925 (Mullvaney 2008). In a similar period Morton was responsible for the most significant expansion of collections in the Tasmanian Museum and Art Gallery's history (Huxley 2008). Thus Morton's expedition to Jaal's country may be located in the broader contexts of imperial accumulation, museology and colonial racialised debates and the value attached to Aboriginal bodies in their use as "evidence" to support various biological and evolutionary theories of racial origins and typologies.

As will be discussed further in Chapter Four, anthropology and its obsessions with the body as evidence of difference contributed significantly to the authority and "respectability" of the "pseudoscientific discourses of contemporary racism" (Memmi 2000, 186). During Morton's career of collecting there was a scramble for Aboriginal skulls and a demand for "authentic" cultural objects and artefacts, along "with the emergence of the social evolutionary paradigm and not unrelated to rise of the 'museum age'" (Peterson, Allen and Hamby 2008, 10; Chadwick 2008). Tunney had acquired some experience collecting Aboriginal human remains in the Kimberly region of Western Australia in 1896, guided by instructions from Woodward at the Western Australian Museum (Chadwick 2008). Morton's expedition was conducted within these paradigms and established a direct relationship of exchange between the Western Australian, Victorian, Tasmanian and British museums with respect to their collections of Aboriginal artefacts, photographs and Yamaji remains.

The Lady Journalist, Ethnographer and "Protector" of Aborigines

Bates made her way to Perth from London in 1899 and claimed she was employed as a freelance journalist by the London *Times* newspaper to investigate and report on the conditions of Aboriginal people in the northwest of Western Australia. Some of her biographers cast doubt on this claim (see Reece 2007b; Salter 1971), but according to Bates her trip through the North West on behalf of *The Times* found no “shred” of evidence of brutality. The journey had also “awakened [her] interest in the Australian [A]borigines, and … [was] the beginning of [her] life’s work among them” (Bates 1938, 3).

Reece suggests Bates’ earlier visit to Tasmania in 1894 may also have motivated her initial interest (Reece 2007b). Of this experience Bates stated:

It was in Tasmania that I first sensed the fact that the Australian natives were [A]borigines and that there was not one Tasmanian left alive. An island of blacks had become an island of whites. This was interesting and new. I studied the pictures and characteristics of Truganini, last of her race, and marvelled at the rapidity of their extinction (Bates 1936c, 8).

As did Morton before her, Bates expressed her belief in the inevitable extinction of Aboriginal Australians, both in her popular narratives and in her ethnographic work throughout Western Australia. This justified her “necessary and important task...before the subjects of it have entirely disappeared” (Bates 1904-1912). Both Bates and Morton would draw racial comparisons between Yamaji and Tasmanian Aboriginal peoples.

The ethnographic data Bates collected, including Yamaji genealogies, were compiled over a relatively brief period of intermittent fieldwork at several camps near major towns on the Murchison. The genealogies gathered by Bates are now referred to in current native title claims, although she would not have dreamt—even in the wildest figments of her imagination—that her work would be used in this way. She firmly believed that her “life’s work” was on a “dying race”. Her series of newspaper articles, “My Natives and I”, published by the *Adelaide Advertiser* during January and February 1936 and syndicated to *the West Australian*, and *Western Mail*, were to become the basis of her memoirs, *The Passing of the Aborigines: A lifetime spent among the Natives of Australia* (Bates

1938). Jaal appears here as a syphilitic, king, magic man (mabarn), cannibal and “the last of his tribe”.

A Most Urgent and Interesting Work

In 1904, Bates embarked on a project to record the customs, language and social organisation of Western Australian Aboriginal peoples on behalf of the Western Australian government. The project involved a compilation of previous information gathered on Western Australian Aboriginal peoples by visitors and scholars, on which Bates enthused, “I have received the upmost encouragement and assistance from scientists throughout the Commonwealth who are all highly interested in the proposed history of this most interesting section of the Aboriginal inhabitants of this continent” (Bates 1904-1912). Two of the “scientists” who supported her “historical” work were Spencer and Morton, with whom she corresponded, while the ethnology of both Bates and Morton was influenced by Spencer.

Bates noted that “Mr Morton recently paid a visit to this state under the auspices of the governments of W.A. and Tasmania for the purposes of obtaining Palaeolithic implements still in use by the Murchison natives” (Bates 1904-1912). An important “discovery” made by Morton regarded the similarity between the stone axes used by Tasmanian Aboriginal peoples and Yamaji (see also Chapter Five).

On 14 February 1906, Bates wrote to Dr Hicks MLA, Minister for Commerce and Labour in Western Australia, to thank him for the interview he granted her and supplying a “strong” case concerning her application for appointment as Protector of Aborigines. Although unsuccessful, she was later appointed as a Travelling Protector in 1910 while undertaking ethnological research with the Cambridge Expedition (Bates 1904-1912). In this letter to Hick, Bates expressed the need to undertake fieldwork because “at the present, nine tenths of the vocabularies received are stamped with the orthographical eccentricities of the compilers [and] that they are only interesting from the point of view of establishing the nationality of those who wrote them” (Bates 1906c). She had travelled to the Murchison district previously during September and

October 1908 and visited Nannine. Her next encounter with Jaal was at Sandstone, and soon after on Bernier Island, during his transport, isolation and treatment at the Lock Hospital in 1910-11.

From the beginning, Bates adapted her ethnographic work to her popular journalism that appealed to a colonial audiences' desire for the strange, mystical, macabre and the exotic. This blending of popular fictions and scientific information by Bates is a consistent theme of her Aboriginalist discourse, and is taken up again in Chapter Six in the context of her use of photographs. The following section looks at an example of the connections between the discursive and scholarly influences on Bates' ethnography and popular writings about Jaal and other Yamaji.

Jumping Dead Men's Land

Whereas the physical anthropology of craniology and phrenology was concerned with the body as evidence of racial difference, ethnography attempted to chart the unknown depths of the black man's mind and soul, described by Fanon as a white artefact (1967). This aspect of Bates' ethnography provides a key to understanding her representations of Jaal and other Yamaji in both her photographic collection and written texts. Apart from the Victorian obsession with the supernatural, anthropologists such as Fraser and Tylor influenced Bates' work. They attributed magic to early forms of science, and claimed totemism was the precursor to religion. Folklore was a branch of anthropology that was of particular interest to Bates and she often drew a connection between early Irish and Aboriginal myths and legends she recorded and published in her newspaper articles and books.

Bates was particularly interested in the cosmology of Aboriginal peoples and recorded Aboriginal myths, beliefs and customs during her early interactions with Aboriginal peoples in Broome and South West of Western Australia (1936b). Barnard notes that in anthropology "we sometimes call such a thing [a broad way of looking at the world] a cosmology if it is attributed to a 'traditional' culture, or a *paradigm* if it is attributed to Western scientists" (2000, 7). Bates claimed her "healing arts and Kabbarli wisdom were the source of all [her] power" (1938,

232). She had served as editor for a spiritualist magazine in London prior to coming to Western Australia (Bates 1938) and, although she referred to it as a "spooky paper", her preoccupations with the "unseen world" of religion, ritual, magic and beliefs can be appreciated in many of her newspaper articles.

"My Camp in the Murchison Bush", published in *The Western Mail* combined Bates' racist convictions about her own white "British" superiority, the inevitable extinction of Yamaji and her fixation with magic under the sub-heading "Jumping Dead Men's [sic] Land", recurring themes in Bates' narratives (Bates 1911b; see also Bates 1936c; 1938). This article is worth quoting here at length:

There is a man now on Bernier who is the first native I have known to have "jumped" another man's country, the owner of which has been dead some years. It is a melancholy fact that the local group of [A]borigines whose habitat was the Meekatharra district, have now become entirely extinct, Yalgianga having been the last owner. He died some years ago and after his death his country became kutu burna—"orphaned ground". His relatives who belonged to the adjoining local groups of Abbots and Minderoo districts, refrained from taking possession of Yalgianga's ground, and so it remained orphaned until Jaal—or "King George of Meekatharra"—drifted down to the district from his far-off home near Lake Way and took possession. Jaal is "mobburn [mabarn]"—that is, possessed of much magic—in other words, he is what we would call a "bravo", with an overbearing, masterful manner and a cold, cruel, selfish nature that overrides every native law in purs[u]it of its own ends and desires. He exercises a malignant influence on all the weaker natives that come within his ken, and each and all have a wholesome fear of him. He happens to be my "brother" as we are both of the same class and generation, and he pays me the compliment of acknowledging both to myself and to his friends that my magic is not only more powerful than his, but that when I am in his vicinity I absorb all his magic, leaving him like any ordinary [Y]amaji (black fellow), which is satisfactory from my point of view (Bates 1911b, 44).

Bates claimed that she thought with her "black man's mind" in her interactions with Yamaji, which gave her some authority in the eyes of the public, scientists, government officials and even royalty (1938, 25). The article was written by Bates about her work with Yamaji while camped near Meekatharra during May 1911, shortly after leaving Bernier Island. At this time she had accumulated most

of her Murchison genealogies, including those of Yalgianga's son, Kadingardangarda, who had three wives, who she records as the "last Meekatharra native", rather than his father Yalgianga, or indeed Jaal (Bates c1936e). This is a pattern within Bates' ethnography, applied to a number of Yamaji she claimed were "the last of their tribe", including Jaal and Jinguru, his brother-in-law.

Apart from his incarceration at the Rottnest Island prison and later on Bernier Island, Jaal had been living on the Murchison since at least 1891. According to Bates, Kadingardangarda as "the last Meekatharra native" was still living at Meekatharra in 1911. It was from this period that she also attributed the title "King of the Meekatharra Natives" to Jaal (Bates 1911a, 5). Jaal's mother Mungada was Wajarri, so he may have had some entitlement, even though, according to Bates' genealogies, Kadingardangarda was still living then. It is also possible that Kadingardangarda went to prison and was not deceased, and that Jaal as a "brother" had assumed the role of leader in his absence. There are many examples of this familial obligation recorded by police and by Bates of brothers and fathers "looking out for" their family, including the time Jaal gave this responsibility to Ngaiajara while he was on Bernier Island (Bates 1911b). Other examples include when Jandain was asked by Ngadjuli to "look after his woman" while he was on Bernier Island (Bates 1883-1990 MS365/71/33), and when Jinguru was imprisoned on Rottnest Island and gave his brother Nyularn (also known as Wyndam) the task of looking after his wife and her child (Bates 1883-1990 MS365/9/241; see also Colonial Secretary's Office 1924). When Jaal was on Bernier, his wives, Wirdainma and Yangwi, rather than being "forced to clear out", had moved to Burnacurra, not far from Meekatharra, to be with their family who could support them in his absence.

Jaal was given the title "King George of Meekatharra" after he had been on the Murchison for almost twenty years—up until this time he was known as "Big George". The sources for this later designation of King are only found in police records and in newspaper articles from 1911 onwards, and suggest he was indeed widely known as the "King of the Meekatharra Natives". What Bates meant when she alluded to Jaal's departure from Lake Way (his birth country)

because he had “made his own country too hot to hold him” (1985, 65) is not made clear and the reader is again left to speculate. Perhaps Jaal had transgressed Yamaji marriage laws, or he may have—as alleged and reported—murdered the white men who were by then encroaching on his sacred miamba in search of gold. As with so many other colonial narratives it is difficult, and often impossible, to separate facts from fictions.

Kabbarli: The White Grandmother Queen

One of the tasks entrusted to Bates by Yamaji who were incarcerated on Rottnest, Bernier and Dorrè Islands was to carry bamburdu or message sticks from them to their kin at Meekatharra, including some from Jaal to his wives Yangwi and Wirdainma and to his male kin still camped near Meekatharra at Burnacurra (Bates 1911a; 1883-1990 MS365/71/35, 88/53; c1912i). Bates promised to take at least fifteen bamburdu messages back to the Islands, but she never returned there. Instead, a collection of bamburdu was given to the Fairbairn family, whom Bates stayed with during 1912 before leaving Perth. These significant objects have recently been sold at auction. A comparison of Bates’ bamburdu lists, and her inscriptions on the cloths which cover the bamburdu, reveals that some are from her informants from the Murchison as described above. She took photographs of some of the bamburdu to include in her newspaper article on “Native Decorative Art: Ancient and Modern Examples: The Totemic System”. In this illustrated article she claimed that her fieldwork with the Cambridge Expedition had contributed to the solution of the “secret of the totem” problem and the “readjustment of [existing] totemic theories” that were being debated at Cambridge and Oxford universities (1912b, 14-27). In her popularised memoirs and newspaper articles she asserted her status as “the age old spirit...of the dreamtime, and keeper of all the totems” (1938, 25).

Bates continued to make many references to her apparent magical abilities and her influential status among Yamaji (1922), including her supernatural personas of “Kabbarli”, and Kallower (1938). She alluded to important rain-making powers she “pretended” to demonstrate while she was camped at Sandstone with Radcliffe-Brown and Watson (1911a). From her early

contact with Aboriginal peoples, Bates said she was given many totems and established a kinship relationship with her informants including Jaal. It was through these that she claimed to have obtained her “passport” to the many Aboriginal countries she visited. Her claims to have a magical influence over Aboriginal people included a bone object she possessed.

Standing argues that Bates mythologised herself as a “revered leader of Indigenous people she lived with”, claiming a supreme authority to influence and speak on their behalf (2012, 96). On Nyungar country at Maamba reserve near Cannington, Bates carried a wooden stick she described as powerful magic, one that she apparently used to keep animals and unwanted guests from her tent while she was away. On other occasions Bates pointed out her superior magical powers and mystical “authority” over Aboriginal people throughout Western Australia, claiming “yet I can render the nowinning harmless by absorbing the magic from it. Then any native can touch it without evil results following. Hence the magic is not so much in the stick or bone, as in the individuals to whom these may belong” (Bates MS365/23/30). She also claimed to have been given sacred stones by Jaal and his brother-in-law Jinguru (Bates 1913). These a just a few of the many stories Bates constructed about herself as an all-powerful (superior and white) supernatural being who allegedly held considerable influence over Aboriginal people.

Magic, Kings, Gods and Medicine Men

The discipline of anthropology as a regime of truth about man was used by Bates with some authority to translate and map an existing ethnographical discourse onto Yamaji cosmologies under the headings of magic, myths and legends. The ethnography of Bates is ordered under the taxonomies of Geographical Distribution, Social Organisation, Initiation Ceremonies, Religious Beliefs and Language, Grammar and Vocabularies (Bates 1883-1990 MS365/3-91). Bates’ sympathetic mapping of the cosmologies of Yamaji to those of ancient cultures such as Greece, Ireland, Egypt, Africa and America was an attempt to assimilate them into the “same”, or monolithic history of mankind.

It is possible to draw parallels with Bates' constructions of Jaal as the king and mabarn man, and that of the Medicine-Man/King-God of Greek mythology discussed by cultural anthropologists such as Andrew Lang, Gilbert Murray and Robert Marett (see Lang and Murray in Marett et al 1908). A book edited by Marett compiled six lectures on cultural anthropology that had been delivered at Oxford University. These lectures attempted an intellectual bridging of the divide between anthropology and the humanities. Anthropology was defined as the study of the lower forms of primitive culture, and the humanities they claimed represented the higher form of human culture attributed to the study of Greek and Roman literature (Marett et al 1908, A2). These perceptions of European superiority extended to cultural as well as physical anthropology that positioned Aboriginal Australians on the "lowest rung" of human development. Scientific and ideological views about Aboriginal peoples as inherently primitive, inferior and uncivilised still resonate today. They were strongly advocated by Bates and influenced much of her ethnographic and popular writing. The lectures also debated the resemblances between Australian Aboriginal and Ancient Greek belief systems. The book was reviewed in the Journal of the Royal Anthropological Institute in 1909, a publication that Bates consulted regularly. The thunder-stone gods of Greek mythology discussed in the lectures can be compared to Bates' descriptions of Jaal's magical powers (see further below).

Bates also consulted works by Spencer, James G. Frazer and A. W. Howitt on the links between magic, medicine men and kings or "headmen". Frazer's ideas on primitive belief systems were very influential at this time and were known to Bates (Bates 1985, 1904-1912). In a familiar discursive circularity, a reference to Bates' ethnographic work on "Marriage Laws and Some Customs of the Western Australian Aborigines" was quoted by Frazer in his influential text on totemism and exogamy (1910). Frazer theorised that the profession of magic led to kingship through the "double character of a king and a god" who held supreme "despotic" power and influence over his kin. The conclusion then drawn by Frazer was that there was "more liberty...under the most absolute despotism, the most grinding tyranny, than under the apparent freedom of savage life" (1905, 87; also see Murray in Marett et al 1908, 82-84). Reading A.W. Howitt on Aboriginal Australians, Frazer argued:

The greatest headman of all was he who on these occasions could bring up the largest number of things out of his inside...On the whole, it is highly significant that in the most primitive society now open to our observation [Aboriginal Australians] it is especially the magicians or medicine-men who appear to be in the act of developing into chiefs (1905, 109).

These evolutionist scientific theories of medicine-men-kings were linked to the practice of cannibalism as the most powerful form of magic. Jaal as king was therefore, not only by reputation but by scientific inference, also a cannibal. Bates, Frazer and Lang all cite the ritual act of cannibalism to obtain the blood and fat required for powerful magic, and believed that "in savage and barbarous society many chiefs and kings appear to owe their authority in great measure to their reputation as magician" (Frazer 1905, 89).

It is not difficult to discern the discursive parallels in Bates' representations of Jaal as the cannibal and fearsome mabarn (magic) man/king who could produce sacred stone cutting knives from his stomach at will. These constructions of Jaal were not only for popular audiences, they were included in a paper Bates presented at the meeting of the Australasian Association for the Advancement of Science in Melbourne (1913). The Western understanding of Indigenous peoples was of course established through a long history of scientific and anthropological descriptions and questionnaires completed by travellers and explorers dating back to the sixteenth century (Strong 1986; Urry 1993; Hodgen 1964). The strong connection with the studies of Folklore as a scientific discipline can be discerned in Bates' descriptions of how Jaal and Jinguru could swallow and regurgitate magic stones and knives made of flint from their stomachs. The stones were said by Bates to contain the power to kill, and were able to be sent magically into the stomachs of Yamaji enemies by Jaal and Jinguru (1985, 206). Bates claimed that the stones given to her by Jaal and Jinguru were their sacred totems and wrote at length under the heading "Sky Stones" about "nyooloo" or "kooroo" which in many Yamaji languages, including Badimaya, means eye. Bates suggested these sky stones were meteorites, a subject also discussed by Murray in the Oxford lectures as thunder stones from heaven (Bates 1913, 397; see Murray in Marett et al 1908; 1924, 11).

Bates gave away many cultural objects she collected from Aboriginal people to other colonial officials including Sir Frederick Bedford, governor of Western Australia (c1912i), and the Colonial Secretary of Western Australia (Letter from J. D. Connolly to Bates, in Bates 1883-1990 MS365/97/72). In the article on "Sky Stones" she noted her gifting of these stones, which may have come from Jaal or Jinguru, to the Société d'ethnographie Paris (1924).

From Savagery to Kingship

Bates, and Morton before her, had placed Jaal on the lowest rung of metaphysical and intellectual progression, about which Frazer has argued: "no human being is so hidebound by custom and tradition as your democratic savage; in no state of society consequently is progress so slow and difficult" (1905, 84-85). This evolutionist discourse was given a "truth" status by an international and authoritative network of scientific figures. Their particular claims to truth were biased towards a binary logic of ancient versus modern that justified dispossession and colonisation. Yamaji were represented as stuck in an intractable and sub-human past of cultural traditions, unable to adapt to the "inevitable" march of civilisation and change.

Frazer also proposed that through magic and sorcery, "the rise of monarchy [and kingship] appears to be an essential condition of the emergence of mankind from savagery [towards civilisation]" (1905, 84-85). Bates' representations of Jaal as a 'bravo' who had an "overbearing, masterful manner and a cold, cruel, selfish nature" is echoed in the claims by Frazer that medicine men kings ruled through fear and terror (Frazer 1905).

These connections between Greek myths and anthropological knowledge in Bates' writings about Jaal and Jinguru were made after Bates, in her role as government ethnographer, had studied the theories put forward by scholars on the origins of mankind, evolutionism, folklore, religion and the mythology. Bates contributed to this discourse and she corresponded with Frazer, Lang, Marett and others on these subjects over a considerable period of time (see introduction by Isobel White in Bates 1985; Reece 2007b). It is not difficult to appreciate the influence that these scholars had on Bates. It can be seen for example in her

characterisation of Jaal as the despotic medicine-king, an image which had much in common with the ancient universal god-king figure of Greek mythology. In turn, as a self-proclaimed and publically acknowledged “expert” on Aboriginal peoples, Bates speaks as an omnipotent voice within the dominant discourse of Western science and philosophy. While she feigns high magical powers, it is her “superior’ objective and rational knowledge” that discredits an “inferior” Yamaji cosmology described as myth and legend—a binary logic set down in the preface to the Oxford lectures discussed above (Marett et al 1908).

Bates defied the conventional gender roles of her time. She was characterised as both “superlatively feminine” and “the sexless stranger at...secret phallic rites” by her friend, collaborator and author, Ernestine Hill, (Hill 1973, 52). Bates provided other examples of “absorbing” male magic including from Ngargala. After he “impregnated it into [her] breast” Bates claimed: “now I have your magic and mine” (Bates 1938, 112). The discursive constructions of Jaal and other Yamaji by Bates crossed easily between popular and scientific audiences. They also acquired an anthropological authority in her manuscript, “The Native Tribes of Western Australia”. In this document of her life’s work, Bates recounts the same story of Jaal’s “jumping” kuta burna, but without any reference to her own magical powers, adhering instead to the conventions of scientific discourse (1985, 65).

The Cambridge Scientific Expedition to Western Australia

The second scientific venture into Jaal’s country was the Cambridge University Ethnological expedition in 1910, headed by Radcliffe-Brown and accompanied by Grant Watson. Although little has been written about this expedition, it would establish Radcliffe-Brown and Bates as “eminent experts” (Spencer 1921, LXI) on Western Australian Aboriginal people, their customs, social organisation and languages. The focus of this section will be on Bates. Radcliffe-Brown’s time with Jaal was mainly on Bernier Island and there are as yet no known records of any interactions between them on the Island and at Sandstone.

The scientific research agreed on between Bates and Radcliffe-Brown was split between informants either north or south of the 26th parallel in Western Australia. Radcliffe-Brown concentrated on Aboriginal peoples from the north of a Eurocentric climatic, political, geographical, social and economic divide. Later he travelled to the Ashburton and Pilbara, to the north of the 26th parallel, where he limited his study to Yamaji he referred to as “semi-civilised natives” (Bates 1904-1912). In the *West Australian* Radcliffe-Brown stated:

I have not been amongst the absolutely wild natives for the simple reason I could not talk to them and could not, in that same connection, do anything in furtherance of my work. Furthermore they will keep so to speak, for they are not dying out so quickly as the others (Radcliffe-Brown 1911b, 5).

The depopulation of Yamaji through starvation, murder, disease, and incarceration was increasing on the Murchison at the time of the Cambridge expedition and relegated to a headline in Bates’ article “dead men’s land” discussed above. The increase in mortality was the result of a sustained influx of miners to the Murchison and a corresponding increase in diseases, particularly a form of venereal disease now known to be granuloma. Depopulation was also affected through criminalisation, and “banishment”—known by the Chief Protector and police as a punishment that was considered by Yamaji to be worse than death (McDonald and Neville 1915-1922; Acting CPA in Bates 1883-1990 MS365/97/263-273). The extent of the deliberate and strategic process of child removal and the resulting intergenerational trauma experienced by Aboriginal families are revealed in Anna Haebich’s monumental exposé *Broken Circles* (2000). This systematic forcible removal of Yamaji children, their parents and other family members was a government strategy of quarantine premised on the classification of Yamaji as a degenerate and “dying” race, a view promoted by anthropological thinking.

The discourse of degeneration and extinction expressed by Radcliffe-Brown, Bates, Morton and others was universally accepted as inevitable by scientists and the public at this time. This discourse was a justification for colonial and state policy and practice in relation to Aboriginal peoples, and was the motivation for the anthropological expeditions to Western Australia.

The Sandstone Raids

The Cambridge University Expedition party departed Perth and arrived in Sandstone via Cue on 31 October 1910. They had been informed that a corroboree was to be held there and that there would be a police raid during this time. Grant Watson had written with a disgruntled resignation, just before leaving for Sandstone on 28 October, that: "unfortunately there is to be a police raid made upon them and this will I think interfere a good deal with our work" (Grant Watson 1910-11). They were camped near Sandstone one week before being interrupted by the first police raid.

The raid was seeking the "Darlot murderers" responsible for a "pay back" slaughter of eleven Aboriginal victims (men, women and children) from Laverton and Lancefield. These deaths also became known as the "Laverton Massacre", one of an ongoing series of retaliatory tribal killings in this area from 1905—10 (Acting CPA in Bates MS365/97/263-273). Bates contributed anthropological information to the Chief Protector of Aborigines and the police inquiry into these murders.

A second raid that directly impacted on Jaal and his family took place soon after by Corporal Grey, on the hunt for Yamaji suspected to have venereal disease and "half-caste" children. Bates wrote:

After the [first] raid, our natives scattered, but returned to tell me that there was another policeman coming with a 'big mob'. This proved to be Constable Grey...The natives were afraid to approach him until I explained that he was a doctor coming to look at us all. When I went myself into the tent, they followed with confidence (1938, 95).

Among the "natives" arrested by Grey were Jaal and other members of his family. Bates wrote that, "with Professor Radcliffe-Brown's assistance, Grey made his examinations, collected a few old men and women, and drove them away in his cart to join the unfortunates waiting in Sandstone" (1938, 95). A full account of Jaal's transport to and incarceration on Bernier Island as a prisoner patient will be discussed in Chapter Four.

As a Travelling Protector, Bates supported the Lock Hospital experiments and would not have been at all surprised by this second raid carried out by Grey acting on the instructions of the Chief Protector of Aborigines. According to Bates, she and Radcliffe-Brown were involved in the arrests of Yamaji at Sandstone. She later reported to the Chief Protector of Aborigines that while she was at Sandstone she had “given the names of all the natives and their districts [Jaal being on this list] to the Constable [McDonald] and Mr Grey [Corporal]” (Bates 1904-1912). This story relating to the Lock Hospital experiments reveals the strong collaboration in place between state policing, medicine and anthropology and will be taken up again in Chapter Four.

An impending third raid, looking for Jaal’s brother-in- law Jinguru in relation to a tribal murder near Peak Hill, was, according to Bates, the reason Radcliffe-Brown decided to go to Bernier Island instead of Meekatharra as he had planned (Bates 1904-1912). Jinguru had been imprisoned many times, including on Rottnest Island. Jinguru and his three brothers were captured near Wiluna and given the death penalty by the Resident Magistrate at Cue in 1911. This was subsequently commuted to life imprisonment with hard labour on Rottnest Island (see Gaols Department 1911; see also Chapter Six). Radcliffe-Brown and Watson left immediately after the raid by Corporal Grey and followed the Yamaji captives to Bernier and Dorrè Islands. Bates was convinced that her self-proclaimed influence on Aboriginal people would result in Yamaji returning to their Sandstone camp, but of course they did not. Bates followed the Cambridge expedition three days later, arriving on the islands on November 21 (Grant Watson 1910-11; Bates 1904-1912).

Bates continued working with the Cambridge expedition until June 1911. During this time, as a Travelling Protector, she arranged for the removal of a number of “half-caste” children belonging to the Yamaji whom she had assisted in capturing and transporting to the islands. In one instance she reported to the Chief Protector of Aborigines:

One half-caste girl named Rita was with the Sandstone people and ought to be taken away from them, but it will I think be difficult to catch her, her friends being exceptionally wary ... The day before the half-caste Polly and the two half caste

children went away by train ... I told her [Polly] they would all be taken to another sisters' place [possibly New Norcia] where they would be well looked after ... when I saw the mother of one of the children who had been taken away, she seemed ready to believe my statement that the little children would be happy. They do not associate me as yet with the raids and visits of inspection, but they appear to think that Brown and Watson are connected with the police in some way as if they [Brown and Watson] accompany me to a camp the members hide. Whereas when I go by myself they do not fly from me. I do not want to destroy that confidence (1904-1912).

The conflict between her work for the state as a “protector” and as an ethnographer is evident in a number of Bates’ writings, particularly in her newspaper articles and memoirs. However, any remorse that Bates displayed while in her role as a protector was soon put aside. When Bates met Corporal Grey in Carnarvon in December, on her way back to the islands, she instructed Grey to remove “a half-caste Lily” from her parents to an institution (1904-1912, 32).

During her ethnographic work at the Lock Hospitals, the Medical Superintendent wrote to the Chief Protector of Aborigines Charles Gale on 9 April, to complain about Bates interfering with the patients on Bernier and Dorrè Islands, and had asked her to leave “at the first opportunity”. Bates departed the islands with the rest of the Cambridge University party shortly after this (Steele 1911). Bates travelled across to the Murchison and continued her work around Meekatharra and Peak Hill for the Cambridge Expedition until June 1911. She also continued in her role as protector, issuing rations and assisting police. Watson returned to England. Radcliffe-Brown sailed for Carnarvon on the Kombanna on 24 April, for an intended six month ethnographical journey through the Gascoyne, Ashburton and Pilbara. He left Carnarvon on 8 May 1911, spending two months following the Ashburton River, with significant travelling and rain delays. On this brief journey he experienced “great disappointment”, and stated that “the natives of these parts have ceased since 15–20 years ago to perform their totemic ceremonies” (Radcliffe-Brown 1911a). This would suggest that most of Radcliffe-Brown’s ethnography from Western Australia was obtained on Bernier Island.

Conclusion

Wajarri from the Meekatharra area continue to live and work on country today, and it is not a “kuta burna”, or “dead-men’s land” as Bates describes it. Radcliffe-Brown and Bates both admitted they had worked with Aboriginal people already familiar with European ways, and on whom they based their scientific theories. Wajarri and Badimaya Yamaji country covers vast areas of the Murchison and sustains many different family groups or “clans” who marry, and continue to live on and care for country in a changing social and political landscape.

In many of her writings, both scientific and popular, there was an attempt by Bates to justify the effects of colonisation and the dispossession of Aboriginal peoples’ land and culture as inevitable. The many references made by Bates about individual Aboriginal people being the “last of their tribe”, included the stories she wrote about Jaal, Booreeangoo, Idiongu, Jinguru and Baeljarra who we meet again in Chapter Six. Bates appears to have held the view that, even if each of her Yamaji informants did have children at the time of her interviews, they were unlikely to survive. Her assumptions that Aboriginal people were not going to survive the effects of “civilisation” was a universally held view which informed her ethnography.

The constructions of Jaal as the other in Aboriginalist discourse reveals more about those who sought to categorise themselves as the purveyors of truth, as heroes of the frontier and as scientific experts. What is known of Jaal has been recorded by others. Jaal does not speak back directly, but through others like Bates and Morton, or he remains a silenced witness to the discursive, epistemic and physical violence that took place at a colonial frontier. The next chapter will critically analyse this history of colonial and discursive violence inflicted on Jaal and his Yamaji kin.

Chapter Three: From Primitive to Inmate: Big George the Black Outlaw

Introduction

Truth is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation, and operation of statements. Truth is linked in a circular relation with systems of power that produce and sustain it, and to effects of power which it induces and which extend it—a regime of truth (Foucault 2000, 152).

The previous two chapters were concerned with establishing (at least in part) the background and inter-relationships of the key agents and their entanglements with Jaal, and the social, anthropological and historical contexts in which the discursive constructions of Jaal as King, criminal and cannibal have circulated. These constructions of Jaal were influenced significantly by the discursive practices and regimes of anthropology that were formed in parallel with colonisation (Lewis 1973; Gray 2007; Asad 1973). In this chapter I want to situate a discussion of Aboriginalist discourse and photographic representations of Yamaji at the extremities of colonial laws and state power in the Murchison area of Western Australia through its “regional forms and institutions” of governmentality (Foucault 2004, 27).

Foucault insists that “we must escape from the limited field of juridical sovereignty and State institutions, and instead base our analysis of power on the study of the techniques and tactics of domination” within localised systems and strategic apparatuses (1980, 102) The key agents at the capillary locations of colonial power in the Murchison district were the pastoralists, magistrates and the police. It has been argued that the centralised control of these remote figures of colonial authority, was largely ineffective (see Nettlebeck 2014). These unqualified agents of governmentality at distant colonial outposts represent what Foucault has described as “material operators” within a sovereign legislative power of rules and codes, and a disciplinary power of norms (1980, 105-6). It is Foucault’s attention to the materiality and productive capacity of power through discursive practices, rules or norms (see in particular Foucault

2002) that I find particularly useful in the critical analysis of Aboriginalist discourse and its effects. As will be discussed below, the police, magistrates and pastoralists operated at the Murchison frontier within a judicial-legal system that was loosely regulated, and open to local interpretations and abuses of the rule of law (see also Benton and Ford 2013; Nettlebeck 2014; Green 2011; Haebich 1992; Hunter 2011).

Soon after the discovery of gold in Western Australia, there were major reforms of political and legal powers in the transition from rule under the British Crown towards self-government in 1889. A nationalistic fervour swept the individual Australian colonies, particularly in the 1890s in the lead up to Federation under the sovereignty of the British Crown. Morton's career as curator of Tasmanian Museum and Art Gallery spanned a period when anthropological museums and the discipline of anthropology were simultaneously "outgrowths of the nineteenth-century expansion of Western imperialism and rationalism" (Ames 1992, 51), and "proving grounds of nationhood" (Griffiths 1996, 18). At the same time, anthropology "existed in a state of complex dependency with government ... [and] has been crucially influenced by state needs for certain kinds of information with which to govern its Indigenous populace" (Hinkson 2010, 5). As outlined previously, the suggestion for Morton's collecting expedition to the Murchison was proposed at a Federal Council meeting in Hobart in January, 1897 and funded by the Western Australian government. Important colonial political figures such as James Lee-Steere, J. W. Hackett and Bernard Woodward—the curator of the Western Australian Museum—were concerned with matters of science, politics and economy. They were keen to support the acquisition of art works, anthropological knowledge and artefacts as symbols of power and national status for both Western Australia and Tasmania (Woodward 1898).

Morton's visit to the Murchison took place amid growing tension, violence and conflict between Aboriginal people and settlers in the North West of Western Australia, particularly pastoralists, miners and police. The government of Western Australia was most keen to present its emerging statehood as progressive and enlightened both within Australia and across the British Empire.

The Federal Council was influenced by the colonial powerbrokers in each of the separate Australian colonies, including the exclusive Australian Natives Association whose membership was restricted to “native” born white Australian males (Blackton 1958; Smith 1980). The organisation and its name was meant to differentiate and privilege Australian-born white colonists over European immigrants. There is irony in the name chosen to represent this elitist group that influenced nationalism in Australia from 1885 until 1901 (Blackton 1958), one that did not go unnoticed by Bates who wrote:

The visit [to the Maamba Nyungar reserve near Perth] arose out of a remark at dinner regarding the Australian Natives’ Association. ‘I did not know the Australian natives were sufficiently civilised to have an association’ Sir Robert remarked. The mistake was explained and Sir Robert [Baden Powell] was directed to me in his quest of an ‘Australian native’ (Bates 1936f:12).

While Powell was in search of an authentic “Australian native”, the Australian-born colonisers were inventing or constituting an “authentic” home-grown Australian “native” of their own, one that rendered Aboriginal peoples invisible within its constructions of a white masculine nationhood.

The discussion of Aboriginalist discourse and its practices in this chapter will be set against the backdrop of what Foucault has termed a race war based on ideologies of racial purity (2004), the criminalisation of Yamaji people by a system of colonial rule of law, and the political changes in the relations between imperial rule from Britain and the Western Australian colony during the 1890s. These changes included various attempts by well-established settler elites to maintain and enhance their power and legitimacy within the system of colonial governance that operated in tandem with violence and conflict at the edges of colonisation in the Murchison. The case of the Bendhu Atrocity, to be discussed later in the chapter, provides a historical context for the competing claims and collusions between state, law, punishment and science on the one hand, and on the other, against the more liberal principles associated with the humanistic voices of metropolitan and internationally based anti-slavery sentiments in support of Aboriginal Australians. The historical background to the Bendhu Atrocity has been very recently the subject of scholarly work that argues that the

Bendhu case and its aftermath was a watershed event that led to an escalation of oppressive governmentality and administration of Aboriginal Western Australians culminating in the 1905 Act (Wills-Johnson 2014).

The conflict between colonisers and the “natives” (widely referred to as the “Aboriginal question”), was invariably answered with increased legislation, and other state interventions (administrative, police and military) from the beginning of colonisation in Western Australia, and this continues into the present. Ongoing episodes of violent conflict between settlers and Aboriginal people over land and resources have coincided with the criminalisation and increased government controls of Aboriginal peoples through amendments to a sequence of “protectionist” Acts.

Amidst mounting criticisms about the mistreatment of Aboriginal people by settlers during the late 1800s, the Western Australian colony was eager to strengthen its relationship with the imperial centre and to defend its reputation at home and abroad (Biskup 1973). The very public protests against the Bendhu and later atrocities, such as the Marndoc Reserve massacres in 1926 near Forrest River in the Kimberley, were “muted by the powerful pastoral lobby that had taken control of both the upper and lower houses of State Parliament” (Green 2008, 51). As Green points out, the Legislative Assembly of Western Australia in 1891 “was a register of those pioneering families who had taken European materialism and human abuses into pastoral lands” (2008, 51). Considered as an expert and friend of Aboriginal people, the state Premier John Forrest took on the responsibility of the Aborigines Department overseeing the Chief Protector’s role from 1898 until 1900 (Biskup 1973; Haebich 1992).

In this chapter, Foucault’s concepts of power and its effects, its relation to truth, right and knowledge, will be considered in terms of sovereignty, law and discipline as “general mechanisms of power” (2004, 24—38). The disciplines of law and science were significant in the discursive formation of Aboriginalist discourse and the way in which the lives of Aboriginal people were policed. The constructions of Jaal as King George and Big George in colonial texts will be discussed through an analysis of “local regimes of truth” (Foucault 1980, 2002).

The dissemination of knowledges as “truths” require authoritative voices from within disciplines such as politics, law and science. These, as I show, are represented in the figures of Morton, Bates, Walsh and McDonald who formed specific relations and networks of power.

Foucault’s concept of the “technological assemblage” of the art of government in the form of “police” and the latter’s role in the punishment, discipline and control of Yamaji bodies and their lives will be considered in relation to the criminalisation and surveillance of Jaal and other Yamaji people. Foucault’s use of the term “police” is broad and will be discussed over this and the following chapter in terms of the state’s mechanisms of institutional control of Aboriginal welfare, punishment, discipline, morality, education and training (see Foucault 2004; 2009). This decentralised model of institutional power and governmentality over Aboriginal people operated locally through the “police” (Foucault 2004), and depended on the centralised political and interdependent roles such as those of the Commissioner of Police, Magistrates, Chief Protectors and Ministers of the Church. Increasingly, the evolutionist discourses of science and law were also deployed in these institutional apparatuses of colonial and state sovereign power that were established as the vanguards of racial purity and settler interests, rather than as protectors of Yamaji lives.

A Race War Continued by Other Means

In the repertoire of colonialist activity...the entire machinery of racism...which produces a vast lexicon of official word, gestures, administrative texts, and political conduct, has but one undeniable goal: the legitimization and consolidation of power and privilege for the colonizers (Memmi 2000, 38).

The discursive relationship between the disciplines of law and science and their power effects in the raciological construction of the “savage—noble or otherwise” (Foucault 2004, 194-5) is embodied in the figure of Jaal as “Big George” and “King George”. This knowledge relationship between science and law and Jaal’s construction as the primitive savage cannibal king and as the criminal operating outside colonial law will be explored in this and the following chapter.

Anthropology as an emerging science was professionalised through universities such as Oxford and Cambridge, through its deployment in museums, and by colonial governments that understood the value of its “practical” knowledge “to deal effectively with those conflicts that derived from racial and cultural variation that arose both in the colonies” and in Britain (Kuklick 1991, 44). The battle between the coloniser and colonised over land and resources was the cause of conflict, rather than issues of racial and cultural differences. However, it was racial and cultural differences applied as expert Western scientific knowledge (Aboriginal discourse) that justified the dispossession and subjugation of Yamaji.

Science as a discipline has formed the basis of legal expert opinion within the judicial and penal systems in determining criminality, culpability and punishment (Foucault 1977b). Like Morton and Bates, colonial administrators were influenced significantly by scholars from the disciplines of science and law that declared Jaal and Aboriginal peoples to be of a sub-race of primitive, criminal and inferior savages that needed to be studied, policed and governed. As also noted by Kuper, early British anthropologists such as Tylor, Haddon, Frazer were influenced by the seminal texts on ancient society written by lawyers like Maine, Morgan and McLennan (Kuper 2005, 3; see also Urry 1993; Kuklick 1991). The evolutionary and racialised theories of primitive society argued that savagery was the original condition of humanity and civilisation the “climax of human progress” (Kuper 2005, 30).

Aboriginalist discourse can be understood as both a technology and a tactic in the dispossession of lands and the criminalisation of Yamaji, including Jaal, who carried out acts of resistance against colonisation. Evolutionist discourse was part of this discursive arsenal of the coloniser, and “the purported inevitability of the displacement of inferior by superior races was taken to justify colonial expropriation of [I]ndigenous lands and was brutally enacted in the settler colonies of Australia” (Douglas 2008c, 134). Kuklick goes further to argue that 19th century British evolutionist anthropology was “highly schematised” in the colonial context, and it “could both justify colonial rule and provide administrators with specific objectives” (1991, 93)

The combined roles of anthropology, colonial administration and law and its objectives are embodied in the activities of Bates in particular, who contributed to the policing of Aboriginal people and to the Aboriginalist discourse attached to Jaal and Aboriginal people more broadly. The ethnographic information Bates recorded was funded by the Western Australian government and she directly assisted the police in arresting Aboriginal people and removing children from their parents, as discussed briefly in Chapter Two. Bates also provided regular intelligences to the Chief Protector of Aborigines, and compiled a report on Western Australia's governance of Aboriginal people from settlement until 1907 (Bates 1907a; 1904-1912).

In approaching Aboriginalist discourse in ethnography as discursive violence, I want to emphasise its materiality as part of the complex set of power relations between these colonial operators. The discursive and institutional practices relating to law and the policing of Yamaji is evidenced in Bates' activities whilst she was working with Radcliffe-Brown and Grant Watson during the Cambridge expedition in 1910. Bates, in her dual role as a "protector" and ethnographer, reported to the Chief Protector of Aborigines:

Koyl's [Jinguru] country is Yandarree (Lake Way) where two of his half-brothers (2 mothers one father) may be found. Their names are Dhangaree and Nyoolarn and both like Koyl are of the Kaimera class division. Perhaps this information may be helpful in securing Koyl. His father's name is Meena his own mother's Wallai his second mother Kooljagoorow (Bates 1910c).

The use of Bates' genealogies had real effects. It assisted the police in Jinguru's arrest and his imprisonment with hard labour for life, a sentence that would also have dire consequences for his wife and child. Similarly, there were devastating effects for Bates' informants when her ethnographic knowledge was deployed in the capture of Jaal and other Yamaji as suspected syphilitics at Sandstone in 1910, who were transported by Corporal Grey in chains to Bernier and Dorrè Islands (see Chapter Two above).

The Criminalisation of Jaal

Thus, in regard to colonial sovereignty, right was on one side. And it was seized in the very act of occurring. In face of it (sic), there could only be “wrong” and infraction. Anything that did not recognize this violence as authority, that contested its protocols, was savage and outlaw (Mbembe 2001, 26).

The administrative apparatuses of colonial sovereignty and state governmentality deployed the disciplines of law and science in the bio-medically based “race war” against Yamaji through systems of institutionalised physical and discursive violence (Foucault 2004, 80). The representations of Jaal as cannibal, savage and outlaw, and his incarceration as criminal and syphilitic, illustrates, in the words of Rowley, that “the progress of the Aboriginal from “primitive” to inmate has been a special feature of colonial administration and of white settlement in Australia” (1972, 2).

At the capillary or local levels of power it was the role of police and magistrates to enforce the laws of colonial sovereignty and state legislation. Racially specific laws were enshrined in the form of the Aborigines Acts while the criminalisation of Aboriginal resistance to colonisation relegated Jaal and other Yamaji to the status of degenerates and outlaws (see Cunneen 2001; Biskup 1973; Haebich 1992; Green 1984; Reynolds 1989; Rowley 1972; Hogg 2001).

In the figure of Jaal we see laid bare the stark confrontations between two systems of law, one still attached formally to the British system of a sovereign crown (as it is today) and the other based on Yamaji law centred on custom, rite and lore around kinship and land. As a senior Yamaji lawman Jaal was responsible for ensuring the codes of conduct for members of his family and kin in relation to each other and their land. He held sacred knowledges, and was mabarn, trained in the healing arts as well as magic or sorcery as described by Bates (1911c, 1913), Morton (1898b) and Grant Watson (1910-11, 1946). Jaal’s knowledge of languages, marriage laws, kinship and totemic systems, ceremonies, initiation and parenthood were recorded by Bates while she was on Bernier Island with the Cambridge Expedition (Bates 1938; Grant Watson 1946; Radcliffe-Brown 1911a). Jaal’s criminalisation continued from his first arrest and

prison sentence in 1891 until his death in 1915. The labels of cannibal and outlaw attached to Jaal functioned as colonial tropes and were used by journalists, settlers, scientists, police and other government authorities to position him as an enemy, one who was outside the laws of white settler society.

The amount of information gathered, recorded and disseminated about Jaal is significant. His entry into the colonial archive was as an anthropological “race type”, and as one of the non-individualised, incarcerated objects of threat and danger to the colonisation of the Murchison. Physical descriptions of Aboriginal prisoners had entered the police gazette records at the time of Jaal’s first arrest in 1891; but photography was not used in Western Australia until the early 1900s. Although physical descriptions were not attached to all prisoners, in cases where they were recorded, details about age, hair colour, general build, height and weight were included. In the volumes of police records researched, including those in the *Police Gazette* of 6 February 1895, Jaal was listed under “Warrants Issued” with “no description” given.

Foucault’s notion of the “individualised criminal” subject who could be known and who became “a third element” in criminology (1978), cannot be applied to Jaal. Jaal was represented more as the “the object man” as discussed by Fanon (2006, 22), limited to the stereotype of “criminal”, “outlaw”, “savage”, and “cannibal”, fixed in nature and of an ancient past, with a history written in the discourse of anthropology and law. Morton, Bates and McDonald claimed to know Jaal, but their knowledge of him was limited to ethnological and legal discourse filtered through translations based on Western language, ontologies and taxonomies.

The epistemic violence in representations of Jaal as threat are inter-discursive: that is, they work across the collaborative disciplines of anthropology (savage, primitive, uncivilised); colonial law and policing (prisoner, criminal, cannibal, outlaw, dangerous, cunning); and medicine (patient, diseased, syphilitic). Representations of Jaal as “Big” or “King” George the “Cannibal”, “Diseased” and a “Black Outlaw” were appropriated and circulated by the media,

settlers and officials in an attempt to mark out the power relations between the coloniser and the colonised. Foucault states:

In any society, there are manifold relations of power which permeate, characterise and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation and functioning of a discourse (1980, 93).

Aboriginalist discourse as a process of othering and a “regime of truth”, accumulated and circulated through the discursive relationships established between Morton, Bates, McDonald and others. At the same time, these key agents constructed their own subjectivities and public reputations. As Russell observes, “within settler-colonies the construction and portrayal of the Self and Other as binary oppositions was reinforcing, colonisers wrote of the colonised, yet were themselves written and defined by the process” (2001, 11-12). The physical descriptions and measurements of Jaal that entered the newspaper texts from 1897 were very likely the result of Morton’s “scientific” examinations and photographic records. The anthropometric values assigned to Jaal’s body and representations of him as a savage cannibal reinforced colonial anxieties about its racialised other.

The Power to Punish and the Policing of Jaal

A corpus of knowledge, techniques, ‘scientific’ discourses is formed and becomes entangled with the practice of the power to punish” (Foucault 1977b, 23).

Foucault’s discourse on the systems of power, truth and right (1977b; 2002) is a useful framework for interpreting the legislated control, punishment, discipline and surveillance of Aboriginal people in the Murchison. The surveillance and control of Aboriginal lives was made possible through government institutions and the juridical-political apparatus that supported them. The colonial agents discussed in Chapter Two played out their multiple and conflicting roles across interconnected colonial institutional apparatuses of power.

The technologies of colonial power were applied to the bodies of Jaal and other Yamaji people to control their resistance to the expanding pastoral and

mining industries in the Murchison. The local tactics of this power were at the level of surveillance through the daily patrols of Yamaji camps and through punishments in the form of chaining, flogging, imprisonment and hanging. A less acknowledged punishment imposed by the state was banishment from country—considered by Yamaji to be worse than death. Alongside these overt forms of force, the disciplinary techniques of power to reform conduct and “civilise” in relation to Aboriginal people were well established by state supported missionaries during Jaal’s lifetime. However, the mission system does not appear to have impacted significantly on Yamaji until after the 1905 Act, which will be discussed in further Chapter Seven.

The aim of the Western Australian penal system was to punish and “civilise” the “native” through hard labour, but in practice the main focus was on punishment as a deterrent. The Western Australian penal system retained punishments such as chaining and flogging Aboriginal prisoners long after their use had been abolished for white prisoners (1902 Criminal Code in Biskup 1973; Green 1995; Finnane and McGuire 2001; Cunneen 2001). As a prisoner, Jaal was also subjected to a process of discipline and punishment within the judicial and prison systems that were insulated from public scrutiny. The relationship between colonisation and criminalisation has been argued convincingly (Biskup 1973; Cunneen 2001; Haebich 1992; Green 1984; Rowley 1972) and is instantiated in Jaal’s experiences of arrests and incarceration. His removals from country had a significant impact on his capacity to participate in family, cultural, social and economic responsibilities throughout his lifetime, which had devastating effects on Yamaji women and children. The rapid dispossession of Yamaji country for mining and pastoralism included the criminalising of Yamaji sovereign rights to hunt and procure food, access water sources, protect and maintain sacred sites, and gather for ceremony and knowledge sharing. As Cunneen puts it, “criminalisation legitimates excessive policing, the use of state violence, the loss of liberty and diminished social and economic participation” (2001, 10). A consequence of Jaal’s successive incarcerations was that his family were dispersed, vulnerable and dependent for survival on others.

As a British colony, Western Australia's legal, policing and penal systems were based on those of the United Kingdom (Thomas and Stewart 1978; Bavin-Steding 1996; Drew 1916). Aboriginal prisoners were treated as a separately constructed population and subjected to an oppressive racialised carceral system of policing, discipline, training and punishment in Western Australia. From early colonisation this included exile on Rottnest Island (since 1840), and incarceration in gaols in the north (since the 1870s) with segregated cells designed specifically for Aboriginal prisoners (Finnane and McGuire 2001). Yamaji were sent down to Rottnest Island prison, a site especially set up "to train [A]borigines 'in the habits of civilised life'" (Biskup 1973). However, Cunneen suggests that the models of colonial policing were substantially different to that of the "Imperial centre", particularly in relation to the role of the police in their control, surveillance and regulation of Aboriginal people to ensure an unimpeded pastoral economy (2001, 47). This research supports this view, and the findings by Green who notes that: "the advance of the pastoral frontiers between 1854 and 1900 is reflected in the Rottnest Island population" of Aboriginal prisoners (2011, 78). The significant levels of incarcerations that contributed to the systematic depopulation of Yamaji from the Murchison is evident in the fact that during the 1880s, Yamaji prisoners from the Murchison and Gascoyne districts exceeded the combined totals of Aboriginal inmates from the Pilbara, Kimberly and South West and, in 1884, "accounted for more than half" of the prisoners on Rottnest Island (Green 2011, 78). Though many Yamaji died at the Rottnest Island prison, those who were released continued to steal and kill sheep in large numbers on the Murchison up until the early 1900s. The rapid increase of Yamaji prisoners incarcerated at Rottnest from 1883 resulted in "overcrowding [which] led to a high toll of deaths in custody that year", prompting a Commission of inquiry headed by John Forrest (Green 2011, 78).

Police records of the Murchison area report the daily "patrol" of native camps, frequent raids and dispersals. These patrols were a daily form of regulated terror and harassment. They were also used to search for Yamaji people under warrant for arrest (see Figure 3.1), referred to as "nigger hunting" (see Green 2011; McDonald 1996), and to destroy dogs in excess of the

government imposed quota. These regular incursions by police were carried out with the ruthless precision of a paramilitary operation, often with the assistance of a black tracker.



Figure 3.1: 'Chain Gang Western Australia'. Photographer Alexander Morton 1897. Prepared by J. W. Beattie. (Tasmanian Museum and Art Gallery Q1986.8.138)

This colonial “policing” as a form of institutionalised violence and terror that could kill or punish became a double-edged sword for Yamaji. As “protectors”, police were also responsible for administering medicines to cure, and issuing blankets and rations that often meant the difference between life and death. This ambiguous relationship between Yamaji and police as both allies and foes surfaces time and again in the historical records. For example, Jinguru, as a convicted murderer, worked as McDonald’s black tracker for many years, assisting him in the search for lost prospectors or criminals (see McDonald 1996, 192).

White Brutes and Black Slaves: The Reintroduction of Flogging

In parts of the Murchison, as Biskup points out, the 1864 Land Regulations “explicitly recognized the [A]borigines’ right to enter, at all times, the unenclosed or enclosed but otherwise unimproved parts of any pastoral lease, for the

purposes of seeking sustenance in their accustomed manner" (1973, 18). By the 1880s however, this early form of coexistence and tolerance soon gave way to violent competition for survival. The rapid uptake of land in the Murchison district, and the scarcity of water sources during the drought of the 1890s, coincided with a dramatic increase of settlers and miners. In the early 1880s, Murchison settlers complained to the police that flogging had no impact on deterring Aboriginal "offenders" from killing sheep. The practice was abolished in 1883 (Biskup 1973), replaced with harsh prison sentences, with hard labour, on Rottnest Island and other gaols for the taking and killing of livestock.

When Jaal was arrested with five other Yamaji men for sheep stealing in 1891, and sent to Rottnest Island prison, the Western Australian colony had discontinued free legal representation for Aboriginal prisoners due to financial reasons (Biskup 1973). Jaal and his kinsmen were subsequently sentenced to 25 lashes and imprisonment with hard labour by a J.P. Thomas Little, who was also a pastoralist (Donovan 1891). A racialised code of law operated at the frontiers of colonial settlement in Western Australia where:

knowledge was the absolute privilege of the prosecution...the magistrate constituted, in solitary omnipotence, a truth by which he invested the accused; andin criminal matters the establishment of truth was the absolute right and the exclusive power of the sovereign and his judges (Foucault 1977b, 35).

As noted, colonial J.Ps and magistrates who were also pastoralists and "Protectors of Aborigines", were appointed to enforce the rule of law on the Murchison, and they did this with setters' interests as their guiding principle. By the early 1900s, a Royal Commission found that the threat of imprisonment was having little to no effect in "reforming" Yamaji offenders or in diminishing the frequency of their "crimes" (Roth 1905).

The dispossession-resistance interpretation of Aboriginal-European relations is claimed by some historians to be too simplistic and problematic, and they argue that there was in fact a relationship of accommodation and acculturation between colonisers and colonised (see Wolski 2001; Reece 1987). However, this softer model of colonial power is problematic because it is based

on assumptions that there was a fundamental relationship of equality or reciprocity between Aboriginal people and settlers. In fact, Yamaji people were employed on their own lands as labourers on pastoral stations or elsewhere on the Murchison under an English system of master-servant agreements which were open to abuses. Yamaji were effectively “owned” by their “employer”, and worked for rations. Some station managers allowed for “holidays”, commonly referred to as a “pink-eye” or “walkabout”. A leave of absence so that Yamaji people could attend corroborees and fulfil their custodial obligations to country and kin was only permitted by their “masters” when Yamaji labour was not required. When Yamaji people classed as “station natives” did not return, or left their employment of their own volition, they were criminalised and arrested for “deserting service” and severely punished. Punishment as legalised violence was part of a process that included: warrants issued by magistrates on the request of pastoralists, the police hunt (often taking many weeks or months), arrest and chaining, controlled flogging (i.e. a stipulated number of lashes in the presence of a “witness”), and imprisonment. The release of the Yamaji “deserters” was conditional on their returning to the services of their “masters”.

This government-sanctioned surveillance, discipline and punishment was merely a reflection of the attitudes held by many people in the powerful and influential pastoral industry—some of whom took the law into their own hands. Others like Walsh, wanted to change the laws, and by the 1890s he and other pastoralists were calling for the re-introduction of flogging as punishment for Yamaji “offenders”. They insisted that imprisonment on Rottnest Island was having little effect. Walsh even claimed incarceration was in fact a mere “holiday” for them, declaring:

I have now been some six years on the Upper Murchison, living amongst and employing natives, and, therefore, I claim to know something about them. I am firmly of the opinion that the natives have become rapidly worse in that period, and unless some change is effected in punishing them, they will shortly make the country unbearable and dangerous to live in...The so-called imprisonment at Rottnest, or Carnarvon, is no punishment at all, in fact to take a bush native—who has to hunt for his living or kill our sheep and cattle—and send him down to gaol at either of the above mentioned places is just a holiday trip for him...It is simply folly and costly in the

extreme to the colony to send these natives to gaol, when it has no deterrent effect upon them. Some other punishment-flogging I would suggest—should be meted out to native offenders by the police, and in the presence of two or more Justices of the Peace, or a Police Magistrate...The Government should protect us—the pioneer of their country (sic)—against these savages, who are keeping us back from penetrating farther inland. We are not “brutes” ... but we simply want what is our due, viz., to have our property respected by the natives, and that only will be done by “flogging” these ringleaders. I am, &c., Harry B. Walsh. Mileura, Upper Murchison (Walsh 1892, 35).

The above letter to the editor of the *Western Mail* from Walsh was dated February 1892. It was published in April 1892, one month after the reintroduction of flogging through an amendment to the 1883 Aboriginal Offender's Act. Urgent pleas and recommendations to parliament on the “Native Depredations” had been raised, by powerful pastoralists and magistrates from the Gascoyne and Murchison, leading up to the reinstatement of whipping as a legal punishment for Aboriginal offenders (*The Daily News* Jan 15. 1892: 3). On the one hand pastoralists were outraged by the massive losses from sheep and cattle killing at this time, demanding harsher punishments, but on the other, unable to run their flocks without Yamaji labour. Whipping was seen by many pastoralists as a way of inflicting punishment on Yamaji without restricting their ability to work to any significant degree. Concerns about Aboriginal people being whipped to death in Western Australia were being raised in the British Parliament in 1890 by Samuel Smith and reported in newspapers in London (see *South Australian Register* Feb 17. 1890a: 5) and in Australia (see *The West Australian*, Feb 17. 1890b). In 1897, during Morton's visit to Western Australia, the shocking deaths of three Aboriginal workers following their brutal flogging on Bendhu station made international headlines. The research into the Bendhu Atrocity by Brian Wills-Johnson has examined the history of this episode of frontier violence, while Lydon has noted its significance in the international humanitarian movement (Wills-Johnson 2014; Lydon 2010). In 1899, Police Constable Ritchie published his condemnations in the press, applying the term “summary justice” to this practice of flogging (Ritchie 1899a, 3; 1899b, 3).

The Bendhu Atrocities: “A Very Summary Justice”

As the Western Australia colony prepared for Federation, the murders and brutal floggings of Aboriginal station workers for “absconding from duty”, led to continued international condemnations. The system whereby Aboriginal people were employed under a written contract or permit was not policed adequately and was open to abuses, with few of the northern station workers under any formal agreement or contract (Roth 1905). From the 1880s, there were a small number of settlers who expressed their concerns about the mistreatment of Aboriginal people in Western Australia’s north and their protests eventually reached England. As noted by Reynolds, “their attitudes reflected the success of the Anti-Slavery movement in Britain and of the establishment of a House of Commons Select Committee to investigate the position of native people in the Empire” (Reynolds 1989). Reverend John Gribble published a small pamphlet exposing previous cruelties in *Dark Deeds in a Sunny Land* (1886), and wrote to the newspapers in protest at the mistreatment of Aboriginal workers on the Gascoyne. For his efforts, Gribble was publically persecuted and then prosecuted for slander, fined ten thousand pounds and forced to leave Western Australia in 1887. He died in Sydney in 1893. Biskup remarks disparagingly, “as many a humanitarian after him, Gribble had overstated his case” (1973, 25), echoing the earlier views of Bates, Morton and many other prominent commentators who dismissed similar claims regarding the mistreatment of Aboriginal workers in the North West as of little consequence.

The British Parliament passed the *Aborigines Protection Act* in 1886. Although the Protector of Aborigines engaged the police, magistrates and pastoralists to “protect” Yamaji people from this time forwards, they were in effect providing protection for pastoralists and ensuring a supply of indentured labour for the settlers (Green 2011; Nettlebeck 2014). A number of violent incidents and the murder of Aboriginal workers in the North West in the 1890s made their way into international and Australian newspapers, reigniting public debate and criticisms. In 1896, a Yamaji man, Mickey, was chained and flogged to death on Boolardy Station in the Murchison. Charges of manslaughter were heard

against the station manager in a Supreme Court hearing in Geraldton and the jury refused to give a verdict. At a later retrial he was found to be not guilty (*The Western Mail* Jul 17. 1896b: 5; Donovan 1896).

The following year, the brutalities which became known as the Bendhu Atrocity (or sometimes Atrocities), began when two station managers, the Anderson brothers, rode out to Redbank station and rounded up three men, two women, and two girls aged 8 and 12 after they had “absconded” from Bendhu station. They were chained together and forced to march back to the station tied to a horse, a day’s journey, without water. On their return to Bendhu, the Anderson brothers tied the hands of their Yamaji captives behind their backs and then proceeded to flog them with a heavy-knotted wet rope. The two women, Warradamngenmia (Biddy), Narilung (Polly) and a man, Pringamurra (Spider) were beaten so severely that their shoulder blades were broken and they died from their injuries on or about 15 September, 1897. Coomerong (Dan) who had been ordered to go out and shepherd some sheep back to Bendhu returned to find the lifeless bodies of Warradangenmia, Narilung and Pringamurra. Another man Jabramurra (Candy), and the two young girls Wireroo (Minnie) and Haberine (Louie) were left for dead with severe injuries, but survived. The Andersons were initially charged with unlawful brutality in a local court at Bamboo Creek near Marble Bar, fined two pounds and issued with a warning. According to a newspaper report, the Resident Magistrate “declined to give an order for exhumation of the deceased natives until Dr. Nix pressed him ... he [the resident magistrate] took no steps whatever beyond holding an inquiry [at Bamboo Creek]” (*The Western Mail* Mar 11. 1898d: 10). Following public criticisms, the police subsequently upgraded the charge to wilful murder and the Andersons were tried in the Supreme Court in Perth.

The coroner Colonial Surgeon, Mr Lovegrove, was called to give expert medical opinion at the trial. Wireroo (Minnie) and Haberine (Louie), the two girls aged 8 and 12, were called to the witness box and their bodies were presented as evidence of the severity of the flogging. When cross examined by a Crown Solicitor, Dr Lovegrove was asked by the Chief Justice, “Are they the two girls?” The Chief Justice then mockingly remarked that it was rather hard to ask the

doctor to identify the girls who were “dressed up in their Christmas finery”. The remark was “followed by laughter in the court room” (*The West Australian* Dec 21. 1897g: 7). The prolonged trauma experienced by Wireroo and Haberine throughout their brutal beatings, their witnessing of the murders of their family, and their confinement to gaol cells during the trial, was catastrophic and unimaginable. These traumas were compounded by the protracted court interrogations and humiliation—trivialised as public spectacle—far from their home and family members who had survived the violence.

The trial ended with the Anderson brothers being found guilty of the lesser charge of manslaughter, despite the fact that “The Chief Justice summing up said that the crime was nothing but a deliberate case of cruel murder of a man and two women and the inhuman flogging [of] mere girls” (*The Argus* Dec 24. 1897h: 4-5). Alexander Anderson died of typhoid fever in Fremantle gaol during the trial and Ernest Anderson was sentenced to life imprisonment by Justice Onslow on 22 December, 1897. One commentator remarked in the press:

we hope that the people of Western Australia will...not fail to appreciate the manly, straightforward and indignant reproof of the Chief Justice to the callous, careless jury who shirked their duty, who knew that foul and horrible murder had been committed and yet were afraid to mete out to the murderer that full measure of justice which he so richly merited” (*The Sunday Times* Dec 26. 1897l: 4).

The Argus newspaper also quoted the Chief Justice, claiming that, while other men had committed similar crimes and “got off”, the “tide had turned” in the Bendhu case (Dec. 24. 1897h: 4-5). But this assertion was premature. According to a letter to the editor of the *West Australian*, Ernest Anderson was the first white man to be found guilty of manslaughter and sentenced to life imprisonment for the murder of an Aboriginal person under the legal system of self-government in Western Australia (see *West Australian* Jan 8. 1898a: 6). However, he was “liberated” on a “ticket of leave” on February 10 1903, having served only six years of his life sentence (*The West Australian* May 12 1904a: 4)

The acts of brutal flogging inflicted on Yamaji by the police as punishment for sheep stealing and absconding from duty, and those carried out by the Anderson

brothers at Bendhu station, were forms of legally sanctioned violence. The only difference was that the flogging inflicted by the police was specifically measured in number—usually 25 lashes for stealing livestock—and was by law meant to be carried out in front of a witness, usually a JP or Magistrate if available. This controlled flogging was meant to ensure a maximised torture of the Yamaji body without causing death. Wills-Johnson cites seven contributing factors to the horrific acts of brutality inflicted by the Anderson's, "convention, isolation, power and authority, questionable mental stability, perceived justification, racism and invulnerability" (Wills-Johnson 2014, 27) and suggests that: "when Ernie and Alick Anderson beat their employees [to death] they were not reaching across a frontier to engage in territorial violence, but dealing with the misdemeanours of Aboriginal people who had been normalised as pastoral workers" (Wills-Johnson 2014, 11) However, as discussed below, Morton and many other commentators such as Forrest claimed the violence inflicted on Aboriginal workers was far from the norm and they were determined to disprove or at least dismiss allegations of wide spread cruelty. The exploitation of Yamaji workers through a systematised government regulated form of slavery at the same time criminalised Aboriginal resistance against it. The mythologised white frontier masculinity embodied in the Anderson Brothers and the suggestion of an inherited mental illness may explain their vicious attacks, but the extent of this type violence inflicted on Aboriginal people was perpetrated by many others both before and after the Bendhu case. As discussed in Chapter One, Constable Ritchie—although he had himself flogged Aboriginal prisoners—had raised serious concerns in *The Sunday Times*, on the 3rd September about the injury inflicted on Yamaji workers during "uncontrolled" floggings by pastoralists on the Murchison in the years following the Bendhu Atrocity (Ritchie 1899a, 3). Despite the introduction of earlier legislation to protect the rights of Aboriginal labour in Western Australia (*Aborigines Protection Act 1886 (WA)*) the Roth Royal Commission of 1904 found that there were ongoing abuses of the indentured labour system by pastoralists, and "all the advantage is on the side of the employer" (Roth 1905, 7). Although only hinted at in the Roth report, it is clear that the exploitation of Aboriginal labour and the systems of punishment for "absconding" were key factors in the murders and cruelty inflicted on enslaved Yamaji station workers. The long

history of condoned violence against Aboriginal people in its many forms, including legalised cruelties and slavery, had been the subject of protest by local and overseas humanitarians. The concerns raised in 1890, in Australia and Britain, about the risk of deaths from legalised flogging was only inflicted on Aboriginal offenders at this time.

Significantly, Morton was a dissenting voice amid what must be described as a widespread revulsion at the Bendhu atrocities. Morton was keen to exonerate his powerful friends and sponsors in Western Australia, particularly the pastoralists and colonial officials who had assisted his collecting visit. One of Morton's sponsors, J. W. Hackett, was the owner and editor of the *Western Mail* and an elected member of John Forrest's government. These were the powerful figures behind Morton when he entered the international debate on the mistreatment of "station natives" on Bendhu and in Western Australia more broadly. In Western Australia in 1897, and later upon his return to Tasmania, Morton used his status as a "man of science" to refute the claims of brutality and mistreatment of Yamaji in his "Notes" delivered to the Royal Geographical Society of Tasmania (Morton 1898).



Photo by Mr. A. Morton
GROUP OF STATION NATIVES ON THE MURCHISON.

Figure 3.2: Image Taken by Alexander Morton on Mileura Station
(*Western Mail* Jan 21, 1898c: 26).

The weight of Morton's "expert opinion" in support of politicians and pastoralists was published in the Western Australian press in the period leading up to and during the trial. The power of the photograph in this context is a stark reminder of the way in which images were used to promote the narratives of peaceful colonisation and its civilising mission, and to suggest that criminal acts of white settler violence was not the norm. Three of Morton's photographs were used to illustrate articles in *The Western Mail*. Figure 3.2 was used in an article titled "Some Murchison Views", which stated:

[This] group of station natives may be taken as typical. Mr Morton found the station natives a well fed, healthy and contented race. He felt sure, from his own personal observation, that such events as the Bendhu atrocities were so far from the normal that no blame could be broadcast because of them (*The Western Mail* Jan 21. 1898c: 26).

Here Morton's remarks on "a well fed, healthy and contented race" are aligned with the state objectives of "police", which were monitored through statistics or the "science of police" discussed by Foucault (2009). The categories Morton uses (work, clothes, food, health, and treatment) can be found in the regular statistical returns of "station natives" sent in by station managers to the Aborigines Protection Board.

During Morton's collecting visit to the Murchison, the station owners at Mileura, Boolardy, Moorarie, and Berringarra were his primary sources of ethnographic information, and of material objects for his collection, such as Yamaji weapons and other artefacts. Given this relationship, it is not difficult to speculate that, while spending time at each of these homesteads, Morton would have been shown copies of the station reports sent to the Chief Protector of Aborigines. Although there were other Yamaji deaths resulting from flogging—as in the case of Mickey on Boolardy station discussed above—these station reports were possibly offered to Morton as documented "evidence" that the brutalities were not widespread. In any event, it was Morton's status as a prominent man of science that was most welcomed by settlers, particularly politicians and pastoralists who were keen to deflect the negative public backlash during the Bendhu trial.

Morton's discourse operates through what Foucault describes as the state's "engineers of conduct"—the Commissioner of Police, Chief Protector, magistrates and pastoralists—which formed a web of policing, discipline and governmentality. The use of photographs in Western Australian newspapers at this time was relatively new and served to provide a visual authority to Morton's statements in defence of pastoralists. The use of photography will be discussed more broadly in Chapters Five and Six.

The photograph of Jaal as "Big George the Cannibal" with Corporal Tyler (see Figure 3.3), taken by Morton was first published in the same issue of the *Western Mail* that carried an article on the Bendhu trial (Dec 24. 1897i: 24; 1897j: 38), and also appeared two weeks later in *The Western Australian Goldfields Courier* (Jan 8. 1898b: 18). The story in the *Western Mail* described the accused Ernest Anderson in the somewhat heroic terms as, "a sturdy, well-proportioned, prepossessing young fellow", of white frontier masculinity (Dec 24. 1897j: 38), implicitly juxtaposed with its representations of Jaal as the dangerous, fearsome and naked cannibal savage; an evil threat to the progress of colonial "civilisation".

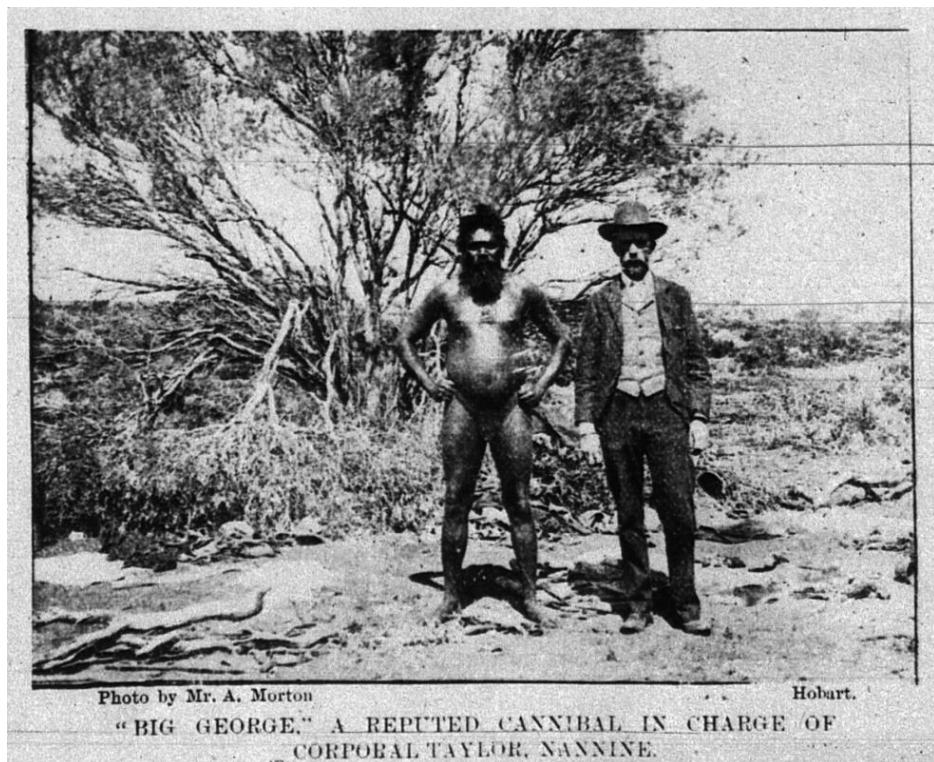


Figure 3.3: Image of "Big George" by Alexander Morton
(*Western Mail* Dec 24, 1897i: 24).

The criminalisation of Yamaji and their classification by scientists as inferior primitive and degenerate, and represented in popular imagery such as this (Figure 3.3), justified acts of colonial violence. A week later, another article in *The Western Mail* would offer both a reason and an excuse for the Anderson's brutality by describing them as "mentally on a very inferior grade" and arguing that neither of them should have been given "such power over some of their fellow-creatures" (Dec 31. 1897m: 15). The "questionable mental stability" of the Anderson brothers, also explored by Wills-Johnson (2014), seeks to medicalise the Anderson's acts of criminal violence.

The coverage of the Bendhu Atrocities was just one of the "localised episode[s] in the great discourse of race war or race struggle" (Foucault 2004, 65), that was concomitant with a moral war waged by a minority of humanitarian colonists and whistle blowers. Local settlers on the Murchison were, by this time, familiar with the myths and stories of "Big George" as a cannibal and murderer published in newspapers. These representations of Yamaji such as Jaal who did not, could not, speak for themselves "provided a moral and cultural legitimacy to violence" (Cunneen 2001, 62). Aboriginal Australians were seen by the settlers as not just a threat to law and order but to "progress", racial purity, nationhood and national unity (Cunneen 2001; Reynolds 1989). The negative racialised representations of Yamaji also gave authority to a conservative white nationalism and colonial domination for this "race war" (Foucault 2004).

The extensive media representations of the Bendhu case were constructed within an ambivalent colonial discourse that continually shifted between humanitarian outrage and a defence and justification for settlers' apparent aberrant and shocking violence. As argued by Wills-Johnson, the Bendhu case might not have come to public attention—as so many others surely did not—if it had occurred before the establishment of a newspaper in Marble Bar (2014). In the Bendhu case, state racism was on trial and the emergent arguments for Western Australian statehood were at stake. The Bendhu case had called into question the so called "civilised" absolute sovereign power of the coloniser, and political leaders like John Forrest went on the offensive. The case was a most inconvenient truth played out in a public trial in the midst of Western

Australia's nationalist ambitions and its quest for answers to its "Aboriginal question".

The One Slave State in the Commonwealth:

On January 26 1898 *The Times* in London included further public condemnation on the verdict of manslaughter and the sentence of life imprisonment (rather than capital punishment) given to Anderson. It is likely that these were the reports that led to Bates' return to Western Australia in 1899 as a "special correspondent" for *The Times* (Bates 1936c). The article on her "investigations" that she is alleged to have written, found in favour of the settlers—as Morton had done in the Western Australian press (Bates 1936c).

In defence of Premier Forrest, and his government, Bates would describe him as "one of the kindest and greatest friends the West Australian natives have ever had", who had also inaugurated a "Protective Society" (Bates 1883-1990 MS365/90/31). The context of Forrest's actions, however, is more complex. He served for example as a Commissioner on an 1883 Inquiry into the Condition of Aborigines in the Colony and made "contributions" to the subsequent parliamentary debates on the *Aborigines Protection Act 1886* (Haebich 1992, 54). In 1897 Forrest had gone to London for the Queen's Jubilee celebrations and to successfully wrest back his control over Aboriginal affairs—including its funding. He was therefore keen to avoid any further controversy (Haebich 1992, 51-2). Forrest's reputation as friend and supporter of Aboriginal people in the West was "overlaid with a mixture of paternalism and 'benevolent imperialism and British superiority'" (Crowley in Haebich 1992, 54). While Forrest was being questioned publicly, at the height of the controversies over the mistreatment and murders of Aboriginal people in Western Australia, he and others in authority were more concerned with losing their "lustre" of power (Foucault 2004).

In an article "Black Slaves White Brutes: Inhuman White Savagery" reprinted in *The Western Australian Sunday Times* (Jun 4. 1901) from an article in Melbourne's paper *The Age*, it is evident that Forrest's primary concern is for his own and the state's reputation. When interviewed by the Melbourne newspaper, Forrest set up the miserable defence that because the Andersons

were natives of Victoria, Western Australia could not be held responsible for the disgrace attached to the Bendhu Atrocity, and that the “blacks had not been treated more harshly in the Western state than they had been elsewhere” (*The Western Australian Sunday Times* Jun 4. 1901). There is both some truth and some irony in this statement. Walter Roth, the Chief Protector of Aborigines in Queensland at this time—where, arguably, the most shocking atrocities against Aboriginal peoples were being committed—was the person to head a Royal Commission to inquire into the allegations of slavery and cruelty against Aboriginal people in Western Australia (see Bottoms 2013).

Despite the “lamentable” justifications by Forrest to *The Age*, and by others before him, and despite the public trial and condemnations, the abusive mistreatment and massacres of Aboriginal people continued in Western Australia until the mid-1900s. Many of these brutalities are still disputed today (see Green 1995; Attwood and Foster 2003). A year after the Bendhu atrocities, three other pastoralists, also magistrates, were fined for cruelty:

Three honorary magistrates, hailing from the Onslow, Carnarvon, and Roebourne districts respectively, have recently been fined for cruelty—in two cases repulsive cruelty—towards [A]borigines in their employ. Two of these chivalrous gentlemen, one of whom is a scion of the alleged Westralian aristocracy, have had their names removed from the Commission of the Peace in consequence (*Advocate* 1899, reprinted in *The Western Australian Sunday Times* Apr 9. 1899: 8).

Walter Malcolmson was working as a miner and became known as the “Whim Creek Agitator” (*The Western Mail* Jul 9. 1904b: 12). He had also worked as a journalist and lived in the North West of Western Australia for seven years (see Biskup 1973). Malcolmson sent a letter to the editor of *The Times* of London in April 1904, condemning the continued “gross cruelties” towards Aboriginal people in the “slave state” of Western Australia. The letter was reprinted in the Australian press stating:

Most of the Justices are squatters employing these slaves [Aboriginal station workers]. A JP [Justice of the Peace] sitting alone on the bench can upon conviction—by Westralian law—sentence a native up to three years...Western Australia

is the one slave State in the Commonwealth." (*The Western Mail* May 12. 1904a: 4).

There were also other voices in support of human rights for Aboriginal people, including an Aboriginal man, Anthony Martin Fernando. Fernando, from New South Wales, who travelled to Peak Hill in 1903 at the height of these controversies and continued to campaign internationally throughout Europe (Paisley 2012).

Reverend John Gribble's son, Ernest, a controversial figure and missionary, returned to the Kimberley area of Western Australia to manage the Forrest River Mission from 1914 to 1928. He reported the Aboriginal eye witness accounts of what became known as the "Forrest River Massacres" to the Wyndham police, and also to Neville as the Chief Protector of Aborigines. The massacres in the area of the Marndoc Reserve near the Forrest River mission were the result of a punitive police expedition in June 1926 and a continuation of a reign of colonial terror in Western Australia (Morris, 1992) that was sustained by a culture of violence sanctioned under the suspension of the rule of law (Cunneen 2001). A Royal Commission was held in 1927, with a limited terms of reference and a lack of legal representation for Aboriginal witnesses—some of whom had disappeared—that resulted in the charges against the police officers being dismissed due to a "lack of evidence" (see Green 1995).

There appears to be a pattern where enquiries into the mistreatment and living conditions (posed as the Aboriginal question) are answered by increased legislative controls over the lives of Aboriginal people in Western Australia. The Morton photograph of Jaal as "George a Nannine Native" (see Figure 5.1), published as "Big George the Cannibal" in 1897 and 1898, coincided with the Bendhu case. This and other allegations of brutalities against Aboriginal people in the North West led to the Roth Royal Commission of 1904, and the passing of the 1905 Act. Perhaps coincidentally, another article about Jaal, "Big George alias Carringoora" (see Figure 1.4) was published in 1935, during another Royal Commission on the "condition and treatment of Aborigines" (Mosley 1935) that shaped the *Aborigines Amendment Act* of 1936, and gave additional controls to the Commissioner for Native Affairs, A. O. Neville.

Conclusion:

The criminalisation of Yamaji, including Jaal, was the outcome of the conflict between two parallel systems of law, that of Yamaji law and the judicial and penal apparatuses of the Western Australian government. The construction and representation of Aboriginal people as savages was given authority by the language of science, and served to justify “retributive” murders, incarceration, brutal punishments and the criminalisation of acts of resistance. The punishment for Aboriginal offenders was flogging, hanging and incarceration in the many gaols and prisons throughout the state, particularly Rottnest Island, designed specifically as a prison for “native” offenders regardless of a person’s country.

These reformatory and disciplinary strategies within Western Australia’s penal systems were deployed in setting up “native settlements” and reserves for the “protection” of Aboriginal people. The reserves as settlements were segregated spaces for the social and economic benefits of the state and its white settlers, not for the “protection” and “advancement” of Aboriginal people as recommended in the Royal Commission (Roth 1905). The recommendations of the Royal Commission (Roth 1905), with the *Aborigines Act 1905* and its subsequent amendments, legitimised the expanding disciplinary control of Aboriginal people and their lives through a carceral archipelago of islands, reserves, settlements, child penitentiaries and gaols that will be the subject of the next chapter.

Chapter Four: Governmentality of Yamaji and the Biopolitics of Race.

Introduction:

The elimination of hostile elements [the criminal, delinquent and diseased] by the *supplice* (public torture and execution) is thus replaced by the method of asepsis—criminology, eugenics and the quarantining of ‘degenerates’ (Foucault 1980, 55).

The previous chapter discussed the discursive, epistemic and physical violence inflicted on Jaal and other Yamaji and the effects of their criminalisation and slavery during the colonisation of the Murchison in Western Australia during the late 19th and early 20th centuries. The criminalisation of Yamaji who retaliated against the intrusions into their daily lives and the invasion of their lands, led to an increase in the oppressive state governmentality and biopolitics of Yamaji as a separate population governed through state rules of exception without limits. In this chapter I want to extend the analysis of Aboriginalist discourse and the interplay between the powerful scientific and political discursive networks. It will explore the representations and the constructions of Jaal and other Yamaji as a separate racialised population of biopolitical object-individuals of state governmentality. The setting for this chapter is Jaal’s arrest, forcible removal and incarceration at the Lock Hospital on Bernier Island as a prisoner patient from November 1910 until September 1911. The analysis will focus on governmentality, sovereignty, discipline and biopolitics as technologies of white state power and domination that positioned Jaal (and other Yamaji) as an individual and degenerate enemy and biological threat to a white population. What biopolitical strategies were deployed with regard to the governmentality of Jaal and other Yamaji through institutional apparatuses, regulatory and discursive practices of white state knowledge-power? What are the racialised truths that were constituted within the legislated discursive practices and techniques of state power? These are some of the questions I will address in this chapter.

Foucault’s ideas on governmentality in white European populations, managed within Western liberalist bourgeois systems of state governance,

“explore how individuals are privileged as autonomous self-regulating agents or are marginalised, disciplined, or subordinated as invisible or dangerous” (Nadesan 2008, 1). This chapter will focus on the latter aspect of governmentality in terms of the policing, discipline and surveillance of Yamaji people by the colonial and later state government of Western Australia. Rosalind Kidd demonstrates how Foucauldian ideas on the governmentality of Aboriginal peoples in Queensland played out in localised, poorly resourced colonial systems of law, policing, and discipline (1997). Kidd suggests that “the legal fraternity, parliamentarians, police, religious bodies, new settlers, landholders, and miners, pursued a range of interests which are not reducible to a singular vector of repressive racism” (Kidd 1997, 17). These multiple enclaves of colonial power may have been dispersed, but they operated as organised and interdependent relays of repressive governmentality of Yamaji. This was coordinated through discursive networks, which reported, directed, inquired, minuted, protested and praised, and through a system of centralised governmental codes and practices—which were regulated and administrated by colonial and state officials.

As a colonial outpost of the British Empire, Western Australia became an extension of white European networks of colonial elitist physiocratic thought and racist liberalist institutional systems of disciplinary and regulatory powers. Western Australia has relied on the systems of law and policing to address what was widely regarded and labelled, in newspaper reports, parliamentary debates and Chief Protector of Aborigines’ correspondence, as the “Aboriginal Problem”, or “the Aboriginal Question”. This ongoing problematising and regulation of Aboriginal people by colonisers continues into the present, as will be discussed below. These regulatory and institutional forms of governmentality existed within the broader context of European colonial expansion and power, with its policies of inclusion/exclusion based on racial difference (for a global perspective on this race based discursive framework see Lake and Reynolds 2008).

Apart from the allegations against Jaal for the murder of white men in 1905 (*Murchison Advocate* Jun. 1905b), it appears that Jaal avoided conflict with the police from 1896 until his arrest in November 1910. It is to this period of

Jaal's life, his construction as a dangerous, diseased, and degenerate object-individual, and his subsequent incarceration on Bernier Island as a suspected syphilitic, that I now turn.

Jaal as "Big George", the outlaw and savage other and, like many other Yamaji on the Murchison, a "diseased native", came to represent a threat to the biosecurity and well-being of a white nation state. The history of the many state defined emergencies and interventions, commonly referred to as the "Aboriginal question", is the outcome of colonisation. The state responses required not only a sovereign decision on the suspension of law, but also demanded the creation of new rules to govern Yamaji as a racialised exception. The recourse to legislated rules of exception applied to Aboriginal peoples as a tactic of state governmentality was not confined to Western Australia (see Chesterman and Galligan 1997). As Lattas and Morris convincingly argue in the context of the 2007 Northern Territory Intervention legislation, that Australia's Indigenous peoples "have always provided a symbolic opposite, an arena where power can be articulated through creating states of exception, which also depend upon creating truths about what it means to be human and to have social order" (2010, 62).² Within this chapter, the critical analysis of governmentality and biopolitics, including the after effects of venereal disease on Yamaji individuals, families and communities, will be addressed in the context of emergency and exception, an area that has received little attention to date.

In response to the declared spread of venereal diseases in the north-west of Western Australia, the state introduced the Lock Hospital scheme on the isolated and barren Bernier and Dorrè Islands on the recommendation of Walter Roth—physician, anthropologist and the Chief Protector of Aborigines in Queensland. The move was legally enforced through the *Aborigines Act 1905* (WA), which was established to enforce, amongst other controls, the removal and

² Following the Ampe Akelyernemane Meke Mekarle: 'Little Children are Sacred' report into allegations of child sexual abuse and family violence in Aboriginal communities in the Northern Territory, the Federal government passed legislation to suspend section 132 of the *Racial Discrimination Act 1975*, and introduced a range of legislations including the *Northern Territory National Emergency Response Act 2007* as part of the government's "emergency response" to police Aboriginal Communities in the Northern Territory purportedly as protectionist measures.

imprisonment of Yamaji until their death or “cure” (ss 12 ; see also Roth 1905). The isolated island reserves on Bernier and Dorrè were set aside by the state government as places of imprisonment, exile, anthropological investigations, quarantine and medical experiments. The Lock Hospital experiments as states of exception were “part of the incorporation of ‘culture’ into neoliberal forms of racial governance, which seek to depoliticise racial power by reframing it as part of the state’s sovereign obligation to deliver care and biosecurity” (Lattas and Morris 2010, 61).

Bates was diligent and effective in her role of government policing and surveillance, submitting regular written reports to the Chief Protector of Aborigines (Bates 1904-1912). As a witness to events on the Islands, her correspondence, published comments, manuscript and field notes are the primary sources for gaining an understanding of what Jaal experienced during his arrest and incarceration on Bernier Island during 1910–11. Bates’ ethnography was informed by racial evolutionary theories that were complex, ambiguous and contradictory. Jaal was a significant informant for Bates while they were on Bernier Island during this time, and the anthropological information she gathered was a key technology in the governmentality of Yamaji, as will be discussed further in Chapter Six. As Foucault has argued, evolutionism is “a political discourse in scientific clothing” (2004, 256-7). Anthropology in Australia contributed significantly to the authority of this scientific paradigm (see Anderson 2002; McGregor 1997; Neville 1937; Maxwell 2004; Douglas and Ballard 2008, 2012).

Applying a Foucauldian analysis, Deidre Howard-Wagner and Ben Kelly have convincingly outlined the relationships between colonisation, evolutionary science, government laws and policy in the context of protectionism and interventionism in the Northern Territory (NT), citing Spencer’s contribution to the biopolitics and disciplinary apparatuses of state control over the lands and the “way of life” of Indigenous peoples (2011). They also draw on the work of postcolonial scholars to “make visible … the long history of normalisation, discipline and regulation of Indigenous subjects” (2011, 103). I will make these connections here using a Western Australia context.

Roth as Chief Protector of Aborigines and as anthropologist played a similar role in Queensland to that carried out by Spencer in the NT. As we can see, Roth had a significant impact on protectionist and interventionist policy in Western Australia as well. Protectionism and interventionism were “essentially a legislative and policy framework that sought to transform a resistant Indigenous population into one amenable to liberal techniques of government” (Howard-Wagner and Kelly 2011, 106) From invasion-settlement in 1829, there have been over sixty pieces of legislation and amendments to protect, punish assimilate, employ, discipline, remove and dispossess Aboriginal people in Western Australia (Noongar 2015). This chapter will explore the discursive relationships between evolutionary science, anthropology and biopolitics as they contributed directly to the state’s definition, representations, surveillance and governmentality of Yamaji.

The History Wars and Sovereign Interventions

Historical discourse eventually became a sort of discursive weapon that could be used by all the adversaries present within the political field...and eventually becomes the law governing the formation of a knowledge and, at the same time, the general form of the political battle (Foucault 2004, 189-190).

Evidence of resilience and resistance to colonisation and its oppressive systemic and physical violence is well documented through Aboriginal peoples’ oral histories as well as written historical accounts by explorers and colonists. These absent histories are now being written back into the Australian national narrative. The battle ground of these discursive intercessions is referred to as the “history wars” (Green 1984; Reynolds 1989, 1982; Haebich 1992; Biskup 1973; Attwood and Foster 2003). The recent disputes over “truths” in Australia’s histories can be viewed as a race war in Foucauldian terms (2004, p124), where the invasion of Australia and the legal fiction of “terra nullius” has defined a public right that elides a Yamaji sovereignty (see Attwood and Foster 2003; Birch 2007; Birch 2002). The histories of invasion, dispossession, settlement, disease and colonisation are now a discursive weapon in the hands of lawyers and anthropologists in the state’s legal battle to extinguish claims to native title, and

to dilute the Aboriginal Heritage Act of Western Australia. The annexation of Yamaji lands for the purposes of increasing imperial and state power and wealth required establishing a set of truths and practices for the government of a separate population based on biopolitics and race. Although Howard-Wagner and Kelly maintain that the segregation of Indigenous peoples into a “statistically constructed race” occurred from the 1970s (2011, 114), I argue that this process began much earlier. That is, in the 1880s, during the eras of legislated and regulated protectionist and segregationist policies of the Western Australian government, occurring against the backdrop of racialised science, nation building, whiteness and conflict over land. Whiteness was deemed a sovereign racial category, one that was normalised as the imagined ideal community of Australian citizenship (see Anderson 2002; 1991).

The governmentality of Yamaji as a separate population within but at the same time outside this ideal of a white Australia was implemented through state legislation and enforced through the state’s policing institutions. As noted by Allbrook:

The systematic collection of intrusive government information—initiated by Prinsep and perfected by his successor AO Neville who, over his long tenure as Chief Protector (1915–1940), instituted a system of record keeping that brought almost every Indigenous person in Western Australia into a panopticon of government surveillance, their relationships documented, their movements and most personal details catalogued, commented upon and evaluated (2008, 49).

This surveillance and control was a continuation of earlier colonial disciplinary techniques of power, framed in the discourse of welfare and protectionism and the construction of a racialised individual object legally defined as an “Aborigine” within various Acts of parliament. The coloniser’s will to “know” constructed and represented Jaal and other Yamaji who transgressed white laws as the dangerous object-individual through Western regimes of truth and governmental practices. Foucault argued that, in the transition to modern penal practices, the question of truth addressed to the criminal changed from “What have you done?” to “Who are you?” and that this shift of focus to the subject-individual within a population

transformed or possibly undermined the jurisdictional functionality of penal practices (2008, 34). Although a vast amount of information was gathered on Yamaji individuals, including those convicted of crimes, we were not considered as Australian subjects or citizens until 1967. Instead we had an ambiguous imposed status as British citizens and were defined as a separate and inferior population which needed to be “managed” in the most “cost effective” manner. This is despite the fact that the enormous mining and agricultural wealth produced by the state was gained by forcibly moving Yamaji and other Aboriginal peoples from their lands and onto reserves and missions.

To govern a Yamaji population, the state first needed to define an Aboriginality without limits in order to problematise us, and to mark out the state’s “reality” of the Yamaji object-individual where one had not previously existed. The Aborigines Acts and their enforcement through the office of the Chief Protector of Aborigines is “the coupling of a set of practices and a regime of truth [to] form an apparatus of knowledge-power that effectively marks out in reality that which does not exist and legitimately submits it to the division between true and false” (Foucault 2008, p19).

The government definition of an Aboriginal person was enacted in law for administrative purposes in the *Aborigines Act 1886* (WA) and subsequently modified in the Aborigines Acts of 1897, 1899, 1905 and 1936³. Under the title “protection”, the 1886 Act proclaimed:

Every Aboriginal Native of Australia, and every Aboriginal half-caste or child of a half-caste, such half-caste or child habitually associating and living with Aboriginals, shall be deemed to be an Aboriginal within the meaning of this Act; *and at the hearing of any case the Justice or Justices adjudicating may, in the absence of other sufficient evidence, decide on his or their own view and judgment whether any person with reference to whom any proceedings shall have been taken under this Act is or is not an Aboriginal* (author’s emphasis) (*Aborigines Protection Act 1886* (WA) s45)

³ The Aborigines Act 1936 was an amendment of the 1905 Act and changed the word “Aboriginal” to “Native” to define “descendants of the original inhabitants of Australia” in terms of blood ratio.

The state's representation of an "Aboriginal native" as inferior and uncivilised was based on an evolutionary concept of race that positioned the rights of superior white settlers as a priori truth.

As Haebich notes, Aboriginal peoples in Western Australia were divided into racial and cultural categories and defined as full-blood Aborigines, or within a spectrum of "pseudo-genetic" castes who either did or did not live a "European life-style" (1992, 47). These specific and at the same time, fluid or ambiguous racialised legal definitions of Aboriginality "requires that they [white people] be defined against other 'less than human' beings whose presence enables and reinforces their superiority" (Moreton-Robinson 2004, 76). The ambiguities written into the colonial and state government definitions of Yamaji as Aborigines or Natives provided unlimited powers to the magistrates and judges making decisions on the day to day lives of Yamaji. Lopez argues that races are a human invention, and that Whiteness was a socially constructed pre-requisite for citizenship that relied on both popular and scientific discourse. The law was applied to these discourses to set the boundaries of Whiteness, boundaries that were both homogenising and unstable (Lopez 1996).

Foucault's concept of governmentality based on a liberalist political economy "presupposes the primary freedom of those who are governed" and "always contains the possibility of non-liberal interventions into the lives of those who do not possess the attributes required to play the city-citizen game" (Dean 2010, 24, 162). Yamaji who had not consented to be British subjects and who were represented as the racialised colonial other were assigned a legal and subject status that was inconsistent, arbitrary, ambiguous and considered of little or no importance by invader settlers (see Hunter 2011; McCorquodale 1986; Biskup 1973). The government of Western Australia had in effect outlawed Yamaji systems of governance and introduced British based laws and regulations of sovereign and disciplinary powers. The colonisers did not recognise existing Yamaji sovereignty, and therefore power as the sovereign rule of exception (Agamben 1998; Foucault 2004; Foucault 1977a) was not implicit in the relationship between the coloniser and colonised. As demonstrated in the previous chapter in the context of Jaal's confrontations with the law and the

Bendhu Atrocity, “Australian legislation was predicated on white superiority and white fear” (McCorquodale 1986, 24) that required a constant recourse to law and biopolitical systems of governmental control over Yamaji.

Biopolitics as the administration of and power over life (Foucault 2004; 2008; 2009) is exemplified in the state’s government of Yamaji through a system of institutionalised practices and techniques. These included setting up the Rottnest Aboriginal prison and the Lock Hospital Island reserves where Jaal and other members of his family were incarcerated. The objectification, politicisation and legislation of Yamaji lives based on race can be understood in terms of unequal power relationships, discipline, surveillance and biopolitics. Modern racism as a “form of government designed to manage a population” is situated at “the intersection of biopolitics and governmentality” and is premised on the basis of the “principle of national universality” (Rasmussen 2011, 34-51). This principle or premise does not apply within the context of the state’s governmentality of Yamaji “subjects”, who were disenfranchised by the 1902 Commonwealth Franchise Act (see Biskup 1973; Chesterman and Galligan 1997). Biopolitics became a race war by other means that operated through systems of state power relations, mechanisms and effects that constructed its own evolutionist discourse of a super race and sub race (Foucault 2004) in order to dispossess and subjugate Yamaji. In constructing the histories of a white Australia, Yamaji as the other were regulated as a separate population that was at the same time interior and exterior to a white liberalist political economy that set no limitations on “governing too much” and its effects (Foucault 2008, 10-35). The paternalistic views of powerful government agents created “protectionist” laws through the Aborigines Acts that defined Yamaji identities in an Aboriginalist discourse and established “rules of exception” without limits, in the construction of its own universal white national identity.

Politics of Blood and Rules of Exception:

The inclusion of bare life in the political realm constitutes the original--if concealed--nucleus of sovereign power. It can even be said that the production of a biopolitical body is the original activity of sovereign power. In this sense, biopolitics

is at least as old as the sovereign exception (Agamben 1998, 6).

The rationalisation of state biopolitics and the governmentality of Yamaji required systems of power that operated through a discourse of race in the guise of protectionism and welfare management that initially concerned itself with the employment and apprenticeships of “Aboriginal Natives”, including Aboriginal prisoners. The 1886 and 1905 Aborigines Acts were framed in a discourse of welfare but in fact were primarily designed to produce “docile bodies” and useful servants for an expanding pastoral industry.

Another ideology firmly held by European scientists and lawyers from the sixteenth century on, was that the progress from savagery to civilisation could only be obtained through property ownership and industry (Kames in Evans-Pritchard 1981; Kuper 2005). The early government policies that encouraged Aboriginal people into independent land ownership and agricultural production were replaced with master-servant agreements that left Yamaji under the control of pastoralists, police and the Chief Protector of Aborigines (see Haebich 1992, 2002; Biskup 1973; Curthoys 2015). Always mindful of the costs to the state, especially following recent funding cuts and the Roth Royal Commission in 1904, the Chief Protector of Aborigines was keen to set up pastoral reserves for Aboriginal people to be trained and employed. Any tactics of resistance by Yamaji were met with violence and prohibitive forms of state power. The Aborigines Protection Board was abolished in 1897 and an Aborigines Department established in its place. In 1904, Royal Commissioner Roth concluded that more legislation was the solution to settler cruelties and exploitation of Yamaji labour, which always registered as the state’s “Aboriginal Problem”, and advised:

The wrongs and injustices taking place in these areas [the north-west], and the cruelties and abuses met with in the unsettled districts cannot be longer hidden [sic] or tolerated. Fortunately they are of such a nature that they can be largely remedied with proper legislation, combined with firm departmental supervision (Roth 1904, 32).

As elsewhere in the various Australian colonies, legislation for the so called protection of Aboriginal peoples had been introduced to control the employment of labour. Foucault states that “power has always been formulated in terms of

law" (1990, 87) and it was Roth's view that the frontier violence could be "remedied" through additional laws, surveillance and disciplinary apparatuses of state sovereign power. What had been proposed as a process to improve human rights for Yamaji, became a system of oppressive control and domination through "protectionist" laws of subjugation and increased powers of policing and surveillance over the lives of Yamaji (see also Haebich 1992; Kidd 1997; Biskup 1973; Wills-Johnson 2014).

Foucault states that although power has no particular location, it operates at "three levels: the strategic relationships, the techniques of government, and the levels of domination" (Interview with Michel Foucault in Bernauer and Rasmussen 1987, 19). State powers were maintained by strategic relationships between settler elites who were in many cases members of the established political and governmental systems of knowledge power. Legislation as a technique of government allowed for systems of governmentality that operated through the pastoral, diplomatic-military technique and the police as "the three major points of support" on which "the governmentalization of the state could be produced" (Foucault 2009, 110; see also Nettlebeck 2014). The levels of domination and the regimes of practices were institutionalised through the agents who became responsible for enacting the centralised sovereign powers of the state at local levels. They were the police, military, missionaries, resident magistrates and medical officers who became "administrators of a new form of legal regulation which sought extensive control over all aspect of Aboriginal life...open violence and terror were to be replaced by...surveillance and regulation (Cunneen 2001, 62-63). The significant level of power and influence of pastoralists and police that informed and shaped government legislation with regard to Yamaji people in the North West, is well documented in the Chief Protector Reports, newspapers and parliamentary records, particularly in relation to the "half-caste problem", crimes such as cattle killing, health, the employment of "natives", the issue of rations, "exemptions" to the Act, the control of reserves and the movement of Yamaji bodies (Chief Protector of Aborigines Reports 1899-1904). The *Aborigines Act 1905* included a clause to allow an "exemption certificate" that required the recommendation of a police officer or

magistrate and the approval of the Chief Protector of Aborigines. The law accorded the “status” of a white person and extended certain white privileges to Yamaji if they met with the conditions of an approved marriage, living and labour arrangements. Applications were consistently rejected and the certificate could be revoked by the state at any time (Haebich 1992). In Fanon’s terms, in “every colonised people—in other words, every people in whose soul an inferiority complex has been created by the death and burial of its local cultural originality—finds itself face to face with the language of the [colonising] nation” (1967, 18). The conditions of that state exception meant Yamaji were prohibited from speaking their language, sharing cultural knowledge and communicating with extended family members who were not exempt from the Act. Language as a method of control was recognised by colonial and state administrators, but unlike other British colonies such as India, there was no written language of an “indigenous elite” (Spivak 1994, 77) that the bureaucracy of Western Australia could colonise. There were “native” word lists, translated into English and compiled by early settlers such as Francis Armstrong and missionaries—Bates would refer to these in her preliminary collation of Aboriginal vocabularies for the Western Australian government. Here too was a tactic of the “civilising mission”, colonisation and the government of Aboriginal peoples (see Bates 1907a). Another was to produce a language of its own.

The Discourse of Biopolitics

The entire machinery of racism, which is nourished on corruption, whether shameless and blatant or whispered and allusive, and which produces a vast lexicon of official words, gestures, administrative texts, and political conduct, has but one undeniable goal: the legitimization and consolidation of power and privilege for the colonizers” (Memmi 2000, 38).

The language of racism that underpinned government legislation and legitimised its power was claimed to be based on evolutionary racialist science and the “good intentions” of a civilising mission and protectionism. Commenting on the “half-caste problem” during parliamentary discussions on proposed amendments to the new Aborigines Protection Bill—which was to become the *Aborigines Act 1905 (WA)*—Chief Protector Prinsep stated:

This is a very important matter. By my report of last year I showed that there were now growing up in the state probably more than 515 half-caste children under the age of 16; very few of these are being taught in any way, and, unless action is taken, will grow up to be as wild, lazy, and dirty, and probably more criminal, than the [A]borigines hitherto dealt with. There is no law at present to enable me to withdraw them from the black race, and in nearly all cases persuasion fails to obtain the mothers' consent. By the power which the new Bill will give me I shall be able to do so, but you may rest assured that it will be done gradually and with as much kindness as possible (Prinsep 1904).

Foucault suggests that “discoursing subjects form part of the discursive field” and discourse analysis must take account of “the practical field in which it is deployed” (Foucault in Burchell, Gordon and Miller 1991, 60). The racial characterisation of Aboriginal people based on European perceptions of their degeneracy justified the government policies of exclusion and protectionism. The Chief Protector of Aborigines’ raciological discourse constructs a particular knowledge/truth as power to justify the control over Aboriginal lives. A vast lexicon of race is found in official documents relating to Yamaji articulated by those like Prinsep, and reinforcing existing negative stereotypes as a priori regime of truth. The paternalistic discourse of protectionism put forth by Prinsep was dismissive of the maternal bonds of Yamaji mothers and justified the legalised removal of many Yamaji children to missions and reserves, in particular “half-caste” children. These policies of removal and segregation had a direct impact on Jaal and his family.

The art of government functions through discoursing subjects at the structural level of institutional bureaucracy and is underwritten by its speakers and scribes. In Western Australia, documentation was fundamental to the processes of governmentality in the form of written instructions, directives, statistical information, costing estimates and reports generated between the Colonial Secretary, Chief Protector of Aborigines, Premier’s Department, Commissioner of Police, missions, “native” settlements and prisons. The discursive agents of these institutions of government discipline, surveillance and security were the police, missionaries, politicians, doctors, travelling inspectors, the Chief Protector and a web of sub-protectors who carried out and

administered their operations via telegrams, official reports, memos, registers, standardised filing systems, official stamps and seals.

Disciplinary power also “requires detailed observation and the individuation of its ‘targets’ (prisoners, patients, pupils etc.)...and provide[s] an impulse towards the keeping of records, the writing of reports, and monitoring and inspection, all of which came to form important techniques of government in the modern world” (Hunt and Wickham 1994, 21). These surveillance and disciplinary techniques were taken to the extreme in the governmentality of Yamaji who were problematised as a threat to white settler society. “Native” files were compiled on individuals and families that registered the invasive, physical, epistemic and discursive violence of state controls. The successive “Aborigines”, “Native Affairs” Departments used the art of writing, various agents and tactics of governmentality to define who was classed as a “native” and to monitor and control the lives of my Yamaji family including myself and my siblings who were made “wards of the state” up until the 1970s (see Preface)

The colonisation of the Murchison left many hundreds of Yamaji women and children vulnerable following the imprisonment of their men, and their dire circumstances were only ever quantified in the prison admission sheets, or in the Aborigines Department records. When my grandfather was sent to prison in Fremantle gaol for 10 months in 1941—during WW2—for stealing some bags of wheat in order to feed our family (the headlines in the *West Australian* read “Steals to Help Family”. Jun 3; 1941: 7), my grandmother and her children, including my mother were left destitute (Personal Files 1927-1972). With no husband to support her and their five children, my nana Grace was forced to beg for blankets and rations from the Native Welfare department. When the police reported to Chief Protector Neville that my nana was getting help from her brothers-in-laws, her relief from the department was refused. My great uncles were themselves only just able to support their own families. This was a time of high unemployment, constant surveillance over their lives and rationing during the war, so their ability to help out was limited. At this time two of my great uncles were wanted by the military and police but escaped up north to the Gascoyne and to the Kimberley. I myself have experienced the trauma of being

taken from my Mother and with my siblings; I was institutionalised and utterly devastated. Fearful of losing “custody” of her children, my mum perjured herself in a divorce case. Mum not only lost custody of us, she was described by the judge as a “thoroughly worthless mother”—which she is not—and sent to Fremantle gaol for two months in 1965. This story also made news headlines and I learned about mum’s imprisonment from children at school (see Figure 4.1) (*Daily News* Jun 11. 1965a; *The West Australian* Jun 11. 1965b).

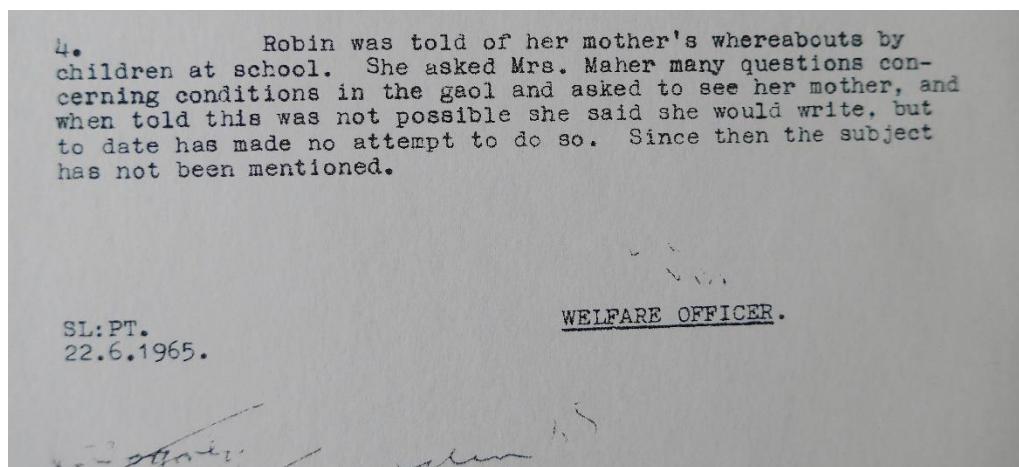


Figure 4.1: Recorded by Welfare Officer 1965 (Personal Files 1927-1972).

The extent of the government surveillance and management of my family can only be hinted at in this thesis. The Chief Protector of Aborigines and the Department of Native Affairs files were composed in the language of race, redefining Aboriginality, referring to us in blood ratios as “half-castes”, and “quadroons”. Police Sergeant White, in his report to the Commissioner for Native Affairs, described my grandfather and his brothers as suspected sheep thieves who had recently been convicted on a charge of “Disorderly Conduct” (Personal Files 1927-1972). The reputation of my Yamaji family in “standing up” to the police and the oppressive measures of the racist Acts branded them as criminals and ensured they were described as “the worst kind of native” (Personal Files 1927-1972).

This report itself was the result of an investigation into the military police threatening my heavily pregnant great aunty at gunpoint, after which she had a miscarriage and lost her baby. The military were demanding to know the whereabouts of my great uncle and threatening my great aunty not to leave her

camp. The military and police were exonerated of the charge (Personal Files 1927-1972).

During the Second World War (hereafter WW2) the Commissioner of Native Affairs ordered that:

all natives would be placed under control of the Military, there would be a patrol of Military Police from Bullsbrook to Mingenew [and] all natives would be visited from time to time their movements restricted to their employers property, only Natives living in Camps would be removed to Moore River Settlement and Camps burnt down (Personal Files 1927-1972)

During WW2, Yamaji were not just seen as a potential danger to white society as criminals and through miscegenation; they were considered as potential enemies within and to the state. The military and police acted as the two key apparatuses of government power and each department collaborated with the Commissioner of Native Affairs to remove Yamaji to prison reserves such as Moore River Settlement. State powers controlled the lives and movements of all Aboriginal people because they were perceived to pose a risk of siding with Australia's enemies (Personal Files 1927-1972). The discursive violence within the Native Affairs files defined and categorised who was, or was not a "native" and it had no juridical limits. In a state of war, this was taken to the extreme and the military declared "all natives whether natives in law or not, so long as they had a touch of the tar brush they would come under Military control" (Personal Files 1927-1972). As noted earlier, Aboriginality became a legal point of exception within the Native Administration Acts 1905-1941. The Minister, Commissioner of Police and the Commissioner of Native Affairs each disputed who could be classified as a "native" during a meeting where my grandfather and his brothers petitioned the Minister about the way our family had been mistreated by the police and the military (Personal Files 1927-1942). The Aboriginalist discourse of these personal files and police reports categorised our family as an inferior "type" of native. The construction of Yamaji as a separate population-species of object-individuals to be subjugated rather than protected, was based on a racialised legal and scientific discourse that was embedded into biopolitical governmentality.

Population Security and the Dangerous Yamaji Object-Individual.

The state became responsible for the protection, “welfare...preservation and well-being of the Aborigines”, and the management of “Aboriginal reserves” (*Aborigines Act 1897 (WA)*). The Acts gave the government sweeping biopolitical control over the lives of Yamaji, additional powers with the needs of settlers in mind and a source of cheap subjugated labour (see Biskup 1973; Haebich 1992; Rowley 1972). Colonial and State governments continued to rely on political and legal processes to exercise power and control over Yamaji as a distinct population. As a key instrument of governmentality, the police became the local agents of biopolitics. They were charged with the duty of overseeing the “well-being” of Yamaji “subjects”, and responsible for “their necessities of life” (Foucault 2009, 324-328).

Refusing to “die out” or cede sovereign rights to their lands and waters, Yamaji were both ignored and problematised by colonial and state governments as the “Aboriginal question”. This was an oft quoted phrase in parliamentary debates, reports and newspapers, which was also posed as the “Aboriginal problem”. The phrases took the form of a headline and became a euphemism for settler anxieties over the “Aboriginal threat”, whether from cattle killing, “poison corroborees”, cannibalism, disease or miscegenation; not a moral question or debate on the dispossession, mistreatment, incarceration and murders of Aboriginal people. The practices of colonial discipline and punishment were merged with the biopolitical strategies of protectionist governmentality, security and surveillance as mapped out by Foucault (2009; 2008). Yamaji were segregated in institutional spaces of discipline on pastoral stations, town camps, Aboriginal “settlements” and “reserves”.

In formulating its rule of law to govern “its Aborigines”, state parliament—consisting of pastoralist, mining and newspaper entrepreneurs—relied on the “knowledge and experience” of settlers, the police and anthropologists. With regard to reports on the condition and welfare of Yamaji the Chief Protector Prinsep stated: “I have still therefore, per force of circumstances, to place a good deal of faith on the word of distant settlers” (1903, 10) who were also his agents of governmentality at the extremities of state

power. The extent of this influence is reflected in Prinsep's words of appreciation after he had requested and received approval of the proposed Aborigines Act of 1905 from "a settler with experience in the North" (1903, 4). The Act is based on the advice and findings of anthropologist and physician Roth and it received the signature of sovereign Royal Accent in 1905. Section 12 in particular, gave the government the power to remove any Yamaji to reserves. Their refusal to comply was a criminal offence, and thus this protective legislation administered by the police "was a powerful instrument in the criminalisation of Aboriginal people on the basis of their race" (Cunneen 2001, 65).

The defining of Aboriginality within government legislation was a biopolitical discourse to exclude, quarantine and discipline a Yamaji population. It impacted directly on Jaal when he was forcibly removed to Bernier Island Lock hospital and his wife Mailgurdi to New Norcia mission. The Act gave police the authority to remove and incarcerate Yamaji, including members of Jaal's family who were permanently separated and dispersed from 1910. Family, kinship relations and land bind Yamaji peoples together in a spirit of belonging. Colonial and state concepts of government are based on technologies of power at the level of population and are at odds with Yamaji law founded upon responsibilities to land and family group relationships. The discourse of The Aborigines Acts and the annual reports of the Chief Protector of Aborigines became constituted as state regimes of truth in the governmentality of Yamaji as object-individuals who were managed as a separate population based on race.

Miscegenation and The Problematisation of a Yamaji population

The care and protection of the Aborigines having now devolved upon the Government, it is to be considered part of the public duty of Resident Magistrates, Resident Medical Officers, and Police Officers to assist in every way in promoting the welfare of the natives, and in providing relief to the aged, infirm, and sick, due regard being given to the practice of strict economy (Premier John Forrest 1898, in Prinsep 1899).

The government of a Yamaji population was framed as a question of race that required discursive regimes and practices which operated across state institutions. Foucault argues that law prohibits, discipline prescribes and

security regulates and each coexists in a problematic relationship to the population (2009). Statistical information gathered on Yamaji was based on the concept of population as a “hierarchy of races” (Foucault 2004, 255) with Yamaji defined as a separate legal category called “Aborigines”. From the first census in Western Australia in 1848, data collection on Aboriginal people was approximate and confined to the “settled” areas (Biskup 1973). Some census returns on Yamaji were collected by district police officers each year on behalf of the Chief Protector of Aborigines for the purposes of counting the costs of biopolitical governmentality. This included recording a regular census of Yamaji and their age, gender, health, access to food, and employment. After Federation in 1901, the Aboriginal population was defined at a federal and state level. In the national census the systematic collection of data on “Half-Caste Australian Aborigines” excluded “Full-Blood Aborigines” (Australian Bureau of Statistics) until the removal of section 127 of the Australian Constitution in 1967. This is evident in the words of the Chief Protector who stipulates:

This census does not include what may be called wild natives, that is, those who are not generally in contact with the Europeans or inhabiting those parts which are settled or held under pastoral leases (Prinsep 1899, 4).

As Jaal was known as a “full-blood bush native” who lived away from towns and stations, he was only a statistic on medical and blanket lists and prison records. Yamaji of mixed decent were treated as a separate and “problematic” legal category of “half-castes” by colonial society and referred to by the Chief Protector as a “menace to the future moral safety of the community” (Aborigines Department 1899, 3). This was a matter that would concern the state well into the mid-20th century (Haebich 2000).

One significant feature of later tactics of governmentality was the scientific re-classification of Yamaji as Caucasian during the 1930s and 1940s (see Luker 2008; Anderson 2002), which became a more convenient political and racial truth for A. O. Neville’s particular form of biopolitical eugenics. The effects of this scientific and political discourse would be played out in Neville’s ongoing social and racial engineering through child removal, control over marriages and an assimilationist policy designed to “absorb” Yamaji as an

inferior “coloured minority” into a dominant and superior white Australian population (Neville 1937; Neville 1947; Charlton 2001). The 1937 Annual Review of the Aborigines’ Friends’ Association (AFA)—established in 1858—was dedicated to the “views and opinions of Government officials”. The aim of the publication was to “present in a handy form a summary of current thought on Aboriginal problems” for distribution to libraries throughout Australia and New Zealand. The AFA was a network of white Australian men and women concerned with the “well-being” of Aboriginal people, and much of the discussion in the 1937 issue was devoted to the “problem” of the increasing “half-caste” population in the various states and the Northern Territory. In this publication under the heading, “taking the long view”, the Commissioner for Native Affairs in Western Australia, A. O. Neville stated:

Western Australian law is based on the presumption that the [A]borigines of Australia sprang from the same stock as we did ourselves; that is to say they are not negroid, but give evidence of Caucasian origin. I think the Adelaide Anthropological Board has voiced the opinion that there is no such thing as atavism in the [A]boriginal...we have accepted that view in Western Australia (Neville 1937, 28).

Neville’s racialised views were also enshrined in his annual reports and in his book, *Australia’s Coloured Minority: Its Place in the Community* (1947). The relations of power knowledge between science, law and state are articulated in his eugenic theories of race. These biologised scientific views recharted the racial boundaries of whiteness to include Aboriginal Australians and “accorded an ambiguous, unsettling status, more kin than stranger, but not quite either” (Anderson 2002, 192-3).

A dominant discourse within the Chief Protector of Aborigines’ reports related to the economy of expenditure in carrying out the operations of the Aborigines Department and discussions on the ways that Yamaji bodies could either be set to “useful work” in the service of white settlers, or kept docile. The statistical and expenditure returns were collected by the police and travelling protectors and submitted to the Chief Protector under the headings of; “natives (1) in employment, (2) relieved by the [Aborigines] Department, (3) obtaining their own subsistence” (Prinsep 1899).

The financial governance of Yamaji through the various legislation and policies of protectionism, segregation, assimilation, self-determination, reconciliation, and intervention, parallel the experiences of other colonised peoples who have been dispossessed, subjugated and pauperised. This is despite the fact that the enormous mining and agricultural wealth produced by the states was gained by criminalising or forcibly removing Yamaji and other Aboriginal peoples from their lands and onto reserves and missions. In 1905, when Chief Protector Prinsep was asked if Yamaji workers should be paid a wage, he replied that the need for "black labour" by settlers was then virtually non-existent, and if any Yamaji were paid wages they would soon be replaced by white workers. He stated that this would result in exile from their "ancestral homes" (the pastoral stations they worked on) and "troublesome and discontented men and women would be cast on the Departmental bosom to be nursed and fed and kept quiet" (Roth 1905, Appendix C Q.24). References to the departmental bosom reflected the paternalistic discourse and pastoral power of a state that had assigned Yamaji to the category of dependent children who needed to be kept docile.

The Aborigines Department was a panopticon that deployed forms of surveillance and governmentality that were informed by the discourse of anthropology in the "will to know" and therefore "control" "their" Yamaji subjects. For example, Bates was employed by the government as a Travelling Inspector in liaison with the police and at the same time worked with the Cambridge University Anthropological Expedition. The police had been collecting statistics on Yamaji suspected of having venereal diseases for some time, and the threat of it spreading to the white population became of increasing concern to the state in the early 1900s. From 1908, police were involved in the identification and arrests of Yamaji who were said to be venereal and ceremonial occasions were used to arrest the greatest number of Yamaji possible. When Jaal was captured in October 1910, Bates estimated there were 100 (Bates 1904-1912), and Grant Watson 200 (Grant Watson 1910-11), Yamaji, men, women and children, gathered together at Sandstone for the corroboree. As already discussed Jaal was on Corporal (or Constable) Greys' list, compiled with the help of Bates, and so was very likely among the dancers at this corroboree, also

attended by Brown and Watson (Grant Watson 1968, 1946; Bates 1938, 1904-1912).

The reports Bates sent to the Chief Protector during this period allow us to follow Jaal's journey in chains from Sandstone to Peak Hill, Carnarvon and then on to Bernier Island during 1910-11, a trip that would take three months. The details of his traumatic forced march with family and kin will unfold later in this chapter and again in Chapter Seven.



Figure 4.2: "Nannine Natives with Tracker": Photographer Alexander Morton September 1897. Courtesy of the Western Australian Museum.

The fate of many members of Jaal's family (see Figure 4.2) is largely unknown. However when Jaal was sent to Bernier Island, Constable O'Connor at Nannine arranged with the Chief Protector for his youngest wife Mailgurdi—who was classed as a “half-caste” under the Act—to be sent down to the New Norcia Mission in 1910 (O'Connor 1910). Other members of Jaal's family had been diagnosed as having contracted secondary syphilis in 1906 but were treated at Nannine during 1906–7 by McDonald (McDonald 1906). It is now known that the majority of Aboriginal people rounded up and sent to Bernier and Dorrè Island were diagnosed with Granuloma Inguinale after they were admitted. By 1910, the disease had spread throughout the Murchison and Jaal's family were

separated permanently. What is known about the fate of Jaal's family during and after his incarceration on Bernier during 1910–11 is the subject of chapter Seven.

The Lock Hospital Experiments

Lock Hospitals for venereal disease on Bernier and Dorrè Islands were set up as medical prisons modelled on the British system of isolating and criminalising women infected with venereal disease policed under the *Contagious Diseases Act 1864* and its subsequent forms (Jebb 1984; Stinemore 2010). It was evident from the start that, in the opinion of the Chief Protector Gale, the so called success of the scheme would require the criminalisation of Yamaji and police enforcement:

There may be some Natives who will voluntarily go to a distant land to be cured but I very much doubt it. The only alternative is to treat them as prisoners, and force them to go; the end justifying the means...and this can only be done by the police" (Gale 1908).

Under the 1899 Aborigines Act, Yamaji who contracted venereal disease were not covered for treatment by their employers because it was considered it was as a "result of his [sic] own fault" (Roth 1905, 7). The state established the Lock Hospitals on Bernier and Dorrè Island as its answer to the "*treatment in numbers* [sic] of natives suffering from venereal disease [under] lock and key" (Prinsep 1907, 3). Yamaji were rightfully suspicious of police and doctors and from their bitter experience they associated prisons and hospitals with places of death. The legislated forms of discriminatory incarceration of Yamaji on Bernier and Dorrè Islands was coordinated by travelling inspectors, police/protectors and medical officers who formed part of the institutional systems of power and control designed to segregate, criminalise, punish, discipline and politicise Aboriginal bodies (see Gale 1911). As Cunneen notes, quoting the findings of the Royal commission into Aboriginal Deaths in Custody, the police have been a principal point of contact for Aboriginal people from colonisation onwards (Cunneen 2001). The police in the Northwest, with no medical experience, received instructions to identify and make a list of the names and ages of women suspected of suffering from venereal disease for transport to Bernier Island. They relied in most instances on the station owners to report cases of venereal disease

to them. The Lock Hospitals on Bernier and Dorrè Islands shared the attributes of “prisons, workhouses, asylums and concentration camps under the umbrella of ‘total institutions’ places that are designed to control subject populations” (Stingemore 2010, 2; see also Jebb 1984 and Mulvaney 1989). They were places of great suffering that began as a government funded social and scientific experiment.

The extreme legal and paramilitary measures taken by the state to enforce the removal of Yamaji to the islands also included a publicity campaign to convince the public of the legitimacy of their actions. In 1909, soon after the establishment of the Lock Hospital prison, a newspaper “representative” from *The Northern Times* toured Bernier Island with “a party of gentlemen” (pastoralists). The Chief Protector Gale had invited owners and managers from a number of pastoral stations to the islands in order to reassure them that the Lock hospitals were not prisons, and to enlist their support for the success of project. When the first prisoner patients had arrived in 1908 there was no hospital on Dorrè or Bernier Island. Instead there was “a small shed erected by the Orderly-in-Charge out of spare material, [which] this acted as [an] operating theatre and outpatient department” (Gale 1911, 14). The article described this galvanised iron operating theatre—built by the patients themselves—as follows:

an unpretentious structure. Every effort has been made to introduce on the islands conditions as nearly approaching those to which the natives are accustomed...Hence instead of what elsewhere would be regarded as an orthodox hospital building, here they take the form of tents, breakwinds, small canvas-sided and iron roofed cubicles, the natives having an excellent chance of living the simple life to which they have been used (Lefroy 1908, 2).

It is inconceivably difficult to imagine the suffering and terror experienced by the many Aboriginal people who were taken away from their families and country over unfamiliar seas to be exiled on remote islands. Yamaji refused to go to the Lock Hospitals and some pastoralists were reluctant to report cases of venereal disease because it meant a loss of valuable labour.

Much of the correspondence between the Police Department, Medical Officers and the Chief Protector’s office was concerned with the extra burden of

the task upon the police, the costs involved, and whose responsibility it was to oversee the capture and transport of Aboriginal people in chains to the islands for treatment.

As regards expenditure, I take it that the natives have got to be brought to Onslow, and at the lowest possible expense...please let me know by wire 1st If the constable can chain natives up at night time to prevent them from running away 2nd If he has authority to expend money to engage conveyance (Barry 1908).

To reduce the costs of the Lock Hospital experiments, Chief Protector Prinsep proposed running sheep for meat and wool, and digging phosphates using "any of the invalids who were able to do some work" (Prinsep 1907, 3). The hospital on Bernier Island was built using the Aboriginal patients as labour and the Chief Orderly reported to the Chief Protector: "They have been a savings of hundreds of pounds to the Department, and have done their work faithfully" (Gale 1911, 15).

In the *Northern Times* in 1908, pastoralist Mr W. G. Lefroy strongly condemned the Lock Hospital scheme on Bernier and Dorrè Islands and made a number of alternative recommendations, including inland hospitals. He went on to ask: 'What right has a police constable to examine any native, male or female, against his or her wish? Would such a policy be sanctioned in the case of white people?' (Lefroy 1908, 2). Jebb points out that, as carceral spaces:

The Lock Hospitals were primarily a punitive solution to a medical problem that was distorted by social attitudes to morality ... [and] the government did not initiate Lock Hospitals in the white population even though they passed a Contagious Diseases Act in 1915 that provided for the compulsory notification of persons believed to be suffering from venereal disease (1984, 68-69).

Grant Watson condemned the pain and suffering inflicted on Yamaji during the Lock Hospitals experiments stating:

The method of collecting the patients was not either [sic] humane or scientific. A man [policemen] unqualified except by ruthless daring, helped by one or two kindred spirits, toured the countryside, raided the native camps, and there, by brute force, 'examined' the natives. Any that were obviously diseased or were suspected of disease were seized

upon...chained together by their necks, and were marched through the bush, in the further search for syphilitics. When a sufficient number were judged to have been collected, the chained prisoners were marched to the coast, and there embarked on an ancient lugger to make the last stage of their sad journey (Grant Watson 1946, 112).

The suffering experienced by Yamaji on Bernier and Dorrè Islands was also documented by Bates in her memoirs and letters to the Chief Protector of Aborigines. In a letter dated 11 August 1922, addressed to "Sir James Mitchell, Premier of WA", Bates refers to her work for the government as "largely 'hush hush' work", revealing that she could not "publish abroad any more than can doctor or nurse [on] the diseases of my poor patients which I try to combat" (Bates 1922).

The Lock Hospitals had been operating for over two years when Jaal was transported to Bernier Island. There can be little doubt that news of the many deaths and other horrors experienced by Yamaji on the islands had already reached him at the time of his capture at Sandstone. At the time the Lock hospital system was established, there was no cure for syphilis or granuloma—only the symptoms could be treated. Experimental operations were conducted in the most basic of conditions and many of the patients detained on the islands died and were buried there. As well as being operated upon, Jaal was likely to have been part of the unsuccessful treatments with the arsenic based medicine Salvarsan, carried out by Dr Steel, Pathologist and Superintendent Medical Officer of the Lock Hospital in 1911. The degree of suffering by patients is unimaginable. The health statistics are shocking: "seventy percent of the deaths on the islands were unrelated to the conditions for which the people were incarcerated. More than 40% of Aboriginal prisoner patients sent to Lock Hospitals failed to return to their homelands" (Stingemore 2010, 10). The Lock Hospitals on Bernier and Dorrè Islands were a tactic of governmentality that had devastating effects on many Yamaji people, including Jaal and members of his family.

Dances of the Living Dead.

There were reports of venereal disease on Annean Station (near Nannine) in 1894, but at the time of Morton's visit in 1897 it does not appear to have been

prevalent (Aborigines Protection Board 1894). The Travelling Protector G. S. Olivey reported a suspected case of syphilis to the Chief Protector of Aborigines following his visit to the “native camp” at Nannine in 1901 (Olivey 1899-1901). The “disease” among Jaal’s family was recorded in police records at Cue and Nannine in December 1906, when members of Jaal’s family had come into town asking for medicine at the local store to treat their sickness (McDonald 1906).

The police took a special interest in Jaal’s wife Mailgurdi as a “half-caste” and, after pursuing her for a month, they captured her at Stake Well and she was brought back to Nannine for treatment. Dr Rigby would not admit her to the Nannine hospital and McDonald was instructed by the doctor and the Chief Protector to keep her at the police station and to administer the medicine daily. Mailgurdi (also known as Minnie) was kept at the police lock up, spending her days “with the other natives” and the nights confined to a cell. Her condition improved after two weeks, and Dr Rigby considered that she would be completely cured after twelve months. Some six months later in May 1908, McDonald issued a warrant for the arrest of a white man for the rape of Mailgurdi (see Chapter Seven).

McDonald, who had been in the Murchison district for 10 years and was well placed to know, reported that the incidence of venereal disease was not significant on the Murchison until as late 1907 (McDonald 1907). Bates interviewed Aboriginal people throughout Western Australia, including the Murchison and Goldfields areas during 1908, and did not refer to any incidences of venereal disease in her field journal. In 1910, the Travelling Inspector confirmed the low incidence of venereal disease on the Murchison. In his report to the Chief Protector of Aborigines he stated that “on each station I visited the natives were looking in perfect health...excepting a few mild cases that were away in the bush, I could not hear of anything requiring special treatment” (Fartiere 1908, 12). The Meekatharra police submission to the Annual Report of the Chief Protector of Aborigines for the year ending June 30 1910 also states:

There are about 50 natives around here, some of whom are employed at different stations. Employment is by permit and not by agreement. At the last issue of blankets the local doctor examined each one, and found no disease. On visiting their

camp at different times they appear to have plenty of food and made no complaints. (Gale 1911, 19)

It is clear that the isolated incidents of venereal disease on the Murchison were being reported to the Chief Protector of Aborigines from 1899 onwards and were being treated locally. This suggests that the increasing moral public panic in Western Australia at this time—which also related to diseases like leprosy and tuberculosis—was socially produced and not merely a medical phenomenon.

Just before his removal to Bernier Island in late 1910, Jaal was becoming unwell. He appeared on the Meekatharra “blanket and clothing distribution list” dated 5 May 1910 as “indigent native” aged approximately 35 years (Aborigines and Fisheries Department 1911-13). Jaal and other Yamaji men and women were taken from Sandstone in chains to Peak Hill by Corporal Grey. On 6 December 1910 they were examined there by Doctor Smythe Yule and declared “fit subjects for segregation at Bernier Island” (Smythe Yule 1910). Jaal and at least twenty five other sick Yamaji prisoners—hardly in any fit state—were then taken in chains onto Carnarvon by Grey. There they were assembled in a camp on the outskirts of the town for several days awaiting their shipment across thirty miles of rough open seas, a journey then of some 12 hours. Bates undertook many trips between Bernier, Dorrè and Carnarvon during her time on the islands. In a report to the Chief Protector of Aborigines she stated:

I worked amongst the women at Dorrè Island until January 12th when we left for Carnarvon to meet and work amongst the contingent which Constable Grey was bringing from the Upper Murchison....came in on the evening of the 13th and at 7am on the 14th we drove out to meet the natives whom we met about nine miles from the township. Those whom I had previously met amongst them reached over to the buggy to greet me which pleased me greatly (Bates 1904-1912).

Jaal and other Yamaji from the Murchison were loaded aboard the ship *Olive* for transport across to Bernier Island (Bates 1911a). Bates described her role in the shipment of Jaal and other Yamaji:

On Jan. 23 we put 94 (men and women) on board the Olive, bringing back 27 Ashburton men for whom there was no room on the Olive. On Tuesday Jan. 30th we [with Radcliffe Brown] all got on board the Diver for Bernier Island arriving next morning at 9.30 (Bates 1904-1912).

Jaal was admitted into the records on 26 January 1911 as patient number 58, suffering from “Ulcerative Granuloma” (Pritchard 1911).

Bates arrived back on Bernier the day after Jaal, and after visiting him at the men’s camp she stated that his mood was “somewhat sulky, but he is beginning to see that it is for his good he is here” (Bates 1904-1912). Bates recorded how Jaal danced on 9 February 1911 (Bates 1883-1990 MS365/71/21). She also recounted in an interview:

there is a certain amount of rivalry between the tribes in that if one gives a corroboree another will on the following day also hold one, and endeavour to make it more magnificent than that of the preceding day. But the natives are at all times courteous to one another, and in watching each other’s performances will never openly criticise or say hurtful things (Bates 1911a, 5)

Jaal may have been photographed in one of the performances given by the men in 1911 (see Figure 4.3).



*Figure 4.3: Dancers on Bernier Island 1911.
Courtesy Battye Library Photographic Collection 5021B_52.*

As with many of the patients collected from throughout the Murchison, Jaal’s country was initially listed as the Gascoyne area. In Jaal’s case this was later corrected to Meekatharra on his discharge sheets. It is likely that knowledge of

Jaal's country became known during Bates' visit to the island. He was an informant of Bates when she visited Nannine in 1908, and was with her in Sandstone at the time of his capture.

Bernier and Dorrè Islands provided an isolated and undisturbed space for both medical experimentation and anthropological scientific research. While there, Bates' was accused of displaying a relentless disregard for patients' health in order to record the genealogies, myths, religions, social organisation and languages of Yamaji before, in her view, they became extinct. Bates is alleged to have ignored the requests by Medical Superintendent Steel not to enter the hospital tent to continue her ethnographic interrogations of the patients. Steel wrote to the Chief Protector of Aborigines complaining about Bates' behaviour and asking for her to be removed from the islands, stating: "considering there was one patient seriously ill and another dying, that conduct cannot be condoned". Steel went on to report, "[a]gain at Dorrè, Mrs. Bates after being requested not to enter the hospital on more than one occasion did so—though patients very seriously ill had just been operated upon." (Steel 1911). At this time surgery was considered the only effective treatment of venereal disease and Bates noted on the last page of Jaal's vocabulary that "Jaal was too wasted by venereal and operations to speak" (Bates 1883-1990 MS365/55/52) to explain why her work was incomplete. Bates does not provide details about the operations performed on Yamaji patients. The reasons for this are partly explained in a letter she wrote to the Chief Protector of Aborigines stating that Steel's actions of excluding her from the hospital was because "he does not wish his methods of treatment to become known" (Bates 1904-1912).

The vast majority of Aboriginal people were taken to Bernier and Dorrè Islands from communities and stations in the Murchison, Gascoyne and Pilbara areas (Jebb 1987; Stingemore 2002). Foucault's analysis of hospitals as "temples of death" where disease is treated away from family and home (1973), echo Bates' earlier descriptions of Bernier and Dorrè Islands as "tombs of the living dead" (1936e). Although uttered in different times and spaces, their comments have a remarkable congruence. Each make the case that the daily threat and fear of death, burials, invasive surgery and exposure to further infections, endured in

exile far from family and country, is as lethal—in many cases more so—than the disease itself. The many deaths on the islands were a constant spectre that caused mental as well as physical suffering for Jaal and other patients. Just how many deaths occurred from “nostalgia” is not known. The medical term “nostalgia” was used to explain the death of Aboriginal people caused by a “homesickness” for country referred to by Bishop Salvado as far back as 1864 in a report to the Western Australian Government. This fact was also communicated by Bates in her report to the Western Australian government in 1907, just prior to the establishment of the Lock Hospitals (see Bates 1907a, 17).

The accounts of Bates and Watson fail to convey the unimaginable torture and anguish experienced by Yamaji and other Aboriginal people exiled on the islands. They were operated on, the details of which may never be known, and witnessed the daily deaths of kin and strangers. All the while living close to the graves on a remote archipelago where the spirits of the dead and the living had no escape. The daily invasive and painful medical treatments, surgery, distress, grief and loss experienced by many Yamaji exiled far from family and country is vividly described by Bates (1938). The sickness for family and country and the constant fear of death, could represent some portion of the 70% of deaths that were unrelated to venereal disease. The Chief Protector of Aborigines Report of 1910 rationalised that the very high death rate was due to “advanced” stages of the disease in many who were old and “practically incurable” (Gale 1911, 5). Many entries of the ages of Aboriginal patients were not included on the admission sheets for Bernier and Dorrè islands. The ages that were recorded under the heading “deaths and discharges” on the returns during 1908–11 were aged between 30 and 50 years.

Prisoner Patient 58: “Cured” and Discharged

The District Medical Officer at Carnarvon J. R. Hickenbotham had recommended isolating Aboriginal patients for treatment in 1906. By 1909 however he expressed his doubts as to the effectiveness of treatment at Bernier and Dorrè Islands (Stingemore 2010). On 6 December 1909 he reported to the Principal Medical Officer, stating:

some of the cases brought down for transport to the islands are of such a character that in my opinion it is not worthwhile to despatch them there [Bernier and Dorrè Islands], as a short stay in this hospital [Carnarvon] will put them right and enable them to return to their work without a lengthy sojourn on the islands (Hickenbotham 1909).

In 1909 Lovegrove, the Chief Medical Officer on the islands, was suggesting that there were better ways to control the spread of the disease (Stingemore 2002), as in the case of Jaal's youngest wife Mailgurdi who had been treated in 1906 by a local doctor.

Like many government experiments to segregate Aboriginal people within "Native Settlements" and reserves, (Haebich 1992; 2000; Biskup 1973) the Lock Hospital experiment was closed not because of humanitarian reasons or the benefit of Aboriginal people, but for economic and political reasons. Although there was increasing scepticism about the effectiveness of treatment on the islands it was ultimately increasing associated costs, transport and collecting problems that led to its closure in 1918. (Jebb 1984) The social and cultural costs to Jaal's family were catastrophic. The significant and lasting impact on his family and the remainder of his life will be discussed in Chapter Seven.

Jaal was one of the prisoner patients to survive the horrors of Bernier Island and was returned to the Murchison in September 1911. The exact number who made it back home to Country is not known, but as noted above, more than 40% of all patients sent to the Lock Hospitals did not return (Stingemore 2010). On 13 September 1911 the Cue Police Occurrence book recorded that thirty three "natives" from the islands were returned by ship to Perth and then taken by the train to Meekatharra in "charge of two attendants" (Police Department 1911). Given that Jaal was discharged from the islands just prior to this date with a similar number of Yamaji, it was very likely that he was amongst this contingent of returned prisoner patients. In 1911, despite increasing public criticisms of the Lock Hospital scheme and inconsistent reports on the prevalence of venereal disease, arrests and the removal of Yamaji to the islands continued. As discussed in Chapter One, there is compelling evidence in police and Chief Protector of Aborigines records to suggest that Jaal was arrested again near Sandstone in

December 1911, diagnosed as “venereal” and “fit for” transportation to Bernier Island. He escaped back to Barrambie where died in 1915.

Conclusion

Colonial and state governmentality constructed knowledge and codes of law in its own language to control the lives of Yamaji that at the same time protected a vision of powerful white sovereignty. Jaal was an embodiment of the Yamaji savage other who was seen as a biological and criminal threat to the colony/state and its response was punitive and disciplinary. The tactics of governmentality also included mechanisms of surveillance and security such as the Lock Hospitals and other reserves based on evolutionary biopolitics. There is a relationship between scientific and political discourse in the state sanctioned racism that marked out and targeted a separate Yamaji population and individuals as objects for regulatory controls. State biopolitics and governmentality of Yamaji have operated at the three levels of power; strategic, technique and domination. The strategic relationships were between those of the Chief Protector of Aborigines, the police, medical officers, travelling Inspectors, settlers, missionaries and reserve administrators. The techniques of governmentality included state legislation particularly the Aborigines Acts, and institutionalised reserves, such as Rottnest, Bernier and Dorrè islands that functioned as biopolitical, penal and disciplinary spaces of forced segregation, death and exclusion. Levels of domination operated through the regimes of practices of governmentality in the Aborigines department, Commissioner of Police, and the Military.

The regimes of truths and practices of governmental institutions defined Yamaji raciologically as a separate population-species of individual-objects, without discursive or biological limits of their racial classifications, in order to police the borders of a universalised and normalised national white sovereignty and identity. The discursive field and discoursing subjects, in the practical field of power-knowledge, constructed Yamaji in an Aboriginalist discourse in the administrative systems and language of departmental records of surveillance and control. Colonial and state regimes of institutional power constructed and

represented Jaal and other Yamaji as biological objects through state rules of exceptions. Jaal's "half-caste" wife Mailgurdi and Jaal as a "diseased full-blood native", who was already labelled the dangerous criminal, both represented a "new" internal threat to the security and "well-being" of a white population. The Lock Hospitals were places of imprisonment, exile, isolation, segregation, anthropological investigations and medical experiments made possible by laws of exception. The government surveillance and ethnographic work conducted by Bates on Bernier Island contributed to racialised science and to the "truth effect" of Aboriginalist discourse in state governmentality and biopolitics.

The piecing together some of the fragments of Jaal's life and his death during the early period of colonisation was possible because of his entanglements with the extensive colonial and state administrative networks of punishment, discipline, medicalisation and surveillance. Jaal was represented as a racialised stereotype by journalists, police, government officials, medical and scientific experts, as the "dangerous" individual object. He appears as the enemy in the sub-text of the "glorious" histories of others, and as a biological threat to white/European colonisers. At the same time he was the embodiment of the disappearing primitive savage for the evolutionary scientist in their desire for knowledge of the origins of man as a species in order to establish "the constituent point" of power, right and truth (Foucault 2004). A political discourse disguised as evolutionary science was based on a racial type and hierarchical taxonomies that positioned Jaal at the very bottom, and the "superior" white man at the pinnacle. The next chapter will discuss the role of Morton's photographs in the racialised representations of Yamaji and the construction of an evolutionary political and scientific discourse that justified the racism and violence of colonisation (Foucault 2004). Over the next two chapters, a critical analysis of the photographs of Morton, Bates and others, will be framed within the context of the biologisation of race and the contested and contradictory anthropological theories of race and origins.

Chapter Five: Visual Statements of Race: Yamaji in Morton's Photographs

Introduction

This chapter focuses on the role of Morton's photographs as part of the racialised representations of Yamaji in popular and scientific discourse that justified the racism and violence of colonisation. Photographs were considered as evidentiary visual statements of "truth". As noted by Rose, "Foucault... insisted on the need to locate the social site from which particular statements are made, and to position the speaker of a statement in terms of their social authority" (Foucault 1972, 50-2 in Rose 2007, 166). My critical analysis of the Morton photographs will continue to locate such social sites and colonial power relations of authority as discursive practices that "form the objects of which they speak" (Foucault 2002, 49).

These relations of authority were set out in the previous chapters and demonstrated the complex ways in which the lives of Morton, Bates and other influential figures of science, such as Radcliffe-Brown and Grant Watson, intersected with each other and with their objects of study, including Jaal, Jinguru and other Yamaji during the late 1890s and early 1900s. Another leading figure in British anthropology who corresponded regularly with Morton was E. B. Tylor, who is recognised as "the most important person to bridge the gap between the ethnology of the 1850s and the anthropology of the 1870s" (Urry 1993, 4). Although Morton was not an anthropologist, he was an active participant in an international fraternity of authoritative voices within institutionalised networks of science that constructed representations of Yamaji as race types. As a scientist, collector, director and curator of the Tasmanian Museum and Art Gallery, Morton contributed to and was influenced by emerging theories of race and maintained a broad general interest in natural histories and the sciences. He was a Fellow—and later Secretary—of the Royal Society of Tasmania from 1884, and a fellow of the Linnean Society of London from 1888 (Huxley 2008).

Membership in these scientific societies also promoted social and discursive networks that contributed to the development of anthropology as a discipline offered by universities. An Aboriginalist discourse was produced within these networks to construct racialised theories as scientific truths and, at the same time, it served to enhance the authors' professional reputations and authority within a circular exchange of knowledge (see Kuklick 1991). As a specimen of an 'authentic' racial type, Jaal became an embodiment of the primitive savage; to be anything less was of little scientific value to those 'experts' seeking to 'know' and disseminate 'knowledge' about him in their anthropological search for the biological origins of a "modern", "enlightened" and "civilised" man.

This chapter explores Morton's photographs and ethnological collecting as contributions to the international development of anthropological and scientific knowledge. In this and the next chapter I also discuss the materiality and mobility of photographs in terms of their production, content, social histories and audiences (see Rose 2007; Scherer 1992; Edwards 1992a, 2001; Edwards and Hart 2005). The Aboriginalist discourse of Morton's photographs will be considered in the context of salvage anthropology, popular colonial representations and theories of racial type. As will be discussed below, Morton provided very general ethnographical information in his written notes and relied on his camera to record his visual representations of racial type and biological difference. The photographs of Jaal and his family were a significant aspect of Morton's contribution to the collection and interpretation of objects of material culture for comparative ethnological studies and museum displays. An important aspect of this research is to reinstate, as far as possible, the names, histories and social biographies of the Yamaji represented as primitive savages in Morton's photographs.

The carefully posed photographs of Yamaji bodies in naked police style line-ups, and the visual documentation of Tunney, Morton's assistant, exhuming skeletal remains from Yamaji graves, are evidence of an anthropological intent. However, despite the staged and confronting content—"station natives" fully clothed, or in naked line ups (reminiscent of police trophy photographs)—the

Morton photographs are now being reclaimed as valuable family visual records of ancestors and kin, even though most of the subjects are not identified. The Morton photographs do record the locations and the year in which they were taken, and this enables present-day Yamaji from that country at the very least, to know that the Yamaji subjects in the images may belong to them. This is emotionally powerful for Yamaji who have been separated from their families and kin. The Morton's photographs of "station natives" that were returned by me to various Yamaji communities during this research project and are now very poignantly presented in an audio visual display of local Aboriginal family history at the Geraldton museum in Western Australia (see Figure 8.1). In contrast to these contemporary readings and uses of Morton's photographs, this chapter discusses their role as anthropological documents and their conformity with a set of criteria in a formative text of anthropology, the *Notes and Queries* Manual (Garson and Read 1892). At the same time, many of the images that were taken by Morton during his expedition to Western Australia had a more popular appeal and were published in newspapers for consumption by colonial audiences. Morton's image showing "George" and Corporal Tyler together represents Jaal as the dangerous criminal threat to colonial expansion and progress and is an example of the fluidity of the photograph (see figures 5.1 and 5.6).

Morton's collecting and ethnology occurred during a time of emerging theoretical challenges to established theories of racial difference and origins. The study of Indigenous Australians' bodies was central to this (Douglas and Ballard 2008). Morton's photographs were used by science as evidence to support essentialist theories of race. The contributions to anthropological science made by Bates and Morton exemplified the two primary perspectives on human difference: those of physical and social anthropology. Morton collected body parts, physical measurements and material objects as evidence of racial differences between Yamaji and Europeans and attempted to prove the existence of racial homogeneity between Yamaji and Tasmanian Aboriginal peoples. Although Bates supported the same theoretical positions on race, she focused on the social and cultural aspects of anthropology, claiming attention to ethnographic detail and specificity. Although considered separate branches of

anthropology, somatic differences of race—skull shape, skin colour, hair for example—were equated with moral, intellectual and cultural attributes that place the white Western male at the pinnacle of human evolution (Turnbull 2008). These “attempts to categorize anthropology reflect the increasing complexity of ideas and approaches to the ‘study of man’...which in turn raised issues concerning the continued unity of the subject” (Urry 1993, 10). The paradigms of these related disciplines are interconnected. The term anthropology will be applied in this chapter to refer broadly to both methodological approaches, one concerned with racialised bodies, the other with environmental and social factors of human development (see Ingold 2008; Urry 1993; Turnbull 2008; Douglas 2008a).

In searching for the origins of humanity in antiquity to understand the present, Foucault argued that “anthropology as an analytic of man...played a constituent role in modern thought” (1970, 340). Morton’s photographs and collection of cultural artefacts together with the exhumed, measured and classified human remains of Yamaji, became both material and discursive objects of a comparative anthropology. Morton’s photographs of Jaal as a “specimen”, and his ideas on race, made a significant contribution to a scientific discourse based on evolutionary thought and the search by European “rational” individuals for its ancient and “primitive” past.

The Morton Photographs of Yamaji

Morton’s anthropological photographs are perhaps some of the earliest taken of Yamaji from the Murchison. A year before Morton’s trip, the ill-fated Calvert expedition, led by Lawrence Wells and backed by the Royal Geographical Society, left Geraldton and “visited [an] Aboriginal camp and ‘measured and photographed some of the natives’” (Wells cited in Jones 2007, 99) at Lake Way. Although this indicates that Yamaji had experienced photographic encounters prior to Morton’s visit, these images did not survive this disastrous journey during which two members became separated from the party and died of thirst in late 1896 (Jones 2007, 93). According to Bates, Lake Way was the site of Jaal’s birth, and his sacred miamba kurdaru (totem), so it is likely the “natives”

mentioned by Wells were members of Jaal's family, or at least part of his immediate kinship group. Letters from Woodward in 1898 to Morton in Hobart, requesting copies of the photographs, are the only records with any significant information regarding Morton's 1897 collection of images.

Of the forty three photographs captured by Morton using a half plate camera, eighteen are of Yamaji people from Mileura, Nannine, Boolardy, Coodardy, Weld Ranges and Berringarra on the Murchison. There are also photographs of John Tunney exhuming skeletal remains from Yamaji graves at Mileura station and near the mining town of Day Dawn. In the photographs taken of Yamaji posed naked at Nannine and Berringarra, the subjects were lined up in full frontal and rear perspectives, and separated into groups of men and women. The Morton photographs taken at Mileura, Coodardy and Boolardy were of groups of men, women and children set against the backdrop of station life. It would seem that no amount of barter or force could induce the Yamaji subjects to remove the clothing they had grown so accustomed to wearing.

The photographs of Yamaji taken at Mileura were returned to descendants who live near Meekatharra January 2012. The images now form an important visual record of their family history. Some photographs taken during Morton's trip have suffered considerable damage, but most are of acceptable visual quality. Despite Woodward's insistence that the photographs be developed and printed in Western Australia, Morton had them prepared on his return to Tasmania by the well-known photographer J. W. Beattie. There is some disparity regarding the number of photographs held at Western Australian Museum and the Tasmanian Museum and Art Gallery and the amount of information attached to them. In the Tasmanian collection, in addition to the anthropological images the lantern slides prepared by Beattie also included scenes of miners, local dignitaries, rural business and modes of transport that "vividly conveyed the hard, rough life endured" in the mining towns by "the indomitable Britisher [who] overcomes obstacles and flourishes in every district" (Morton 1898-99, v). For reasons not yet known, the three photographs of Jaal and his family at Nannine were not part of this collection. Their absence may be explained by

Morton's sending them to Tylor at Oxford University with the stone axe as discussed further below.

Photographs of unidentified Yamaji subjects, including those taken by Morton's assistant John Tunney in 1898, are now held in Australian and British museums. I have obtained only two of the photographs from Tunney's trip from the Western Australian Museum and there is compelling evidence to suggest that other photographs in this series are held at Royal Anthropological Institute in London and the Museum of Archaeology and Anthropology Cambridge. There are now a number of projects to digitise anthropological photographs at the Berndt Museum of WA, The State Library of WA, The State Library of NSW, The Powerhouse Museum Sydney, Pitt Rivers Museum in Oxford, Museum of Archaeology and Anthropology in Cambridge, Royal Anthropological Institute London, and the British Museum London for the purposes of recognition, cultural recovery and return. While I was researching these collections in England, Morton's photograph of Jaal was being shown in a slide presentation at a workshop in Perth Western Australia by Dr Chris Morton (no relation to the former) a curator at the Pitt Rivers Museum at Oxford as part of the research project *Globalisation, Photography and Race: The Circulation and Return of Aboriginal Photographs in Europe*. The project was funded by the Australian Research Council, led by Professor Jane Lydon, and based at the University of Western Australia. It is quite remarkable, and somewhat ironic, that Jaal was being re-presented in a slide show by a museum curator named Morton, though this time to Aboriginal participants, more than a century after Alexander Morton had done so at the Royal Society of Tasmania before an audience of white scientists. When I contacted Dr Chris Morton he said that Alexander Morton's photographs of Jaal and his family were not recognised by any of the Aboriginal participants of the workshop conducted in the Perth metropolitan area. I have since provided him with more information about the photographs of Jaal and his family.

Anthropological photographs often contain dehumanising and sacred content and the cultural and institutional protocols surrounding access to images often held at multiple sites can be extremely problematic and difficult to

negotiate. Many museums and archives storing photographs of Indigenous Australians require permissions from Land Councils or other incorporated Indigenous organisations to access and publish photographs. Many Aboriginal organisations lack the time and resources to consider applications for access to or publication of photographs of Indigenous Australians and therefore this process can take considerable time. Despite these challenges my research has contributed to knowledge about the subjects and the histories attached to photographs archived at the Tasmanian Museum and Art Gallery, Museum of Archaeology and Anthropology Cambridge, British Museum London, Royal Anthropological Institute London and Pitt Rivers Museum in Oxford. This contribution includes the histories of the Yamaji material objects collected by Morton and now held by the Western Australian Museum, Tasmanian Museum and Art Gallery and Museum Victoria. These histories are of value for the Yamaji community and for the institutions that hold the photographs and cultural material objects.

Bodily Encounters: Photographs, Anthropology and Colonialism

This analysis of Morton's photographs takes into account the development of photography as a technology of science and colonialism, as well its role in a popular visual economy through the mass circulation of illustrated newspapers. In the analysis and discussion of Morton's photographs in terms of scientific theories on race and the search for origins, I have taken up the suggestion by Douglas and Ballard to also "focus on bodily encounters and local agency in the context of colonial or public discourse" (2012, 246). Although there is an emphasis on the science of racialised bodies in this chapter, the discursive relationships between science, colonialism and photography remains central to this thesis. In these anthropological encounters Jaal's body was at the same time a site of physical and discursive violence driven by colonial fear and anxiety. His body was an object of scientific study, to be measured and quantified as the racialised other, to be incarcerated, disciplined and punished as a criminal while represented as a popular icon of colonial subjugation and spectacle in the newspapers.

During the period of European “voyages of discovery” and colonial expansion, the “biological notion of race emerged and gained potency in a complex historical conjuncture” of imperialism and an anti-slavery movement (Douglas 2008a, 43; also see Urry 1993). The collecting, photography and ethnology by Morton can be located within this historical conjuncture of humanitarian efforts and the contested scientific theories of race, with the body as its object (see Anderson 2002; Douglas 2008a; Urry 1993; Garson and Read 1892). At the time of Morton’s visit to Western Australia, debates supporting plural (polygenist) or single (monogenist) species origins, and evolutionary hierarchical taxonomies of race were still being challenged and reconfigured through a range of discourses on a global scale by remote, mainly European, intellectuals. Douglas traces the semantics and histories of a modernist biologisation of race from 1750 to 1880 as one that ultimately “reified human difference as permanent, hereditary, and innately somatic”, rather than fluid and environmentally determined (2008a, 33). The influence of this historical period of anthropological thought on Morton’s ethnology is included in the discussion here. However as covered in Chapters Four and Six, by the early 1900s Yamaji had been racially re-classified as “Caucasian”, a view which aligned well with assimilationist policies.

Notes and Queries: A Guide for Friends and Travellers

The international comparative study of artefacts, biological specimens and physical measurements, especially of skulls, was supplemented by ethnographical data gathered by scientists, collectors and travellers engaged in encounters at the edges of colonisation. These activities were guided by anthropological questionnaires provided to travellers and explorers that have “a long history dating back to the sixteenth century” (Urry 1993, 18). The circulation of a revised questionnaire to those working in colonial situations was discussed following the amalgamation of the Ethnological Society and Anthropological Society into the Anthropological Institute in Britain in 1871. The Institute lost no time in producing a carefully constructed manual specific to Anthropology which was assembled by Tylor, Augustus Lane-Fox (later known as Lane-Fox Pitt Rivers) and others for those working in the field, amateurs

included, in order to satisfy the specific demands for “facts” by metropolitan based scientists (Urry 1993, 24). Published as *Notes and Queries on Anthropology* in 1874 by The Anthropological Institute of Great Britain and Ireland, the manual was distributed abroad “to any friends who lived in reach of uncivilised countries” and it was reprinted many times (Urry 1993, 22). As discussed by Edwards and Urry, *Notes and Queries on Anthropology* was the main instrument of representation in anthropological science (Edwards 1992b; Urry 1993, 1972). It offered prescription and advice on how to take photographs of human and material objects and artefacts (Hockings 1992).

The second edition of *Notes and Queries on Anthropology or A Guide to Anthropological Research for the Use of Travellers and Others* (hereafter *Notes and Queries*), was published five years prior to Morton’s departure to Western Australia at the request of the British Association for the Advancement of Science (Garson and Read 1892). The *Notes and Queries* manual articulates the key framework of the discursive regime and practice of anthropology and ethnography. As a scientific manual its aim was to promote “accurate anthropological observation on the part of travellers, and to enable those who are not anthropologists themselves to supply the information which is wanted for scientific study of anthropology at home” (Lane-Fox in Garson and Read 1892). The wide circulation and use of *Notes and Queries* contributed to an increase in anthropological observations and in the number of papers published in the Institute’s journal (Urry 1993). One of Morton’s stated aims was to focus on ethnology in the Murchison and the *Notes and Queries* established the guidelines for his questions in the field (Morton 1897). The search for the ethnological evidence of human origins and the desire to expand the Tasmanian Museum and Art Gallery and Western Australian Museum collections as important national monuments were the rationale for Morton’s collecting visit to Western Australia in 1897.

An analysis of Morton’s ethnological observations and data collection clearly demonstrates an alignment with the instructions and ethnographic categories set out in *Notes and Queries*, which suggests these informed the preparation for his collecting visit to Western Australia. The very specific advice

provided in *Notes and Queries* was sectioned under an assortment of headings including physical description, measuring the body, crania and skeleton, cannibalism, habitations, stone implements, invention, food, marriage, funeral rites, weapons, medicine, magic, circumcision, language, causes that limit population, ornamentation, contact with civilised races and photography. These specific subjects were covered by Morton in his field letters to Woodward, in the photographs he captured and in his "Notes" presented to the Royal Society of Tasmania in 1898. For Morton and others, the "unsettled" areas of Western Australia were considered important frontier areas of anthropological study, "before the rapid extermination of savages...and the rapidity with which they are being reduced to the standard of European manners" (Lane-Fox in Garson and Read 1892, vi). As Turnbull suggests: "this entanglement of metropolitan intellectual controversies with colonial experience, phobias and actions firmly established race as the dominant cognitive foundation for envisaging and managing the destiny of Aboriginal Australians" (Turnbull 2008, 223). Through Morton's ethnological activities, guided by the *Notes and Queries*, Jaal became a significant object of international study for remote "metropolitan thinkers" such as Tylor, Balfour and others who were constructing their discursive regimes of "truth" on racial difference and the origins of man.

Photographic Encounters: Capturing "Real" Natives

There is now a large body of scholarship exploring the relationships between anthropology, photography and colonisation. This provides opportunities for a broader critical analysis of Aboriginalist discourse (Morton and Edwards 2009; Pinney 2011; Gray 2007; Chaudhary 2005). Photographic representations of Indigenous Australians have been disseminated, exchanged and interpreted by scientists, government officials, missionaries, and settlers with specific intent, in particular contexts and by diverse audiences. The colonial government came to rely on photographic technology as a means of surveillance and to document the "progress" of its biopolitical programmes of protectionism, assimilation and control of Aboriginal people on various missions and reserves.



Figure 5.1: 'George a Nannine Native'. Photographer Alexander Morton September 1897. Courtesy of the Western Australian Museum.

The Travelling Inspector of Aborigines, G. S. Olivey used the camera during his 1899 visit to various stations throughout Western Australia, including the Murchison district, to provide photographic evidence used in his reports to the Chief Protector of Aborigines. From 1901 some of these reports were illustrated with photographs that were intent on promoting the “success” of Government run settlement reserves such as Maamba, Carrolup, Moore River and Moola Bula station, including the disastrous Lock Hospital prisons on Bernier and Dorrè Islands. Missionaries in Australia who have a long history as informants for remote European, and in particular British, anthropologists, photographed their civilising mission in action at a number of government funded institutions (Douglas 2008b; Urry 1993). They included prominent figures of social or cultural anthropology such as E. B. Tylor, who also “consistently argued for the psychic unity of man and the universal intellectual and religious capabilities of all human beings” (Garner 2008).

The use of photography in science increased markedly in the late 1800s and early 1900s and developed simultaneously with anthropology (see Batty, Allen and Morton 2005; Pinney 2011; Edwards 1992a; 2001; Banta and Hinsley

1986). The mass production and circulation of photographs was made possible by smaller, portable cameras with faster shutter speeds and improved processing and printing techniques. The developments in photographic technology were a useful fit to the emerging science of anthropology, especially in its transition from “armchair anthropology” to ethnographic fieldwork. A lecture by E. F. Thurn on “Anthropological Uses of the Camera”, published in 1860 in the *Journal of the Royal Anthropological Society of Great Britain and Ireland*, influenced this early enthusiasm for photographic evidence of the “primitive” other (Thurn quoted in Chaudhary 2005). In anthropological photographs, the flesh of a racialised body could be visually preserved and these images augmented the collection of Aboriginal skulls and skeletal remains. The full length photographs of Yamaji taken by Morton represented the preoccupation with the body as a signifier of race type and became a powerful visual statement of biological and social evolutionist theories of racial “origin” and difference (see Gray 2007; Edwards 2001; Pinney and Peterson 2003; Anderson 2008; Turnbull 2008).

Morton embraced the camera as a tool of anthropology, a tool that promised to record a “real” Aboriginal specimen at a time when anthropologists were “suspicious of verbal data” and did not trust “native testimony” or “linguistically culled information” (Pinney 2011, 14). At this time, the privileged position of the photograph was set out clearly in the “Prefatory Note” of the Ethnography section of the *Notes and Queries*:

By these means [the camera] the traveller is dealing with facts about which there can be no question, and the record thus obtained may be elucidated by subsequent inquirers on the same spot, while the timid answers of natives to questions propounded through the medium of a native interpreter can but rarely be relied upon (Read in Garson and Read 1892, 87).

Although the use of the camera has since been subordinated to scientific observation and ethnography, during Morton’s expedition it was considered as an unmediated and transparent scientific technology—superior to the oral testimonies of “savages”. The photograph was Morton’s visual “proof” of his racialised “truth statements”, one that rendered Jaal and other Yamaji as muted objects of anthropological interrogations.

The apparent capacity of the camera to capture the “real” influenced others working in Australia during the 1890s including Haddon, Spencer, and Gillen. Although highly choreographed, the anthropological photographs taken by Spencer and Gillen are held up as excellent examples of this genre in terms of their visual quality and the degree of intimacy conveyed between the photographer and their Aboriginal subjects. The extent to which Morton and Spencer collaborated as collectors and scientists has been discussed elsewhere in this thesis, a collaboration which would have extended to Morton’s use of the camera. Spencer and Gillen had a strong interest in photography and it was a significant topic of their correspondence (Mulvaney and Calaby 1985; Batty, Allen and Morton 2005). They also presented copies of photographs to Arrente subjects as gifts and recorded their reactions to viewing them. This practice was recommended in the photography section of *Notes and Queries*—it was considered “very useful to take some paper upon which prints can be made on the spot to present to the native” (Petrie in Garson and Read 1892, 235).

While on his 1899 collecting visit to the Murchison, discussed in Chapter Two, Tunney captured photographs of Yamaji and wrote that he was “sending back at least two boxes of negatives”. In one of those letters written from Pindar, he asked Woodward to “kindly forward me a few copies of [A]boriginal photos to show them as they do not care to let me take them not knowing what a picture is” (1899). Was Tunney referring to his previous experience of photographic encounters with Yamaji while assisting Morton two years earlier? It is suggestive of Yamaji being cautious of the camera, and it may not be unreasonable to speculate that Morton had either shown some photographs to Jaal and other Yamaji, or at least discussed this strategy with Tunney. It is possible that Morton’s photographs were later sent to Tunney by Woodward from the Western Australian Museum to prompt Yamaji subjects during Tunney’s trip, and his request is a rare insight into Yamaji perspectives on having their photographs taken.

The camera and the photograph are now ubiquitous. It is beyond knowing what it must have been like for Jaal and his family when Morton first appeared at their Nannine camp in September 1897. Morton made no references to any direct

communication with Jaal except in a report to Woodward from Nannine stating that “there is a total absence of the smaller marsupials and from what I can gather from the natives and others that they have disappeared” (Morton 1897, 5). We are left to speculate about any responses or reactions from the Yamaji subject/objects in Morton’s photographs. There appears perhaps the hint of a wry grin of resigned amusement on Jaal’s countenance at the charade he was playing a part in, or is it quiet indignation at yet another incursion into his camp (see Figure 5.1). Jaal’s level of participation may have been one of indifference to the strange white men of science (Morton and Tunney), or of forced compliance (to Corporal Tyler and the black tracker). If he saw the photographs at some point—in newspapers for example—we can imagine a fascination or perhaps a troubled fear that his spirit was being taken from him. Jaal’s perspective will never be known.

Tyler and Morton’s intrusions with the camera and gun were certainly examples of a predatory act “that turns people into objects that can be symbolically possessed” (Sontag 1977, 10). In the context of colonial administration in Africa, and photographic representations of colonised peoples more generally, Landau and Kaspin argue there are “also more specific [technological] connections between violence, guns, and camera work in the period of the new imperialism, which allow us to extend Sontag’s observations further” (2002, 147). The metaphorical and technological links between colonisation, hunting, the gun and camera work are evident in Morton’s collecting and photographic activities on the Murchison (see Landau and Kaspin 2002; Griffiths 1996).

As discussed in Chapters One and Three, Morton’s visit took place amidst humanitarian protests that echoed the tense state of mistrust, fear, cultural and physical violence that included acts of murder. His physical examinations of Jaal and his family were made possible by the armed presence of Corporal Tyler and a black tracker, a fact that was emphasised in Morton’s presentation to his Royal Society of Tasmania audience in June 1898 (Morton 1898b). The police presence would indicate that a certain level of caution was required and there may have been a reluctance on the part of Jaal and his family to participate in the

ethnological investigations (Morton 1898b). The visual representation of colonial power in the figure of Corporal Tyler and the claims of scientific transparency in the Morton photographs are both disrupted by Jaal's central commanding stance and his direct look as it confronts a voyeuristic and scientific gaze (see Figure 5.1). "Photographs are necessarily contrived and reflect the culture that produces them, but no photograph is so successful that it filters out the random entirely" (Pinney and Peterson 2003, 7), which is evident in Morton's attempts to fix Jaal photographically in the guise of the 'real' and 'authentic' racial type. As with other early anthropological images, like some of those taken by Gillen for Spencer (Mulvaney and Calaby 1985, 166), scientific objectivity and transparency were contaminated by the presence of discarded clothing and other material objects of 'civilisation' that lie strewn in the foreground of these images. As a signifier of civilisation, the clothes worn by Jaal and his family were an anathema to scientists who relied on the photographs' scientific authenticity. There was a photographic performance required of Jaal and his family for Morton's camera. Their pose was an act of theatre necessary for a salvage anthropology concerned with visually preserving "primitive" bodies before they completely disappeared.

The anthropological performance for the camera also extends to re-enactments of social and cultural activities which are essential to salvage ethnology and a "construction of authenticity that reveals a deeply complex cross-cultural encounter and intersecting history" (Edwards 2001, 160). There is an element of performance in all photographic interactions, and these are exemplified as much in the contrived studio scenes depicting Aboriginal Australians "in action", as in the more "authentic" photographs taken in the field by Haddon, Spencer and Gillen and many other anthropologists.

Ethnographic Entanglements: Reconstructing the Primitive Other

For Morton and other scientific figures, the Murchison district represented a pristine collecting-hunting ground in the search for the disappearing, authentic primitive man that the camera could capture and preserve. What Morton found at Nannine instead was a more complex space of

colonial violence and entanglements. Over the course of a week he traded tobacco for ethnological data, cultural artefacts and impromptu corroboree performances given by Jaal and his kin. As discussed above, Morton needed to consciously erase all traces of colonial contact (such as clothing) in his photographs (see Figures 5.1 to 5.3) in order to reconstruct Jaal and his family as relics of the West's primitive beginnings. Scientific encounters with Aboriginal peoples labelled as primitive failed to acknowledge the effects of the cultural and physical violence of colonisation on anthropologists' fieldwork, or their active participation in the colonial project itself (see Lewis 1973). This was certainly true of Morton, Bates and Radcliffe-Brown during their work with Yamaji in Western Australia. Jaal had been in contact with colonisers for some time and Morton's ethnological quest to seek out a "real and authentic native" at the edges of "civilisation" was staged and filtered with the assistance of local settlers.



Figure 5.2: "Nannine Natives with Tracker." Photographer Alexander Morton 1897. Courtesy of the Western Australian Museum.



*Figure 5.3: "Nannine Women with half-caste child" by Alexander Morton 1897.
Courtesy of the Western Australian Museum.*

Anthropology placed Yamaji in the “stone age”, on the lowest rung of human development, and this form of Aboriginalist discourse was deployed by both coloniser and scientist (Mulvaney 1985). Even as Morton’s photographs recorded Yamaji bodies for the scientific study of racial differences, they were also used in the construction of ethnological discourse on Yamaji culture and material objects. On Morton’s return to Hobart from Western Australia, he was welcomed back a hero at a meeting of the Royal Society of Tasmania on 15 November 1897. His slide presentation to the Royal Society of Tasmania in June 1898 began with a comparison between the two colonies of Tasmania and Western Australia, extolling the progress that Perth had made in terms of wealth, technology, planning and infrastructure. This was immediately followed by a description of the geography, flora, and fauna that Morton observed on his way to the Murchison frontier where, according to him, he found the real natives. This juxtaposition between Perth and the Murchison set the scene for Morton’s journey from the modern city centre to the edges of “civilisation”, described by him in epic terms. Morton transported his audience visually to “a strange far-off inland district” that was until recently, a “terra incognita” of medicine men, wizards, cannibals, weird funeral and burial customs and corroborees. The

“numerous slides served to illustrate all these points exceedingly well” (Morton 1898-1899, v). Here the Latin term *Terra Australis incognita* (unknown southern land), or “a fifth continent of the [European] cartographic imagination” (Douglas 2008b, 6), is employed to create this imaginary “far-off” space for Morton’s audience, supported by the visual authority of the photographs he had taken just four miles from Nannine, a major mining town. In practice, Morton was hosted by prominent figures in the mining towns and on pastoral stations and was never very far from “civilisation” when he was photographing “the natives”.

In his racialised descriptions of Yamaji, Morton stated he was “surprised to see such fine specimens” despite “rude habitations...and limited food... [of] lizards, grubs and sugar ants” (1898b, 5). The majority of Morton’s photographs of Yamaji were in fact taken on the pastoral stations and his Yamaji subjects would have been entitled to rations as either workers or indigents, which would have meant a more varied diet at this time that included Western foods. This is another example of Morton eliding any trace of the colonial interactions or impacts on Yamaji to give the impression of an “authentic” ethnology he was conducting at the frontiers of “civilisation”. Morton’s group line-up photographs met the criteria of the *Notes and Queries* instructions for the traveller as ethnographer to:

devote himself chiefly to observations on adult males as it is in them that questions of race, type, mixture, and individual variations are best determined...[T]he adults examined...should be between twenty-five and forty-five years. They should not be picked out for their size or beauty, but taken indiscriminately with the view of getting a truly representative series of observations (Garson and Read 1892, 7).

Morton did not take anthropometric photographs of full face and profile; rather, the images were full length group line-ups influenced by the advice from the *Notes and Queries* to show “mixture and variation” of racial type. The fact that Morton used a photograph of Jaal to provide details of his racial characteristics to Professor E. Tylor at Oxford University demonstrates Morton’s particular reliance on the photograph as anthropological evidence.

The Yamaji body as a site of racial difference was signified through Jaal's imposing size in the group line up where he is again positioned in the centre of the frame, this time flanked by his male kin of varying ages and stature (see Figure 5.2). The photograph offered Morton the opportunity to dispense with need for invasive measurements and detailed descriptions of the body. This type of framing enabled Morton to make anthropological comparisons between individuals and was repeated in his photographs of the women also taken at this time in Nannine (See Figure 5.3). The *Notes and Queries* again guided Morton on the importance of photographing women, but they were intended merely to "show their sexual differences" (Garson and Read 1892, 7). Morton's photographs of Jaal's body and those of his family and kin symbolised the anthropological biologisation of race (Douglas 2008a). Yamaji bodies represented in Morton's photographs and his appropriation of their exhumed remains were part of international debates between those who supported either the fixed polygenist or the evolutionary monogenist theories of racial difference, and "both camps implicitly assumed that the true course of human natural history would only be disclosed through regimented, statistically significant measurement and racial differentiation of bodily structures" (Turnbull 2008, 212). As well as his brief descriptions of Jaal's physicality, Morton made references to the other categories of ethnography set out in the Royal Anthropological Institute's *Notes and Queries* manual, as outlined already above (Garson and Read 1892).

Morton's 1898 presentation to the Royal Society of Tasmania in Hobart included a general outline of population statistics, food, habitations, ethnological collections, stone implements, "primitive" contact with "civilised" races, tribal marks, trade, games and amusements, and a brief description of the corroboree he attended. Morton presented his audience with material evidence taken from Jaal's Nannine camp. Most significantly he claimed to have "discovered" a link between Yamaji and Tasmanian Aboriginal peoples (Morton 1898b). Morton had written from Nannine to Woodard at the Western Australian Museum on the 25 September 1897:

I think I have got some valuable data—the stone implements they use for making their spears and the women's fighting sticks are identical the same (sic) as the Tasmanian ... the shape is so similar that if the Tasmanian and the one from this district were placed side by side it would be impossible to tell the difference—their short throwing waddies are also the same in size and shape as those formerly used by the Tasmanian [A]borigines. The discovery of these two matters I think should be of very great interest from an ethnological point (Morton 1897).

Morton made a number of statements in subsequent newspaper interviews and in his journals regarding the similarities between the "Murchison natives" and Tasmanian Aboriginal peoples who, he claimed, were "extinct" (Morton 1897; 1898b; Morton and Unknown Reporter 1897). These assertions by Morton addressed what was referred to in scientific circles as "the Tasmanian problem ... [that] ancient Tasmanian migration from the mainland was mere speculation and the search for a link between humans and megafauna had been fruitless" (Griffiths 1996). Morton's intention to travel to Lake Darlot to investigate reported sightings of the fossilised megafauna Diprotodon may have been linked to his desire to solve the so called Tasmanian problem. The severe drought in Western Australia at this time, however, thwarted Morton's efforts to prove his theories, with John Tunney undertaking the journey—unsuccessfully—some two years later on behalf of the Western Australian Museum in 1899.

Morton's interest in the anthropological similarities between Yamaji and Tasmanian Aboriginal peoples was shared by E. B. Tylor who wrote many ethnological texts including *Primitive Culture* (1974). Tylor was Reader in Anthropology and Keeper of the University of Oxford Museum from 1883 until 1902. In 1895 Tylor was appointed Professor of Anthropology at Oxford, delivering lectures to his students and writing papers for a number of scientific journals. One such paper was on the subject of stone axes from Tasmania, which included a reference to the similarity between stone axes from Tasmania and Western Australia. The paper was also read to the Association for the Advancement of Science (1900b; 1900a). It was through this "most interesting and valuable find" by Morton and his photographs that Jaal was linked to the metropolitan debates in Britain about origins, race, evolutionism and human

migrations. Tylor had an interest in the cultural ethnology of “primitive” Tasmanian Aboriginal people, particularly from the point of view of what he defined as culture, in which he included religion, art and language (1974). Morton sent photographs he had taken of Jaal and his family to Tylor to show the “racial type” associated with the stone axe (Morton 1898a). These images are part of several collections including the Tylor collection at the Pitt Rivers Museum in Oxford. Tylor wrote to Morton to request information and verification about the resemblance between the Tasmanian and the Yamaji axe that Morton acquired during his visit to Jaal’s Nannine camp (Bates 1912c, c1912a; Morton 1898a). Morton responded:

Dear Dr Tyl[o]r, Intended in my last to send you one or two photos of the natives I met in the Murchison district West Australia last year. The photos I now send are some I took myself during my trip. They will give you some idea of the natives that have the stone implements similar to those used by the late Tasmanian Aboriginals. The photos are natives some 650 to 700 miles from Perth. Trusting they may be of some slight interest to you. Yours sincerely Alex Morton (Morton 1898a).

Tylor’s interest in the similarity between the stone axes was also evident when he read a letter written by J. Paxton Moir to members of the Royal Anthropological Institute in November 1900. The letter from Paxton Moir stated “the ones [stone axes] found by Morton in Western Australia on the Murchison River, are mostly of this class, but less in thickness and nicely chipped” (Paxton Moir in Tylor 1900a, 257). Henry Balfour, the curator of the Pitt Rivers Museum commented on the state of “arrested development” of Tasmanian Aboriginal peoples and the “special interest...in reference to the parallel [of the Tasmanian stone axes] quoted by Dr Tylor of Mr Morton’s find of rude implements on the Murchison River, Western Australia” (Balfour in Tylor 1900a, 260). According to anthropologists, including Tylor, chipped and ground-edge axes represented two distinct periods of human development and the ground-edge stone axes found on the Australian mainland caused “outrage to accepted dogmas, in the same way as would a transistor radio in Tutankhamon’s (sic) tomb” (Wentworth 1971, 4).

Bates also contributed to these racialised debates during her ethnographic work in Western Australia and noted:

Prof Tylor called the stone implements submitted to him from the Murchison district for classification ‘quasi-paleolithic’ (sic). In a lecture delivered to his class at Oxford, the Professor stated that the West Australian implements were identical with the Tasmanian (c1912a, 48).

Bates' view of racial homogeneity among Aboriginal people can be discerned from her comparisons of cultural objects, customs and the physical features of Tasmanian Aboriginal people and Murchison Yamaji, claiming that “the facial characteristics of Truganini, the last Tasmanian native woman, have their counterpart in some of the Western Australian natives” (c1912a, 30).

What made these statements about racial type, of similarity and difference, possible was an “internal regime of power” (Foucault 1980, 112) of long established discursive relations between influential international scientific figures. Their essentialist views on race would have a significant bearing on how Bates later used photographs in a particular way to make statements about and visually represent Yamaji as racial types, as will be discussed in the next chapter. Aboriginalist discourse was premised on such essentialist and prescriptive anthropological racialised themes of physical and social evolutionism. Morton's use of the word “specimen” and his photographs position Jaal as an object of scientific study with an attention to physical attributes and bodily measurement (Morton 1898b, 5). As will be discussed below, this Aboriginalist discourse is reproduced through Morton's photographs, which were also published in newspapers for a popular colonial audience. Although Morton's photographs were clearly staged, they became significant visual evidentiary documents of anthropology. Many thousands of such images of Aboriginal people were disseminated within a global networks of scientists who compared racialised data (Collier 2003; Edwards 1992a, 2001; Pinney 2011). As Anderson notes, this “genre rested on a metonymical logic [where] one type specimen of a racial group visually stood for all” (2008, 248).

A Grave Undertaking: Collecting Yamaji Remains



*Figure 5.4: "Native Grave, Day Dawn". Photographer Alexander Morton 1897.
Courtesy of the Western Australian Museum.*

At a meeting of the Royal Society of Tasmania, attended by Morton on 15 November 1897 immediately upon his return from the Murchison, a paper was read concerning "Notes on the Measurements of The Tasmanian Crania in The Tasmanian Museum, Hobart". The paper was illustrated with photographs of various angles of Truganini's skull (Harper and Clarke 1897). Craniology at this time was still considered of key importance to the scientific quest of establishing the physical and moral character of each race, and as an indicator of levels of intelligence (Douglas 2008a, 2008c). The significance of craniology to the science of man was also generally still accepted at the time of Morton's visit.

Instructions in the introduction to *Notes and Queries* suggested that:

The general traveller may also do much to advance the study of the more technical part [of Anthropology] by collecting specimens of skeletons, hair, and even parts of the body, such as the hands, feet, and brain, or the entire head, and sending them to our laboratories or museums to have their characters worked out by skilled anatomists (Garson in Garson and Read 1892, 5).

Although the gruesome practice of collecting Aboriginal body parts and skeletal remains was condemned at this time, an international network of collectors were under pressure to acquire these highly prized objects for scientists and museums (see Daley 2014; Griffiths 1996; Frost 2001; Chadwick 2008) by whatever means deemed necessary. This included grave theft, undertaken by Morton, Tunney and others (see Figures 5.4 and 5.5).



Figure 5.5: Native Grave at Mileura Station. Photographer Alexander Morton 1897. Courtesy of the Western Australian Museum.

Morton's collection of skulls was not mentioned in his letters to Woodward at the Western Australian Museum, or in any other documents currently available, but there is other evidence that substantiates his activities on this front. Morton's interest in crania and skeletal remains developed through a professional network of scientific colleagues in Tasmania and abroad. As discussed in the Introduction, Morton also arranged for Spencer to articulate Truganini's skeleton for the Tasmanian Museum and Art Gallery in 1904, and his acquisition of cultural artefacts and human remains from Western Australia contributed to collections at the Tasmanian Museum and Art Gallery, the Spencer Collection at Museum Victoria and the Western Australian Museum. At the same time, the ethnological information and Yamaji remains and artefacts collected by Morton added to the

anthropological discourse on origins, race types and evolutionism through comparative analysis by scholarly experts at “home” in British universities and museums.

Collectors and Keepers: Cultural dispossessions and dispersals

Morton’s visit can be located within a period of increasing collecting activity for museums and of anthropological fieldwork in Australia to gather information in support of scientific theories of race, evolutionism and social Darwinism that developed within a network of academic institutions and learned societies (see Peterson 1990; Bates 1912c; Spencer 1968). Morton combined the roles of collector and curator (keeper). He was responsible for building and maintaining the Tasmanian Museum and Art Gallery collections, and was also instrumental in donating and exchanging material objects with other institutions. “Photography became a collecting device” (Morphy in Batty, Allen and Morton 2005, 74) and the images of Jaal as “Big George” with Corporal Tyler and others are part of the larger—though fragmented and widely dispersed—collection of cultural objects and artefacts now archived at the Museum Victoria, Pitt Rivers Museum, Oxford, Tasmanian Museum and Art Gallery and the Western Australian Museum. Some eighteen cultural objects were on display at the Museum Victoria as part of the Spencer collection. Some of these objects and human remains have now been returned to the Western Australian Museum through a repatriation programme. Photographs of Jaal and his family were disseminated to international collections at British museums and libraries. Some were sent back to Western Australia to be printed in local newspapers from December 1897 onwards. It should perhaps be noted here again that Morton’s keen interest in ethnology was associated with his conviction that Aboriginal Tasmanians were extinct and that mainland Australian Aboriginal people were also disappearing fast. He also believed, as did many others, including Bates and Radcliffe-Brown, that those who remained were mostly “semi-civilised” and had lost their cultural knowledge. This view of a loss of culture is contradictory as Yamaji working on pastoral stations were the primary informants for the ethnology of each of them, with Radcliffe-Brown becoming a leading figure in anthropology based on his work among prisoner patients at the Lock Hospitals discussed in the previous

chapter. Morton's keen interest in the collection of Aboriginal human remains was conveyed in a paper, in which he transcribes the "Account of the remains of King Billy: the last Tasmanian male Aboriginal" (Morton 1900), and in 1904 when he arranged for the articulated skeleton of Truganini as "the last Tasmanian Aborigine" to be put on display at the Tasmanian Museum and Art Gallery (Frost 2001).

Morton's Photographs as Popular Colonial Discourse

Taking the photographic collection as a whole, it is clear that Morton's intention was to capture images of what he considered was a rapidly disappearing racial type and that as visual documents they would be of anthropological interest. The Morton photographs of Yamaji in the lantern slide presentation to the Royal Society of Tasmania were placed among images of mining towns and cityscapes of Perth. In this context they became souvenir postcards of his relatively brief interlude on the edges of colonisation in Western Australia. The Royal Society of Tasmania were an elite group of scientists who were both entertained and informed by Morton's visual representations of his travels and ethnology.

The photographs taken by Morton of Yamaji on pastoral stations, in mining centres and rural townscapes, together with the image of Jaal as "Big George", were published to a wider audience in local newspapers during the late 1890s and early 1900s as captioned illustrations of colonial progress and power (see Figures 5.6 to 5.12). The image of Jaal and Corporal Tyler (Figure 5.6) and those of the "semi civilised native" also taken by Morton (Figures 5.7 to 5.12), were captioned and published amid news coverage of violence and the murders of both Yamaji and white settlers in the Murchison. Morton's photographs of Yamaji on various stations on the Murchison were re-enactments to illustrate the "real primitive savage" in his search for scientific and evidentiary "truth" of evolutionary theories of race type. However, many of Morton's photographs taken at these locations also became part of the popular imaginary and the political discourse of colonial power. As suggested by Ballard, the power of raciology "as an institutionalised system of knowledge has derived from its

capacity to inform, and be informed by, both popular understandings of difference and the machinery of state and colonial administration" (2008, 340). This exchange between specialist and popular contexts can be seen in the similarities between the discourse of Morton's notes presented to the Royal Society of Tasmania and the newspaper text of Jaal represented as a criminal and savage with Corporal Tyler (with captioned photograph—see Figure 5 6) in the *Western Mail* (Dec 24. 1897i; Morton 1898b).

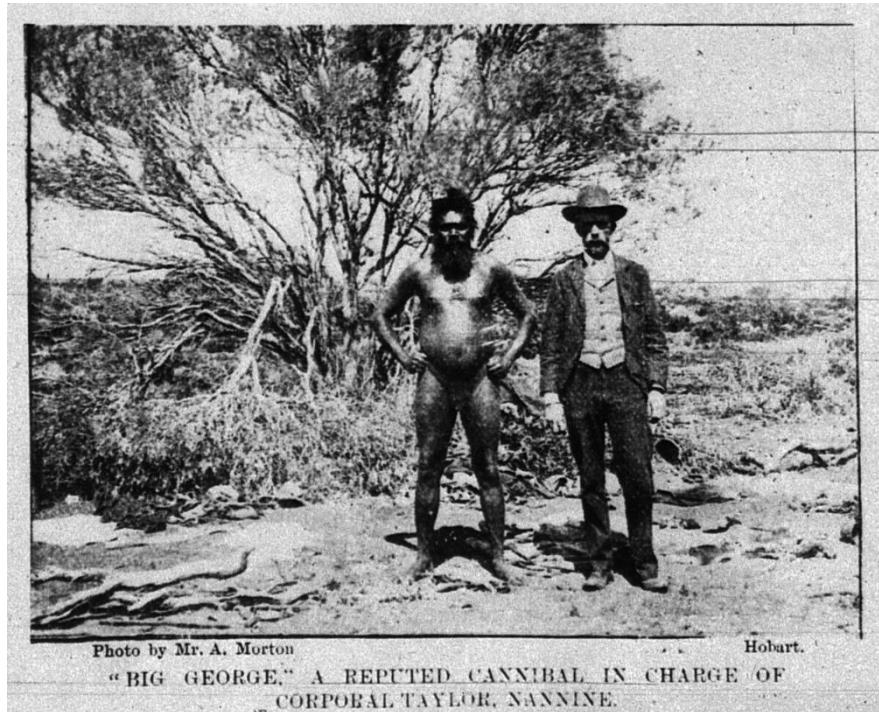


Figure 5.6: "Big George" A Reputed Cannibal in Charge of Corporal [Tyler] Nannine. (The Western Mail. Dec 24. 1897i: 24).

In the photograph of Corporal Tyler and Jaal, their bodies became signifiers of both masculine and racialised difference, and of the colonial power relations that operated on a number of discursive and ideological levels. At the discursive level, Corporal Tyler was described as "a fine type of Caucasian" and signified an ideology of a superior white colonial power in conflict with a physically formidable but racially "inferior" enemy. Jaal as a powerful Yamaji is demonised in *The Western Mail* as "Big George the Cannibal", who "on more than one occasion gratified his appetite for human flesh" (Dec 24. 1897i). In this illustrated article Jaal is labelled the "captive". Tyler is the "captor" of Jaal, as criminal and prisoner, as well as the "cannibal savage" other. Jaal was posed naked against a backdrop of nature. This visual representation of power and

difference was anchored in the text by the words “in charge of”, a conventional phrase used in colonial police reporting at this time to convey control and containment. Jaal’s body is characterised as “Massively built and magnificently proportioned...and gives the lie to the sweeping assertion that the [A]borigines of Australia are a ‘weedy lot’...and bears favourable comparison physically with the Corporal” (*The Western Mail* Dec 24. 1897i). This narrative incorporates the binaries of a heroic and civilised white policeman, pitted against Jaal who was portrayed as a physically imposing opponent—the uncivilised fearsome Yamaji savage.

The Morton photographs and similar types of images of other Yamaji (see Figures 5.7 and 5.12) were published amid growing public fears of Yamaji retaliations and uprisings as expressed some years earlier by Henry Walsh of Mileura station (Walsh 1892). The *Western Mail* newspaper had a metropolitan and regional distribution and photographs were only recently introduced as illustrations, in July 1897. Morton’s photographs represent a significant contribution to these illustrations, read by local and metropolitan readers, that represented Yamaji as colonial stereotypes of the dangerous other and the subjugated “semi-civilised native” on the frontiers of civilisation.

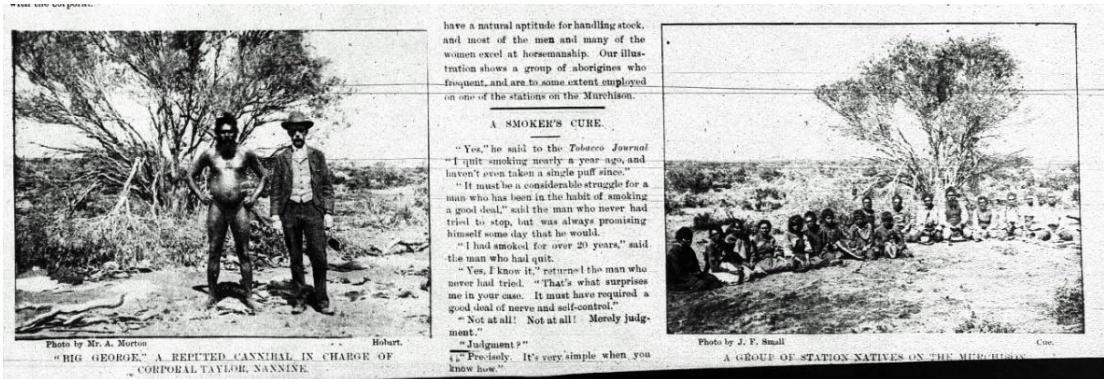


Figure 5.7: “Nannine Natives with Tracker”. Photographer Alexander Morton 1897. Courtesy of the Western Australian Museum.

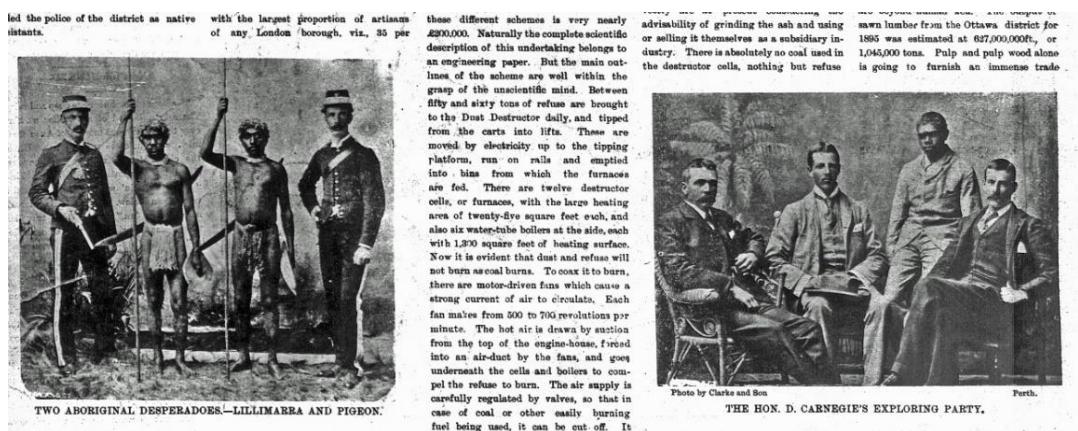
On the Murchison, Jaal was at this time very well known as George, described as both perfectly civilised and a cannibal savage. He was clearly an ambiguous figure. Approximately in his mid-twenties during Morton's visit, he had worked as a labourer for a long time around the Nannine public house but was constantly on the move between there and Sandstone (1895a). This local settler knowledge of Jaal as someone who carried a gun, worked as a kangaroo shooter and labourer, who dressed well and spoke some English, ran parallel with their experience of him as an outlaw who had been in and out of gaol many times for sheep stealing, alleged murder and cannibalism. Morton's compelling and well-staged image of Jaal was re-captioned as "Big George A Reputed Cannibal" for a public audience. It invokes a set of conceptual binaries: naked/clothed, black/white, civilised/uncivilised, nature/culture, law/outlaw, inferior/superior, and good/evil. This image as an iconic representation of white colonial power and policing is disrupted by Jaal's direct look into Morton's camera lens and his imposing body positioned front on and in the centre of the frame. Perhaps then as now, there was meant to be some pun, irony or ambiguity in the caption "in charge of", leaving the audience to wonder who was in charge of whom. The image and caption are sensationalist, with Jaal appearing as a colonial stereotype in the form of the "cannibal", an object of fear and revulsion. The Aboriginalist discourse employed by Morton to interpret photographic texts for his audience at the Royal Society of Tasmania, and by distant scientists who re-constructed Yamaji objects for science, was easily translated into newspaper articles for mass public consumption. As material objects, the interchangeability of Morton's photographs exposes the ease with which the anthropological and popular image operated seamlessly across both contexts. As will be discussed further in Chapter Six, it was common practice at this time for anthropologists to use commercial and choreographed studio images of naked or semi-naked Aboriginal people for scientific study. In January and February of 1898, *The Western Australian Goldfields Courier* published the same photographs of Jaal taken by Morton without any text other than the same caption "*Big George*" *A Reputed Cannibal In Charge Of Corporal [Tayler] Nannine*".

The juxtaposition of the ‘civilised’ and ‘uncivilised’ ‘Aborigine’ in photographic news features promoting the ‘success’ of the ‘civilising mission’ were published during Morton’s expedition and the ongoing reports on the Bendhu atrocities (see Figure 5.7 to 5.9).

These bifurcated photographic representations also produced a colonial narrative of power and domination, as well as of the subjugated “native” where Jaal appears at once as ‘A Group of Station natives on the Murchison’ and as ‘Big George the reputed cannibal’ (Figure 5.8). As a “station hand” Jaal is described as one of a number of skilful and useful servants to the squatter “who frequent, and to some extent are employed on one of the stations on the Murchison” (*The Western Mail Dec 24. 1897k*).

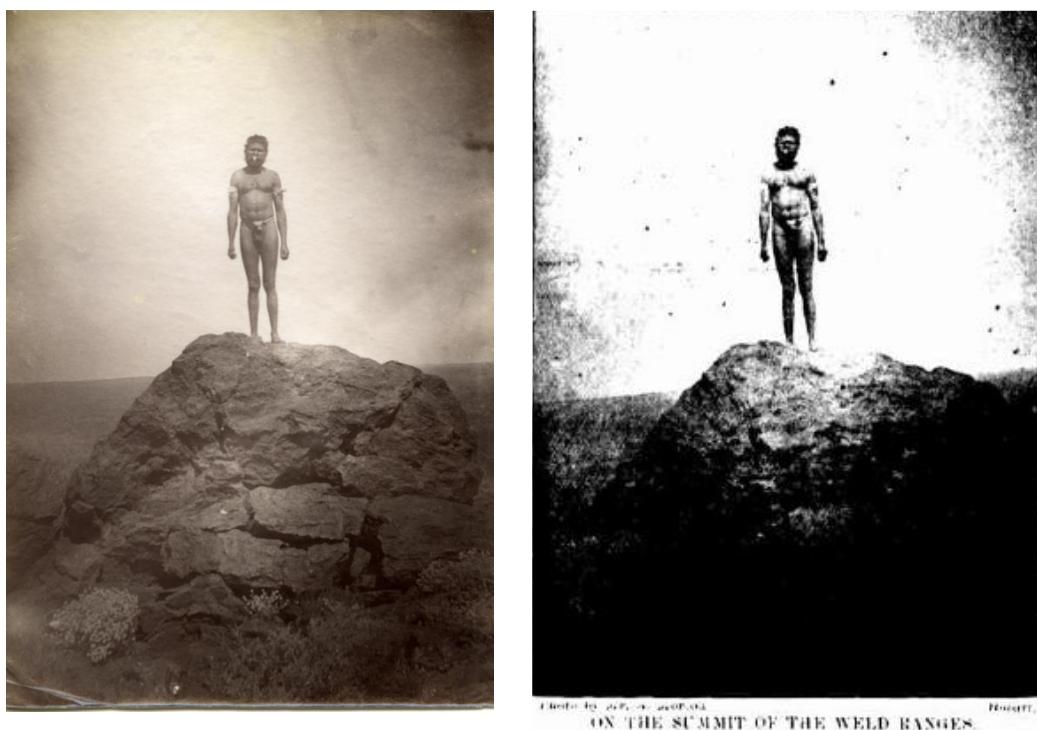


*Figure 5.8: Jaal as the “reputed Cannibal Big George” photographed by Alexander Morton, juxtaposed as one of “A group of Station Natives on The Murchison” photographed by J. F. Small. (*The Western Mail Dec 24. 1897i: 24*).*



*Figure 5.9: ‘Two Aboriginal Desperadoes—Pigeon [Jandamarra] and Lillimarra [Ellemarra]’ and Hon. D. Carnegie’s Exploring Party (*Western Mail Oct 15. 1897e: 24*).*

As discussed in Chapter Four, this technique of juxtaposing “before and after civilising” images was deployed in the governmentality of Aboriginal people by the Chief Protector of Aborigines in his Annual Reports from 1902—a practice that also extended to other states. In most cases Aboriginal subjects are not named and are often not placed within any context apart from the caption. Other photographs by Morton, including one of “Billy a Weld Range Native” (see Figure 5.10) was treated in this way, and published as “On the Summit of the Weld Ranges” in what is regarded as a trope of the nameless, “noble savage” framed against a backdrop of nature (see Russell 1994).



*Figure 5.10: Billy Weld Range Native. Photographer Alexander Morton 1897. Published as “On The Summit of The Weld Ranges” (*The Western Mail* Feb 25. 1898). Courtesy of the Western Australian Museum.*

Some photographs were printed with Morton’s statement downplaying allegations of the mistreatment of Aboriginal people on pastoral stations, published in *The Western Mail* amidst the court case following the Bendhu Atrocities (see Chapter Three). The unnamed reporter may have been J. W. Hackett, one of Morton’s Western Australian sponsors and the editor of the *Western Mail*. The reporter stated that Morton’s “camera proved highly useful” in these colonial debates (Jan 21. 1898c: 26; see Figure 5.12). Less than a year after

the publication of this image and the testimony by Morton in praise of settlers such as Henry Walsh, Police Constable Ritchie called for an investigation into “the way the Police court and cases are conducted by Mr. Walsh [magistrate]”, published in *The Sunday Times* (Ritchie 1899a, 3; see also Chapter One). A Morton photograph taken on Walsh’s station Mileura, simply captioned “Murchison Aboriginal Station Hands” was published in *The Western Mail* (Aug 12. 1898e), edited by J. W. Hackett who recommended Morton’s collecting visit.



Figure 5.11: Five men at Mileura station who shorn 8000 sheep (the woman is not identified). Photographer Alexander Morton 1897. Published as “Murchison Aboriginal Station Hands.” (*The Western Mail*, Aug 12. 1898e). Courtesy of the Western Australian Museum.

These types of photographs were a powerful visual statement to support settlers' claims of their “civilising mission” and to deflect public criticisms by portraying a seemingly inevitable and uncomplicated colonisation based on images of coexistence and accommodation (see Figures 5.7, 5.8, 5.11 and 5.12), as discussed in Chapter Three.

When Morton returned to Hobart, his “friend” Walsh continued to write to him from the Murchison (Morton 1898b). Walsh was voted in as a corresponding member of the Royal Society of Tasmania by Morton in 1898 (Morton 1898-99).



Figure 5.12: A Group of Yamaji on Mileura station. Photographer Alexander Morton 1897. Published as “A Group of Station Natives on The Murchison”. The Western Mail, January 21. 1898. Courtesy of the Western Australian Museum.

Conclusion

The histories of photography, science and colonialism run parallel with one another. The truth-value attributed to the photograph situated it as a privileged visual evidentiary document of colonial and scientific discourse and practices. This discourse defined Yamaji peoples as scientific objects, criminals, and useful servants and supported and justified colonial practices of surveillance, incarceration, subjugation and slavery. Colonial technologies transported Morton to the Murchison, where he expected that ‘real’ natives could still be found, and the camera became an extension of his ‘objective’ scientific eye. The Morton photographs were implicated in colonial and scientific power relationships that constructed essentialist racialised ‘expert’ knowledge and produced truths about Jaal and other Yamaji as the ‘authentic’ and ‘savage’

Aboriginal other. Morton was not an anthropologist, and only took a passing interest in ethnology as it related to his collecting and curatorial role at the Tasmanian Museum and Art Gallery. Despite this lack of expertise, however, and like many travellers, collectors and scientists, he contributed to the international speculations on racial origins and evolutionary theories by disseminating anthropological data to the metropolitan centres of Western intellectual thought.

The Morton photographs were taken with a scientific audience in mind, but they were also circulated to a wide newspaper reading audience in Western Australia. Some of these images were used to defend allegations of settler cruelty and slavery inflicted upon Yamaji. Scientists and settlers in 1897 had particular ways of looking at and constructing meanings from the photographs of Jaal as "Big George the Cannibal" and "George", the primitive racial type. Jaal's reputation as Big George the criminal and cannibal had circulated in the local press since 1895 and was given a visual confirmation through Morton's photograph of him and Corporal Tyler. The analysis of photographs of Yamaji must take account of this social history and positioning, as the meanings within photographs are never stable and change over time depending on who is doing the reading, for what purpose and in what context. The discursive framing of Jaal and other Yamaji in Morton's photographs as civilised object/subjects taken on the various stations were used as propaganda of colonial and state governmentality as "proof" of its success. The Morton photographs, the captions and the descriptions of Jaal in police records, popular newspaper stories and scientific notes circulated as a form of Aboriginalist discourse that represented Jaal through labels such as Big George, King George, cannibal and 'outlaw'. As an anthropological specimen of 'authentic' racial type, Jaal was constructed as an embodiment of the primitive savage; to be anything less was of little scientific value to those 'experts' seeking to 'know' Jaal and to disseminate their claims of objective scientific knowledge.

In this research the question, *who was Big George?* was posed to undertake a counter-history of the representations that circulated about Jaal, and at the same time, to learn about the histories of my Yamaji ancestors and kin. In uncovering those histories, I found that the question also had to address the

broader and much quoted Aboriginal “question” that has preoccupied colonial society in their efforts to subjugate and control Yamaji as a problematised population. This central question of the colonial project then, was also asked by Morton of Jaal, in the context of the anthropological desire to “know” Aboriginal people as a species, and to understand and solve its “problem” and the questions science was asking on the origins and evolution of humanity.

Chapter Six: The Yamaji Imaginings of Daisy Bates: Booreeangoo, Jinguru and Murchison Woman

Introduction:

The previous chapter argued that, in the context of 19th century, the photograph functioned as a form of colonial discourse and as primary evidentiary visual statements of anthropology. These types of photographic images were produced in accordance with international scientific disciplinary frameworks and guided by the principles such as those set out by the anthropological manual, *Notes and Queries*. The photograph was considered as a visual record of a so called rapidly dying race and the camera was perceived as an ideal tool of anthropology that aimed to salvage what “evidence” remained before it was too late (Edwards 1992; Scherer 1992; Pinney 1992; Lydon 2014). The images of Jaal and other Yamaji were disseminated and interpreted through discursive relationships of scholarship that focused on their bodies as an object of scientific study.

This chapter considers the photographic practices of Bates in relation to representations of Yamaji in commercially produced images. Like Morton, Bates used photographs of Yamaji to represent race type in her illustrated newspaper articles, postcards and books. However, this research has revealed that some of the photographs that Bates appropriated for her ethnographic uses most likely came from the studios of commercial photographers catering for the globally based popular and scientific demands for images of Aboriginal people as the primitive and exotic other. This chapter will critically analyse the photographic representations of three main figures—Jinguru, Booreeangoo, and the character Bates referred to as “Murchison Woman”—as well as some other Yamaji in the context of Bates’ ethnographic work and journalism. The analysis extends the discussion on the use of photography from that of specialist anthropologist practices to the context of a *developing social anthropology* applied by Bates in her ethnographical investigations into Yamaji language, cultural practices, social organisation and belief systems. She carried out these activities on behalf of the

Western Australian government, of scientific bodies like the Australasian Association for the Advancement of Science, and of elite academic institutions such as Cambridge University. The ethnographic insights and pronouncements of Bates, together with her discursive constructions of Jaal and other Yamaji, were woven into her many popular and scientific publications and her official correspondence as discussed in previous chapters.

The primary motivation for this thesis is to learn more about the Yamaji subjects in the photographs, as these figures are more than objects of science and popular spectacle to me; they are Yamaji kin and ancestors who have stories, families and country. Inevitably, attempting to trace their stories entails uncovering the histories of the photographers who made these documents, and of the photographs themselves as material objects which were produced and disseminated for popular and scientific consumption (see also Edwards 2001; Lydon 2014, 2010; Poignant 2004; Russell 2012).

My research into the histories of photographs of Yamaji started with an image of “George” by Morton and expanded into other collections, including that of Bates. The anticipation was to be able to name the nameless in the photographs and return them to family members. But this motivation was checked by the shocking realisation that photographic and written documents in the archive long regarded as factual, are not necessarily what they claim to be. As Poignant and Russell point out, the archive is a contested sight of imaginings and fabrications that can often blur the boundaries between fact and fiction (Russell 2012; Poignant 2004). The content of visual and written texts cannot be taken at face value. Here in this chapter yet again, I confront the hidden fictions and deceptions within the colonial archive (see Russell 2012).

Daisy Bates: Lady Journalist, Ethnographer and Travelling Protector

A staunch monarchist with a firm belief in the superiority of the British race and the corresponding inferiority of Aboriginal peoples, Bates spent most of her adult life caring for and living amongst “her” Aboriginal informants. Known publicly as “a lady journalist” and amateur ethnographer, she became an enigmatic figure impervious to public opinion and speculations as to her social

status and professional motivations. Most commentators agree that Bates was a strange mix of personal invention, philanthropy, anachronistic values and racist attitudes (De Vries 2008; Reece 2007b; Salter 1971; Bates 1985; Hill 1973). European perspectives on the biological, historical and cultural aspects of race informed Bates' ethnography, which included the speculations about the racial connections between Yamaji and Tasmanian Aboriginal people. Despite her claims to ethnographic specificity, Bates held a deep conviction that Aboriginal Australians were essentially homogeneous and represented the lowest order of race type. Indeed, her paper titled *The Aborigines: Their Homogeneity* claims linguistic and raciological similarities (Bates 1883-1990 MS365 66/134-141) among all Aboriginal Australians, and reflects views that she maintained over her lifetime.

As with Morton, Bates' ethnography can be seen as part of the history of amateurs and travellers in the field who made significant contributions to "armchair anthropology" at the metropolitan centres, even though, in her case, the data she gathered and opinions she propounded were often seen as controversial, sensationalist and inconsistent (Reece 2007; Reece 1987; see introduction by Isobel White in Bates 1985a). Bates' desire for public and professional recognition as an ethnographer and journalist persisted throughout her life. Her early ethnographic papers were presented to scientific and popular audiences alike, and she gained membership to scientific societies such as the Royal Geographical Society of Australasia, became a Fellow of the Royal Anthropological Society of Australasia and "later the coveted Hon. Correspondent of the Royal Anthropological Institute of Great Britain and Ireland" (Bates 1904-1912, 1907b, 1906). The Western Australian government employed Bates at the height of the Roth Royal Commission in 1904, and she compiled a published history of the "efforts" made by Western Australia; *Towards the Betterment of Her Aborigines* (Bates 1907a; 1907b). She was awarded a C.B.E. in 1934. As noted by Reece, Bates displayed a "disquieting mixture of genuine concern for [Aboriginal people] as friends and valuable informants, and a more detached perspective of them as interesting 'specimens' for the scientific study of surviving racial types" (Reece 2007b, 50). To understand the ways in which

Bates treated photographs of Yamaji it is necessary to first consider the influences on her scientific and journalistic views and provide a brief background to her ethnographical research in Western Australia.

The Ethnography of Daisy Bates

Almost since the commencement of the work I am now engaged upon and as soon as it was known that such a work was in progress, I have received the utmost encouragement and assistance from scientists throughout the Commonwealth (Letter from Bates to Chief Protector Prinsep dated 16 June, 1905 in Bates 1904-1912).

Like Morton, Bates carried out her ethnographic work within existing anthropological frameworks. She refers to this in her methods of language notation, stating for example: "as the dialects came in they were reduced as far as possible to the uniform system of orthography adopted by the Royal Geographical Society (London) and prepared for publication" (Bates 1904-1912). Again like Morton before her, Bates would have been well aware of the requirements of the ethnographic approach set out in the *Notes and Queries*. In a period of 12 months, Bates transcribed over 800 pages of manuscript from 250 volumes of scientific references forwarded to her from the "Scientific Societies of Tasmania, Victoria, N.S.W. and Queensland" (Bates 1985, 10; Bates 1904-1912). During this early phase of her ethnographic work for the Western Australian government, Bates summarised the ideas of 49 prominent scientific figures from Australia and Europe. Initially, Bates based her "investigations upon history and existing data, and buil[t] upon the anthropological premises accumulated by cultured and well-informed men such as Sir George Grey, Bishop Salvado, G.F. Moore and others" (1938, 61). Those others were Morton, Spencer, Carroll, Lang and Marett, as discussed in Chapter Two.

Bates also gained information and encouragement from other contemporary figures in Australian anthropology, such as John Matew and A. W. Howitt (Bates 1904-1912). Howitt was an eminent figure in Australian anthropology who came from England with his family to seek their fortune on the Victorian goldfields in 1852. He later became a leading explorer (he was charged with rescuing the survivors of the ill-fated Burke and Wills expedition), a long

serving magistrate and a highly respected and self-taught anthropologist. Howitt, according to Stanner, is “best remembered as one of the ‘band of brothers’ Fison, Baldwin Spencer and Francis Gillen” who published many scholarly journals on Aboriginal people and authored *The Native Tribes of South-East Australia* (see Stanner 1972, no page number). John Mathew came to Australia from Scotland in 1864 and completed his studies at Melbourne University and Ormond College before being ordained as a Presbyterian minister. Like Bates, he was considered an amateur anthropologist and many of his published papers and articles about Aboriginal people, including his book *Eaglehawk and Crow* (1899), were criticised by Howitt, Spencer and Fison (Prentis 1986).

Bates’ ethnographical work was influenced through these discursive relationships, and they in turn shaped her raciological based scientific views. Bates conducted her ethnographic work with Yamaji informants during two distinct periods, the first during 26th September to 31st October, 1908 for the Western Australian government, and the second between 19th October 1910, and June 1911 for the Cambridge University Scientific expedition. The photograph in Figure 6.1 illustrates Bates’ “methods of procedure” in the field with “four friends all hungry and glad to have Kabbarli with them”. As discussed in Chapter Three, Kabbarli is a name defined by Bates as meaning “grandmother” (Bates 1946, 39), which she said was given to her by Aboriginal prisoner patients incarcerated at the Bernier and Dorrè Island Lock Hospitals in 1911. Although Bates claimed that the name “Kabbarli” and its meaning—“spirit grandmother” in her journalism—was widely used and known, the Aboriginal language from which the name is derived was not specified by her (Hill 1973; Bates 1938; 1946).

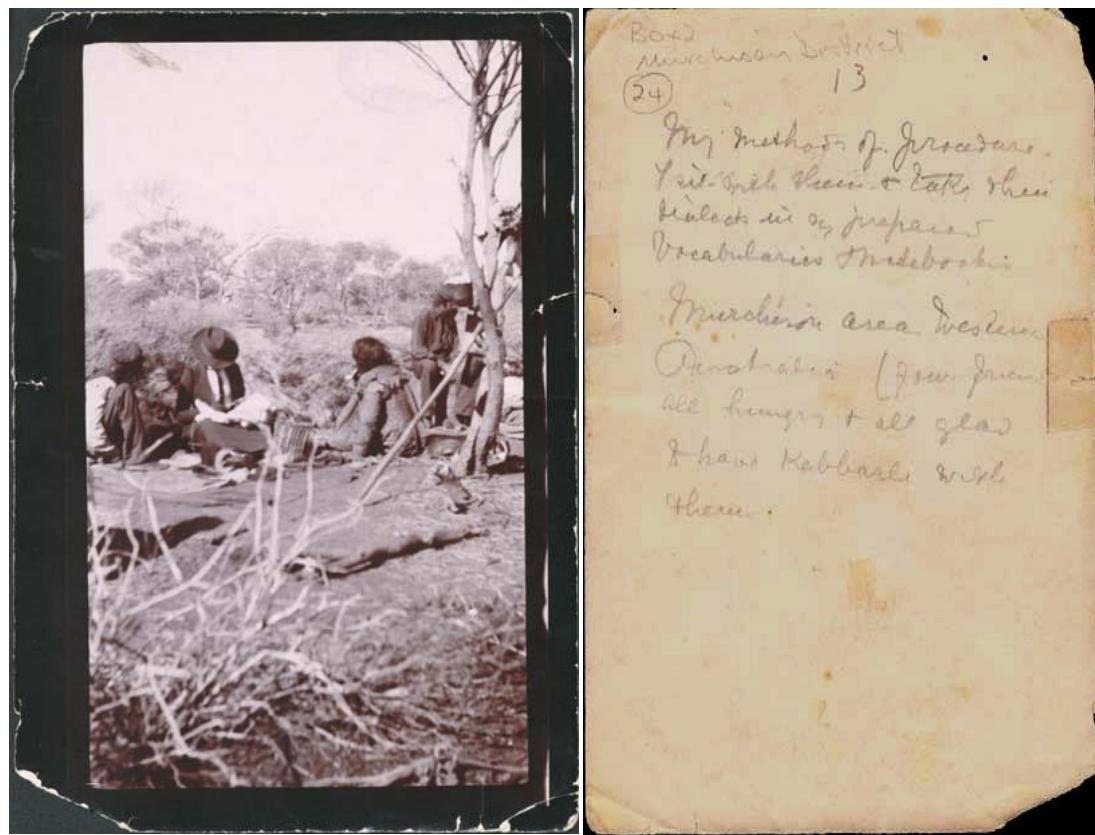


Figure 6.1: Murchison Fieldwork Series 24/9 Front and Reverse: Daisy Bates with her Yamaji informants in 1911. Photographer unknown. Courtesy of University of Adelaide Daisy Bates Special Collection.

The photograph in Figure 6.1 was taken by an unknown photographer and is most likely of her work at the “native camp which is situated near the Breakaway or Granites” on the Murchison in May–June 1911 (Bates 1904-1912, 65). This camp was not far from Meekatharra and Bates describes obtaining such a photograph in her memoirs. This would have been shortly before she wrote the newspaper article titled “My Camp in the Murchison Bush” for *The Western Mail* about her experiences there (Bates 1938: 108; 1911b).

After she left the Cambridge Expedition on Bernier Island in late March 1911, Bates continued her ethnographic work in the Murchison and Gascoyne areas. Her intention was always to contribute to the larger anthropological project. As she affirmed in 1912, in her “humble opinion a minute study of the manners and customs of the [A]borigines of this State [Western Australia] will aid considerably in enabling ethnologists to ascertain what the earliest black races on the globe were like” (Bates c1912b, 35; also see Bates 1883-1990 MS365\1-2)).

Colonial progress and civilisation are Western ideological positions that justify and normalise the discourse of extinction and the practice of dispossession. This discourse is evident in Bates' views that "the advance of our so-called civilisation ... as soon as it approaches the native, is as deadly in its effects as the most destructive weapons of warfare" (Bates c1912b: 32; also see McGregor 1997; Douglas 2008c; Bates 1907a). Bates' strong advocacy of salvage anthropology was a position widely held by the public and most scientists at this time. In a paper read before the Royal Geographical Society in Melbourne and The Natural History Society in Perth—also printed in the *West Australian* and *Western Mail* newspapers (1906a, 1906b)- Bates' aim was to stimulate scientific interest in the ethnologically 'virgin field' of Western Australia. She urged Western Australia not to suffer the stigma of Tasmania who had "allowed her [A]borigines to become extinct before substantial and reliable records of their laws, customs, etc. had been obtained" (Bates 1906b). This stigma, according to Bates, was not the brutal slaughter of many Tasmanian Aboriginal peoples by settlers, rather to her it was the crime of scientific negligence that was unforgivable.

In her paper on "The West Australian Aborigines: Marriage Laws and Some Customs" published in four instalments in *The Western Mail*, Bates referred to Professor Tylor's receipt of the stone axe from the Murchison, and outlined some of her early anthropological concerns, asking: "who are these [A]borigines? Whence have they come? What mingling of races has produced the complex customs, the peculiar physique of a race so very ancient that it fades out of existence on the first touch of civilisation?" (Apr 7-28. 1906b). Like Morton, Spencer and others, Bates was asking and seeking to know the answers to her questions about Aboriginal peoples by first fixing them on the lowest step of an evolutionary ladder of human development.

Bates' manuscript copies of *The Native Tribes of Western Australia*, included early edits and suggestions by Radcliffe-Brown and Andrew Lang, many of which she rejected in favour of remaining faithful to "her native informants". Her manuscript was prepared for publication in 1912, but failed to gain financial backing. It was eventually edited and published posthumously by respected

scholar, author, lecturer and anthropologist Isobel White (Bates 1985). The many theories of anthropogenesis were varied and conflicting in Bates' draft chapter on "Origins" (Bates c1912a; c1912b,) and, perhaps influenced by Morton and Spencer, she made some comparisons between Jewish and Aboriginal racial types. During his lantern slide presentation of his Western Australia collecting visit to the Royal Society of Tasmania, Morton had stated: "As regards the features of these natives, and indeed I may say the majority of blacks I met, they were of a strikingly Jewish type" (1898b, 5). This same racial comparison was made later by Bates, who also quoted sources including Helms' and Durlacher's Jewish types, explorer and colonial governor Sir George Grey, and Dr Allan Carroll, the director of the Royal Anthropological Society of Australasia. Neither Morton nor Bates explain their references to Yamaji as Jewish types; however Morton does cite Spencer's use of the term to describe Arrernte people from Central Australia in his address to the Royal Society of Tasmania in June 1898 (Morton 1898-99, v). These descriptions of Yamaji as a Jewish type by Morton, Bates and others were discussed in the context of broader anthropological speculations about race and origins that had biblical and philological influences (see Bates c1912b, 42, 53; 1906).

Bates suggested that "the Australian native was not *sui generis* but a people with definite kinships among practically all the ancient peoples of the world" (c1912a, preface). As early as 1906, Bates had decided that there was but one race type (1906), and she prefaced her unpublished chapter on origins by agreeing with the Scottish scholar Andrew Lang and others that the "origin of the Australian Race ...was beyond finding out" (c1912a, 1). Her views on racial homogeneity are encapsulated in her comments that Aboriginal people were from "one common stock, since the same distinguishing characteristics are observable in tribes occupying widely separated extremities of the continent" (c1912a, 1). A widely held view at this time was that the body also determined cultural and moral development. Although much of her ethnographic work focused on the social and cultural aspects of Yamaji life, her raciological views on physical anthropology were well known. This included, for example, her statement that "[e]qually important therefore with the scientific study of a

language, is careful observation of the crania and facial features, bodily structure...hair, colour of the skin, etc." (c1912a, 1-2).

Bates professed to be only interested in "full-blood" informants and advocated strongly against miscegenation, stating: "with very few exceptions the only good half-caste was a dead one" (Bates 1921, 18; see also Reece 2007b, 89-93). In response to her offensive public statements, William Harris, a Nyungar man who was classed as a half-caste, argued a case for hybrid vigour popularised by Sir Harry Johnson and stated in 1922 "Mrs Bates shows a lack of humanity and tact to say the least, and her words must carry anger and disgust to many homes throughout the Commonwealth" (Harris 1922, 12; see also Reece 2007b, 90). But a decade or so earlier, Bates had used the theory of "hybrid vigour" herself to extol the virtues and superiority of the British "race". In her report for the Western Australian government, *Efforts Made by Western Australia for the Betterment of Her Aborigines*, she stated:

The arrival of the white man, bringing with him the abundant energy of the pioneer; the wonderful powers of endurance; the excessive activity, the ways and methods of civilised life – houses, clothing, foods—above all, the extraordinary adaptability possessed by a race that calls itself British, but which is in reality a mixture so complex as to be enabled to accustom itself either to Arctic cold or tropic heat—the influx of such a race could not help being the signal for the disappearance of the indigene. Setting all these new and strange forces in the midst of a people who were only energetic in "fits and starts," or when hunger assailed them; who possessed no physical stability; whose activity entirely depended upon the mood of the moment...is it any wonder that such a sudden, violent and complete change should be the main factor in their gradual extinction (1907a, 4).

Using a perverse, contradictory and racialised scientific and colonial logic, Bates maintained that the racial "purity" of Aboriginal Australians must be maintained, but at the same time argued that this racial purity was a contributing factor to their inevitable "extinction". The ruthless onslaught of colonisation and the inestimable depopulation of Aboriginal peoples was hardly ever acknowledged by anthropologists; that recognition only came from a minority of humanitarian voices. The work by Bates and Radcliffe-Brown on Bernier Island amongst sick

and dying Yamaji is a prime example of this forgetting, based on their presumptions about the inevitability of extinction, and auto-genocide.

Bates was a keen supporter of the government's protectionist agenda and the establishment of reserves and vehemently believed that the racial purity of Aboriginal and white Australians should be preserved by these means. She "rejoice[d] that there were no half-castes begotten in my camps" (1938, 237). The racial theories of evolutionary adaptation, hierarchical development and origins espoused by Bates, A.O. Neville and many others in the early 1900s would eventually "scientifically reconfigure" Aboriginal people as dark Caucasians, and "shift the boundaries of "whiteness" to incorporate Aboriginal Australians into a racial category as "distant relatives and object lessons" of European Caucasians (Anderson 2002, 193; also see Neville 1947; McGregor 1997).

The ambivalent, confused and obscure raciological views held by Bates and others are mirrored in the way that she applied her ethnography, often inscribing notes on the back of photographs (now held in her collection at the National Library of Australia). The information is specific to the subjects in the photographs and is often quite detailed, stating the names of those in the image, their country, totems and kinship. Based on this apparent attention to detail I turned with particular anticipation to her haunting images of two female figures, Booreeangoo and 'Murchison Woman', in my search for photographs of my ancestors. However, as I was to learn, Bates' captions and the images could not be taken at face value. As it turned out, Bates misappropriated commercial photographs of Aboriginal women from language groups and country in NSW to re-present them as Yamaji and "authentic" primitive race types. Her well-publicised views about Aboriginal "race types" as fixed, homogeneous and doomed to extinction also influenced how she depicted Yamaji in her many popular newspaper articles and books.

Photographic Memory: Wahda Yamaji Forebears

From an early age I was aware of the significance of our collection of family photographs, stuck randomly into albums or piled loosely in tin boxes at the back of my mother's wardrobe. They represented a sense of connectedness

and permanence in an otherwise transient life, moving from town to town or in and out of child institutions. As I grew older, I began to ask more questions about the people—nanas, aunties, uncles, cousins—and the places—Eradu, Narngarlu, Mullewa, Coorow, Morawa, Thundelarra—in the photographs. The answers were sketchy. Some years later, I came to realise that there were many family members who were absent from our collection such as, Jiddin, Tuppeny, Melbin and Shilling. The current research has provided an opportunity to search the many collections named in the Introduction, including the Berndt Museum’s “Bringing the Photographs Home” project. In this archive I found a photograph of “Shilling” taken at Moore River Native settlement near Mogumber in Western Australia. The name of my cousin was written on the back, so I became very excited. Lamentably, further research has failed to confirm the identity of the woman named Shilling in the photograph as my great-great-great grandmother from Yalgoo. I then began to ask relatives if they had photographs of our Yamaji ancestors and eventually I did acquire a photograph of Shilling’s daughter (my great grandmother), Jiddin, taken at Ninghan station (see Figure 0.2 in Preface) which has been verified by my mother and other relatives who lived with her. Photographs of my Yamaji forebears are vitally important to families such as mine who have been disconnected from each other and our histories through the effects of colonisation and government policies.

An historical-discursive reinterpretation of the photographs of Jaal has extended my knowledge of our Yamaji kin and the ways in which our stories have unfolded and remain entwined as part of the rapid colonisation of the Murchison—stories that are traumatic and complex. Many Aboriginal people are now recognising the value of photographs taken by scientists, missionaries, and commercial photographers in their search for missing relatives and their histories (Aird 2014; Gough 2014; see also Lydon 2014). Photographs can reconnect Yamaji families to their past in the present and I was struck by how much of each of our stories we share in common, including in particular the heavy presence of the silences and the fractures in Yamaji families and their histories. Although, as I discuss below, finding photographs of ancestors and kin can be difficult, messy and confronting, returning them can be equally complicated.

While anthropological photographs of our ancestors and kin are welcome additions to family albums, confronting the histories behind them can open up old wounds and disturb long hidden trauma.



Figure 6.2: 'Booreeangoo'. Daisy Bates Collection, National Library of Australia MS365/95/59.

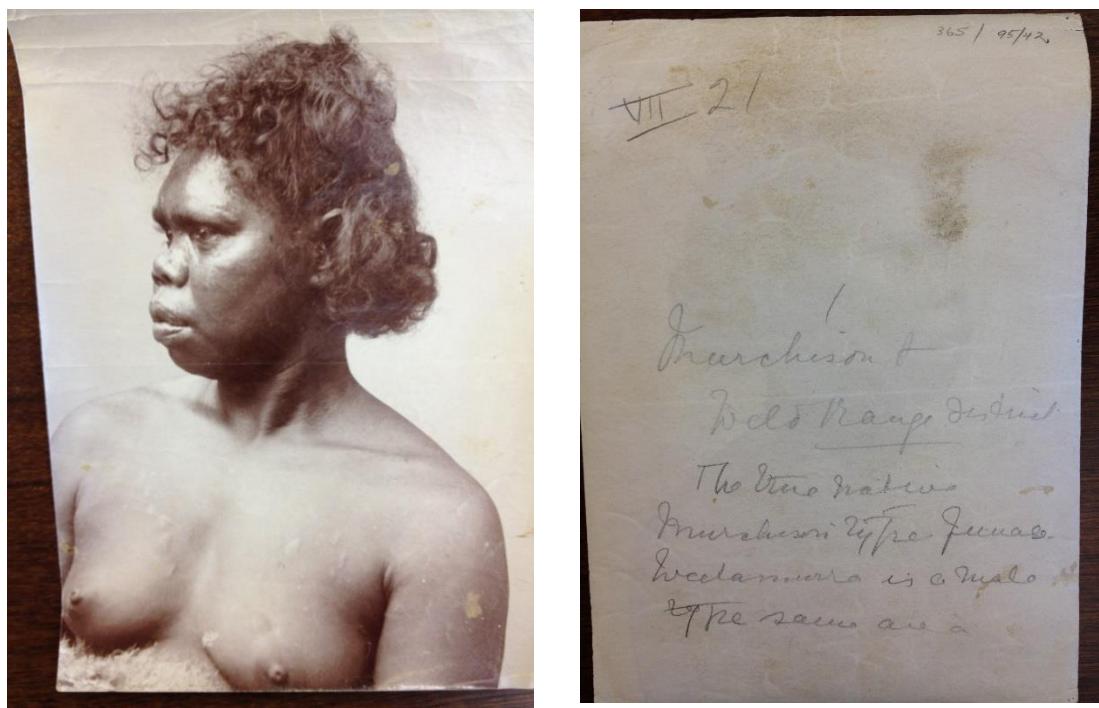


Figure 6.3: 'Murchison Woman' (Front and Reverse). Daisy Bates Collection, National Library of Australia. MS365/95/42.

In 2012, when I was half-way through this research, locating the original copies of two photographs titled Murchison Woman and Booreeangoo held in the Bates collection at the National Library of Australia was, initially, a cause of great excitement (See Figures 6.2 and 6.3). I had first come across them a year earlier as high key figures on microfilm in the Western Australia Battye Library, and I thought that I had found more images of my Yamaji ancestors, in particular Booreeangoo, as her birth place was given as Yalgoo. As my grandmother's family were all from the country near Yalgoo, I wondered if she could be related to us. I accepted without question, as Booreeangoo's known descendants had done for many years that the photograph labelled as such by Bates was in fact of Booreeangoo. Having no reason to think otherwise, I felt I was looking at a photograph of one of my kin, and possibly even an ancestor. I thought I recognised my mother's eyes. It was an overwhelming experience, and for a very brief time I claimed both Murchison Woman and Booreeangoo as my forebears. Unfortunately, I was to experience a sense of double loss when I learnt that these photographs could not have been taken by Bates, and indeed were unlikely to be photographs of Yamaji women at all.

In 2013, while searching through the online photographic collections held by the NSW Library and the Pitt Rivers Museum, I recognised immediately the photographic figure Bates characterised as a 'Murchison Woman'. Here, in digital form, her name was now 'Minningun' a woman from New South Wales, some thousands of miles from the Murchison (see Figure 6.8). It was this discovery that caused me to first suspect that the photograph purporting to portray Booreeangoo in 1909 had also been misappropriated by Bates. Tracing the photograph of Booreeangoo to another photograph captioned 'Coondah Moss Vale Tribe, N.S.W.' was less straightforward. The photograph of Coondah from the Kerry and Co Studios is now part of the Tyrrell Collection held by the Powerhouse Museum in Sydney (see Figure 6.5).

As I traced the histories of Bates' photographs, the evidence mounted that she had conflated images of Yamaji women with those of Minningun and Coondah from NSW. The use of other photographers' images as one's own was common practice in pre-copyright times, when these types of commercial photographs

became the property of the purchaser. Once acquired, the image could be used and re-captioned with or without acknowledgement of the photographer, to suit whatever purpose required. It is this accepted practice that could perhaps explain Bates' manipulation of the photographs of Coondah and Minningun as her own. However, I suggest the misappropriation of the Kerry photographs by Bates was influenced by her well known views that regarded Aboriginal people as an inferior and homogenous race, who were rapidly disappearing.

Who was Booreeangoo?



"BOOREEANGOO," A MURCHISON NATIVE.
Whose death and burial are interestingly described by Mrs. Daisy M. Bates, F.R.A.S.,
on Page 14.

Figure 6.4: Booreeangoo published by Bates in the Western Mail (Bates 1909).

In 1909, the photograph in Figure 6.4 was used to illustrate a newspaper story written by Bates of Booreeangoo's tragic death and burial ceremony in 1908. Bates told how she had travelled to Booreeangoo's camp near Mindoola on 17 October 1908, during the final stages of her initial ethnographic fieldwork on the Murchison for the Western Australian government. According to Bates, Booreeangoo had been "stolen" from Yalgoo as a young woman and taken north to Mindoola where she had worked and raised a large family. Bates' account

describes Booreeangoo as well respected in the district. Her death was also reported in the local newspaper, indicating the high regard in which she was held by both Yamaji and non-Yamaji. Bates clearly stated that the photograph she used in the article published a year after Booreeangoo's death, showed that "the character of Booreeangoo ... was, as will be seen from her photograph, an exceptional one. She was kind-hearted towards everyone in camp, and always shared her food and earnings with all her relatives who wanted help" (1909, 14 my emphasis). Bates specifically directed the reader's attention to the photograph as visual "proof" of Booreeangoo's exceptional character. However, the photograph of Coondah (Figure 6.5), the photograph said to be of Booreeangoo in Bates' newspaper article (Figure 6.4) and the Bates collection in the National Library of Australia (Figure 6.2), are likely to be of the same woman. It is therefore unlikely that she is my kinswoman Booreeangoo. While for some spectators, the incorrect naming and captions attributed to the Aboriginal subjects may appear arcane or trivial, for Aboriginal descendants who have no other photographic records it is a vital issue, as these photographs represent a longed-for opportunity to connect with a past that colonial violence has disrupted.

No other photographs of Booreeangoo are known. Booreeangoo's descendants are the traditional custodians of the Weld Range district and they continue to live on and care for their country, their sacred sites and Booreeangoo's grave site there. Given the strong possibility of a most disquieting conflation or substitution, Booreeangoo's great grandson, a Wajarri elder and custodian of Thuwarri Thaa (Wilgie Mia), who does not have any other photograph of his great grandmother, has granted his permission to publish this photograph purporting to be of Booreeangoo here, as it may assist in confirming who the subject actually is.

Coondah from Moss Vale NSW



Figure 6.5: "Coondah" ... Moss Vale Tribe NSW: Kerry and Co. Sydney. Courtesy of the Tyrell Collection: Power House Museum Sydney

The photographs of Coondah in Figures 6.5 and 6.6 are attributed to Kerry and Co. Studios that operated in Sydney from 1884 until 1917 (Millar 1981). They may, however, have been taken by well-known photographer Henry King, as will be discussed below. Although the photographs of Coondah (Figures 6.5 and 6.6) do not figure in the Kerry series of 150 images, they do appear to have the similar features to those evident in the Minningun studio photograph and others in this same series including; composition, lighting, angles, backdrop and the use of props such as a kangaroo skin. The two photographs of Coondah have been compared visually to the photograph said to be of Booreeangoo by this researcher and by curators at the Power House, South Australian and Macleay Museums, and all agree that the images appear to be of the same woman (Gardam

2014; Hackett 2014; Conway 2014). Facial recognition software also indicated a 97 percent match between the subjects in Figures 6.2 and 6.5a. Although the photographs are taken at a slightly different angle to that of Booreeangoo, the visual clues, particularly the distinctive scar on her right eyebrow, strongly suggests that Booreeangoo and Coondah are one and the same person.



Figure 6.6: "Coondah" ... Moss Vale Tribe NSW: Kerry and Co. Sydney. Courtesy of the Tyrell Collection: Power House Museum Sydney.

It is impossible to know whether it was Kerry and Co Studios who were responsible for captioning photographs of Yamaji women from the Murchison in Western Australia as Aboriginal women from NSW, or whether the substitution was the work of Bates herself. However, Bates' substitution of a photograph of another woman from the Kerry and Co collection for her "Murchison Woman" is evidence that she substituted photographs on at least one occasion. The glass plate negative captioned "Minningun" from the Kerry and Co Studios Collection (now held in the Tyrell collection at the Powerhouse Museum Sydney) is part of a series of 150 images said to have been taken in 1885 for the Colonial and Indian Exhibition of 1886 in London (South Australian Museum 2014a). Many digitised

and print copies of this photograph of Minningun are held museums and library databases in Australia and England such as the Royal Anthropological Institute London, British Museum London, Powerhouse Museum Sydney, South Australian Museum and Macleay Museum in Sydney.



Figure 6.7: Minningun as 'Aboriginal Woman of the Murchison': Daisy Bates in The West Australian February 2. 1936.



Figure 6.8: 'Minningun A MacLeay River Woman': Kerry and Co. Collection, Mitchell Library, State Library of NSW.

The photographs in Bates' collection at the National Library of Australia, including those said to be of Booreeangoo, Murchison Woman, Jinguru and Baeljarra (see Figures 6.2, 6.3 and 6.9) were also inscribed with ethnographic details. Although the information handwritten by Bates on the reverse side of Figures 6.2 and 6.3 relates to Yamaji women, these photographs also represent Aboriginal women from NSW.

Postcards from the Edge: "Please Return to Daisy Bates"

Many of the photographs in the Bates collection, including the one of Jaal's brother-in-law Jinguru (see Figure 6.9), are inscribed "Please Return to Daisy Bates Karrakatta Club". The instruction is written in the same distinctive

longhand Bates used around the edge of the photograph of Booreeangoo (see Figure 6.2) and clearly demonstrates the accepted practice of what Webb refers to as photographic “piracy”, which will be discussed below (1995).

In addition to collecting photographs, ethnographical information and artefacts, Bates is also said to have used a camera to record her journey and the people she met in the north west in the early 1900s (Bates 1938, 1985; Reece 2007b). With the rise in the popularity of the postcard throughout the Western world between 1902 and 1914 (see Peterson in Donaldson and Donaldston 1985), Bates saw another opportunity for producing much needed income. Postcards featuring Aboriginal Australians were being mass produced successfully for popular consumption by many Australian commercial photographers, such as Kerry and Co., Henry King, J. W. Lindt and Falk Studios, during the early 1900s. These commercially produced images were also of interest to scientists, particularly for those establishing careers in anthropology, and Bates considered herself to be part of this emerging fraternity. She is reported as having produced postcards of Aboriginal people for sale through the Perth printing company of Sands and McDougall (*The West Australian Sunday Times* Aug 28. 1904c). According to this source, which may have been Bates herself, the majority of these postcard images of Aboriginal people came from the Broome area. Bates claimed to have sent a souvenir album of these photographs to the children of the Duke and Duchess of Cornwall and York (Reece 2007b; *The West Australian Sunday Times* Aug 28. 1904c: 10) sometime during 1901– 4. However, further enquiries have not yet located this album in the Royal Photographic collections. Many other photographs belonging to Bates were apparently lost in the offices of the *Adelaide Advertiser*. Some years after leaving Western Australia she lamented:

I fear there is some tragedy connected with my most valuable and oldest photographs, when illustrations were being chosen for my first book... Mr Parish and Mrs Hill could not tell me where they had been put... [a]ll enquires I could make at the time brought no result... I grieve greatly over the suspense—as the old snapshots etc. taken at the expense and time, trouble and under great difficulties at times, but I can do nothing (1985, 25).

However, this reputed loss of Bates' photographs in 1936 was unlikely to be the reason she misappropriated photographs taken by other photographers. It appears that Bates had already set a precedent for substituting photographs in 1909, with the image of "Coondah" from Kerry and Co. Studios. It is possible that the photographs of Coondah as Booreeangoo, and Minningun as Murchison Woman, were from "stock" images held by the *Western Mail* in 1909 and *The West Australian* newspapers in 1936 respectively. If they were, Bates knowingly inscribed inaccurate information on the original prints used in the newspaper publications and which have been retained in Bates' NLA collection. Certainly, Bates accumulated photographs taken by others, and these make up the bulk of her collection.

The counter proposition, that the photograph of Booreeangoo and a Murchison Woman were taken in studios in Western Australia, and then purchased by Kerry and Co. in NSW, and re-captioned "Coondah" and "Minningun" respectively, is extremely unlikely—given the approximate dating of the Kerry and Co. photographs. The only known professional photographer taking similar studio photographs of Aboriginal people at this time was J. J. Dwyer who commenced his business in Kalgoorlie in 1898 (Oxenham 2014). Furthermore the photographs of Minningun are amongst a series of 150 prints from the Kerry and Co. Studios that are said to have been produced sometime between the 1880s and 1890s (Barker 2009). Bates was a collector of photographs and cultural objects, as much as she was an ethnographer compiling data on Aboriginal people. Yet, as I maintain, she mis-represented Aboriginal women from NSW as Yamaji women from the Murchison for her newspaper articles, claiming one as a race type and the other as a well-known and respected Yamaji identity. The ethnographic and very personal information inscribed on the back of the photographs that Bates retained in her collection form part of her Aboriginalist discourse, and remains part of a regime of truth until now. In so many ways I want to be mistaken regarding Bates' substitutions and conflations but the archival evidence, the visual clues, and the histories attached to the photographs and their Aboriginal subjects strongly suggests otherwise. There are no extant histories of Minningun or Coondah—they are yet to be written.

Commercial Anthropological Images of Exotic Race Types.

The photographs captioned Coondah and Minningun were published and sold by Kerry and Co. (formerly Kerry and Jones Studios) as prints and postcards (see Maynard in Donaldson and Donaldston 1985). The names of the photographers who captured many of the Aboriginal portraits in the Kerry and Co. collection remain unknown because no records were kept (Millar 1981). Kerry and Co. purchased and printed photographs taken by others, and also employed staff photographers including George Bell, Harold Bradley and Willem van der Velden. In addition to this, was the “infuriating convention of the time, whereby the entrepreneurial, photographic businessman imposed a house name and anonymity upon all contributors to the firm’s output” (Millar 1981, 27). The piracy of images was very common at this time and “led to multiple photographer attributions and confusing dates” (Webb 1995, 185). To complicate matters of authorship further, Kerry purchased photographs acquired by the Henry King Studios when it closed its business in the early 1900s (Millar 1981). There are photographs of the same subject inscribed with both Kerry’s and King’s names. Another photograph that appears to be of Coondah is held at the Macleay Museum and is attributed to Henry King. In its curatorial statement, the Macleay Museum at the University of Sydney also confirms the difficulties identifying these photographic subjects:

Due to the reproducible nature of photographs and the wide circulation of early ethnographic imagery in academic circles, single images and parts of collections are often located in different institutions. In addition, copyright and conventions for crediting original artists were less stringent than they are now. For example, if a studio purchased someone’s photo they often re-printed under their own name. These aspects add additional layers of complication to collections which already have potentially myriad cultural, social and historical interpretations (Macleay Museum 2014b).

The Kerry and Co. studio portraits of individuals often contain two and sometimes three images, full face, profile and three quarter profile (see Figures 6.8 and 6.9). This photographic practice was typical of anthropometric portrayals of race type from the mid-1800s onwards, and was used by others including C. A.

Woolley in his portraits of Truganini (see Rae-Ellis V. in Edwards 1992a, 230-233).



Figure 6.9: 'Minningun A MacLeay River Woman': Kerry and Co. Collection, Mitchell Library, State Library of NSW.

The use of commercial photographs in anthropological collections and for reproduction in scientific papers was encouraged by anthropologists and considered an accepted practice at this time (see Edwards 2001, 40). The style of the Kerry and Co. and King Studio photographs were influenced by the demands of "ethnological taxonomic classifications such as physical type, technology, material culture, clothing, body decoration, [and] weaponry" (Macintyre and MacKenzie 1992, 158), and the anthropometric style of full face and profile images (Spencer 1992). As noted by Edwards, "if commercially produced images can be said to have an ethnographic intention through the broadly racialised discourses of colonial photographic practice, their absorption into the scientific gave them authority" (Edwards 2001, 40). The existence of the two Kerry photographs in the Bates' collection as visual evidence of "race type" can be understood as an extension of the international networks of collection and

exchange by individuals and scholars established at this time (see Edwards 2001).

A series of studio portraits of Aboriginal people by Kerry, King and Lindt were taken at the specific request of the New South Wales government for display at international ethnographic exhibitions, and the political context of their production must be considered. The photographs by Lindt were catalogued in the Section K on Ethnography, Archaeology, and Natural History, class 107 item 877, with some locations given and the subjects listed as "male, female and children" (Colonial and Indian Exhibition London 1886, 342). Charles Kerry and Henry King also exhibited at the World Columbian Exposition in Chicago in 1893. King won a certificate and bronze medal for his Aboriginal portraits displayed there (King 1983; Millar 1981)

The staged commercial photographs, many of which were also printed as postcards, decontextualized Aboriginal subjects as a race type against blank backgrounds, and re-contextualised them without clothes and surrounded by various extraneous materials and artefacts to cater for the demands of both the scientific and popular gaze. This genre of the photograph can be viewed as an extension of the popular cultural spectacle of "savages on show" and anthropological exhibits of the primitive in "native villages" at international trade fairs and exhibitions (Poignant 2004; Raymond Corby in Nederveen Pieterse and Parekh 1995; see Street in Edwards 1992a, 122-131). As noted by Edwards, "the Great Exhibition of 1851 had been the starting point for a massive rise in photographic awareness ... and the increasing ease of photographic technology from about the 1860s onwards meant an explosion in the circulation of anthropological photographs" (Edwards 2001, 29). It was at this time that the public became increasingly exposed to scientific discourse as educational spectacle through the great exhibitions, museums, postcards and illustrated publications (Lightman 2012; see Street in Edwards 1992a). The fact that these photographs could be used to represent race types in popular and scientific contexts indicates the very fluid discursive nature of photographs and the extent of their circulation.

This Is Not a Race Type

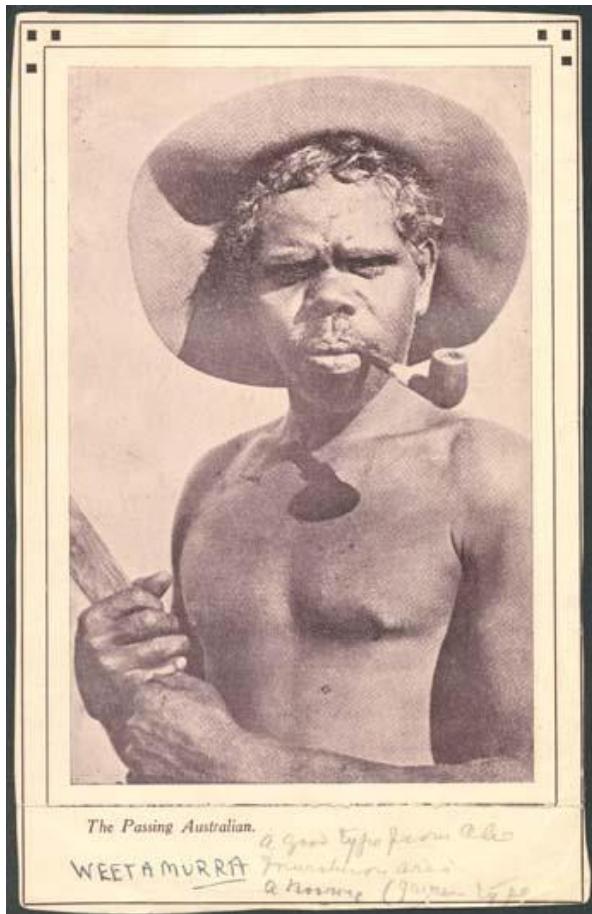


Figure 6.10: "*The Passing Australian-Weetamurra*": Bates Collection Digital Collection University of Adelaide Series 9/26.

It cannot be known for certain how Bates acquired the mass produced photographs of "Minningun" or indeed "Coondah", but these images were readily available for sale as prints and postcards to the public and scientists alike. Remarkably, many of the subject's names, country, and in some cases, language groups were inscribed on the Kerry photographs and these, I contend, were removed before being re-named and published by Bates. Stock photographs of unidentified Aboriginal people that conform to a racialised stereotype were, and are still, used to represent race type. While Bates' photographic substitutions may not be unusual in representing race type, they are in terms of erasure and re-inscriptions of an individual's Aboriginal identity.



Figure 6.11: "Group of Aboriginal men and boys dressed for a ceremony on a playing field, Perth, Western Australia". Photographer C. E. Farr 1909: Courtesy of National Library of Australia nla.pic.an-23167201.

Front row: Jajjeebung, Mobel, Doolbar, Ngaijung, Yee-enit, Yooardel, Billy Weetamurra. Middle row: Woljar, Yeerain, Jamborit, Yarrbungit, Kaiar, Nookar, Keekarr, Joolgur, Wongur. Standing: Bimba, Dool, Nebinyan, Ngoynja, Wajjee, Sandy, Joonyer, Billei Mardee, Kaiar, Warin.

Bates' removal of the identifying photographic details of Minningun went beyond placing her in Yamaji country. Bates also nominated the figure of 'Weetamurra' as Minningun's counterpart—a male type from the Murchison (see Figure 6.3 Reverse). A photograph of Weetamurra (See Figure 6.10), who was in fact a Yamaji from Yalgoo, was used to illustrate Bates' newspaper article in *The West Australian*, "Sojourn in the Dreamtime" (1936a), and the book based on her serialised memoirs (1938). In both contexts Weetamurra was reduced to the disappearing race type captioned, "a typical [A]boriginal boy of the Murchison district" (1938, 103). However decades earlier, Bates had written two articles about Weetamurra. The first article in *The Western Mail* by Bates (1910a) used a photograph taken by C. E. Farr in 1909 (see Figure 6.11) in which Weetamurra (holding a well-used cricket bat as well as a shield) is posed with a large group of

Aboriginal men preparing for a corroboree in Perth. The cricket bat looks well used. A vivid image comes into my mind of the men enjoying a friendly cricket match while waiting to perform for the crowd of onlookers just visible in the background of the photograph. The Aboriginal men were perhaps inspired by the reputation of the New Norcia “Invincibles” and the Aboriginal cricket team who had toured England in the mid-1800s (see Reece 2014; Harcourt and Mulvaney 2005). The second article was an extensive story in the Christmas edition of *The Western Mail* about “Weetamurra a Yalgoo District Paljeri”. In this article the same photograph that appeared in the later 1936 newspaper article and 1938 book was used, though here his name was included to illustrate her detailed account of him (Bates 1910b). Again we see a pattern in Bates’ particular use of photographs, where individual Yamaji and other Aboriginal identities can be erased and re-inscribed to represent race type.

It is only in Bates’ *West Australian* series titled *My Natives and I* that the photograph of Minningun was used to represent a Murchison female race type. In each of the later publications during the 1930s, Bates combined her anthropological knowledge with the evidential authority of the photograph to create Yamaji fictions and race types as socio-historical and scientific facts. The original captions were cropped from the profile photograph of Minningun which Bates used and the image conformed to the anthropometric criteria for documenting race types. While Bates claimed to place great emphasis on the specificity of ethnology through a lifetime of fieldwork, this instance demonstrates a shallow and essentialised ethnological vision, where one ‘native type’ is interchangeable with another. For many anthropologists, including E. B. Tylor, “the authenticity of photographs as ‘race -portraits’” (Poignant 1992, 57) was an accepted fact, believing that “the skill of the collector lies in choosing the right individuals as representatives of their nations” (Tylor in Poignant 1992, 57). These anthropological discursive and scopic regimes “fixed individuals as representatives of race type, and informed and justified Bates’ particular use of images of Minningun and Coondah. Bates’ appropriations and substitutions were premised on an entrenched evolutionary scientific vision that “there was a physiognomic code to be read in physical form” (Poignant 1992, 57).

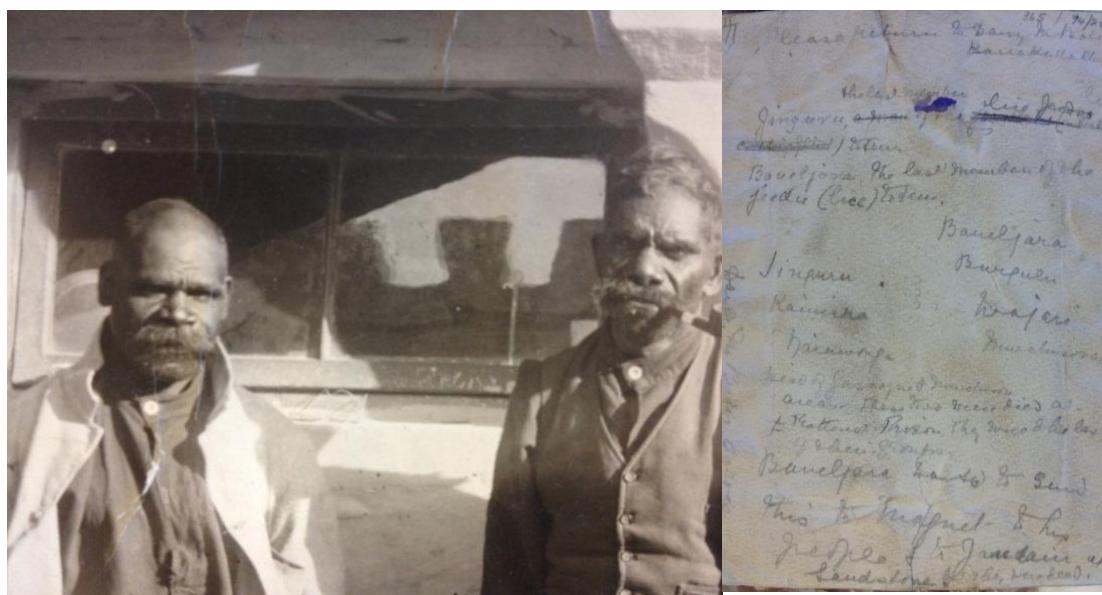
Photographs gave authority to captions and text. However, Bates' use of Kerry's images of Minningun and Coondah, and the photograph of Jinguru and Baeljarra that I discuss in the following section, bears out the labyrinthine and unreliable nature of colonial and scientific truths and the claims made about Aboriginal figures in such historical texts (see Russell 2012).

Discursive Violence in the Ethnographic Fictions of Daisy Bates

As discussed above, Bates' many newspaper articles and her use of photographs to fictionalise an anthropological past as historical and scientific fact was produced within a discourse on extinction. The vignetted photograph of Booreeangoo, together with Bates' many newspaper articles, perpetuated a particular racialised truth encapsulated by Bates and others in the phrase "the last of". This phrase appeared repeatedly in illustration titles [and written texts] from the time of Truganini's death" (Maynard 1985, 102). According to Bates, Jaal was "the last man of his group" (1938, 111) and this "doomed race theory" (McGregor 1997) inscribed in anthropological discourse, as discussed above, motivated her popular journalism and salvage anthropology. The discourse of extinction is embedded throughout Bates' scientific and popular writings and is explicitly referenced in her writings on the reverse side of photographs, including the one of Jinguru and Baeljarra now in her National Library of Australia collection. I now turn to this third photograph of Yamaji figures that were misrepresented by Bates.

The photograph in Figure 6.12 is of Baeljarra, a Badimaya Yamaji kinsman from Mt Magnet, with Jinguru (Jaal's brother in law) from Lake Way. It was possibly taken by Bates on Rottnest Island during her visit there towards the end of 1911 or early 1912 (see Bates 1904-1912, 1912a). Bates' ethnographic work with Yamaji on genealogies, language, laws and customs became the basis of her manuscript and of many newspaper stories. Jinguru's life as an outlaw and king paralleled that of Jaal, and Bates passed on crucial information about his genealogies and county to the police, facilitating his arrest near Wiluna in 1910 and his imprisonment for life on Rottnest Island (see Chapter Three). On behalf of himself and his three brothers—Jangari, Murri/Morrie and Jandabubby—

Jinguru, pleaded for early release through an interpreter many times while serving his life sentence on Rottnest Island. In 1915, immediately following Jaal's death, Jinguru stated that the reason for his latest request for release was to fulfil his role as the new "king" of the Murchison. Reports from Chief Protector Neville and (then Sergeant) McDonald to Inspector Holmes and the Commissioner of Police, strongly recommended against Jinguru's release (McDonald and Neville 1915-1922; Colonial Secretary's Office 1921).



*Figure 6.12: Baueljarra and Jinguru Rottnest Island Prison (Front and Reverse).
Daisy Bates Collection National Library Australia MS365/94/284.*

Nganalu Jinguru

On the reverse side of the photograph of Jinguru and Baueljarra (see Figure 6.12) Bates wrote, 'these two men died at Rottnest Prison ... and were the last of groups (sic)" (Bates 1883-1990 MS 365/94-96). Bates also described in great detail how Jinguru died in her arms during her visit to Rottnest Island prison in March 1912 and even commented that 'seeing his grave added to the many' was one of her 'saddest memories' (1938, 119).

This story is another example of her fabrications about Yamaji. A long prison term and the demands of their conditions of release did have devastating consequences for Jinguru's family, but they were not as described by Bates. While Baueljarra's fate is unknown, Jinguru was eventually released from Rottnest

Island prison in February 1922. The condition of his release was banishment: he was “never to be returned” to his country, and he was condemned to serve the rest of his sentence at the Moore River Settlement (McDonald and Neville 1915-1922). In 1924, however, another warrant was issued for his arrest following his escape back to his country (Colonial Secretary’s Office 1924).

Jinguru’s brother Jangari (or Jingari) had a name very similar to his, and it was at first thought that this could account for Bates’ confusion about the former’s fate, but Jangari did not die on Rottnest Island either. His death occurred thousands of miles away at Onslow on 30 December 1918. Jangari was banished to strange country in the Pilbara as a black tracker, another government tactic to dispossess and disperse Aboriginal people considered as notorious and dangerous. Another brother, Murri, was sent from Rottnest to Onslow as Jangari’s replacement following his death, and worked as police tracker until he died there also in 1921. His brother Jandabubby became seriously ill and on the 27 November 1920 was transferred from Rottnest Island Prison to Fremantle hospital where he died of pneumonia on 2 December 1920 (McDonald and Neville 1915-1922). In 1921, with all his brothers dead, Jinguru, aged and fearful of dying alone on Rottnest makes one last desperate plea to the Chief Protector Neville (Colonial Secretary’s Office 1921).

The Return of Jinguru

There is a significant amount of historical information in the archive about Jinguru and his life as a king, black tracker, criminal, family man and senior lawman. Some of his story will be included here as a partial counter-history to Bates’ fabrications about him. Against Bates’ ascription of an untimely death in captivity to Jinguru, and the broader context of her melancholy narrative of Aboriginal extinction, the following section threads together from the fragments of the archive the story of Jinguru’s determined survival and continuing resistance.

Jaal, Jinguru and the latter’s brother Jangari, were significant informants for Bates’ ethnographical work. When Bates left Rottnest in 1912 she was given bamburdu message sticks by Jinguru for his relatives on the Murchison. As she

had done with Jaal and other Yamaji on Bernier and Dorrè Islands, Bates recorded the details of Jinguru's bamburdu (see Figure 6.13) which was addressed to Jaal and his wife Yangulu (Bates 1883-1990 MS365\67\no page; see also c1912i), but she never returned to the Murchison.

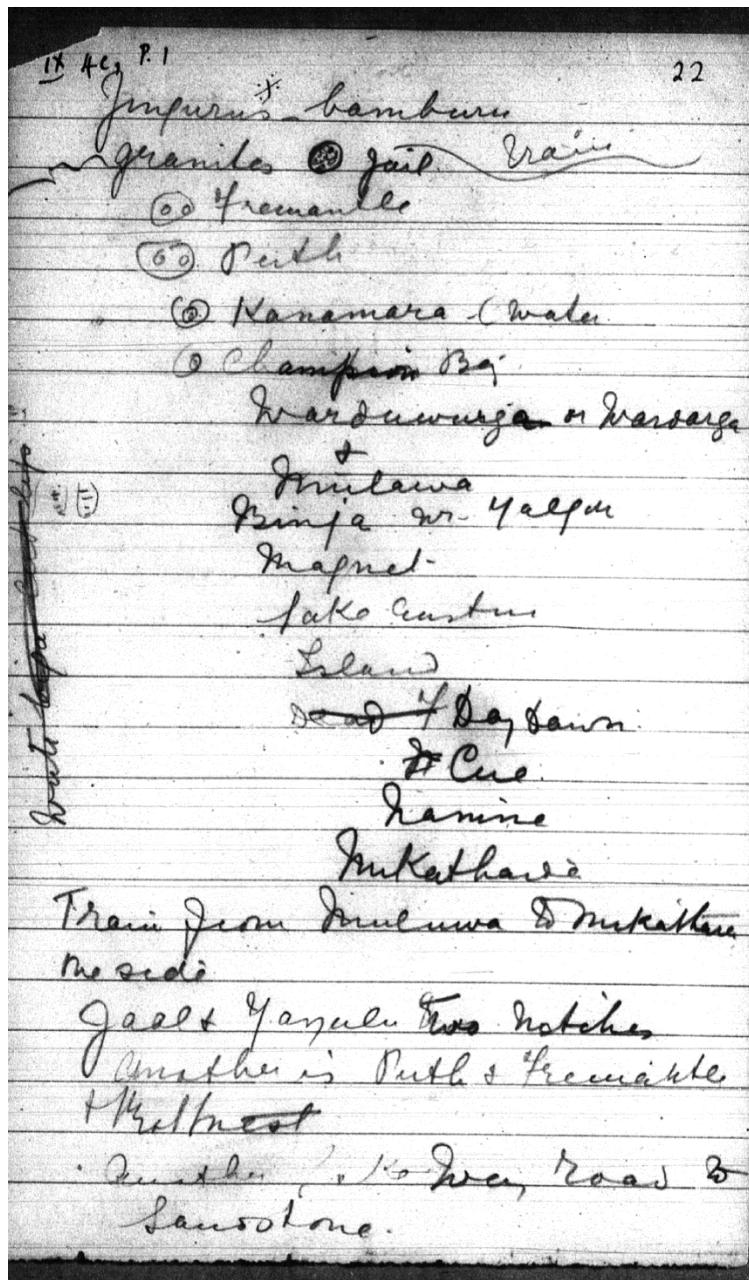


Figure 6.13: Jinguru's Bamburdu message Daisy Bates Collection, National Library of Australia (Bates 1883-1990 MS365 \67\no page).

Soon after she left Rottnest Bates wrote a newspaper article for *The Western Mail* about how she 'obtained' a rare collection of sacred objects from Jaal, Jinguru and the latter's brothers (Bates 1912b). She left Western Australia during 1912. The fabrication of the story of Jinguru's 'death' in 1938 perpetuated her familiar

extinction narratives and claims of ministering to ‘a dying race’, as they are woven into her many published newspaper articles about Aboriginal people.

Jinguru and his brothers were, like Jaal, from Lake Way (Wiluna), and were arrested there for the “Peak Hill Native” murders in 1910 (Cue Clerk of Courts 1911). Bates claimed to be instrumental in their arrest. Their sentencing to death by hanging was commuted to life imprisonment with hard labour on Rottnest Island (Gaols Department 1911). This punishment thousands of miles from country inflicted the harshest penalty on the souls of Yamaji. The regime of hard labour was also intended to discipline their bodies as they were forced to work as part of their “rehabilitation”. As with Bernier Island (and the pastoral industry) Aboriginal labour was used to maintain these prison reserves saving the government many thousands of pounds. Jinguru and his brothers, along with other prisoners, were put to work there on the salt mines, road systems and buildings, shepherding, cleaning, and cutting firewood as state reformatory methods. When Jinguru was not in prison he was employed as a tracker for Corporal Tyler who had assisted Morton in 1897 and for Police Constable McDonald who assisted the Cambridge expedition in 1910 (McDonald 1996). Jinguru also worked as a tracker while on Rottnest Island, where he helped fight severe bush fires in 1917. White prisoners who also assisted in fighting the fire got a reduced sentence, while the suggestion and a request for a “luxury” reward in the form of a tin of jam for Jinguru and other Aboriginal prisoners for their efforts in this regard, was refused (Badger 1920).

While serving his life sentence Jinguru began a series of petitions to the British king in 1915 for a remission of his sentence. The petitions, presented through an interpreter, would continue until his eventual release in 1922. As mentioned above, Jinguru’s first petition was based on his own election as the new “King of his tribe” following the death of Jaal. In 1915 the Superintendent of Rottnest prison notes, “they [Jinguru, Jangari, Murri, and Jandabubby] would like to petition, to enable them to join the tribe and install Coyle [Jinguru] in his Kingship with their ceremonies.” (Colonial Secretary’s Office 1915). Shortly after a subsequent petition in January 1917, Jangari was sent from Rottnest prison to Onslow as a “Police boy” as recommended by Neville. In yet another petition from

Jinguru in December 1917 on behalf of himself and his two brothers he pleaded: "we are now old men, and ask to be allowed to return to our own country, and die in peace among our own people and your humble petitioners will ever pray". This "prayer" by Jinguru was again refused by Neville who reports, "I think it much preferable that these natives continue to be employed usefully in the Prisons Department than that they should be returned to their district" (see McDonald and Neville 1915-1922). On 25 December 1918, in one of their last letters of petition as "reformed" subjects of "King George of England", Jinguru, Murri and Jandabubby implored (through gaoler Mr Pond):

We are getting very old now and would like to go back to our country where our people are living. Some dead some still living, some may be alive after all this long time we have been in prison, if you will leave (sic) us all go home to our country we will not be sulky fellow any more but plenty workum and plenty mindum sheep and will not kill anybody but station workum. Please let us go home to our country we likeum plenty to go home. Rottnest to mutch (sic) salt water, we plenty cry to you to let us go home soon (see McDonald and Neville 1915-1922).

Jinguru's and his brother's cries for country and liberty was again dismissed by Neville who stated that it was "much too soon to let them return to their country ... Perhaps it would be possible to arrange for them to serve portion (sic) of their sentence as Police boys" (Neville 1919). Jinguru's wish to see his daughter and his right of kingship was once more deferred, and just days after this latest petition, Jangari died in Onslow as outlined above. Police reports to Neville in March and April 1919 from Officers on the Murchison—which included McDonald—continued to recommend against Jinguru's release (McDonald 1919). Jandabubby and Murri died soon after in 1920 and 1921 respectively. In 1922, the Deputy Chief Protector Aldridge reluctantly agreed to send Jinguru to Moore River Native Settlement on Nyungar country in the south west of Western Australia to complete his sentence (Aldridge 1922). Jinguru, armed with a gun, escaped from Moore River in 1924 to return to his wife Kalliboo (Alice) and their "half-caste" daughters on the Murchison (Colonial Secretary's Office 1924).

Immediately a warrant was issued for his arrest. On the course of the futile police hunt for Jinguru, his daughter Windel (Winnnie) and wife Kalliboo were

captured with a view to luring Jinguru into custody. A letter to the Deputy Chief Protector from Police Sergeant Notley states:

Constable H. Martin ... whilst engaged collecting statistics in Gum Greek district secured native Coyle's [Jinguru] gin Alice and her half-cast child a girl named Windel aged 4 years. Constable Martin brought this gin and her child to Meekatharra as it was considered that by keeping her here for a time, the native Coyle who is wanted on warrant charged with escaping from Native settlement Moore River—may be decoyed here into this District, and so give police a chance of arresting him" (Colonial Secretary's Office 1924).

A Mrs Besley owner of Bellegrange station near Nannine complained to Mr Chesson M.L.A. and Chief Protector Neville that Kalliboo was kicked, beaten and then chained to the wheel of a buggy by a police constable Martin. An inquiry took place at the Meekatharra police station at which Alice was interrogated by the police including her attacker. Despite Mrs Besley's complaint and the eye witness account and sworn written testimony of a white station worker, all charges of ill-treatment by the police were dismissed. The correspondence between Besley, the Chief Protector of Aborigines and police reveals the complete lack of justice served in this case. After being held by Sergeant Notley at the Meekatharra police quarters for a month, awaiting instructions from the Chief Protector of Aborigines, Kalliboo's daughter Windel was removed to Moore River Settlement on 22 October 1924 (Colonial Secretary's Office 1924).

There are no records that Jinguru was ever recaptured or involved with any further conflict with the law. According to a local historian he died in his own country on the Murchison sometime around 1936 (Heydon 1990).

Conclusion:

The manipulation of the photographs of Minningun, Coondah and Jinguru by Bates was part of a much wider entrenched practice of using photographs as evidentiary visual documents of authentic race type for commercial and scientific purposes. This has made the search for photographs of Yamaji ancestors and kin very problematic in terms of knowing who the subjects are, and therefore who they belong to, or even what names have been given to them. These staged visual

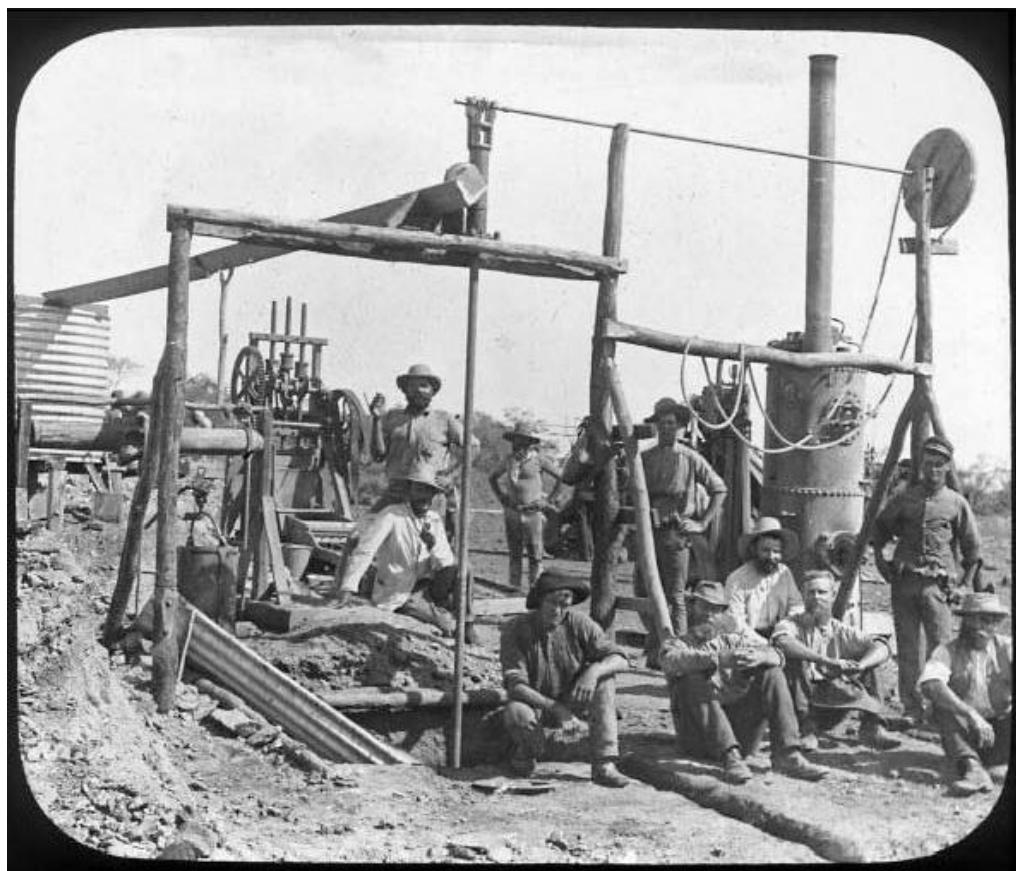
representations of Yamaji as the primitive other for popular and scientific consumption were produced for display in the ethnology sections of colonial exhibitions and museums. These types of photographs satisfied the desire for imperial and colonial spectacle, and also found continued currency in the form of prints and postcards traded within popular and scientific networks.

Bates' misrepresentations and substitutions have perpetuated an extinction discourse about significant Yamaji figures as the "last of their tribe". The way that Bates published and inscribed the photograph of Minningun as a substitute for a 'Murchison Woman' speaks to a scientific discourse of racial equivalence that contradicts notions of ethnographical specificity and exposes a more sinister and complex discursive violence of erasure and re-inscription. Bates' imaginings of her ethnographic authority and the motivations for her salvage anthropology extended beyond the photographs and provided the basis of many of her newspaper articles, manuscript, public lectures and books.

The final chapter of this thesis takes us back to the Murchison gold rush of the 1890s and early 1900s, which coincided with the imprisonment of many hundreds of Yamaji men, including Jaal, and the rapid spread of venereal disease that caused many deaths and decimated Yamaji families. It follows the story of his wife Mailgurdi and her two brothers and that of the final separation and dispersal Jaal's family, and bring us into the present.

Chapter Seven: Streams of Yamaji Blood in Fields of Gold: Un-Commonwealth in the Western Colony

My object being, in the first place, to obtain a knowledge of a portion of this State with which I had hitherto been unfamiliar, and secondly, to gain information at the fountainhead of the history and being of the many mines on those field, which are called collectively The Murchison Goldfields (Bates 1904, 20)



*Figure 7.1: The Murchison Goldfields. Photographer Alexander Morton 1897.
Courtesy of Tasmanian Museum and Art Gallery. Q15975.328*

Introduction

There has been much written about the history and impact of the pastoral industry in Australia, the retaliations by Aboriginal peoples against violence and dispossession and the brutal retributions inflicted by white colonists. This history also recognises the unpaid contributions that Aboriginal people have made to the pastoral industry (Rumley and Toussaint 1990; Reynolds 1989, 1982; Kidd 2007, 1997; Jebb 2009; Haebich 1992; Markus 1990; Biskup 1973;

Rowley 1972). However there has been little attention directed to the early interactions between miners and Aboriginal peoples in Western Australia and the reasons for this disparity remain unclear. This chapter will outline some of the factors that may have influenced this absence, including government policies of exclusion and marginalisation; the transient boom and bust nature of the largely British-owned gold mining industry; and the often weathered footprint of mining operations that nevertheless leave gaping scars on the landscape, most of which are now “ghost towns” and isolated abandoned shafts. As is still the case today, opportunistic vested interests of large scale mining in Western Australia were financed and operated primarily from international metropolitan centres.

Although a broad discussion of the gold industry in the context of empire is beyond the scope of this thesis, it is worth noting the links between gold production, its monetary value and European colonial expansion (see Schoenberger 2011; Howitt 1990). To the British imperialist, gold was power and “England’s dominance of world trade was assisted by its managed gold standard [which] was remarkably stable from 1700-1930” (Howitt 1990, 29). In terms of a global perspective, “although many different currency unions were formed within and even across the colonial empires, the pound sterling remained the largest and most important currency during the classical gold standard period” (Mitchener and Weidenmier 2008, 1822). From the 1880s, with the Victorian gold rushes all but at an end, the Western Australia government was offering rewards of 5000 pounds for discoveries of payable gold. With the economic depression in other Australian colonies starting to bite, numerous prospectors and foreign mining investors headed to Western Australia (Department of Treasury and Finance 2004; Appleyard and Davies 1988).

The mining industry has coexisted with pastoralism in the Murchison and other areas of the North West of Western Australia since the late 1800s. By 1900, as reported by the Under Secretary for Mines:

The value of the gold and other minerals exported was 56·85 per cent (sic) of the total value of the exports of the State. Since the discovery in 1885, gold to the value of £22,487,000 has been produced, and it is not to be wondered at that the

unearthing of this wealth has stimulated the prosperity of this State to a marvellous extent (King 1900, 6).

The production of gold fluctuated at the different mining centres, rising steadily until 1903 and then, following a long decline, rising again in the 1930s. In 1897 the Under Secretary for Mines, Henry Prinsep (later the first Chief Protector of Aborigines), reported that the population on the Goldfields was steadily increasing. In 1895 it had reached 40,000 of which 20,000 were miners. Prinsep reported: "The towns instead of being mere mining camps, are assuming a civilised and substantial appearance, with most of the comforts of civilisation such as a water supply, lightning, good road, places of worship, schools, libraries, hospitals and places of amusement" (Prinsep 1897, 6).

The employment of Yamaji by some pastoralists on the Murchison was in decline by the 1890s (Biskup 1973), although pastoralists still relied on the skills and local knowledge of "station natives", especially for seasonal work. From the 1880s sheep and cattle killing were the primary offences committed by Yamaji, while from 1891 there were increasing numbers of arrests for deserting or "absconding" from service, and larceny or "hut robbing" (Commissioner of Police. 1883-1910; *Murchison Times and Day Dawn Gazette* Apr 11. 1896a). The slow, steady creep of pastoralism into Yamaji country was dramatically overtaken by the rush for gold from the early 1890s onwards. Isolated police stations, homesteads and out-camps were replaced with rapidly expanding urban landscapes bolted onto either side of the encroaching road and railway systems servicing the townships established near the gold mines (see Figures 7.3 and 7.4).

Gold mining in the Kimberly during the 1880s, and on the Murchison Goldfield in the 1890s, put additional pressures on Aboriginal people already struggling, either to adjust to the dispossession of their land by pastoralists or to resist this through ongoing conflict. At each of the flourishing gold mining centres on the Murchison, Yamaji met with increased incidents of violence such as camp patrols and dispersals by police, and they suffered from contagious diseases. Yamaji retaliations were met with further violence, imprisonment and their forced exclusions from towns. The disruptions to cultural traditions and access to hunting grounds and water holes also impacted on Yamaji. In the preface to his

report for the 1990 Royal Commission into Deaths in Custody, Richard Howitt made the observation that:

The invasion of the Eastern Goldfields [Western Australia] came at a time when social Darwinism was at its most socially acceptable, when white Australia's notion of racial superiority faced no serious ideological challenges, and greed, violence, whoring and heavy drinking were accepted features of the gold rush frontiers. The legacy of that period was a seriously disrupted, depleted and disoriented Aboriginal population whose alienation from the so-called 'civilisation' of frontier society was total. Not only did the invasion tear apart the social fabric of local culture, but miners' destruction of many sites fundamental to the continued reproduction of that social fabric ensured Aboriginal people would have great difficulties in surviving at all, let alone securing an equitable participation in the new regional geography [and economy] created by the invasion (1990, i).

The impacts of the gold rush cited by Howitt parallel those experienced by most Yamaji, including Jaal and his family, on the Murchison during the 1890s. These impacts were well documented in the local newspapers, Chief Protector and Mine Warden reports and will be discussed below. Previous chapters have explored the discursive and physical violence inflicted on Yamaji in the context of anthropology, policing and pastoralism. This chapter extends that discussion to include the miners and their rush for gold on the Murchison Goldfields, and its impacts on Jaal and his family in the milieu of imperialism, colonisation and the ethnology of Bates and Morton. Interestingly, although they were not geologists, Morton and in particular Bates collected mineral samples and documented their experiences of mining activity on the Murchison (Morton 1897, 1898b; Bates 1904).

On his visit to the Murchison Goldfields at the height of the rush, Morton wrote some "General Notes" on life at mining centres and about the geological formations in the surrounding country. In 1897, during his ethnographic tour in which he photographed Jaal, Morton visited the mining townships of Nannine, Cue, Day Dawn, Mt Magnet, and Yalgoo and noted that the population in Western Australia had almost quadrupled (Morton 1898b). Morton took at least seventeen photographs of mining scenes and townships on the Murchison, as

well as carrying a considerable mineral collection back to Tasmania (see Figures 7.1 to 7.5). At the height of political and economic progress towards Federation, Morton used his mining images to illustrate his account of the colonial “progress” in Western Australia as a backdrop to his ethnological presentation to the Royal Society of Tasmania (Morton 1898b).

A few years later at a time when gold production was beginning to decline at some of the mining centres on the Murchison, Bates was employed by the *Western Mail* newspaper to travel there and write a series of four articles on the geology of the area and the mining activity at several centres in the district (see Bates 1904; Reece 2007b). Despite the downturn, a tone of optimism is evident in Bates’ journalism. She reported that, at Nannine, “when the Champion mine resumes operations the township will again become a centre of activity. At the present time it is but a one-mine place, and consequently business is not so brisk” (Bates 1904, 20). In her final instalment on 23 July, she remarked that: “The Murchison ‘golden stream’ will continue to run ‘for many a long day’” (Bates 1904, 20).

These mining centres established near the water holes and camping grounds of Yamaji, which included the towns of Nannine and Meekatharra, were also significant meeting places for barter and ceremony and (Bates, c1912f). As discussed in Chapter Three, Morton and Bates had entered into the public debates over the murders, mistreatment and conditions of the natives on the Murchison. However, following their ethnological investigations, neither Bates nor Morton made mention of the impact of mining on Yamaji. Immediately following Bates’ trip to the Murchison goldfields and her refutations of the ongoing protests by humanitarians, she was employed by the Western Australian government in 1904 as an ethnographer and later as travelling protector in 1910.

An important element of this research into photographic histories and the recorded events surrounding Jaal was to find out if he had any living kin and whether or not any oral histories have been passed down through them. This chapter begins with a brief historical, economic and political backdrop to the personal experiences that were recorded about Jaal and his family and what they

confronted on the Murchison goldfields from the 1890s. It continues into the present through the search by Jan, the daughter of Jaal's brother-in-law Hugh, for information about her missing Yamaji relatives and ancestors. The tracing of their histories through the colonial archive in this chapter includes Mailgurdi's (Minnie's) story of disease, rape, incarceration at New Norcia and finally her painful death alone in a Perth hospital hundreds of miles from her family and country. It also tracks the fragmented lives of Mailgurdi's brothers Hugh and David and their mother Ngalai-indu following their final separation in 1910.

The Murchison Gold Rush



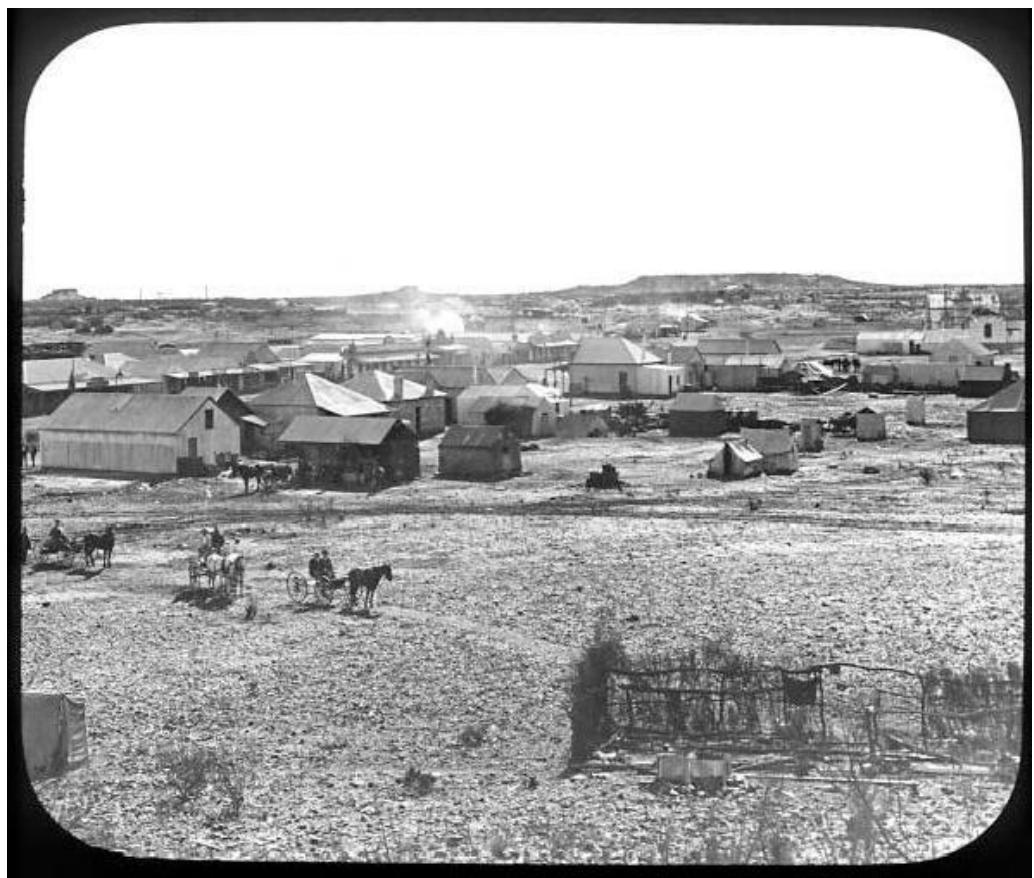
Figure 7.2: Mt Magnet Mine. Photographer Alexander Morton 1897. Courtesy of Tasmanian Museum and Art Gallery. Q15975329

Explorer and government surveyor Robert Austin, who we have already met, was one of the first white men to describe Yamaji in 1854. Austin also reported that he had found "probably one of the finest Goldfields in the world" (Bridge et al. 2009, 95; Austin 1855; Austin 1894). Fifty years later, the Murchison goldfield, covering an area of 32,000 square miles, was officially proclaimed, on 24 September, 1891 (Heydon 1990; Bates 1904).

Gold was found on Annean station in 1891, when drought was just beginning to impact on Yamaji and the pastoral industry (see Chapter One). The discovery was made not far from where Jaal and several other Yamaji had been arrested in that year for sheep stealing and imprisoned on Rottnest Island. Jaal's other confrontations with colonial law also occurred during this period and included Jaal's arrest at Annean station in 1895 for murder and cannibalism (Chapter Two).

Nannine, near Jaal's campsite, was the first registered goldmine in the Murchison area, and quickly developed into a populous town site of prospectors, businessmen, and government and mining officials. Most of those holding positions of power, such as the Mayor, Mining Warden, Town Councillors, police, and mine managers, were of British origin. Prospectors and mine workers who flocked to the area in the 1890s to make their fortunes came from all parts of the state, but most had travelled from the Victorian goldfields (The 7th Census of WA 1901 in Heydon 1990). By 1895 gold had been discovered at nearby Cue, Day Dawn, Meekatharra and Peak Hill, and further east at Kalgoorlie. From this time, the remaining few individual prospectors of alluvial gold left Nannine to the larger companies who had the resources and financial backing needed to develop the underground reefs and extract the gold (Heydon 1990).

Attracting investment and drawing attention to the potential of the mining industry in Western Australia was high on the political agenda. The major financial backing for large-scale production of gold on the Murchison in the 1890s and early 1900s came from London-based British companies (Harvey and Press 1989) with approximately 38 million fine ounces being produced in Western Australia between 1897 and 1930 (Secretary, of Mines, 1897-1930).



*Figure 7.3: Mining Town on the Murchison. Photographer Alexander Morton 1897.
Courtesy of Tasmanian Museum and Art Gallery. Q15975.311*

The State, the British Capitalist and Protectionist Propaganda

When Morton first encountered Jaal at his camp “four miles” from Nannine in 1897, it was already a major gold mining town on the Murchison, producing significant wealth for Western Australia. On a train journey from Albany to Perth in August 1897, Morton travelled with the “Western Australian contingent” who were returning to Perth following their attendance at Queen Victoria’s Diamond Jubilee celebrations in London (Morton 1898b, 4). The Premier of Western Australia, John Forrest, had been to London for the third Colonial Conference and the Diamond Jubilee celebrations. He used the occasion to discuss immigration restriction legislation (see Lake and Reynolds 2008) and, at the height of the Western Australian gold rush, “addressed large assemblies, and assured them that he would do all he could to assist the British capitalist”, which included changes to Western Australia’s mining laws (Secretary of the Mines Department Annual Reports 1897-1940; see 1897, 14). It was also at this time that: “John

Forrest, while in England, persuaded the Secretary of State for the Colonies, Joseph Chamberlain, to relinquish control of [A]boriginal affairs" (Biskup 1973, 25).

In addition to investment capital and restricting non-white European immigration, Section 70 of the 1889 Constitution Act of Western Australia was also of key concern to Forrest and other powerful colonial figures. This section stipulated that 1 per cent of the Western colony's gross annual revenue should be set aside for the protection and welfare of the Aboriginal population. As outlined above, the annual revenue from the production of gold had reached levels that had been inconceivable in 1886, when the first Aborigines Act was introduced. This caused widespread opposition to the revenue provision in the Western Australian government (also see Biskup 1973; Johnston 1989; Curthoys 2015). In 1897, Forrest succeeded in getting legislation passed to repeal Section 70 and, at the same time, to amend the Aborigines Act of 1886. This legislation simultaneously removed "the financial provision and transferred control of Aboriginal affairs to the Western Australian government" (Haebich 1992, 52). At the peak of the gold rush, these political, legislative and economic manoeuvres converged with Morton's collecting visit, and with acts of Yamaji resistance and retaliations against a relentless and brutal colonialism. The ongoing conflict led to increased control by government over the lives of Yamaji and the rights of settlers remained the priority of government (see Biskup 1973; Haebich 1992; Kidd 2007; Jebb 2009; Rowse 1998; Kidd 1997). One of the very few white settlers to voice their dissent wrote:

The Forrest Government, that has been raised from a mere primitive existence to affluence by the goldfields, where the poor [A]boriginal [who] was once the undisputed lord of all, is now told that he must exist as he can. Shifted from town to town by the police, living in poverty and filth, he is becoming an eyesore to the public and a danger to health (O'Donohoe 1898, 6).

As discussed further below, Aboriginal people sought reinstatement of Section 70 of the Western Australian Constitution from 1897. The Western Australian government's refusal held in later challenges between the 1960s and 90s. Although these cases were unsuccessful, this issue continues to be of great

concern to Aboriginal and non-Aboriginal activists (see Johnston 1989; Curthoys 2015).



Figure 7.4: Cue Township. Photographer Alexander Morton 1897. Courtesy of Tasmanian Museum and Art Gallery. Q15975.322

The periods of intensive gold mining in the Kimberley, Pilbara and Murchison districts paralleled the escalating conflict between Aboriginal peoples and settlers. In the 1880s and 1890s public debates about the slavery-like conditions for “station natives” and the murders of Yamaji and white men, preceded the introduction of “protectionist” legislation to manage and control the lives of Yamaji (also see Wills-Johnson 2014). This correlation between peaks in mining activities, Aboriginal station workers “absconding from duty” and the amendments to protectionist legislation of the Aborigines Acts can be seen in 1897, 1905, 1911 and again in the 1930s, when a resurgence of gold mining in the Eastern Goldfields coincided with the Moseley Royal Commission and the introduction of the Aborigines Amendment Act of 1936.

Heading off the Miners: Jaal’s Protests

From 1896 mining fluctuated in Jaal's and his father's country near Lake Way (later known as Wiluna). However in 1910 the Under Secretary for Mines stated that "vigorous prospecting" was occurring there, remarking that: "the Wiluna district has been quiet, but it is expected that the companies owning mines there will shortly undertake extensive operations" (King 1911, 2). Coincidentally or otherwise, this renewed mining activity took place immediately before Jaal was rounded up with other Yamaji and taken from Sandstone to Bernier Island in 1910. These events coincided with Bates' accounts of Jaal's protests against the miners invading his country, as discussed briefly in Chapter One. Although they provide a rare reference in her writings to a Yamaji voice, the story remains framed by her need to earn a living as a journalist and ethnographer. In one of her sensationalist newspaper articles titled "I Inherit a Gold Mine," which she later published in book form, Bates described how Jaal had headed off the white man who had come many times looking for gold (Bates 1936f, 1938). Bates writes:

Jaal told me that he was the last man of his group, and to me he left this shrine Maiamba, from which he and his people had headed off the white man who had come many times looking for gold. I was not to take anyone there until all the natives who belonged to it were dead and gone, and Maiamba an orphan water. Jaal said he would go with me to Maiamba, but soon after this episode he was taken to Bernier Island (1938).

The period which Bates is describing, the early 1900s, coincides with the police allegations and newspaper reports of Jaal being responsible for the murders of several white men in the area. One of the many notes in Bates' papers relating to this episode appears to be typed by another person. This detailed transcript states that Bates "took the matter up with the Minister for Mines and other [Federal] and W.A. Ministers, amongst them Mr Klug" (Bates c1936b). As reported in the *Barrier Miner* (Jul 15. 1935a: 1), George Klug was a well-known and respected figure in the mining industry who came to Western Australia from Victoria to manage a number of mines from 1899 until 1910. Later, Klug was the superintendent at the Great Fingal mine at Day Dawn near Cue in 1910, which was at the time Bates was working with the Cambridge expedition. Although he moved to Melbourne in 1910, he continued to travel to the Murchison until his

death in 1935. If Bates did make these representations to Klug and ministers on behalf of Jaal, she left few clues of having done so. The account of Jaal's protests by Bates states that Klug had been in contact with her, offering to bring her to Wiluna and to provide compensation to Jaal. This appears to support her claim that Jaal had also taken a conciliatory and political route to stop the mining on his country.

When Bates applied for the position of Chief Protector of Aborigines in the Northern Territory in 1911, the then Minister for Mines, Henry Gregory, wrote a letter of support stating: "having many opportunities of witnessing your work here during the past ten years I am pleased at the opportunity of being able to record my appreciation of the splendid work you have done in this State" (Gregory 1911). Although Spencer was the successful applicant (Mulvaney and Calaby 1985, 275), this written recommendation from Gregory demonstrates that a professional relationship did exist between him and Bates. The letter was dated four weeks after Gregory's retirement from Office, following a Liberal defeat at the State election and the formation of a new Labour government on 7 October 1911. These political changes, and Bates' departure from Western Australia soon after, may explain why Jaal's protests were unheeded.

Apart from Bates' own accounts, there is no evidence that she communicated Jaal's opposition to the government and industry officials that she mentions. Instead, Jaal's complaints have become a mere footnote to Bates' stories. In one of her versions of this story she claimed that: "Lake Way, now the extensive gold mines of Wiluna, to which by right of bequest, I am the hereditary heiress, for the...area is mine, by deed of gift of my last grandson [Jaal] there" (Bates 1938, 111). On another scrap of paper in her collection, Bates also claimed to be responsible for actually making known the whereabouts of the Wiluna goldfields to the Minister for Mines, stating:

This Weld Range "Wilga-mia [Thuwarri Thaa], a valuable hill, was given me by its last owner, all the group members having died". Another "legacy" was the area where the Wiluna Gold Mine was found and developed. I had known it as gold-bearing and had given a small specimen to the W.A. Minister but would not give him the locality as it was sacred (native)

ground, until the death of its last owner 'Jaal'. The mine [near Lake Way] was found by white people thro (sic) my having given the native name to the Minister (Bates c1912h, mss notes).

In the above statement Bates justifies her betrayal of Jaal's request not to reveal the whereabouts of his sacred miamba because, in her own words, Jaal "was long dead", and his country was therefore "orphaned" ground or "kuta burna". Her repeated references to Jaal and other Yamaji as the "last of their tribe" accords with her firm belief in the inevitability that all Aboriginal people would become extinct, even though she had recorded in her genealogies that two of Jaal's sons Mujamurda and Mulajindi were still living in 1911 (Bates c1912c, see also Bates 1883-1990 MS365/9/75, 20/25 -117) and were therefore his rightful heirs as discussed in Chapter One.

Jaal, his ancestors and kinsmen had mined the area for the precious flint, more valuable to them than gold. Bates described how a smooth gold bearing stone was produced from Jaal's stomach and given to her as a gift—this was possibly the one she presented to the Minister for Mines described above. The precious flint was used for initiation knives and Bates noted they were traded throughout Australia, stating: "these black flints were sold [bartered] to all the tribes, from the head of the Murchison to heads of all northern rivers up to Darwin, then to the tribes in the east, and so on back to the Murchison...the trip with flints took 25 years for the area to be covered" (Bates c1912g, mss notes).

Bates also gave similar accounts of mining and trade of the sacred red ochre and claimed she was also given Thuwarri Thaa (Wilgie Mia) "by its last owner Idiongu". Thuwarri Thaa is a place where Wajarri Yamaji people obtain the red ochre used in ceremonies and traded it over vast distances. Bates wrote in longhand over her typed manuscript "I gave this hill [Thuwarri Thaa] to Mr Menzies Prime Minister at the beginning of this war (1940) received a letter of thanks, it seems to be an iron hill haematite and ochre—my goldmine given by Jaal was found and is now Wiluna G.M. [goldmine]" (Bates, 1883-1990 MS365/7/82). This alleged bequest from Bates to Menzies was made "during the first year of the great Empire war with Germany, Italy and their ally Japan" (Bates, 1883-1990 MS365/20/25). Although there is a record of a letter from Bates to

Menzies in 1941, the letter cannot be found in the papers of Sir Robert Menzies held at the National Library of Australia (Menzies 1905-1978).

Wajarri, including Booreeangoo's descendants, are the custodians of this country, and they continue their battle with government and mining companies in order to protect their sacred sites

Miners' Rights and Yamaji Exclusions

Although Cahir argues that "there was a significant level of cooperative endeavour that suggests that life on the goldfields in Victoria may have offered a rare moment of respite from the rigours of colonialism for Aboriginal people" (Cahir 2012, 2) it was a different story on the Murchison. Whilst this may have been the experience of Aboriginal people in Victoria and other parts of Australia, the active participation in the gold mining industry by Yamaji was largely discouraged on the Murchison. The conditions were by no means a respite from colonial violence, the spread of disease and dispossession. Legislation supported exclusionary policies and practices of government and the mining industry, which may provide some explanation for the noticeable absence of Yamaji in the histories of Western Australia's goldfields.

There has been some acknowledgement of the ancient history of mining ochre and stone in Australia, and the role of Yamaji in "spotting" the gold that resulted in white men taking out mining leases on large areas of country on the Murchison and Eastern Goldfields (*Daily News* Apr 25. 1895b; Heydon 1990; Palmer 1981; Howitt 1990). Further north, the officially proclaimed goldfields in the Kimberley (1885), the Pilbara (1888) and on the Ashburton (1890) were being worked, but there is no evidence to indicate that Aboriginal people were employed there in any numbers. In 1903 a well-known British mining consultant published an account of gold mining in Western Australia and announced:

Coloured labour will never be tolerated in the Australian mines, nor does it appear desirable to employ such in mines when they can be run at a fair profit and afford employment to white men, except in countries like South Africa where there is a large native population, and men for mining work and skilled labourers are scarce (Charleton 1903, 461).

Although Jaal was reported as working at the Nannine public house on different occasions over the years, the Annual Reports of the Chief Protector of Aborigines from 1899 to 1912 reveal that the employment of Yamaji at mining centres was certainly not common, and in most places discouraged. In contrast with the Western Australian *Immigration Restriction Act 1897*, and later Commonwealth *Immigration Restriction Act 1901*, the Western Australian *Mining Act 1904* excluded the employment of an “Aboriginal native of Australia...except with permission of the Warden” and stipulated also that “no Asiatic or African alien shall be employed as a miner or in any capacity whatever in or about any mine, claim or authorised holding” (see ss 290 and 291). In the early 1900s, the Pilbara tin fields provided employment to a considerable number of Aboriginal people, some of whom were said to be classed as “outlaws” (Prinsep 1904; Biskup 1973). While this work may have afforded certain freedoms and greater material benefits when compared to the pastoral industry, Chief Protector Prinsep warned that it may only be temporary, and it will leave them “spoilt, immoral and probably diseased” (Prinsep 1904, 8). This pessimistic assessment by Prinsep was discussed in his later report and he stated: “[white men] doing no work for themselves are simply living on the blacks, ready to give in return for the tin a quarter of its value in grog and rations” (Prinsep 1906, 9). However, by 1909 this abuse by white men was apparently under the control of the police who reported: “previously they bartered the tin to the white men for grog, but I do not think there is much of that lately” (Corporal Street to Gale in Gale 1909, 14).

In 1938, a missionary Rodolphe Schenk exploited a loophole in the Mining Act and erected a Battery that employed a number of Wongatha in crushing gold at Mt Margaret on the Eastern Goldfields (Duckham 2000; Biskup 1973). However stories like this are an exception and the degree of participation in mining by Aboriginal workers appears not to be significant (see Muller 2014). The policies of exclusion meant that most Yamaji were not employed outside the pastoral industry. This is supported in police occurrence books and in an early report by the Protector of Aborigines who stated:

I am pleased to assure you that owing to the action of the Police in discouraging idle Natives on these Murchison mining centres render them conspic[u]ous by their absence.

The Pastoral industry in this extensive Murchison district is in a position to absorb the labour of all Natives desirous of gaining a livelihood in exchange for their services to settlers.

During my stay in the rising mining centre I found that only three natives with their woman (sic) were engaged in the town in a domestic capacity (Bailey 1896).

The Chief Protector reports from 1899 to 1910 refer to a “few natives” providing occasional labour for businesses in the mining towns. Under the heading of “General Employment” Chief Protector Prinsep reported: “it seems to me that there are a good many natives on the goldfields who get no work and live a most needy, vagrant life, whose services might be made very useful in that work” (Prinsep 1903b, 5). Prinsep, who was the Under Secretary of Mines until he was appointed as the Chief Protector in 1898, made no mention of the exclusionary policies in place.

This report was written at the height of the gold boom in 1903 when there were fifty three gold producing mines at Nannine, similar to those depicted in Figures 7.1 and 7.2 (Secretary, of Mines 1903). As white men flocked to the gold fields, there were mounting public fears about “immorality”, disease, loitering, idleness, drunkenness, begging and an increasing “half-caste” population around mining centres (Prinsep 1904). The 1886 Aborigines Act gave JPs the power to remove Yamaji from towns who were judged to be “loitering” and not suitably dressed. A more empathetic report to the Under Secretary of Mines was compiled by the Warden of the East Murchison Goldfields. This report expressed dire conditions faced by Yamaji, stating:

I do not approve at all of the natives loitering about the camps, and I would like to drive them away....but it would be a cruelty...now that all their little wells and waterholes (that would have lasted them till next rains) have been emptied by the white man with his camels and horses, consequently what little game there was has gone away and there is no water left for the natives (Clifton 1895).

The Chief Protector of Aborigines Annual Report of 1899 on the Murchison area and the Eastern Goldfields, that includes Lake Way, was also expressing alarm regarding two immediate impacts of mining; water scarcity, and the spread of syphilis. The report noted:

A considerable expense is incurred by the necessity of supplying water to the natives from the condensing stations. This is owing to all the small and rare waterholes from which they formerly obtained supplies having been converted into wells or otherwise interfered with by mining operations. Venereal disease is somewhat rife, and the worst cases have been attended to in the hospitals (Prinsep 1899, 7).

By 1901 the Chief Protector of Aborigines was insisting on additional legislative action to restrict Yamaji from towns (Prinsep 1901), a power eventually set down in sections 38 and 39 of the 1905 Aborigines Act. The gold mines that sprang up in the Nannine district at Tuckanarra, Stake Well, Burnakurra (Burnacoora), Quinns, Mt Yagahong, Gabanitha, and East to Errols, Barrambie and Lake Way near Wiluna, were all recorded by Bates, police reports and letters from settlers as Jaal's regular water holes and significant cultural sites (see Bates c1912c; c1912d; McDonald 1906). Until the employment of a Travelling Inspector in 1899, the Chief Protector of Aborigines relied on reports from police, pastoralists and mining wardens (Prinsep 1899). G. S. Olivey, the Travelling Inspector of Aborigines, reported from Nannine: "There are a few other natives working in and around the township, making a total of about twenty all told, but Corporal Tyler tells me they are constantly on the move, visiting the different camps" (Olivey 1899-1901, 21). Nearby at Abbotts and other mining centres near Nannine, Olivey observed: "The men seen at the mining centre were for the most part in real good condition, sleek and fat, and apparently do little or nothing but hunt for their living. On the other hand the women do odd jobs around the township and are well treated..." (1899-1901, 21). These early reports appear to confirm the overall lack of engagement of Yamaji in the mining industry, with some irregular labouring work at businesses in the towns. Some Yamaji including Jinguru, Jaal's brother in law, already mentioned, were employed occasionally in gold mining operating the windlass, and as police trackers. There are many stories, including from my own family, of Yamaji finding gold while out shepherding, but it is difficult to find any evidence of long term benefits for Yamaji from gold mining on the Murchison.

The gold mining boom on the Murchison and elsewhere was in steady decline from 1904 until the 1930s, when production began to recover. Despite

this downturn, Nannine continued to be a significant mining centre until Meekatharra became the head of the railway line in 1910, following the discovery of gold there (Heydon 1990). The Department of Mines Annual Report for 1911 shows that Meekatharra was one of the most promising gold producers in the Nannine district (Secretary of the Mines Department, 1911), leading to ongoing mining activity and prosperity for white settlers in the area. The exclusionary, speculative, largely British owned and volatile nature of the mining industry may also explain why it does not feature largely in the history of colonial contact between settlers and Yamaji. While miners and investors moved in and out of the Murchison and other areas following the regular mining led financial booms and busts in Western Australia, the pastoralists have remained a constant presence in the landscape. Yet it is critical to recognise the former's pervasive impact on the region, and on Jaal and his family.



Figure 7.5: Dry Blowing on the Murchison Goldfields.
Photographer Alexander Morton 1897. Courtesy of Tasmanian Museum and Art
Gallery. Q15975.324

Ration depots for indigent Yamaji had been set up at most pastoral stations and police stations from the 1880s. From the 1890s this included some mining centres on the Murchison. These government measures also made it easier to control the movement of Aboriginal people and bring them under police surveillance (also see Haebich 1992 for similar conditions imposed on Nyungar in the South West). Although on the East Murchison at Lake Way and Wiluna some relief was being provided by the Chief Protector of Aborigines, on the Eastern Goldfields near Kalgoorlie:

they wander[ed] about in a starving condition from one mining centre to another; their own water-holes appropriated by the white race, the few animals completely destroyed, and therefore nothing but grasses and insects for them to rely on...and therefore they are on the continual migration (Prinsep 1902, 8).

At this time, calls from pastoralists, miners and other settlers to remove Aboriginal people to government funded reserves was gaining momentum in the new mining districts.

In 1903, the *Kalgoorlie Sun* reported that destitute and starving Aboriginal people on the Eastern Goldfields were being brutally attacked and “hunted from the town” by a local police officer (Aug 9. 1903). The accusations received the attention of the Chief Protector of Aborigines who referred them to the Commissioner of Police who found “no truth to the paragraph that appeared in the *Kalgoorlie Sun*” (Hare in Prinsep 1903c). The finding contradicted Chief Protector Prinsep’s Annual Report for the previous year, and he immediately issued a directive to publish “condensed” versions of the Travelling Inspector’s Annual Reports in local newspapers with photographs “shewing how well clothed and comfortable the natives appear at present to be” (Prinsep 1903a). Photographs as a technology of surveillance and management became an important tool of government and featured in the Annual Reports published by the Chief Protector of Aborigines from 1901 onwards. These images and their captions were effective in disseminating Aboriginalist discourse in the guise of “protectionism” and were effective propaganda for the government’s “civilising mission”. The publication of the Chief Protector’s reports in local newspapers

also coincided with the ongoing international outrage against the murders, slave like conditions and the brutality inflicted on Aboriginal station workers by pastoralists in the North West, as discussed in Chapter Three. The Royal Commission inquiry of 1904 by Roth into the treatment and conditions of Aboriginal people was primarily confined to interviews with missionaries and official government representatives such as police, wardens and resident magistrates stationed in North West coastal towns from Carnarvon to Wyndham. The main emphasis was on employment conditions in the pastoral industry, supply of relief to the indigent, the establishment of reserves and the treatment of Aboriginal prisoners. Apart from questions relating to employment of Aboriginal people on the tin fields near Marble Bar and Nullagine, the life and conditions in and around mining centres was not covered by the Royal Commission.

Nyungar voices joined those few white humanitarians who spoke publically of the dire circumstances of Aboriginal people at mining centres. They demanded action and specifically raised awareness of the impact of mining and the terrible living conditions faced by Aboriginal people on the goldfields. Throughout this period, Nyungar leader Tegunbut or Degunbut, otherwise known as Fred McGill, had letters published in local newspapers from 1897 through to 1907. Tegunbut's concerns related to the transfer of control of Aboriginal "welfare" from the British Crown to the Western Australian government, and the immediate and severe funding cuts following the removal of Section 70 from the Constitution Act of Western Australia. He drew attention to the plight of Aboriginal people in need of assistance, and the terrible conditions faced by his "fellow countrymen" on the Eastern goldfields (Tegunbut 1898, 7). Tegunbut also made representations on behalf of his people from the Esperance and Norseman areas to Chief Protector Prinsep and other government Ministers requesting that land be set aside for them. Prinsep dismissed the appeals by Tegunbut, "the well-known native...Fred McGill" stating that "on inquiry [from the police], I found that this distress was only a temporary matter...My agents the police were well able to cope with the difficulty, and arranged for a supply of food for a time" (Prinsep 1906, 11).

In 1906 Nyungar activist William Harris returned to Perth from prospecting at Leonora and made representations to the government regarding the continuing decline in Aboriginal health and living conditions on the Eastern goldfields. A very public debate ensued, including both support for and denial of Harris's fears that the situation was desperate. Confirmation of the veracity of Harris's statements came from long term residents of the area, including the Mayors of Leonora and Mt Malcolm who were described as "reputable persons" (*The Daily News* Feb 8. 1906: 8). Harris's protests against the neglect and mistreatment of Aboriginal people on the Eastern goldfields, and his pleas for government assistance, were "discredited" by the Chief Protector of Aborigines, who also wrongly identified him as Arthur Harris in his Annual Report (Prinsep 1906). This position taken by Prinsep again conflicted with his report on the Eastern goldfields three years earlier when he testified:

Here we have several hundreds of natives in a totally pauperised state with scarcely any actual food or water, and very little opportunity of employment. They wander about like tribes of Arabs, pitching their camps for a short time at one goldfield centre, and then on to another, begging from the whites, and reported to be earning a good deal by prostitution (Prinsep 1903b, 8).

The spread of venereal disease and its impact on Jaal and his family coincided with the influx of miners to the Murchison. While it is argued that venereal disease may have existed in the Aboriginal population prior to colonisation, and increased around mining centres, the form of the disease and its prevalence varied in each of these areas. In 1910, Jaal and other members of his family were diagnosed with venereal disease and were declared fit subjects for the Lock Hospitals and sent to Bernier and Dorrè Islands.

The Unfortunate Disease

From 1898 to 1904 there are no records of crime or other matters relating to Jaal or Big George in any of the police occurrence books at Wiluna, Nannine, or Barrambie. The overall decline in health and the increase in deaths, scarcity of game and water, the incidence of venereal disease, and the policy of forcibly removing Yamaji from mining towns were all factors that may explain the

apparent “peace” reported by police to the Chief Protector of Aborigines during this period. An early report on the Nannine “natives” by Olivey stated that a woman had been suffering from a long standing case of syphilis, and that another woman had recently died. He added: “nearly all the natives had scattered about in consequence” (Olivey 1899-1901). The constant moving on from camps due to police raids and deaths from disease was a regular occurrence experienced by Yamaji. The prevalence of venereal disease was reported by Chief Protector Prinsep who stated: “Things are pretty much the same as usual and very few unusual occurrences have taken place here. At Peak Hill and Nannine there is apparent need of a native hospital to deal with the usual unfortunate diseases” (1903b, 8). Jaal’s wife Mailgurdi and her brother Davy were diagnosed as suffering from syphilis in 1906, but they were effectively treated by McDonald under instructions from the resident doctor who would not admit them to the Nannine hospital.

By 1907, although venereal disease was reported to be on the increase and “natives in and around Nannine” were in need of government assistance, the condition was still being treated locally (Prinsep 1907). As detailed in Chapter Four, although venereal disease was not considered widespread on the Murchison in 1908 (Fartiere 1908), sporadic outbreaks were already having detrimental effects on Jaal and his family. In 1897, Jaal is described as “a fine specimen” and Morton’s photographs provides evidence of his physical wellbeing. A little over a decade later, in May 1910, Jaal’s health was in rapid decline and he was listed on the blanket distribution list for indigent “natives” (Aborigines and Fisheries Department 1911-1913). By November 1910, Jaal’s and his family had been forcibly removed to various medical, religious and legal institutions and became permanently separated from one another. The direct impact on many Yamaji families of separation, quarantine, exile, and the sheer number of deaths in transit and during their isolation at the Lock Hospitals, was catastrophic (Also see Jebb 1984; Mulvaney 1989; Stingemore 2010).



Figure 7.6: "Sergeant Bunning and friends, Nannine [hotel]". Photographer J. T. Finch ca 1900. Courtesy of the State Library of Western Australia (Identifier No. 209920PD).

The woman standing on the right of the frame in Figure 7.6 bears a striking resemblance to a woman in photographs taken by Morton of Jaal and his family at their Nannine camp in 1897 (see Figures 5.3 and 5.7). This is almost certainly a photograph taken at the public house where Jaal worked for a long time and referred to in *The Daily News* (Jan 15. 1895). Given the location and date of the photograph, I strongly suspect that the Yamaji on the right side of this image are members of Jaal's family. The fate of Jaal's wife Yangula/u and their son Mulujindi, or that of his wife Wirdainma, along with his "half-caste" wife Yangwi and their son Mujamurda, is not yet known. Wirdainma and Yangwi were both still living at Burnakurra in 1911, when Bates visited the Meekatharra area, though she makes no mention of Jaal's sons in a newspaper article written at this time (Bates 1911b). It is now known that Mailgurdi, Jaal's young "half-caste" wife was sent to the New Norcia Benedictine Mission in November 1910, as will be discussed below. At the same time, Jaal's mother-in-law Ngalai-indu, mother of Yangwi, Mailgurdi, Miluburdi, David and Hugh, was transported to the Lock Hospital on Dorrè Island and Jaal was sent to Bernier Island. Nothing is yet known about Ngalai-indu's other son, Miluburdi, after their removals and separation in 1910, but he was still alive when Ngalai-indu's genealogies were recorded by

Bates on Dorrè Island in 1911. Their removals to reserves, missions and the Lock Hospitals would fracture many Yamaji families including Jaal's. The extent of this can be traced through the various government and public documents now being made available to the descendants of Yamaji families.

Re-weaving the Torn Tapestries of Yamaji Lives.

The extent of discursive and epistemic violence inflicted on Yamaji during this period of rapid colonisation on the Murchison has been a major focus of this thesis. The intergenerational effects of colonisation on Yamaji and their families under the guise of protectionism, "civilising" and welfare, is also central to this research. The consequences of colonial violence is all too apparent in the legacy of fractured Yamaji families. In the rest of this chapter I trace the course of this violence beginning with what has now been revealed about the fate of Jaal's youngest wife Mailgurdi, who became known in the records first as Minnie Dunlop and later as Maria Swann or Swanny.

Mailgurdi alias Minnie Dunlop

Mailgurdi, Jaal's youngest wife, was born near Nannine in 1895, the daughter of a white man named David Dunlop, and a Yamaji called Ngalai-indu, also known as Judy (Carter 2015; McDonald 1907; *Murchison Advocate* Aug 22. 1908). Ngalai-indu was from Burnakurra near Meekatharra and David was a mine manager who came to Nannine from New Zealand in the early 1890s. When David was killed at Nannine in a mining accident in 1898, the small proceeds from his estate went to his New Zealand family, leaving Ngalai-indu and their children to fend for themselves. Although Bates' genealogies do contain inconsistencies, by cross referencing them with genealogies provided by other informants and police records a certain level of reliability can be assumed. Ngalai-indu's genealogies recorded by Bates on Dorrè Island in 1911 list all her children except Hugh and David Dunlop. It is not known why David or Hugh were not recorded in Ngalai-indu's genealogy, as Bates often listed all "half-caste" children even though their names were not known. Evidence from personal Native affairs files suggest the boys may have been indentured to settlers at an early age as discussed below. Mailgurdi and Yangwi were placed in the relationship of wife to

Jaal by Ngalai-indu, but Yangwi is not mentioned in any of the police or Native Welfare records in connection with “Minnie alias Mailgoordi [Mailgurdi]” or her two younger brothers, David and Hugh. This perhaps is because Yangwi, also known as Illwi or Louie, was much older than Mailgurdi, with Bates describing Yangwi as a “civilised woman familiar with white relationship terms” (Bates c1912d).

Bates also recorded that Yonga[l]jarra was Ngalai-indu’s tribal husband, and Mailgurdi and Yangwi’s “step father”, so it is likely that after David’s death, Jaal and Yongaljarra took over the responsibility of looking after Ngalai-indu and her children. According to Bates’ report, Ngalai-indu’s tribal husband Yongaljarra was brought to Bates’ camp on the Murray River (Pyap) in South Australia, by the well-known Ngarrindjeri leader, David Unaipon. She recorded that Unaipon introduced Yongaljarra to her as his “son”, and described him as “a fair Murchison type” (Bates c1912j, 1). Yongaljarra was an informant for Bates during her work in Western Australia in 1911-12 and this extraordinary record of their meeting by Bates thousands of miles from the Murchison will require research that is beyond the scope of this thesis. However it is worth perhaps noting here that there is a fragment of oral history that Ngalai-indu’s son Hugh was taken to South Australia by a white family called Juett after they were separated in 1910. Jaal’s wives Yangwi and Wirdainma were living at Burnakurra and being looked after by Yongaljarra while Jaal and Ngalai-indu were both on the Islands undergoing surgery and medical treatment for granuloma (Bates 1911b). As acknowledged by McDonald, Ngalai-indu loved her “half-caste” children, and like many Yamaji mothers, gave Hugh, David and Minnie their white father’s surname. Department of Aborigines (later Native Welfare Department) files and police records, including those of McDonald, were compiled on each of the children (Carter 2015). McDonald was stationed at Nannine, Meekatharra and Peak Hill during the early 1900s and came to know the family well, particularly Mailgurdi, Hugh, David and Ngalai-indu (Carter 2015).

A local pastoralist John Williamson reported to Police Constable Brodie at Cue on 6 December 1906 that a “half caste Ab. Nat. named Goldwire informed him that an half caste girl [Mailgurdi alias Minnie], about 11 years of age is

suffering from some disease and is in a terrible state" (McDonald 1906). At this time, Mailgurdi (Minnie) was travelling with Jaal and his family between their camps at Nallan, Tuckenarra, Stake Well, Gabanintha, White Well, Burnakurra, Cork Tree, and Munarra Gully (McDonald 1906). Mailgurdi was eventually tracked down at "McDonald's Well", fourteen miles from Burnakurra and brought to the Nannine Hospital to be examined by Dr Rigby. The doctor informed the police that she was suffering from the secondary stage of syphilis and could not be admitted to the hospital. He gave McDonald medicine and instructions on how to administer treatment. Two months later McDonald reported to Inspector Mitchell:

Davie about 8 years of age (a brother to Minnie...who is now under Drs treatment) was brought in a cart from Burnakurra by a native named Tommy. This morning he was examined by Dr Rigby who states that the boy is suffering from the same complaint as Minnie, secondary syphilis. The Dr gave medicine for the boy who is now at Police Station, he has numbers of sores all over him (McDonald 1907).

David and Mailgurdi were kept at the Nannine police station during the day, and sent to the "camps" at night while they were being treated. By April 1907 their condition was improving and Mailgurdi was said to have made a full recovery from the disease within two years. In this same year, McDonald asked that the Chief Protector of Aborigines arrange for Minnie, Davie and Hugh—then said to be aged eleven, nine and five years respectively—to be "removed to one of the Homes". In this correspondence addressed to Inspector Mitchell, McDonald reported that "the mother, a full-blooded native...does not want to part with either the girl or these boys", confirming the strong bond that existed between Ngalai-indu and her children and her desire to keep the family together (McDonald 1906). Although there is a note much later on in an Aborigines Department Personal File dated 23 July 1934 that "David taken by Sgt McDonald c/- Nannine when young and believes placed in New Norcia", no record of his admission to an institution has yet been found (Carter 2015).

It cannot be known how Ngalai-indu's children contracted the disease or how long they had been suffering. At the time Minnie was collected by police near Burnakurra in 1906, Jaal and other men in their camp were accused of sexually

“tampering with the child”. This was denied by Minnie and her family who said she had caught the sores from “sleeping in the same rug as Mary” (McDonald 1906). When Jaal and other members of his family were taken to Bernier Island for treatment they were declared to be suffering from Granuloma Inguinale which mimics syphilis, yaws and leprosy and is spread through contact (see Jebb 1984).

“Minnie @ Mailgurdi’s” statement was also confirmed by a Doctor two years later in a court case over her brutal rape by a white man named Kirby in May 1908. At the court case in Cue during August 1908, Dr Taylor testified: “until that particular assault Minnie [Mailgurdi] was a virgin” (*Murchison Advocate* Aug 22. 1908). Minnie was called as a witness and described as “a small Aboriginal girl who talks good English”. Another witness, Phillip Park of Day Dawn, stated that Mailgurdi was born at Abbotts just north of Nannine in the winter of 1895, making her about thirteen years of age at the time. Mailgurdi described to the court in detail that when she had tried to run away, the accused caught and savagely raped her. McDonald and Dr Taylor also gave evidence, and another witness “Fanny, an Aboriginal Gin” testified that “Minnie resisted and cried out and [the] witness [Fanny] tried to prevent the assault but failed” (*Murchison Advocate* Aug 22. 1908). The trial by a jury, comprised entirely of white men, delivered a verdict of not guilty. The Resident Magistrate was reported as “surprised...saying that in the light of the evidence that had been adduced, it passed his comprehension how they could have arrived at the verdict they had recorded” (*Murchison Advocate* Aug 22. 1908).

Mailgurdi had first reported her rape to McDonald, and when he was called as a witness in the trial he stated that she had been in his care for two years. Her brother Hugh, years later, would visit McDonald in Perth, spending weekends on the front steps of his home in private conversations about their early days at Nannine. Mailgurdi’s horrific rape and the devastating effects of venereal disease on Hugh’s family may well have been discussed with McDonald, but these were some of the traumatic events that Hugh never spoke of with his wife or children (Carter 2015).

After being held at the Nannine police station while waiting for “two half-castes” from Sandstone, Mailgurdi was eventually admitted to the New Norcia Mission around 2 November 1910. Mailgurdi and her mother Ngalai-indu were sent on the same train from Meekatharra, but Ngalai-indu was sent onto Dorrè Island via Geraldton on 20 October 1910 (Meekatharra Occurrence book 12.3.1910-18.3.1912 SROWA Con 756 item 1), and it would be the last time they would see each other. Jaal was on Bernier at the time that Ngalai-indu and his aunty Ninga-nungu were on Dorrè—see the bamburdu lists compiled by Bates on Bernier, Dorrè and at Meekatharra in 1911 (Bates 1883-1990 MS365/88/53-4; c1912i). It is possible that Yangulu/Judy (Jaal’s first wife) was also on Dorrè Island in 1911, as a bamburdu message (see Figure 6.13) to her and Jaal was sent from Jinguru while he was imprisoned on Rottnest for life (Bates 1883-1990 MS365\67\no page; c1912i).

It is important to note again that it is estimated that 40% of Aboriginal people sent to the Lock Hospitals on Bernier and Dorrè Islands never returned to their country. At the time of Jaal and Ngalai-indu’s incarceration on the Islands at least one in every four patients died (see Jebb 1984; Stingemore 2010), and 70% of these deaths were unrelated to the original diagnosis. Mailgurdi’s illness, rape, institutionalisation, the incarceration of many Yamaji at the Rottnest Island prison, the Bendhu Atrocities and the Lock Hospital experiments are just some of the stark reminders of the colonial violence experienced by Yamaji, the effects of which still haunts their descendants.

Life at New Norcia Mission as Maria Swan/ny



Figure 7.7: "New Norcia Natives and Half-Castes with Brother Luis" ca 1900. Special Daisy Bates Digital Collection. University of Adelaide Library. Series 9.

Mailgurdi was one of a number of Yamaji institutionalised at New Norcia, a mission situated on Nyungar land, a long way from her family and country. On 15 November 1910, Mailgurdi and another girl who were both admitted to New Norcia Mission at the same time, escaped and were then pursued by police. In scenes reminiscent of the *Rabbit Proof Fence*, a film based on the experiences of Doris Pilkington and her sisters, Chief Protector Gale wrote to the Manager of New Norcia: "both these girls are in strange country and may come to harm if not found. I have wired to the Police to use every effort for their capture" (Gale 1910a). Mailgurdi was eventually recaptured on 23 November (Gale 1910b) and apart from her visits to hospital in Perth she was to remain there for life. She was baptised and re-named Maria Swanny (also spelt Swann) on 18 March 1911 at the New Norcia mission. Her student number at St Joseph's (the girls' orphanage) was St J 504, and as far as is known, she was never married. What is certain, as with other female inmates, is that she would have had a disciplined life consisting of some elementary education, training in domestic duties, and prayer.

Established in 1847, New Norcia Benedictine Monastery was one of the first institutions to provide shelter, education and training for Aboriginal people

in Western Australia, initially under the management of Bishop Rosendo Salvado. It was originally conceived as mission to “civilise and evangelise” the local Yuat/Yued Nyungar/Noongar people. However following successive disease epidemics in the 1860s, particularly measles, it became an orphanage for Aboriginal children from all over the colony (Rooney 2006). From the late nineteenth and early twentieth century, “New Norcia’s independence was sorely compromised by the Aborigines Protection Board of Western Australia’s intervention into the affairs of the mission” (Esposito 2012, 149). In 1910 when Mailgurdi arrived at New Norcia, it was one of seven missions being provided with an annual grant by the Chief Protector of Aborigines department, although the number of admissions of Aboriginal children was in decline.

After Salvado’s death, New Norcia’s focus was on the private education of the children of Catholic rural elites, and the “limited institutionalised care for Aboriginal children” (Haebich 1992). These changes also coincided with the restricted powers of Abbot Torres brought about by a “problematic canonical status...that placed New Norcia and Torres under the jurisdiction of the Abbot Visitor of the Spanish Province” (Avalos 1999, 28, 47). The “*Industrial Schools Act* (1874)...gave the monastery the power of legal [guardianship] over any Aboriginal child (up to the age of 21)” (Reece 2008, 138). This power, along with the changes in administrative policy and direction at New Norcia under Bishop Torres, meant that visits from parents were discouraged and “access to their children was strictly curtailed” (Haebich 1992, 17).

All these changes brought on problems and discontent. In 1906 there was a violent protest by about thirty Aboriginal people, some of them parents, which led to the imprisonment of three Aboriginal men (Haebich 1992; Reece 2008). Although the boys were encouraged to move away from the mission and work as farm labourers for local pastoralists, the girls were kept at the New Norcia Mission until they were married (Prinsep 1907, 15). Mailgurdi never saw any of her family again, and from what can be gleaned from the few records at New Norcia available to date, she was to spend the rest of her relatively short life at St Joseph’s orphanage. When Bates recorded and updated the genealogies of Jaal and Ngalai-indu on Bernier and Dorrè Islands in 1911, she noted that Mailgurdi

was now at “R.C. Mission” (Bates 1883-1990 MS365/9/107). It is possible that Bates saw Mailgurdi at New Norcia in early 1912 when she paid a visit there (see Reece 2008).

The Chief Protector of Aborigines files and Perth Hospital records tell us how very sick Mailgurdi was while she was incarcerated at New Norcia. She travelled down to Perth by train in extreme pain under police escort to get medical treatment a number of times during 1915 and 1916. Each time the medical staff at the Perth Hospital could not find the cause of her pain and sent her back to New Norcia Mission. During one of her last stays in hospital until December 1916, the Chief Protector A. O. Neville wrote to Abbott Catalan that “Minnie’s” complaint was “puzzling the doctors”, and in June the same year, Neville had suggested treating her locally (Neville 1916). Mailgurdi must have suffered terribly until she died, aged approximately 39 years in 1933 in the Perth Public Hospital. The death certificate registered her cause of death as bowel cancer with intestinal obstruction.

The Benedictine monks gave Mailgurdi the baptismal surname of Swanny. Remarkably, it was at her last confession on 4 January 1933, made to Enneco Alcade and written down in Latin, that Mailgurdi known as Minnie Swanny revealed her true surname as “Dunlop”. This vital clue to her identity had been recorded by Reverend Flood (Aborigines and Fisheries Department 1916). This fragment of information provided some hope that Mailgurdi’s niece, Jan Carter, one of many Yamaji still searching out the silenced histories of their ancestors, will be able to learn more about her life. As Minnie Dunlop, why did she reveal her true surname but not her Yamaji name, Mailgurdi, or speak of her husband Jaal, mother Ngalai-indu or of her siblings at her last confession? We can never know. Like her brothers Hugh and David, she took her family’s secrets with her to her grave. Mailgurdi was laid to rest as Minnie Dunlop on 22 November 1933, in the Roman Catholic section of the Karrakatta cemetery, Perth. In spite of the separation, institutionalisation, and multiple changes in given and surnames, it has been possible to reconstruct a partial history of her painfully tragic and fractured life. Although much has been lost, there may yet be more stories to be uncovered in the archive.

David and Hugh Dunlop

The employment of “half-caste” males under the age of fourteen was not uncommon and required the authority of the Chief Protector of Aborigines and also the consent of the child and parent (*The Aborigines Act 1905; Aborigines Act Amendment Act 1911*). Minnie’s brothers, David and Hugh Dunlop, were aged about thirteen and eleven years respectively when the family was dispersed in 1910. It very likely that the boys were sent to work. In the previous year Hugh was working for the Meekatharra Dairy under an agreement approved by the Chief Protector. On the journey north to Bernier and Dorrè Islands with Jaal and the “Peak Hill natives” in November 1910, Corporal Grey arranged for “a native boy” to be employed on the local mail run, which could also have happened to David and Hugh. The reason given by Grey was that the child’s mother was being taken to the islands (Aborigines and Fisheries Department 1911). The slave like indenture of young girls and boys was typified in a request to the Chief Protector by the local butcher at Nannine. He was being paid by the Aborigines Department to provide rations to Yamaji in the area and wrote:

Could you at any time get me a good young native, one able to ride, and milk a couple of cows...The natives here will not work, if I could get a boy that did not belong to the Murchison he would be much better for me. I have had several Nor’ West boys and never had any trouble in keeping them. Mr Olivey [Travelling Inspector of Aborigines] told me he thought you may be able to get me one. I wish you could and he would have a good home and be well treated. (Dixon 1907; McDonald 1907).

Very little is known about what happened to Hugh and David between 1910 and 1920.

As adults Hugh and David managed to carve out a life for themselves. Evidence suggests that David may have been employed under contract as a police tracker from 1910. He later became a tracker and farmer at Northampton near Geraldton from about 1920 until his death in 1953. From the 1920s Hugh worked around Nannine and on various stations, and eventually ran his own trucking company carrying mail and stores to the stations between Meekatharra and Wiluna. In 1931 while working in Wiluna, Hugh fell in love and married Elsie, a

white woman (see Figure 7.7). She was born on the Isle of Man and had moved to Belfast as a child before immigrating to Western Australia from Ireland shortly before marrying Hugh. Jan described her father as: “a big man, who was six foot four and fifteen stone”, and I couldn’t help but draw a comparison with Jaal and earlier physical descriptions and measurements taken by Morton. Hugh and his wife eventually settled in Perth in the 1940s where they raised their family. Hugh would never talk to them about himself or his Yamaji family.



Figure 7.8: Hugh and Elsie Dunlop. Courtesy of Jan Carter: Personal Collection.

Jan’s Story?: To be continued...

Hugh’s refusal to discuss his past was resolute. He never spoke about his Yamaji family, even when for three years Jan drove him to and from hospital

when he was dying of cancer. Jan first suspected she was “different” when she was eighteen and started dating. Jan explained that when she brought her “fellas” home to meet her dad “she never saw them again”. She said it was “because my dad was very dark, and that was a stigma, being an Aboriginal”. When asked how that affected her she replied that: “It didn’t bother me because I used to think my dad was better than them anyway. I had so much respect for my dad and I was never ashamed to go anywhere with my father, none of us were you know” (Carter 2015).

When Jan was a young girl, Hugh became interested in photography and purchased a professional large format 10 X 8 Sanderson camera to record important moments of family history. Jan remembers helping him in the darkroom while he developed the images, mainly portraits and groups of family and friends (Carter 2015). Hugh’s photographs of his family became important visual records of a new chapter in his own traumatic and ruptured family history. Hugh and his mother, sisters, brothers and extended Yamaji family were silent casualties of colonial violence, whose hidden stories are now just beginning to emerge from the archive and oral histories.

The first time Jan and her mother knew that Hugh had a brother was when her uncle David died and the Native Affairs Department made contact with Hugh to settle David’s estate. When Hugh’s wife asked why she was never told that he had a brother, Hugh replied that they were never allowed to see one another. What he was referring to were the conditions of exemption under the 1905 Act, the key framework of the state’s assimilation policies. Hugh had applied for a certificate of exemption in 1928 and one of the conditions was never to associate with your Aboriginal family. David had taken up land for farming in the Northampton district and would also have breached the conditions of his right to exemption from the oppressive controls laid out in the 1905 Act if he continued to have contact with Hugh. As Biskup also notes, “in 1913 a relatively prosperous Brookton part-[A]borigine had his application turned down because his two brothers lived on his farm” (Biskup 1973, 143). It was not possible to disassociate from family completely, and most people of Aboriginal descent, including Hugh and David, were acutely aware of this aspect of assimilationist policies. For Hugh

and other “half-castes”, the choice was between protecting their children, and maintaining their relationships with Yamaji kin. As with my own grandparents and many other Yamaji, the reality of oppressive controls by government and the threat of child removal made it a decision about survival. Some Yamaji family members remain estranged from one another as a result of these choices, many others are finally being reunited. It is the children and grandchildren who face the challenges of reclaiming their Yamaji identity, culture and history shattered by the impacts of colonisation. As with so many descendants separated from their Yamaji families, including myself, Jan is now searching to recover what she can of her Yamaji history and hopes to be able to reconnect with missing family members. That search means confronting a past of family trauma, violence and injustice, one that brings with it both feelings of immense sorrow and pain, mixed with a deep respect for the strength and courage of ancestors.

Conclusion: nganangu burda-burda Jaal badinda—my story of Jaal is finished

Although it is not possible to know “who” Jaal was in any ontological sense, there is a tangible cognisance of the violence he confronted and endured during his entanglements and conflicts with settlers and their colonial laws on the Murchison in Western Australia from 1891 until his death in 1915. Through his involvement in ethnographic work with Bates, he perhaps tells us something about his language, country, miamba burna (sacred ground), kurdaru (totems) and kinship relations.

This thesis has examined and critically analysed the photographic and written representations of Jaal and other Yamaji subjects and their histories. Emphasis was given to local histories in the discussion on the relationship between Aboriginalist discourse and power. There are very few Yamaji voices found in archives, museums, libraries, books and newspaper articles. Events in Jaal’s life have been compiled by others, but by recontextualising these sources, this thesis presents a counter-history to the many accepted “glorious truths” and fabrications written into the narratives of colonisation. The conflations of Jaal with other Yamaji, including Carringoora, became an accepted colonial legend of mythical proportions with a cast of notorious natives and heroic frontier policing figures on the Murchison. This experience of being written over or written out of history is a form of discursive violence that was not only inflicted on Jaal in the early period of colonisation, it has pervaded the lives of most Aboriginal people in Australia. Yamaji oral histories often bear little or no resemblance to the histories of our lives and our family that were etched with official pens and stamps by the agents of colonisation and governmentality.

The social biographies of the Morton photographs and those in the Bates collection were equally important to this critical analysis of Aboriginalist discourse. What is clear, and also extraordinary, is how the representations of Jaal and the stories written about him found their way onto a global stage, and were inextricably linked to the careers of prominent colonial and scientific actors

such as Morton, Bates, McDonald, Walsh, Radcliffe-Brown, Spencer, and Tylor. These representations of Jaal and other Yamaji were constructed, disseminated and interpreted within scientific, popular, and governmental contexts that functioned through these influential discursive relationships, regimes and practices. Anthropological photographs of Yamaji taken by Morton—and those in the Bates' collection—were interpreted within international scientific networks, and, simultaneously, circulated as popular postcards and newspaper illustrations.

Jaal's retaliations against colonial incursions into his country were criminalised. This cemented him a place in the historical archive, one which has remained hidden until now. His incarceration on Bernier Island Lock Hospital as a prisoner patient and an object of anthropological study also required documentation. There were no records kept on individual patients and information was limited to the economy of this medical experiment and patient statistical returns. As far as is known, this thesis gives the first account of an Aboriginal prisoner patient and their history—albeit a partial one—before and after exile on the Islands.

A considerable amount of information has been recorded about Jaal, but what is even more remarkable is its international reach across the domains of scientific research on race type and the political debates on the colonial violence inflicted on Yamaji. The multiple often conflicting roles carried out by Bates and Morton were played out publically in newspaper narratives and in their letters and papers that were produced and circulated within the disciplinary and institutional systems of government and science. The Morton photographs of Jaal and his family in western clothing, and similar ones of Wajarri men and women from Mileura, represented Yamaji as "station natives", and were published to refute allegations of widespread acts of murder, slavery and cruelty committed by colonisers in Western Australia. These colonial stereotypes of Yamaji as "semi-civilised" were juxtaposed with Morton's images of Yamaji as "primitive man", to fix them as an inferior and disappearing race type that justified dispossession, colonisation and salvage anthropology.

Photographs are material and cultural things that have messy narratives attached to them. They leave a visual trace of the equally complicated and often concealed histories of the subjects within the frame, and the photographer who captured the moment. An unexpected revelation was that photographs from Kerry and Co Studios of Aboriginal women from NSW were substituted by Bates in her newspaper articles as images of Yamaji women from Western Australia. This represents the “unfinished business” of this research, and will be addressed as part of the return of photographs and research materials to the Wajarri community and Jaal’s kin. Another unintended outcome of this research into the Morton photographs was identifying the provenance of eighteen material objects taken by Morton from the Murchison, given to Spencer in 1898, and now held by Museum Victoria. These and other specific objects displayed by Spencer at the Museum may eventually be repatriated back to Western Australia by the Western Australia Museum.

The extinction theme of Aboriginalist discourse as a “regime of truth” was widely accepted and informed the practices of Bates’ and Morton’s anthropological and collecting activities. There are many illustrations of this discourse in the phrase the “last of his tribe” which includes Bates’ fabrication of Jinguru’s death at Rottnest Island prison.

The Morton images are now being regarded by Yamaji as valuable visual records in their recovery of disrupted and displaced family histories. The importance of returning photographs of Indigenous Australians held in many museums, libraries, universities and private collections is being recognised internationally with increasing historical scholarship and “repatriation” projects currently under way (Lydon 2014; Lydon et al 2011). Following discussions with the Wajarri working group, it has been suggested that the photographs collected as part of this research be made available to the Yamaji community through the *Storylines* digital archive project at the State Library of Western Australia. Photographs have histories and making the photographs available to the Yamaji community through *Storylines*, this thesis, a journal article and photographic exhibitions, may also reveal histories of the present as well as those from the past.



*Figure 8.1: My Mother Jean Latham taken at the Geraldton Museum
Yamaji History Exhibition 2015 (Personal Collection)*

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