Indirect Rule in a Settler Colony:
Race, Indigeneity, Government

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Thesis Summary:

This thesis examines archives and texts of colonial administration to study the emergence of ideas and practices of indirect rule in the first half of the twentieth century. It demonstrates that the practice of indirect rule was everywhere an effect of Indigenous or ‘native’ people’s insistence on maintaining and re-inventing their political formations, their refusal to be completely dominated, and their frustration of colonial aspirations to total control. These conditions of difference and contradiction, of the struggles of people in contact, produced a colonial state that was created both by colonialists and by ‘natives’.

But while indirect rule took a particular institutional form, producing distinctive technologies for organising and articulating production and for subsuming questions of sovereignty, the thesis also presents the argument that it was theorised in writing as a political rationality: a language and epistemology of power, comprising an object, an aim and technologies for governing that object, and a justification for government. In the first half of the thesis, I present readings of Arthur Gordon’s and Frederick Lugard’s descriptions of indirect rule in Fiji and Nigeria, as well as texts in the genre of British social anthropology. Through these, the thesis traces the cross-imperial emergence and diffusion of ideas, noting their development through colonial practice in contact and conflict with Indigenous and ‘native’ people and politics. The thesis argues that administrators’ textual representations of indirect rule, which rendered it as an art of government, abstracted from the contingent and uncertain processes of state formation a representation of, and guide to, the colonial state as both the wilful creation and instrument of total colonial control.

The thesis then turns to the influence that this developing art of indirect rule had on Australia’s government of Indigenous people in the interwar period. Indirect rule has often been associated with a rejection of settler dominion. In the second half of this study, which explores the Commonwealth of Australia’s 1939 policy for governing Aboriginal ‘tribes’ and workers in the pastoralist north, I argue that it was both influential and partially implemented in Australia. This argument both reconfigures the orthodoxy within which Australian colonies have ordinarily been considered archetypal sites of settler colonialism, and demonstrates that the mentalities of indirect rule were producible in, and travelled to, a settler colony.
This thesis thus problematises the distinction, often overdrawn in recent historiography, between settler and franchise colonialisms, preferring to trace policy gradations across a dynamic and unified empire. It thus locates Aboriginal history within imperial history and Aboriginal struggles as colonial struggles, situating the settler colonial politics of Indigeneity in a broader governmental context. Australian settler governmentality, in other words, was not entirely exceptional; in this instance, we find the settler colonial state participating in, and constituting, an integrated, empire-wide repertoire of the arts of governing and colonising peoples.
Statement of Authorship:

Except where reference is made in the text of the thesis, this thesis contains no material published elsewhere or extracted in whole or in part from a thesis submitted for the award of any other degree or diploma.

No other person's work has been used without due acknowledgment in the main text of the thesis.

This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution.

Signed: ...............................................        Date:  ...........................................
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Her work is an object lesson in integrity and critical sophistication, and has influenced every page of my own.

Sara Dehm has mostly endured my solitary research trips, long and peculiar hours, and some interesting moods. She inspires and provokes me to write and think, and has provided innumerable book deliveries, printing requests, editing skill, an open ear, and the occasional good natured interrogation. Her comments on my work cut through any obfuscation and identify what I'm trying to do, and how I can actually do it. This thesis has immeasurably benefited from her love, support, patience, and extraordinary intelligence.

My grandparents, Wolf and Sophie Stawski, came to Australia sixty-three years ago, having somehow survived some of the worst of European modernity. Here, they were refugees and settlers at the same time, settling on lands stolen from the Wurundjeri and Boonerwrung peoples of the Kulin nation. From them I learned the force of an unconditional solidarity with the persecuted and exterminated, and have been made to consider the complexity and contingency of making solidarities real while living and working on stolen land. This thesis is for them.
Introduction

Where am I to be classified? Or, if you prefer, tucked away? ... I am being dissected under white eyes, the only real eyes. I am fixed. Having adjusted their microtomes, they objectively cut away slices of my reality. I am laid bare.

– Frantz Fanon, *Black Skin, White Masks*, 1970.¹

In November 1937, the anthropologist and Northern Territory patrol officer Ted Strehlow reported a murder at Thira, a sheep camp on the Ormiston River, where a number of Pintubi and Ngalia people were living. A disagreement had, he wrote, erupted after a marriage proposal. When four Pintubi women—Witjitji and Wantu, Mungana and Amuna—began fighting, their husbands found themselves compelled to act. Mungana’s husband Ngulunta ‘took his spear in order to punish [Witjitji and Wantu’s husband] Kulaia’, who responded by picking up his spear and shield. A marital dispute now became, in Strehlow’s breathlessly evocative prose, a mystical tribal feud:

The two men advanced upon each other. It was a moonless night, and the fires were burning low, and midnight was approaching. Everyone in the camp began to stir. Ngulunta threw his spear first, but Kulaia dodged it. The spear sped on, and buried its point in Tjukutai’s left side, just over the hips. Tjukutai [the younger brother of Witjitji and Wantu, Kulaia’s wives] had walked across the spear’s line of flight a few feet behind Kulaia.²

Tjukutai died almost immediately and, a few days later, his killer Ngulunta was speared through the left thigh by Nananana, a relative of the deceased.

As the local representative of the state, Strehlow was uncertain regarding how to respond. He took all the involved men and women to the Jay Creek station and requested instructions from Darwin. Should any of the parties be tried, he asked? All of them, he pointed out, were ‘relatively untouched by civilisation’, and though there were ‘no real tribal considerations’ involved, the applicability of settler

laws was questionable. On the other hand, ‘these people had been warned off the settler areas previously, and told to live their own lives in the unoccupied land at Haast’s Bluff’. This problem was one of co-existence; of people and of laws. If Kulaia, Ngulunta and Nananana could have been compelled not to ‘continue to leave their own tribal territories’ in order to ‘hang around the stations and camps of white men’, their jurisdiction could be recognised and respected. Strehlow sought instructions from the Chief Protector of Aboriginals, Cecil Cook, who in turn requested and received legal advice from Eric Asche, the Crown Law Officer in Darwin.

The problem these men faced was not an isolated one. Rather, it represented one instance of the questions being asked by colonial officials all over the British Empire. And their appearance in Australia reveals this geographically marginal or distant territory as one potential entry point into considering a broader tendency of colonialism. That jurisdiction was questioned here, and the conflicting and ambivalent answers Strehlow and Cook offered and received, suggests that the Australian nationalist assumption of a unitary law—that the common law represents the law of the land—was not, in the 1930s, as solid as is often supposed. Since the High Court of Australia’s native title decision in Mabo in 1992, a great deal of scholarship on Australian legal history has explored the extent of legal pluralism, generally concluding that while there may have been jurisdictional multiplicity in the early years of white invasion and settlement in New South Wales, the question of jurisdiction has long since been settled in what Lisa Ford describes as the ‘juridical death of Aboriginal people’.

I begin and end the thesis with this story on the Ormiston River because in its invocation of the requirement for continual renegotiation it hints, rather, at a basically unsettled jurisdictional arrangement, linked to a modality of colonial government that could be found across the British

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3 Ibid; Cook to Asche, 4 December 1937; Asche to Cook, 8 December 1937, NAA: F3, 20/58.
Empire. In so doing, it prefigures some of the themes of this thesis, in its uncertain application of a form of pluralistic government and administration. The episode reflects an unexpected, but importantly constitutive, anomaly. In the exchanges found in the ‘Ormiston Murder’ archive, taking place at the intersections of race and space, ordered government and frontier ideology, we find many of the tensions of (settler) colonialism expressed through a simple question about law(s).

Looking more generally at the Northern Territory in the interwar period, we find a series of events that hint at settlers’ uneasy accommodation of Aboriginal laws and, at times, Aboriginal sovereignties. But why did these appear then, and why in the Northern Territory? What were the discursive and material conditions that created Strehlow’s problem, and brought meditations on questions of sovereignties, jurisdictions, and the relation between Aboriginal people and the state into the archive in this specific way? The very acts of asking and discussing these questions represent a much more widespread moment and mentality of empire which is interrogated throughout this thesis. The organisation of jurisdiction is one way of approaching these questions in Australia’s north; one that was privileged as a primary site of administrative reform at the time.

When the colonial archive speaks of laws, and their organisation or recognition, we also need to consider the historical categories of knowledge that made legible the articulation of different social systems and the consequent elaboration of a political rationality. What do these questions, and the objects they consider, tell us about government? The people described in Strehlow’s report were not non-specific ‘natives,’ but rather belonged to particular, named, ‘tribes’. As well as their primary racial categorisation in the governmental practice of settler colonial Australia, they were disaggregated into societies based on ethnicities, a move that suggests the recognition of one kind of Aboriginal cultural, or political, community. Provoked, in part, by Indigenous assertions of sovereignties which formed the basis of potentially rival claims to land, such instances of recognition were the cause of uncertainty and revision in settler government.

In territories like Australia—settler colonies—it is generally accepted among historians that the denial of Indigenous sovereignty has been fundamental to the establishment, expansion, and maintenance of the colonial situation. Settler colonialism can be differentiated from franchise colonialism by its distinct mode of production and extraction of value. In franchise colonies, ‘native’ labour was typically mobilised and exploited to enrich specific sectors of capital. On the other
hand, settler colonies, as Patrick Wolfe has explained, ‘were not primarily established to extract surplus value from indigenous labour. Rather, they are premised on displacing indigenes from (or replacing them on) the land’. This replacement is not an alternative, but rather represents the establishment of a colony which is fundamentally structured by a relation of dispossession. Australia was, and is, a settler colonial formation, premised on the elimination of Indigenous political and land-holding existence. But where the fulfilment of this logic was ineffective or impossible, parts of Australia appeared much more akin to a franchise colonial formation, much like that in Fiji, Kenya, or South Africa. How can we consider such moments and spaces in Australian history? We might locate them both in relation to an underlying settler colonial structure, and also to the Empire, comprising differentiated assemblages for exploitation and the production of value.

These moments suggest that we should revise accounts of Australian settler colonial expansion which take judicial refusals in nineteenth century New South Wales to recognise Aboriginal jurisdiction as establishing the inevitability of uninterrupted settler dominion. The principal instance of this refusal occurred in what became known as Murrell’s case. In December 1835, Jack Congo Murrell and George Bummaree, both Aboriginal men, had killed Bill Jabingi and Pat Cleary, both of whom were also Aboriginal. They claimed the killings to be sanctioned, or at least unpunishable, under traditional law, but the missionary Lancelot Threlkeld wrote to the Attorney-General claiming that ‘Bowen Bungaree’ had, on behalf of his ‘tribe’, requested that the two be ‘tried by the English’. The matter was thus referred from what may have been Aboriginal jurisdiction to English jurisdiction. Murrell and Bummaree’s defence counsel argued that the NSW Supreme Court had no jurisdiction to try an Aboriginal person for an offence involving only Aboriginal victims, an \textit{inter se} matter. The Court declared rather that there was no such thing as a sovereign Aboriginal community, that Australian land had been ‘unappropriated by any one’ prior to 1788, and that the ‘English nation has obtained and exercised for many years the rights of Domain and Empire over the country thus possessed’. Consequent to this territorial domination of empire, the ‘laws of England are

\footnote{Patrick Wolfe, \textit{Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event} (London: Cassell, 1999), 1–2. These categories of colonialism tend usually to be accepted in the historiography, and will be discussed in more detail below.}
declared to be those which shall be administered within it’. There was no scope, the court thus claimed, for any law other than the common law as the law of the land.

But to narrow our gaze to take statements on a single law in Sydney in the 1830s as declarative of fact is to accept not only the declaration of a project, or logic, of settler colonialism, but its realisation. To enforce a single jurisdiction is to establish all within a demarcated territory as subjects of settler law, refusing formal recognition to the possibility of Indigenous subjectivities except when dismissible as atavism. Judgments declaring this to be the case are best considered as strategic expressions of aspiration that needed to be made real amidst conflict and contradiction. The disjuncture between the Australian colonial blueprint codified in 1836 and the myriad acts of recognition which administrators and settlers continued to perform after this date reflects, moreover, the ongoing active reorganisation of colonialism, working through apparent ‘exceptions’ in a context in which such exceptions are the norm. Inscribing moments of recognition as ‘exceptional’ is itself an effect of Eurocentrism, an element of a discursive repertoire that explicitly defined colonial territories outside a symbolic and material Europe as marginal. But these ‘exceptions’ were sites where white sovereignty was made in a

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7 Ranajit Guha has argued that legal documents represent the outcome of a process whereby ‘a matrix of real historical experience was transformed into a matrix of abstract legality, so that the will of the state could be made to penetrate, reorganize part by part and eventually control the will of a subject population in much the same way as Providence is brought to impose itself upon mere human destiny’. While this analysis certainly reflects the aspirations of colonising law, it is surprisingly ill-attuned to the ambivalence of a legal discourse riven with a multitude of uncertainties and contradictions which reflected the impossibility of those aspirations. Ranajit Guha, “Chandra’s Death,” Subaltern Studies 5 (1987): 141.

8 Ann Laura Stoler, “On Degrees of Imperial Sovereignty,” Public Culture 18, no. 1 (2006): 139; Achille Mbembe, “Necropolitics,” Public Culture 15, no. 1 (2003). These instances are not, then, historically exceptional, rather appearing both as a property of the practice and instantiation of sovereignty, and as embedded within modernity. Their construction as ‘exceptions’ is an important and constitutive effect of colonising legal discourse. We need to differentiate between the colonising discourses that inscribe events as ‘exceptions’, and a historical account of the diverse and varied legalities that were and are a constant feature of every colonial formation. The ‘exception’ is only an ‘exception,’ that is, as it is produced as such within a colonising discourse. See Lauren Benton’s analysis of the nature and function of those ‘anomalies’ and ‘exceptions’ through which colonialism works, and Mark Rifkin’s critique of the geopolitical implications of the exceptionalisation of Indigenous peoples in US settler colonialism: Lauren A Benton, A Search for Sovereignty: Law and Geography in European Empires, 1400–1900 (Cambridge: Cambridge University Press, 2009), 1–39, 279–99; Mark Rifkin, “Indigenizing Agamben: Rethinking Sovereignty in Light of the ‘Peculiar’ Status of Native Peoples,” Cultural Critique 73 (2009). On our inability to derive an understanding of the actual colonial organisation of law from the normativity of legal ideology, see also Franz von Benda-Beckmann, “Symbiosis of Indigenous and Western Law in Africa and Asia: An Essay in Legal Pluralism,” in European Expansion and Law: The
settler colony that appears in an endless state of becoming. Ambivalence and ambiguity, whether mapped onto territory or inscribed on the bodies of colonial subjects, were productive forces. Indigenous resilience and political survival despite the continuing processes of settler colonialism generated both a limit to these processes and spatial and demographic zones of liminality which, while the settler state could only recognise them as exceptional, were both constitutive and characteristic of the Australian colonies and nation.

For settler sovereignty was never fully resolved, never ‘perfect’; neither in the 1830s, the 1930s, nor today. Nothing, Audra Simpson writes, ‘is simultaneously so certain and yet so fraught with precariousness as the practice of sovereignty—globally or locally’. Similarly, for Judith Butler, ‘[s]overeignty is what is tactically produced through the very mechanism of its self-justification.’

Sovereignty is practiced in each ‘event’, requiring instantiation at every moment that appears as failure; sovereignty, in a settler colony, is never complete. We see this, and the anxiety such ‘imperfection’ provoked, in interwar Australia in the remarkable explosion of discussion of Aboriginal laws and customs, in proposals to establish ‘native courts,’ and in Strehlow’s insistent questioning in the case of the Ormiston Murder. But why did the issues of Indigenous jurisdiction and, haunting the discourse though largely unspoken, Indigenous sovereignty reach such a stage at this time? And why was this episode focused on such particularly racialised and spatialised subjects? One hundred years after the issue of common law jurisdiction was supposedly settled and tied to a ‘perfect settler sovereignty’, the debate and indecision regarding the Ormiston Murder in 1937 suggests to us that the patrol officers and administrators of the Northern Territory in the 1930s considered that the Aboriginal people they encountered were not (yet) subjects of settler sovereignty. How the settler states dealt with this moment of recognition and authorisation in a specific context of labour exploitation, developing novel techniques of erasure as Indigenous sovereignties appeared before them, is the subject of this thesis.


An Aboriginal State in Transnational Perspective

I began writing this thesis as a study of the proposal mooted in the late 1920s for an Aboriginal state in Arnhem Land. In a petition presented to the Commonwealth Government in 1927, the Adelaide-based Aborigines’ Protection League called for the establishment of ‘a model Aboriginal State to be ultimately managed by native tribunal as far as possible according to their own laws and customs but prohibiting cannibalism and cruel rites’. White assistance ought to be provided at first, but ‘ultimately the Government may be conducted by aborigines’. Apart from such assistance, non-Aboriginal people would be prohibited from entering the model state, residence being confined to those Aboriginal communities who would also, as representatives of a state, have representation in the Commonwealth Parliament. Though ultimately unsuccessful, the campaign was unusually prominent and the petition attracted a large number of signatories from across south-east Australia in a short time.10

This campaign appears to the historian today as a struggle to achieve something like self-determination for Aboriginal people. It seems to allow for a form of political equality, for government based on Aboriginal laws, and for Indigenous and non-Indigenous people’s co-existence within the modern Australian nation. And those few historians who have written on the proposal have mostly interpreted it in this way.11 But while in the Australian settler colonial context, the language of this petition appears as perhaps the peak of self-determination discourse among non-Indigenous people in the first half of the twentieth century, it would be familiar in a different way to historians of British Africa. The language of the petition represents, I will argue, the structuring logic of indirect rule in the field of ‘native administration’.

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11 Kevin Blackburn argues that the ‘idea of an Aboriginal State conceded that the Aborigines were entitled to both ownership of their land and self-government, and it also gave Aborigines the freedom to practise their traditional culture’. Aborigines, he writes, ‘were recognised as equals to Europeans’, and the petition ‘endorsed the idea of self-determination for Aborigines’. Michael Roe suggests that the plan ‘sprang from the benevolence and a sense of outrage at the sufferings imposed on the Aborigines’. Henry Reynolds is a partial exception, noting that the League’s ‘radical agenda’ was to implement ‘indirect rule’, although he does not explore its consequent implications. Kevin Blackburn, “White Agitation for an Aboriginal State in Australia (1925–1929),” Australian Journal of Politics and History 45, no. 2 (1999): 161–2; Michael Roe, “A Model Aboriginal State,” Aboriginal History 10 (1986): 44; Henry Reynolds, This Whispering in Our Hearts (St. Leonards, NSW: Allen & Unwin, 1998), 227, 30.
The light that can be thrown onto this example by interpreting it in the terms of the British Empire rather than those of the Australian nationalist imagination could be seen as an argument for a transnational or broader regional history. Though a diverse field, approaches to transnational and transcolonial history have sought to displace the nation from the centre of historical accounts, taking a broader spatial terrain and mapping both the traffic across that space and the links between the national spaces that had previously been the principal stage of historical knowledge. Paul Gilroy’s work on the Black Atlantic, foundational to transnational approaches, not only located Black experiences at the heart of the Enlightenment and modernity but also mapped the Atlantic as ‘one single, complex unit of analysis’. This placed the various empires and nation-states on and between its shores within an ‘outer-national, transcultural’ world, linking nations together but retaining a sense of their spatial subordination to a broader, fractal, formation.\(^{12}\) Gilroy conveyed a sense of contained but interrelated systems in motion, circulating ideas and people, travel and return, in all their complexity. The field has since tended to pursue other, more modest, ambitions, alluding to these broader constitutive spatial agglomerations but in the main focusing on registering the crossing of borders. For Akira Iriye, ‘[t]ransnational history may be defined as the study of movements and forces that cut across national boundaries.’\(^{13}\) A great deal of recent work in transnational history has placed Australia, and the pre-federation colonies, within networks of empire and resistance, examining the traffic in ideas, people, and policies between various sites of empire.\(^{14}\)


Historians of colonialism have, then, begun to take seriously Frederick Cooper and Ann Laura Stoler’s oft-quoted encouragement to place ‘metropole and colony in a single analytic field’, as well as the suggestion that we remove the metropole from the centre of our accounts, rather adopting what Elleke Boehmer has described as a ‘perspective at once decentred and multiply-centred, a network, one might say, of interrelating margins’. But the field has been characterised by a peculiar categorical insularity in exploring these marginal connections. Alan Lester, for example, has argued that ‘Australia’s colonial history was co-constituted with the histories of other settler colonies in a variety of telling respects.’ Douglas Peers similarly wrote of the need to attend to ‘connections between Australia and Canada, or Africa and India’ to explain the history of each, implicitly reiterating the unimpeachable distinctions between modes of colonisation which I complicate below. Despite calling for a greater attention to transnational dynamics in order to elucidate the historical trajectories of a people or territory, such studies have tacitly accepted the divisions established by a colonising whiteness which delimited certain ‘white men’s countries’ as the privileged domains of modernity, and which starkly distanced them from other colonial formations where white men may have dominated, but could never achieve hegemony.

Work more closely inspired by Gilroy’s framing, tracing the constitution of nations as differentiated spaces of empire through the practice of race as a specifically transnational category can, on the other hand, challenge the contemporary dominance of triumphant narratives of globalisation. It can allow us

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to plot settler communities within transnational colonising movements, disrupting the naturalised correspondence between people and territory by (re-)inscribing settlers in relation not only to the land which they claim but also to the colonisation and administration of ‘other’ peoples. Attending to these moves can, I hope, locate the writing of critical history ideologically outside the logic of settler colonialism.

Boehmer’s work here is particularly helpful in exploring what she describes as the ‘travelling metaphors’ of imperialism. Reading imperial literature across genre, she has described the British Empire as ‘an interconnected intertextual milieu at once far-reaching yet closely enmeshed’. This milieu was in part constituted by travelling ideas: ‘Itinerant and adaptive, focusing colonial myths, activating imperialist energies … the travelling metaphor formed an essential constitutive element of an intensely imagined colonial system.’

If we return to read the ‘model Aboriginal state’ proposal in relation to this intertextuality, we find it rich in allusion to the standards of colonial administration which structured the logic of government in much of British Africa. In calling for recognition of Aboriginal ‘laws and customs but prohibiting cannibalism and cruel rites’, the Aborigines’ Protection League repeated a standard formula for delimiting the authority and power of a typical Native Authority under British rule in Africa: recognition, except in the case of repugnancy to certain civilised standards. It carried the implication that ‘development’ could only occur when based on the sound foundation of a specifically endogenous—whether racialised or ethnicised, or both—culture and economy. The popularity of the proposal, and its influence in setting a tone for future benevolence even as it failed, can best be understood in the context of a transnational, or imperial, standard of administration.

The connection between the League and colonial administrators in Africa is not to be found in the direct links of a formal and organised network, but rather in

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the reception and adoption of ideas within the ‘interconnected intertextual milieu’ of the British Empire. The League’s vision was transnational. Many of its members read accounts of, and treatises on, ‘native administration’ produced elsewhere. They imagined themselves and Aboriginal people firmly within the British Empire, different from but also sharing many material and discursive commonalities with other sites of colonisation. The transnational ‘space’ I am tracing here is not characterised by the movement and correspondence of individuals, though these can be, and often are, important. Rather, it is found in the dense webs of meaning and intertextuality which constituted the discursive repertoires of colonialism, and which facilitated and structured communication between colonial formations. Common and recognisably differentiated notions of race and law, order and liberty, were the performative register that brought this discursive network into being and which enabled ideas to travel and be received in new, often transformative, contexts.

The ‘paths not taken, the dead ends of historical processes, the alternatives that appeared to people in their time’ are not merely of interest for their possibilities. The question is not only ‘what if?’ Failed plans and proposals can shift the terms of the real, introducing new objects of politics, new modes of conceiving power, and new terms of political intervention. Though their particular campaign to establish a model Aboriginal state was never implemented, the Aborigines’ Protection League was influential in the Australian context, setting a standard and introducing a normative model for governing ‘native’ peoples. Through a substantial correspondence, members of the League involved themselves in many of the other newly formed movements for the welfare, or advancement, of Aboriginal people. These mostly, though certainly not exclusively, white nascent civil society organisations lobbied Government through an increasingly strident activism over the 1930s, and in turn established new standards for the types of colonisation that could be spoken of openly. In introducing the language and art of indirect rule into the discussion of Australian government of Indigenous people, the League influenced these standards and also provided an alternative, if not a pressure valve, to the growing Aboriginal self-determination activism that mostly black groups were beginning to espouse on a national stage.


By the end of the 1930s, when the Commonwealth Government sought to reform its administration of ‘native affairs’ in the Northern Territory in response to a range of developing crises, the language of government had taken a turn, both across the empire and then locally, and established the devolution of certain powers of administration to specifically ‘native’ political organisation as the norm. Placing Australia within this transnational frame makes clear the ways in which its government of Indigenous people was one instance of the ‘native administration’ that colonial governments were practicing across the empire. The culmination of this trend in Australia in the 1938 Commonwealth policy reform and 1939 establishment of a Branch of Native Affairs in the Northern Territory, to be discussed in chapter seven, was produced with continual reference to the language of indirect rule. It represented a local solution which reinforced the international standard that had structured its framing. It allowed for the recognition of some Aboriginal laws and jurisdiction, introduced supervising patrol officers rather than administering protectors, and segregated self-managing Aboriginal ‘tribes’ on Aboriginal land, all of which were references to the praxis of indirect rule set out in key contemporary texts of empire.

**Looking Beyond Nigeria: The Art of Indirect Rule**

The most widely read of these texts were produced by Frederick Lugard, the former Governor of Nigeria and key theorist of, and advocate for, indirect rule. Born in India in 1858 but schooled in England, Lugard returned as an officer to a colonial military career in Afghanistan, Sudan, Burma, and Nyasaland. He joined the Imperial British East India Company and led a conquering force to Uganda, where he signed a treaty with the Buganda King and served as Military Administrator from 1890 to 1892. He spent most of the next seven years in military forces in East and West Africa, signing treaties under the auspices of various chartered imperial companies, before being appointed High Commissioner of the Protectorate of Northern Nigeria in 1899. After marrying the influential journalist Flora Shaw in 1902, he left Nigeria in 1906 to become Governor of Hong Kong. But in 1912, Lugard was appointed to amalgamate Lagos, Southern and Northern Nigeria, where he worked until retiring in 1919 to become a statesman and propagandist in England until his death in 1945.

Indirect rule is generally associated with Lugard's administration in Nigeria. Margery Perham, his friend and biographer, and a semi-official historian of the
British Empire, described it as a ‘system by which the tutelary power recognizes existing African societies and assists them to adapt themselves to the functions of local government’. This recognition of ‘native societies’ was critical, constituting ‘local government with a difference’. Donald Cameron, who had worked under Lugard before becoming Governor of Tanganyika then Nigeria, similarly described indirect rule as ‘adapt[ing] for the purposes of local government the tribal institutions which the native peoples have evolved for themselves’. ‘It is an essential feature of the system’, he wrote, that ‘the British Government rules through these native institutions which are regarded as an integral part of the machinery of government’. Historians have, traditionally, accepted this definition, accepting a superficial understanding of the Nigerian model of indirect rule as a mode of recognising and working with ‘native authorities,’ generally as long term policy rather than temporary expedient.

A series of works in Nigerian and imperial history has described indirect rule in terms of the mobilisation of chiefly or Indigenous authority, or of recognising local sovereignty and using traditional authorities to govern. These accounts express an instrumental practice of delegation which rob indirect rule of any ideological specificity, culminating in Frederick Cooper’s argument that Lugard’s work was little more than ‘an attempt to make retreat sound like policy’. But is there really nothing specific to the form of indirect rule popularised by Lugard? If we accept this argument for unoriginality and necessity, we find that Lugard’s work comprised little more than transforming the obligatory into the desirable, investing terms like

the ‘dual mandate’ or the ‘trust’ with affective value.\textsuperscript{26} Popularising and advocating indirect rule did render it seductive. But, in so doing, indirect rule was clarified and expressed as a coherent governing logic, developed as an art of government by establishing a norm of traditional society as its object and privileging certain techniques of intervention. As Perham acknowledged, working through ‘native’ intermediaries was neither new nor notable. But ‘this expedient’, she argued, ‘was consciously developed by Lord Lugard into a constructive system of government for Northern Nigeria’.\textsuperscript{27} There have been a small number of recent works that, to different degrees, have intellectually engaged indirect rule as such a positivity or constructive system; as political theory. In his influential work \textit{Citizen and Subject}, first published in 1996, Mahmood Mamdani argued that theorising indirect rule is indispensable to an understanding of the colonial and postcolonial African dispensation.\textsuperscript{28} Since then, a number of works have either agreed or claimed different ideological pre-histories, as it were, of the African indirect rule that was popularised by Lugard.

Karuna Mantena has recently traced the development of indirect rule to Henry Maine’s response to the 1857 Rebellion in India. Maine explained the rebellion, she writes, as the ‘product of intransigence, lack, incommensurable difference’, and the ‘epistemic failure’ of British colonial knowledge to foresee and manage the problems it was causing.\textsuperscript{29} 1857 marked a shift towards a racial categorisation which both hardened the boundary between traditional and modern society, and re-theorised that traditional society both of itself and in relation to modernity. Maine was at the forefront of the development of a social model of traditional society as simultaneously internally coherent, resting in equilibrium, and yet so fragile that almost any contact with ‘modern’ society produced disintegration. Amidst the apparent failure of the civilising mission as justification for empire, the effect of this portrayal of native society as both intact and vulnerable was to shift the burden of legitimising colonialism on to the colony itself: colonial rule was ‘construed as a necessity for curtailing the tendency of native societies toward

\begin{thebibliography}{9}
\bibitem{Mamdani} Mahmood Mamdani, \textit{Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism} (Kampala: Fountain Publishers, 2004).
\bibitem{Mantena} Karuna Mantena, \textit{Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism} (Princeton: Princeton University Press, 2010), 8–9, 50.
\end{thebibliography}
dissolution’. Indirect rule emerged as the most, if not the only, effective way of managing a situation of dissolution and disorder, situating ‘native societies’ as ‘pretext and solution’ for the problems of colonialism. Subject societies, in other words, functioned ‘as the displaced site of imperial legitimation, whose immanent logic and crises necessitated continued imperial rule and protection’. Colonialism became inescapable, and indirect rule was the result. Indirect rule appears, Mantena thus argues, as a ‘distinct ideological formation’, premised on the ontological shift based on a critique of assimilation that took root after 1857.

Mamdani’s study of the mode of colonial rule in Africa also took this problem of order as the fulcrum of analysis. The colonial state, he argued, was obsessed with maintaining order and, all over Africa, shared ‘certain fundamental features’ which were the result of this overriding concern with ‘the native question’. This problem was an effect, we might say, of the subject of late colonial rule identified by Mantena. And it was everywhere resolved, according to Mamdani, by the institution of a racially bifurcated state, where citizens were governed by a civic law, while the ‘native’ arm of the state mobilised ethnically or tribally constituted bodies of customary law. A corollary of the preoccupation with ‘the imperative of maintaining order’, the customary was the site of a ‘decentralised despotism’ which also produced and maintained a specific mode of production. The reach of customary law, which was the legal basis for indirect rule, extended beyond the personal law recognised in British India to codify and extend powers over productive resources: land and labour. Defining all land in ‘native’ areas as a customary, communal


32 Mamdani, Citizen and Subject, 16.

33 Ibid., 23–4, 39, 51.
possession was to ensure that the African peasant had a right to land mediated through a chief, and partly protected him—as access to land became a patriarchal right—from the market compulsions which followed dispossessio

n. This placed limits on the expansion of capitalism, ensuring the continued function of African production. Indirect rule was, for Mamdani, a mode of control mobilised through a bifurcated state. Each ‘native’ was also a ‘tribesman’; a combination of race and ethnicity comprising the categorical knowledge of late colonialism in a dialectic of differentiated inclusion and exclusion. Indirect rule and the bifurcation of colonial power appear, in this account, as elements of a specific state formation that took order as its chief concern, but which both organised access to colonial resources, and hence production, and incorporated processes of subjectivation. In his account, this is how Africans, and the African state, became tribalised.

Mamdani emphasised the African nature of South African rule, locating the apartheid state as a full embrace of the bifurcated African colonial state. But he also traced the historical roots of indirect rule to nineteenth century Natal under Theophilus Shepstone. Thomas McClendon, in a recent book, emphasises Shepstone’s improvisation in insinuating himself into local Zulu traditional structures from the time of taking office in Natal in 1846 and ultimately, from the 1860s, justifying his governance through an ambivalent reference to the Shakan state. In this way, he argues, Shepstone ‘formally adopt[ed] all the elements of a policy of indirect, or limited, rule’. But, for McClendon, indirect rule was an outcome of the limited resources available to colonial states and their inability to carry out civilising aims. In 1851, and in a revised form in 1854, Shepstone had proposed the transfer of Africans out of Natal to a location where a project of civilisation could progress away from the deleterious influence of encroaching white settlement. McClendon describes the rejection of this plan as forcing Shepstone to ‘fall back on the version of indirect rule that came to carry his name’. But in his initial linkage of segregation and civilising progress, strikingly similar to the Model State plan advocated in Australia 70 years later, we see the ideological foundations of a new mode of colonial government. In McClendon’s account, indirect rule remained an improvisational retreat, not a governing philosophy. His approach involves a turn


34 Ibid., 50, 122–5.
35 See also J C Myers, who follows Mamdani in tracing indirect rule through the South African apartheid era, but differs in his emphasis on the distinctiveness of settler domination. J C Myers, Indirect Rule in South Africa: Tradition, Modernity, and the Costuming of Political Power (Rochester, NY: University of Rochester Press, 2008).
away from both structure and the overdetermination of ideology, and towards contingency and African understandings of power.\textsuperscript{36}

While greater attention to historical specificity is, of course, valuable, the imposition of indirect rule across Africa was more than simply the almost coincidental repetition of similar improvisations or accommodations. It signals, rather, the spread and influence of a political mentality. Specific histories need reveal neither the impotence of ideas nor their irrationality, but can rather ‘recover the networks of contingencies through which reason found expression’ and was made.\textsuperscript{37} Locating ideas in practice—whether the practice of race, of sovereignty, or of government—is thus a claim for the unity and mutual constitution of ideas and materiality. Indirect rule reflected what we might consider, after Mamdani and Mantena, an obsession with ensuring order among what became apparently intact but vulnerable traditional societies. This end and this object were not given, but represented an ideological shift in imperialism which comprised a political rationality. And here writing—constructing models ambivalently abstracted from historical contingency—as well as reception and repetition, were important practices of empire, allowing for a traffic in ideas, rationalities, and mentalities. Considered in this light, indirect rule was a mobile art of government that responded to the problem of order in a context of increasing material accumulation.

The establishment of the traditional society as a subject and object of government, whose emergence I trace in chapter three in a social-theoretical lineage from Henry Maine to the functionalist anthropologists of the 1930s, was a characteristic feature of indirect rule, which permitted certain specific techniques of governmental intervention. Indirect rule is best understood, then, not only as ideology, but also as what we might describe, after Foucault, as an art of government.\textsuperscript{38}


\textsuperscript{38} Foucault, famously, avoided a theory of the state. His project was, if not to displace, to relegate the state to a relatively minor place in an analytic of power. The state is, for Foucault, ‘nothing else but
represents a way of thinking, being, and acting: a mode of knowledge that frames and produces its object, a practice of acting upon that object, and the action itself. It organises the world and renders it both legible and available for guidance through specific technologies of intervention.

Thinking indirect rule in these terms takes us beyond the specifics of state formation and towards an understanding of its way or ways of acting on a particular object, guiding it in particular directions and maximising its latent capabilities. Indirect rule was not only Lugardian administration through formal native authorities, but could also, to its adherents, explain such diverse techniques of government as the use of Indigenous narratives of illness and magic to effect smallpox immunisation in colonial Papua, or ‘native custom’ as a basis for a system of education in a Tanganyikan school.\(^3^9\) It was not, in other words, simply a way of structuring the colonial state. How can we explain the semiotic mobility of indirect rule? The answer lies in a serious turn to examine it as a mode of power. Indirect rule represents a specific mentality, a way of seeing and framing ‘native’ peoples and social institutions, and thus a mode of action. To engage with the ways of regulating human behaviour, we need, as Achille Mbembe suggests, not only to look at ‘what constitutes the strength and reason of the state, but also to ask questions about the actual form of its power, its manifestations, and the various techniques that it uses to enhance its value, distribute the product of labor, and either ensure abundance or manage poverty and scarcity’.\(^4^0\) Examining indirect rule as an art of government allows us to ask these questions, to study these techniques in both theory and action.

\(^{39}\) Hubert Murray claimed to have achieved success in encouraging Papuans to be vaccinated against smallpox by telling them there was a sorcerer coming, but that they could be protected by bearing the government mark on their arm. This, he wrote, ‘was Indirect Rule all right, and, furthermore, we were successful beyond our wildest dreams’. Sir Hubert Murray, “The Trend of Native Administration,” Stead’s Review, 1 August 1930, 5. In the early 1930s, Bronislaw Malinowski described the Malangali School in Tanganyika, which educated the ‘sons of chiefs and other natives’, as ‘primarily ... a centre of native culture founded on native institutions’. In its curriculum and approach, then, it was ‘the direct educational application of the new functional school of Anthropology and the principle of indirect rule in native development’. Bronislaw Malinowski, ‘Dr G G Brown and the Experiment in Applied Anthropology at Malangali School,’ n.d., Malinowski Papers, MALINOWSKI/9/11.

In administrators’ writing on indirect rule, whether Arthur Gordon, Frederick Lugard, or Hubert Murray, we find descriptions of much more than expediency or problem-solving. Indirect rule appears in their works as a whole way of thinking and acting in relation to colonial rule, with specific objects and ends of government. We can identify two key elements of indirect rule as an art: the tribe, a social organism, as the subject and object of government; and the management of that tribe through control of market and other economic forces as ways to guide customary social institutions. This was the ideal of governmentality; taking as its basis ‘Native organization’ embodied in the tribe, progress and the expansion of its capacities would ‘start … from a basis which the Natives understood and prized, and developing from that to something higher’. Intervention, within this governing philosophy, ‘must not run counter to economic force, but must utilize economic forces to achieve its purpose’. British colonial administrators in Africa found themselves forced by insistent ‘native’ communities to accept a tribal basis on usually inalienable land, placing a limit on the extent of colonial expropriation and primitive accumulation, and theoretically protecting the tribe from annihilation. Administrators contented themselves with managing the amount of available land through encouraging a certain amount of dispossession, and the requisite amount of production through setting rates of tax. These techniques of indirect rule sought to manage the articulation of modes of production, ordering the social formation through, and on the basis of, a functioning tribe.

This thesis is, then, an attempt at what David Scott described as the study of the ‘political rationalities of colonial power’. Political or governmental rationalities characterised ‘those ways in which colonial power is organized as an activity designed to produce effects of rule’, specifically, ‘the targets of colonial power … and the field of its operation’. Thinking indirect rule in this way supports an analysis of its objects and techniques, questioning their implications and critiquing their ideological function. Mantena’s argument regarding Maine’s production of the ideological origins of indirect rule becomes clearer if we take this perspective. If

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indirect rule was to govern through native society, it needed a suitable theory of its object. And Maine’s ‘original account of a native society in crisis’ was, Mantena argues, ‘his most innovative and influential contribution to nineteenth-century imperial thought and practice’. For Maine, native society was a functional whole, held together in equilibrium by the unchanging institutions of custom. It was structured by kinship, internally cohesive through complementary and unquestioned differentiation, but only precariously balanced and hence vulnerable to any uncontrolled change.\textsuperscript{43}

But it did not crystallise as an object of science until Bronislaw Malinowski and A R Radcliffe-Brown’s functionalist anthropological study in the interwar period re-made ‘native society’ as a social organism. Anthropologists looked ‘forward to a time when the government and education of native peoples in various parts of the world would make some approach to being an art based on the application of the discovered laws of anthropological science’.\textsuperscript{44} And indirect rule was, in part, an attempt to make the ethnographic ‘native society’ real. The art of government and the science of knowledge were here intertwined and mutually immanent. A field of scientific knowledge thus represented and perpetuated a view of traditional society that, dislocated from and hence unconstrained by the specificity of particular colonial administrative contexts, could become mobile and transferable across the empires, including to Australia. And, with it, the art of indirect rule travelled too.

We need, in tracing these moves, to attend to the plurality and heterogeneity of political rationalities. Context matters. Writing colonialism into the history and histories of governmentality illuminates the manner in which sovereignty and biopower were mutually imbricated, manifesting differently in each colonial social formation. This is not to reinstate the unimpeachable division between colonial formations, but to attend seriously to the distinctions drawn and practiced within the differentiated field of empire. Indirect rule in a settler colony was importantly different to indirect rule in Nigeria. In Australia, the contradictory processes of difference produced the ambivalence that appears in the settler colonial context as the logic of race in discourses of jurisdiction and subjection.

\textsuperscript{43} Mantena, \textit{Alibis of Empire}, 149, 14–15, 57–8.
Recognising Settler Colonialism

Locating this political rationality in Australia represents an argument for considering a ‘white man's country,’ or a settler colony, within the British Empire. Studies of indirect rule have traditionally been governed by an assumption that it represented a concession to ‘native’ societies antithetical to settlers’ interests, and that settlers’ interests were paramount at all times and in all places in the surviving settler colonies. Without necessarily accepting all elements of a structural analysis of settler colonialism, many historians have argued that indirect rule is antithetical to such formations. The practice of authorising recognition, integral to the institution of indirect rule and its mobilisation of ‘native’ sovereignties and production, is rightly considered uncommon in a context of complete settler domination. The logic of indirect rule, as Mantena argues, was one of ‘protection, preservation, and restoration of traditional society’, seemingly entirely contradictory to the eliminating logic of settler colonialism.

The assumption that indirect rule is antithetical to settler colonialism results, in part, from taking indirect rule largely on its own terms. Many historical studies have considered it a recognition of Indigenous or native political forms, and asked whether such recognition could be considered accurate; are the recognised traditions authentic or invented? This can be a valuable question, and has driven the production of a literature on invented traditions, particularly in contexts where ‘neo-traditional’ structures remain a source of political legitimacy. But I seek in this thesis to ask different, parallel questions. In Butler’s reading of Foucault’s account of self-constitution, she argues that a ‘regime of truth offers a framework for the scene
of recognition, delineating who will qualify as a subject of recognition and offering available norms for the act of recognition. A given regime is not determining, it does not set an ‘invariable framework for recognition; it means only that it is in relation to this framework that recognition takes place or the norms that govern recognition are challenged and transformed’. We find in indirect rule as a political rationality a regime of truth which framed ‘native society’ and thus constituted boundaries of permissible, if not possible, recognition. As, in part, a study of the way indirect rule made its subjects legible, this thesis focuses on the way indirect rule worked and works as a mode of government, and its place in different colonial projects. It may well have been, as Cooper argues, a retreat. But it was nevertheless an importantly productive amalgamation of different systems. What, I then ask, did it produce? To what end? And if we account for indirect rule not primarily as a retreat, or concession, but as a distinct art of government—a technique, or set of techniques, within a repertoire of colonial rule that was mobile and capable of transformation—we might re-situate its potential within settler colonial formations.

There has been an increasing emphasis placed in recent historiography on the distinct nature and structure of settler colonial formations, of self-governing rather than Crown colonies. This can be characterised by the common historiographical agreement that they stand apart, whether as the states of the ‘English-speaking peoples’, the Anglo-World, neo-Europes, an Empire of settlement, or sites of settler capitalism. These are, basically, arguments for settler colonial

49 Andrew Roberts, *A History of the English-Speaking Peoples since 1900* (New York: Harper Perennial, 2008), a self-conscious sequel to Winston Churchill’s work; James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo-World, 1783–1939* (Oxford: Oxford University Press, 2009); Alfred W Crosby, *Ecological Imperialism: The Biological Expansion of Europe, 900–1900*, 2nd ed. (Cambridge: Cambridge University Press, 2004); Duncan Bell, *The Idea of Greater Britain: Empire and the Future of World Order, 1860–1900* (Princeton: Princeton University Press, 2007); Donald Denoon, *Settler Capitalism: The Dynamics of Dependent Development in the Southern Hemisphere* (Oxford: Clarendon Press, 1983). Similar categories have been deployed by a range of historians developing typologies of colonialism. D K Fieldhouse singled out ‘pure settlement’ from mixed or plantation colonies of occupation. ‘Pure settlement’ colonies were to be found in parts of North America, Australia, and Aotearoa/New Zealand, which were characterised by pushing Indigenous people to the ‘margins’ or ‘frontiers’, and where a European working class developed in place of the exploitation of Indigenous labour. The distinction, that is, was primarily one of spatial demographies. Gershon Shafir added to this another form, inspired by colonies in Southern and North Africa, that he terms the ‘ethnic plantation settlement’. This was based on European control of land, but ‘employed local rather than imported labor’ while pursuing a European national identity and opposing ‘ethnic mixture’. This represents a hybrid of the pure settlement and the plantation colonies. Jürgen Osterhammel influentially differentiated between exploitation colonies, maritime enclaves, and finally settlement colonies, which could be divided into the ‘New England’ type, the African type, and Caribbean type. Cheikh Anta Diop described ‘states founded on genocide’ as one of a range of practices of state-making, this practice being exemplified in the Americas, Australasia, parts of Scandinavia and South Africa, but also by the Spartans in ancient Greece and the Tutsi in Rwanda and
difference. Though he used a slightly different language, Lugard agreed: ‘A settlement which depends on coloured labour lacks the truest foundation of a real colony.’ This thesis thus problematises the distinction, often overdrawn in recent historiography, between settler and franchise colonialisms, preferring to trace policy gradations across a dynamic and unified Empire.

Wolfe’s influential elaboration of the specificity of settler colonialism, we will recall, begins with an assertion of material difference between franchise and settler colonies within an imperialist expansion. Settler colonialism essentially describes the process of generating wealth by using land taken from Indigenous people. Appropriating land necessitates the removal, or denial, of Indigenous claims to that same land. ‘Settler colonies’, Wolfe thus argues, ‘were (are) premised on the elimination of native societies. The split tensing reflects a determinate feature of settler colonization. The colonizers come to stay—invasion is a structure not an event.’ A corollary of this structure of expropriation is a ‘logic of elimination’; a tendency that articulates the discursive and material elements of a colonial formation in a manner conducive to settler colonial domination and increasing extraction of value. By placing the production of value, in this case primarily through the expropriation of land, in the definitional foreground, settler colonialism is distinguished from those colonial formations where settlers were or are politically dominant but did not seek uninterrupted possession of land, as in the cases of South Africa or Kenya.


51 Wolfe, Settler Colonialism and the Transformation of Anthropology, 1–2, 167.
52 It is not, then, the presence of settlers that distinguishes settler colonialism. All settlers, indeed all colonies, ‘come to stay’. Settler colonialism is distinguished by the structure of invasion, by the colonising practice of replacing Indigenous people on the land not only with landowners but also with labourers who are categorically non-Indigenous. This produces a society riven with class and race conflict, but which is certainly exogenous and imagined as a whole in relation to its Indigenous other[s]. This is not to say that settler societies do not rely upon Indigenous labour, but to note that this reliance is rarely considered a permanent condition. Work for settlers, in fact, tends in settler colonial discursive formations to erode Indigeneity. Of course, the dissonance evoked by the ‘working native’ exists primarily in settler discourse and appears very differently to Indigenous people, for whom the regularities of life are not so difficult to imagine. But settler colonial discourses are characterised by the performance of elimination, imagining Indigenous communities as constantly tending towards a horizon of disappearance. As Andrea Smith argues, ‘indigenous peoples ...
This typology is useful to think with, and has productively opened up a field that articulates and respects the distinct nature of colonialism in those parts of the world where settlers remain numerically and politically dominant today. But it is not without its dangers. Shearing the settler colony from imperialism or arguing for a normative difference between settler and franchise colonialism, as is suggested by Lorenzo Veracini’s argument that ‘settler colonialism is not colonialism’, comes awkwardly close to repeating the logic of the ever-present declaration of settler independence from the metropole. Placing the metropole and colony in one analytic field should remind us to think the empire as woven into one unit; differentiated, for sure, but still comprehensible if we can conceive the intertwined always be disappearing’, a state distinct from actual disappearance. Andrea Smith, “Queer Theory and Native Studies: The Heteronormativity of Settler Colonialism,” GLQ: A Journal of Lesbian and Gay Studies 16, no. 1-2 (2010): 53. See also Udo Krautwurst, “What Is Settler Colonialism? An Anthropological Meditation on Frantz Fanon’s ‘Concerning Violence’,” History and Anthropology 14, no. 1 (2003); Haunani-Kay Trask, From a Native Daughter: Colonialism and Sovereignty in Hawai’i (Monroe, ME: Common Courage Press, 1993), 136.


Lorenzo Veracini, Settler Colonialism: A Theoretical Overview (Houndmills, Basingstoke: Palgrave Macmillan, 2010). 4. Veracini uses (settler) sovereignty and its refusal (to migrants and Indigenous collectives) to create the space for a valuable critique of the migrant’s specificity in discourses of settler colonialism. But he pushes the distinction to argue that the migrant is not a settler. ‘It is,’ he argues, ‘the intention to stay ... manifested by residency, suitable reproduction, and possession’, as well as, most crucially, a desire for supersession, that ‘contributes the crucial differentiating trait’. Together, these constitute a sovereign aspiration. (at pp 30, 53, 136ff) This is a voluntaristic reversal of a structural analysis of settler colonialism as a mode of production, in which territorial appropriation is the foundation of sovereignty. Taken prior to the issue of land, sovereignty appears in Veracini’s work to over-emphasise the distinction between settler and migrant. From a perspective concerned with the expropriation of Indigenous people, the distinction appears less meaningful. See also Candace Fujikane and Jonathan Y Okamura, eds., Asian Settler Colonialism: From Local Governance to the Habits of Everyday Life in Hawai’i (Honolulu: University of Hawai’i Press, 2008), which emphasises the place of the migrant as a distinct segment of the settler population, within a structural distinction between settlers and natives.
complementarities. The movement of raw materials from colonies to metropoles, and of manufactured commodities from metropoles back to the colonies, was accompanied by the mass movement of people, whether forced, indentured, or relatively independent. These movements and the effects of varied production flowed through networks and circuits of empire, and produced heterogeneous colonial spaces which were fundamentally connected and mutually constitutive. This was the basis for an interconnected ideological milieu. White men’s countries, or settler colonies, were entwined in this world just as much as were other colonies. Re-placing settler colonialism within imperialism allows us to think settler colonialism as a mode of production, a particular migrating type of colonialism that is distinct, but that needs to be considered in relation to other colonial and modern states. The production and expropriation of value, after all, was historically contingent and thus necessarily differed markedly across space and time.

This is not to reject completely the specificity of settler colonial formations. The critical point Wolfe introduces into the analysis of settler colonialism is a fundamental relationship of invasion; that although the ‘determinate articulation is not to a society but directly to the land’ and the ‘social relationship’ between settlers and natives ‘can be conceived of as a negative articulation’, this does not mean that those Indigenous people do not matter. Rather, this ‘negative’ relationship is the central structuring element of the settler colonial formation.55 The history of the settler colony, in other words, is structured by the initial and continuing expropriation of Indigenous land. We must therefore be attentive to two equally important elements of settler colonialism: the removal of Indigenous people, which can take a range of forms; and the establishment of a new, settler-dominated society.56

But the history of these processes necessarily differs across a heterogeneous national space. It is by attending to this heterogeneity that we can locate the place of indirect rule in Australia. Charles Marr, the Minister for Home and Territories, had initially responded to the Model Aboriginal State proposal by arguing that ‘if the natives are segregated, it will be impossible to develop North and Central Australia. If they are to be made useful citizens, are we to confine them to particular areas that

55 Wolfe, Settler Colonialism and the Transformation of Anthropology, 2.
56 On different modes of elimination, or what Veracini describes as population ‘transfers’, see Veracini, Settler Colonialism, 33–50.
the Parliament of the day may favour?" But as time passed, the settler state necessarily encountered new problems in its expansion, noted a range of very particular articulations of the social formation in the north, and needed to come to terms with continuing and very apparent eruptions of Indigenous sovereignty in parts of the Northern Territory in the 1930s. Aboriginal assertions of land-ownership and government in central Australia in the late 1920s were met, ultimately, in a horrific massacre at Coniston Station which had the explicit purpose of securing white sovereignty. But massacring whole peoples was becoming difficult to countenance openly in southern settler communities. In the north, the colonial situation appeared substantially more conducive than the south to the implementation of indirect rule. That this comes as a surprise to a historian today is partly, as I discussed above, a symptom of accepting indirect rule in the terms of the colonial state. But it is also a reflection of our tendency to accept the narration of the homogeneous empty space of the nation, assuming the extent to which white Australia was produced in the south as exemplary rather than particular. I emphasise here the spatial heterogeneities we find when we look seriously across the apparently national territory. A national settler colonial aspiration did not preclude zones of liminality in the north which were uncontainable within a logic of the frontier.

Attending to this heterogeneity also reminds us of the very active role Indigenous people and institutions have played in Australian state formation. There is a tendency in settler studies to centre the settler as the sovereign subject and tell a story of nation-making in which Indigenous people feature only in the negative, being eliminated and excluded as a precondition of the establishment of settler sovereignty. Even when written into history—as has been the case in Australia since W E H Stanner’s influential critique of the ‘Great Australian Silence’ in 1968—there

57 Commonwealth of Australia, Parliamentary Debates, House of Representatives, 13 October 1927, p 525. Marr transposed the absence of any apparent utility in the scheme onto Aboriginal nature: ‘if you want to destroy our aborigines in the North, the best thing to do is to put them into a State of their own; they will then annihilate each other’. Commonwealth of Australia, Parliamentary Debates, House of Representatives, 28 October 1927, p 814.


59 Stanner was referring, after all, not to the specific field of Aboriginal studies—though this too was characterised by paucity at the time of his writing—but rather to the absence of Aboriginal people in the ‘mixed lot of histories and commentaries dealing with Australian affairs in a more general way’. W E H Stanner, After the Dreaming: Black and White Australians – an Anthropologist’s View (Sydney: Australian Broadcasting Commission, 1969), 22. See also Henry Reynolds, The Breaking of the Great Australian Silence: Aborigines in Australian Historiography, 1955–1983, Trevor Reese Memorial
remains in some of the literature on Australian nationalism and the state an assumption that Aboriginal people can be segmented from the Australian history of state-making; that ‘natives,’ as it were, are essentially inconsequential to the form the settler society has taken. John Hirst, for example, has argued that in the early twentieth century it was ‘easy’ for white nationalists ‘not to make the connection’ between ‘what had happened on the frontier’ and the nature of the Australian nation, thus largely leaving Aboriginal people out of the story of Australian Federation. The political commentator Paul Kelly has similarly described the nation’s founding in the Australian Settlement, a ‘practical’ compromise between the various classes of white Australia forged in the 1890s and which remained at the base of Australian political and economic life for the best part of the following century, securing comfort for white Australian men. This conception has, Peter Beilharz and Lloyd Cox argue, ‘become a dominant way of thinking about Australia’s past at the expense of alternatives’ like settler capitalism or settler colonialism.

In these narratives, Aboriginal political existence is consigned to the past, destroyed ‘on the frontier,’ and leaving a definitively non-sovereign and anachronistic ‘remnant.’ As a range of postcolonial critics have argued, exclusion certainly does lie at the heart of liberal nation-making. A founding and structural exclusion, indeed, has been a mode of producing settler sovereignty in Australia. But a critique along these lines remains, as Mamdani has argued, incomplete. ‘To focus on exclusion, on what is not,’ he writes, ‘is not quite to show what is.’ It is not enough to note Indigenous exclusion. Settlers’ interactions with Indigenous people, narrated in the settler colonial archive under the sign of sovereignty, also comprised processes of differential recognition and incorporation, each produced in, and contingent on, the historical encounter. Different systems were constituted in relation to each other. A language of sovereignty allows us to speak of distinct and

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singular entities acting autonomously. Concentrating instead on articulations, on relations of interdependency, we find that what is called sovereignty is itself produced through situated practices that project the resolution of multiplicity.

The settler state, that is, has been instantiated through dynamic processes of recognition and incorporation, working not necessarily to eliminate immediately but rather to develop and secure its authority through Indigenous social and political formations. Settler colonialism has worked through both a necropolitics and a biopolitics.\(^{63}\) Contemporary settler colonialism is thus suffused with a history that includes both the seizure and the multifarious incorporations of Indigenous sovereignties that continue to inflect the contours of the social formation and the practice of the state. This thesis represents an attempt to write some of these incorporations—in the Northern Territory of the interwar period—into Australian history, by considering them in relation to the colonising practice of indirect rule. My point, in other words, in studying the practice of indirect rule alongside its more abstracted political rationality, is to write Aboriginal people and institutions into the history of Australian state formation in a distinct, counter-assimilationist, manner.

But while Indigenous people cannot be ignored in a historical account of Australian state formation, one of indirect rule’s discursive features is the erasure of Indigenous presence outside a relation of subjugation. Its reduction of pluralism, or multiplicity, into a unitary polity through the citation of a perfect settler sovereignty can be considered as what Mark Rifkin refers to as ‘domestication’.\(^{64}\) To domesticate is to make familiar, to settle, and to make belong to the same country, under the sign of the same sovereignty. These elements are co-produced through a recognition which takes a particularly familiar form, settling colonial contradictions by locating the Indigenous within settler politics, constituting Indigeneity as subordinated. This is a form of recognition ‘on the terms of the new imperium’, smoothing over and thereby reducing alterity in order to envelop Indigenous formations within liberal

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\(^{63}\) Indeed, these must be thought together. For Mbembe, ‘the function of racism’ in ‘the economy of biopower’ is to ‘regulate the distribution of death and to make possible to murderous functions of the state’. Race produces and delineates those populations marked for death and those for life. By centring race, we can examine necropolitics and biopolitics as entwined. Mbembe, “Necropolitics,” 17.

\(^{64}\) Rifkin, “Indigenizing Agamben,” 102, 6; Mark Rifkin, Manifesting America: The Imperial Construction of U.S. National Space (Oxford: Oxford University Press, 2009). The key referent here is the US legal doctrine, established by Supreme Court Chief Justice Marshall in the so-called ‘Marshall Trilogy’ of Cherokee decisions in the 1820s and 1830s, that Native American tribes constitute ‘domestic dependent nations,’ with whom the settler states could treat, but whose sovereignty and landholdings had been abrogated by settler precedence.
ontologies. Domestication, then, is a discursive and performative correlate of national spatial organisation, constituting the people as one within relatively homogeneous territory. Recognition here is neither benign nor innocent, but rather riven with the productive and reductive practice of settler sovereignty, re-constituting Indigenous institutions in conformity with, or in a relation of subjugation to, colonial knowledge. This establishes and authorises the settler state as a dominant entity and omniscient gaze and, by enforcing a conditional inclusion on the basis of familiarity and submission, reinforces a specific colonial relationship of domestication. It expropriates native difference ‘in and through the discourse of that difference,’ harnessing native society to the settler nation through a biopolitical and geopolitical incorporating representational economy.

Settler recognition cannot, it must be said, capture all. Indigenous people exceed this episteme and mode of apprehension. We might think the object of recognition as what Homi Bhabha has described in a different context as mimicry: the object recognised as the ‘native tribe’ is definitively not quite the same as the Indigenous collective that exists for itself and in relation to other communities and country. Mimicry is ambivalent, it ‘continually produce[s] its slippage, its excess, its difference’. And this ambivalence suffuses the relation of colonial discourse to its object with uncertainty and a worried partial presence. In this instance, the partial as incomplete signifies not a ‘strategic limitation or prohibition within the authoritative discourse itself’ but rather the irreducibility of Indigeneity to an effect of colonialism.

While Indigenous people worked and manoeuvred within, and in


67 Homi K Bhabha, Of Mimicry and Man: The Ambivalence of Colonial Discourse,” in The Location of Culture (London: Routledge, 2004), 122–3. See though Bain Attwood’s studies of the ‘making of the Aborigines’ and ‘Aboriginalism’ in Australia, in which he argues that the category ‘Aboriginal’ is little more than an effect of settler power and knowledge. Crystal McKinnon has recently critiqued the work done by such claims to ‘recolonise the everyday lived experiences of Indigenous individuals,’ denying the effect of ongoing Indigenous labour to produce a relative autonomy both ‘by choice and necessity’. Nothing exists prior to power, but to assume the representational totality of a colonising discourse is to foreclose the possibility of practices of counter-conduct in producing Indigenous articulations. Bain Attwood, The Making of the Aborigines (Sydney: Allen & Unwin, 1989); Bain Attwood, “Introduction,” in Power, Knowledge and Aborigines, ed. Bain Attwood and John Arnold (Bundoora: La Trobe University Press, 1992); Crystal McKinnon, “Indigenous Music as a Space of
relation to, the structures of indirect rule, they were never only subjects of its politics of recognition. Indigeneity always retains elements that are prior to the settler nation and are articulated anew; its histories intersect with but exceed the national story and cannot be reduced to a position entirely contingent on the practice of settler recognition. The excess, then, represents the trace of what we might describe as Indigenous sovereignty that, while officially submerged, could not be extinguished.68

If this practice of recognition through indirect rule subordinates Indigenous people and communities to a settler sovereignty, it forms the discursive correlate of a material articulation of settler capitalism and Indigenous modes of production where the former is both dominant and determining. The colonial state is structured not only by the practice of sovereignty, but also by the social formation. The internalisation of rival sovereignties and the articulation of ‘native’ modes of production in a structure characterised by the dominance of settler colonial production are, that is, complementary processes. The resultant colonial social formation exhibits, in the Australian case, a high degree of heterogeneity across space and time. In the interwar Northern Territory, for example, the typical settler colonial formation—where Indigenous people figured almost only as an obstacle in the path of settlers’ access to exploitable land—was heavily compromised.69

We find, rather, that in a conjuncture dominated by pastoral beef production, Indigenous

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69 Others have recently situated the Northern Territory not as settler colony but as a colony of exploitation, almost outside a White Australia. See, eg, Julia Martínez, “Plural Australia: Aboriginal and Union Labour in Tropical White Australia, Darwin 1911–1940” (PhD Thesis, University of Wollongong, 2000); Claire Lowrie, “In Service of Empire: Domestic Service and Colonial Mastery in Singapore and Darwin, 1890s–1930s” (PhD Thesis, University of Wollongong, 2009). A recent edited collection has also, without abandoning the specificity of settler colonialism, taken seriously the heterogeneity and contingency of settler colonial space. Tracey Banivanua-Mar and Penelope Edmonds, eds., Making Settler Colonial Space: Perspectives on Race, Place and Identity (New York: Palgrave Macmillan, 2010).
labour was structurally indispensable to continued economic function. Primitive accumulation was effected through an articulation: white prosperity in a White Australia needed, for its pedestal, Indigenous land and labour.

This heterogeneity was understood through a unifying schema of racial differentiation, establishing populations and tribes as specific objects of knowledge that could be targeted by governmental intervention. Race was mobilised to naturalise both colonial populations and relationships on the one hand, and narratives of stasis and change on the other, structured by a representational economy of modernity. The reproduction of this racialised order relied on the fragmentation of blackness into functional social units. Tribalisation was critical. ‘Colonialism’, as Fanon identified, ‘does not simply state the existence of tribes; it also reinforces it and separates them.’ By the late 1930s, in the Northern Territory, the ‘tribe’ became both a source of community solidarity and division among Aboriginal people, and the unit available for a biopolitical government that could work both with and against the necropolitics of elimination. A simultaneously racialised and tribalised Aboriginality thus expressed the logic of both the elimination and the maintenance of difference, this latter conducing to the exploitation of native labour in different, but articulated, modes of production in a way constructed as civilising. The complexity of race here reflected and overdetermined the complex social formation. Race is best understood, as Paul Gilroy argues, as a process. Here, it worked as a grid of intelligibility which ordered populations and production.

I have stressed, in this introduction, the importance of attending to heterogeneity, and attempts at ordering difference, on a number of levels. Settler colonies, while located firmly on one side of the ‘colour line’ then being drawn across the British empire, if not the globe, were nonetheless internally varied. National spaces were neither empty nor homogeneous, but were rather suffused with a difference that, in certain areas, closely resembled the colonial territories on the ‘other side’ of that line. In those spaces, the colonial production of a replacement

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70 Here, whiteness itself denoted modernity, even in the case of pastoralism which was, elsewhere, associated with nomadism and a lack of ownership of, and therefore theoretical removal from, land. See, eg, John K Noyes, "Nomadic Landscapes and the Colonial Frontier: The Problem of Nomadism in German South West Africa," in Colonial Frontiers: Indigenous – European Encounters in Settler Societies, ed. Lynette Russell (Manchester: Manchester University Press, 2001).
society, a practice integral to settler colonialism, could work through Indigenous people and institutions. Recognition and incorporation, both certainly processes of domination in this context, were importantly distinct from elimination. But they were not totalising; Indigenous people always and everywhere exceeded the limitations of their representation in discourses and practices of domination, making and finding spaces of autonomy which were constitutive parts of an Australian modernity. Indirect rule represented, in this context, a governmental attempt to subsume the question of sovereignty as both a representational and geopolitical practice, and to order production in the interests of expanding settler capitalism. As a modality of incorporation, it structured the Australian settler state in and through difference and heterogeneity as a fundamental element of settler colonialism that cannot be reduced simply to an exception.

This critique is a reflection of re-placing settler colonial formations within the empire, identifying settlers’ administrative independence as a devolution of responsibility to ‘ideal prefabricated collaborators’ rather than as signalling any more meaningfully structural change. But settlers’ practice is that of colonialism. The problems they faced, and the solutions they developed, were colonial in nature. In arguing that settler Australia should be framed within an empire that cohered through both material networks and an ideological and intertextual milieu, this thesis locates Aboriginal history within imperial history, situating the settler colonial politics of Indigeneity in a broader governmental context. Australian settler governmentality, in other words, was not entirely exceptional; in this instance, we find the settler colonial state participating in, and constituting, an integrated, empire-wide repertoire of the arts of governing and colonising peoples.

**Chapter Outline**

In chapters one, two, and three, I situate a developing indirect rule in relation to the role and function of the state in ordering different social formations. We begin with Arthur Gordon’s administration of Fiji, and his attempts to restructure the Fijian colony and its production around the articulation of land-holding ‘native’ communities and settler plantations and trade, using the levers of taxation and land tenure to work through ‘traditional society’. Gordon’s experimental system was one

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influence on Lugard’s work in Northern, and then all of, Nigeria, where he too sought to mobilise traditional government in formal ‘Native Authorities’ to govern the spheres of ‘native’ production, articulated with British mercantile capital. These were systems crafted by chiefs, acting as power-brokers between the colonial state to which they were becoming (at times tenuously) affiliated, white capitalists of different sectors who constantly sought a greater rate of exploitation through an increasing output of labour power or commodities, and Indigenous people or ‘natives’ who both sought their own spaces of autonomy, and whose exploitation could only be pushed so far before they would rebel against the chief as the immediate agent of their oppression. At the same time, chiefs sought an expansion of their own powers over land and labour, as well as of their personal wealth and prestige. It is no exaggeration to situate these semi-autonomous intermediaries as the most important agents in developing systems of indirect rule. But Lugard’s success was in his writing, eliding this struggle by crafting an art of government which could be abstracted from the specificities of the colonial formation and deemed applicable as a functional and benevolent approach to distinct articulations.

The transformation of indirect rule into a coherent political rationality was an effect of British social anthropology as well as Lugard’s writing. In chapter three, we turn to examine this discursive field through the functionalism of Malinowski and Radcliffe-Brown. For Malinowski, in particular, functionalism and indirect rule were different expressions of the same regime of truth. Through an examination of political rationality, I explore the implications of his brief, yet suggestive, analysis in the context of transnational norms of colonial power and knowledge. Functionalist anthropologists’ mobilisation of a physiological language both produced ‘native society’ as a biopolitical object and mediated the modes of potential intervention into its life. The ‘tribe’, then, became a travelling figure, embedded within academic and administrative discourses, as well as within a specific political rationality. As anthropologists seized authority to know and describe ‘native societies’ both for the public and for states, their work was a key route by which indirect rule was trafficked around the empire.

Having described and theorised the development of indirect rule as an art of government, the thesis then follows its movement to, and influence in, Australia. We begin, in chapter four, by examining the specific place of the Northern Territory within the Australian nation. This chapter provides a materialist account of the pastoral north, as well as focusing on the views of pastoralists and in the official
mind of Australian (settler) colonialism. In chapter five, we turn to the growth of Aboriginal political activism in the interwar period, whether in the form of citizenship or self-determination movements or sovereign resistance, and the challenge this posed to the settler colonial order. Searching for new solutions, and reluctant to embrace fully the novel Indigenous articulations demanding recognition, many white Australians, who considered themselves a part of international communities spanning the British empire, had cause to look elsewhere. Their overlapping identities across white men’s countries and the networks based on ‘governing natives,’ led many of these groups to ideas of indirect rule, which they adapted and advocated in the Australian context. Humanitarians and anthropologists, particularly Donald Thomson and A P Elkin, recognised an Australian version of ‘native society,’ anthropologised such that indirect rule came to be its ideal mode of government. These movements located ‘native societies’ in Australia’s north, usually in the Northern Territory. In chapter six, I return to this location and interrogate the way it was spatialised in relation to government, examining its manifestation in the pre-1939 government of race in the Northern Territory.

A political economy of the interwar Northern Territory leads us to centre the pastoral industry as the driver of development and general policy, and to the question of native labour as the basis upon which the industry could survive. We find that the social formation was characterised by a contradiction which was, by the late 1930s, tending to crisis: a fundamental reliance on native labour conflicted with the progressive elimination of Aboriginal people and communities. As black workers struggled to survive, their diminishing exploitability undermined the very foundation of a replacement society in the Northern Territory. These two logics—of exploitation and elimination—found their narrative correlates in the two main ways of framing the interwar Northern Territory, as a frontier or as a colony. In developing a synthesis of the two, the official mind of Australian settler colonialism moved towards recognising a distinct place and role for Indigenous societies in modern Australia.

Chapter seven is, finally, a study of the 1939 policy which established a Branch of Native Affairs under the leadership of E W P Chinnery, the administrator and anthropologist. The policy ordered Aboriginal people into four distinct categories—‘Half-castes’; ‘fully detribalised’; ‘semi-detribalised’; and ‘Myalls or aboriginals in their native state’—delimited at the intersections of race and
subjectivity. The categories, mapped across the Northern Territory, were linked in a narrative of progress, they denoted stages on a ‘long march’ to civilisation. In a distinctly settler colonial re-constitution of a system of indirect rule, tribes were embraced to the extent that they could be assimilated into a process of erasure. Critically, work provided the impetus for the march; this was a system of labour exploitation glossed as the production of modernity. The narrative gives a sequential account for a system which could not fully be grasped in sequential terms, staging Aboriginal society as that which is transcended by modernity. In fact, as I show, modern Australia was and is constituted through these societies. A frontier logic casts Aboriginal society outside the nation, objectified and excluded. But settler colonial modernity is constituted through the relation between a nation, for whom sovereign white male settlers stand in as proxy, and Indigenous people in general. Selective processes of exclusion and inclusion are the stuff of Australian state formation.

Indirect rule was envisioned at the earlier stages of the long march, located in reserves constituted as limits to settler administration, and around the pastoral stations where mobilising Aboriginal custom could be turned to productive utility. Its implementation was not a simple application of principles developed elsewhere. Indirect rule, as becomes clear in its north Australian expression, was most crucially the government of a ‘native society’, acting on and through its social institutions. Where those institutions were definitively not those of chieftaincy or authoritarian rule, the word of indirect rule (if not its deed) would be to mobilise the alternative organising institutions. In doing so in north Australia, administrators crafted a distinct administrative structure that worked through spatialising distinct native societies. And it emphasised the educative and progressive function always inherent in Lugardian indirect rule. For Perham in 1930, the ‘preservation of native law and custom is not an end in itself, but a transitional stage by means of which Africans may in their own right become members of the civilized world, not as individuals,

but as communities’.\textsuperscript{76} Indirect rule in a settler colony worked between a national logic of elimination and a local structural reliance on Indigenous communities; an ambivalence that could be contained, but not resolved, by indirect rule.

My focus on policy risks assuming the totalising power of declarations made in Canberra, Melbourne, or even Darwin, to be made real. Government takes place, perhaps more meaningfully, in exchanges and intercourses between people on streets, offices, or stations rather than in a Canberra conference room or in the quiet of Lugard’s study. But among the people, on reserves, pastoral stations, cities and towns, the state was at once omnipresent and inadequate. Its policies structured every exchange, establishing roles, norms and subjectivities from which one could speak, and be heard. At the same time the settler-colonial state was everywhere unable to instantiate fully these elements of government. As I explore in the conclusion, in the context of patrol officers and Aboriginal people’s struggles over the categories set out in administration policy, every colonial encounter was marked by its limit and riven with ambivalence. Colonial government was always and everywhere exceeded; its power was in establishing itself at the centre of concern, a centrality reflected in this thesis. Government could not realise its project(s); in many ways its project was unrealisable. But it could, and did, establish itself as desirable and as normal. In every exchange, every instance of the micro-practices of government, both an underlying settler colonialism and the policy of the day represented the norms to which subjects referred.

\textsuperscript{76} Margery Perham, \textit{Colonial Sequence, 1930–1949: A Chronological Commentary Upon British Colonial Policy Especially in Africa} (London: Methuen, 1967), 65. Indeed, the ‘whole object of indirect rule was to train people in self-government.’ ibid., 92. Cf Mamdani, who argues that indirect rule exhibited a shift from ‘rejuvenating to conserving society. It was rather a turnaround: from a conviction that Europe had a “civilizing mission” in the colonies to a law-and-order obsession with holding the line.’ Mamdani, \textit{Citizen and Subject}, 50.
CHAPTER ONE

Colonial Transformations: The Ideological Origins of Indirect Rule

It is remarkable how insignificant incidents at the first blush have appeared which have proved to be pregnant with momentous consequences.

– Benjamin Disraeli, 1857.

Introduction

In June 1857, Londoners were shocked when The Times reported that ‘sepoy mutineers’ in Meerut were now ‘thoroughly committed to the wildest excesses,’ and were ‘slaughtering, burning, and destroying. Every house was fired, and every Englishman, woman, or child, that fell in the way of the mutineers was pitilessly massacred.’ The ‘insurgents’ then rushed some 40 miles to Delhi, where they ‘ran riot through the city, which was entirely at their mercy, and the bloody scenes of Meerut were reproduced in the streets of this ancient Mogul capital’.  

But the vivid reports of massacres of children and mass rapes of women, which would provoke a national trauma, had hardly begun to trickle into London when debate over the rebellion’s meaning began. In a three hour speech to the House of Commons reprinted in The Times, then leader of the Conservative opposition Benjamin Disraeli interpreted the rebellion not as a ‘military mutiny’ but as a ‘national revolt’. This characterisation necessitated more than a military response. He called instead for a reconsideration of British colonialism in India, channelling the trauma of rebellion into a sober analysis of how British imperialists could best achieve an ordered domination of India. And he located the source of disorder in three British transgressions of the previous decade: ‘first, our forcible destruction of native authority; next, our disturbance of the settlement of property; and thirdly, our tampering with the religion of the people’. In particular, the British refusal to recognise the Indian custom of adoption which could determine the inheritance of land—a

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1 Parliamentary Debates, House of Commons, 27 July 1857, vol 147, column 440.
non-recognition which Disraeli argued was a technique of expropriation—had fundamentally disrupted Indian tradition. This, he suggested, reflected the policy ‘to increase the revenue of our dominions by increasing our dominions themselves; that, in short, the only mode by which an enlarged revenue could be obtained was, by enlarging our territories’. There were other ways, Disraeli argued, of increasing revenue that did not necessarily rely upon increasing British control; ways which would not produce disorder.3

Disraeli’s speech expressed the early stirrings of a moment of transition in British imperialism. In attributing disorder to the expansion of colonial control, he made an implicit argument for governing at a safe remove, for a policy of minimal interference. And he suggested that accumulation could most effectively and sustainably be carried out by ensuring Indian control of productive resources. Disraeli presented, in other words, a theory of colonial government that edged towards the notion of a coherent ‘native society’ or ‘village community’ that was vulnerable in the face of crude intervention, but could be safely articulated within British colonialism if its social institutions were respected. This marked the beginnings of a break in British imperial ideology—a retreat from a limitless faith in the potential of modernity to re-make peoples—that took hold over the second half of the nineteenth century. Most critically, Disraeli expressed this ideological abandonment of universal progress in a way that transformed, but would not prevent, imperialist accumulation. In his analysis, metropolitan capitalism needed, for its solid pedestal, an articulation with endogenous modes of production in the colonies. Interventions to universalise capitalism were, rather, productive of disorder.

The crisis of 1857, as in the case of each in a series of imperial crises of the mid-nineteenth century, was thus attributed to a failure of the civilising mission. In a reversal of agency, anticolonial resistance was represented not as a response to oppression but as a failure of command, command itself being seen to rest on knowledge. Imperialism came to be viewed as vulnerable to failures of knowledge. Without a better and more penetrating understanding of native manners and customs, colonial rule would continue to produce populations whose instability would undermine the steady march of progress. But with that knowledge, if colonisers knew their natives better, administration and control would become

easier. It is thus no surprise that the second half of the nineteenth century saw a profusion of accounts of so-called primitive societies, and a progressive abandonment of British liberal optimism in favour of a hardened racial suprematism.

Lugard’s philosophy of indirect rule, resting as it did on the notion that a truthful understanding of a subject society was the necessary basis for government, thus did not in itself mark a radical break so much as reflect the apogee of an era in British colonialism in which a preoccupation with problems of order and transformation—the ‘native question’—was pre-eminent. Not only was there a shift in imperial ideologies, ideology produced the empire differently. A series of crises had prompted a reformulation of the nature of racial difference and the ends of colonialism. But it was the 1857 Rebellion in India, in particular, that changed the terms of British imperialism, provoking a reassessment of both the subject of government and the reason, or alibi, for empire.4

The post-1857 ideology was most famously expressed by Henry Maine, who questioned the ambition of the civilising mission through his turn to ethnographic knowledge in understanding ‘native society’.5 He attributed to this ‘traditional’ society, which was thought in oppositional relation to modernity, a special stability and vulnerability. Such a society could not easily be changed. Ritualised and structured by kinship, it rather called for an appreciation of its fundamental characteristics and the ways they worked together to achieve an almost perfect, but precarious, equilibrium. The acquisition of social-theoretical knowledge would, Maine suggested, enable a government that took ‘native society’ seriously, and could then act upon it with care and efficacy.6 Maine’s work was one part of a broader genre of British texts asking similar questions. J W B Money, a lawyer who had worked in Calcutta in the 1850s, took a slightly different approach to the sense of ‘crisis’ engendered by the Indian Rebellion, seeking a better colonialism. He turned to Java with the explicit ambition of investigating an alternative modality of colonial government that appeared to produce order, stability and prosperity. Money

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represented Java, under Dutch rule, as a site of harmonious relations between 'Europeans' and 'natives,' a state he attributed to the 'culture system' which mobilised chiefly rule over a native peasantry, and directed that rule towards the increasing production of cash crops on customary land. This recognition was, he argued, the basis for a society that was happy, industrious, and prosperous. The mode of ensuring 'a very general contentment on the part of the governed with the existing state of things, and on the part of the Government, a large revenue per head, no debt, and a yearly increasing surplus to be sent ... to Holland' was, he concluded, through recognition of native societies.\(^7\) Works like these echoed Disraeli's initial analysis, and set the scene for a material transformation of British imperialism.

The aftermath of the Indian Rebellion provoked not only a reassessment of the nature and purpose of colonial rule, but also substantial administrative reform. In the latter decades of the nineteenth century, power—particularly over finance and taxation—was devolved to more provincial and local governments, some of which contained substantial Indian representation. Municipal and rural boards were formed, some including Indians among their members.\(^8\) Slowing the once rapid annexation of princely states, the British covered the subcontinent with a patchwork of territories ruled by allied princes who were subjugated, but never totally controlled. Faith in princely rule as an index of stability and order was directly drawn from the British trauma of 1857: an 1860 Government of India despatch had described princes as 'breakwaters to the storm which would otherwise have swept us in one great wave', and Disraeli described them as 'safety valves'. The introduction of the durbar in 1861 further harnessed the ceremony of princely rule to colonial administration. All this was intended, in the words of Richard Temple, to induce Indian subjects to 'feel their corporate existence as being one with the state'.\(^9\)

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India was a constant model and referent across the Empire, and as the British response to 1857 spread and developed into a discourse on the dangers of detribalisation, so too did an ideological basis for indirect rule. But from here, indirect rule can be traced through multiple sites. In narrating the pre-Lugard origins of indirect rule, historians have made claims for the Indian princely states, Gordon in Fiji, Shepstone’s structure of government in Natal or Swettenham’s in Malaya, amongst others, as bridging the divide from the 1857 Rebellion to the 1921 publication of the Dual Mandate. In this chapter I focus on one of these examples, that of Arthur Gordon’s work in Fiji. In doing so, I do not make any claim to priority, though Gordon’s experiment was, as will become clear, one influence on Lugard in Nigeria. But I am also, in this thesis, telling a story of indirect rule in the Western Pacific, in an Australia that was firmly located—albeit in a distinct, self-governing position—within the colonial Pacific and which itself came to govern colonies in Papua, New Guinea and Nauru. In these territories, many of whose colonial states were staffed by Gordon’s former subordinates, his system loomed larger than others. Indirect rule, in other words, was not invented in Africa and transported elsewhere, including Australia. It represented, rather, a trend in imperialism that spanned the British Empire, originating in a number of sites, including the Western Pacific, before being expressed as an art of government by Lugard. I discuss this transformation in the following chapter.

As he sailed to Fiji in 1875 to take up his post as Governor, Arthur Gordon closely read Money’s Java, and while in Fiji he read and was influenced by Maine’s work. A re-worked colonial ideology conduced to Gordon’s establishment of a mode of colonial government which mobilised ‘neo-traditional’ Indigenous authorities to control the sphere of Indigenous production, itself considered to be located within authentically Fijian practice. This mode of government, and of production, was articulated with a colonial government and capitalist production, producing a forerunner of what Mahmood Mamdani has described as the bifurcated state. Gordon’s model, then, was suited to a colonial social formation which

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10 On India as referent in Fiji and Nigeria, see Thomas R Metcalf, Imperial Connections: India in the Indian Ocean Arena, 1860–1920 (Berkeley: University of California Press, 2007), 35, 43, 47.
11 Sources on the Indian princely system and Shepstone in Natal are discussed in the introduction. Gordon’s work in Fiji is discussed below. Shepstone’s system did pre-date 1857, but its influence more broadly was only made possible by the widespread ideological revisions that took place after the Indian Rebellion. On Swettenham, see, eg, Lynn Hollen Lees, “Discipline and Delegation: Colonial Governance in Malayan Towns, 1880–1930,” Urban History 38, no. 1 (2011).
embraced a sphere of ‘native’ production, governed by ‘native authority’, and was echoed by Lugard and then across Africa. This model was not constituted simply by working through a chief or Native Authority. These aspects represent the institutions by which some policies of indirect rule were brought into effect, but do not exhaust its meaning. Indirect rule was, as I argue, an art of government with a distinctive conceptual and discursive repertoire. And before it was expressed in Lugard’s writing as an outcome of his practical experience in Nigeria, the ideological and discursive bases had been established generally in British responses to Indian colonisation in the second half of the nineteenth century, and particularly in Gordon’s government of Fiji. These ideological shifts correlated to a shift in the ideal modes of colonial exploitation: it is the conjunction between this particular colonial social formation and the ideological production of ‘native society’ as a specific object of government that constituted indirect rule as an art of government.

**Gordon in Fiji: A Beginning for Indirect Rule**

For Gordon, as for all British colonial administrators of the time, the experience of India formed a crucial discursive backdrop to colonial government. This pre-eminence is reflected in the emphasis placed on India in histories of the British Empire. But Fiji is only rarely seen by historians as more than marginal to the world system, a mere footnote in a genealogy of indirect rule. While there has been disagreement regarding his efficacy and success, historians of Fiji, on the other hand, have largely agreed with G K Roth, an administrator in Fiji between 1928 and 1957, who wrote in 1951 that Gordon’s system represented the beginning of a ‘successful experiment in indirect rule’. Gordon’s first biographer, J K Chapman, placed him at the apex of a lineage of colonial administrators that ended with Lugard, while Ian Heath drew the connection both more explicitly and with greater detail, arguing that Lugard and Gordon met a few years after the publication of Lugard’s *The Rise of Our East African Empire* in 1893 ‘and began a correspondence which lasted until the latter’s death, and Lugard’s views and practice more closely approximated to Gordon’s after these meetings’.13

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This last argument, which Colin Newbury has challenged in a recent biography of Gordon, is based on scant evidence. Gordon and Lugard communicated and met in mid-1894, sharing information regarding the controversy over the British annexation of Uganda and Lugard’s treatment of French missionaries. Gordon, by then Lord Stanmore, was sufficiently impressed to try to arrange for Lugard to be appointed to govern either Nyasaland or Uganda, but was unable to do so before Lugard joined George Goldie’s Royal Niger Company and began his West African career. This correspondence, and their unrecorded meetings, present no evidence of any instruction in techniques or policies of Native Administration. Though they discussed Lugard’s work in East Africa, and must surely have considered Gordon’s administration of Fiji, Heath’s argument that Gordon practically mentored Lugard for years does not appear to stand on the surviving archive.

But Newbury goes on to argue that both Gordon and Lugard need to be understood in the specificity of their colonial situations, not in the context of a developing idea of government that spanned the empire. His emphasis here is on local solutions to local administrative challenges, a technocratic explanation of colonial administration that assumes rather than interrogates the means and ends of government, and thus examines only the formal structures of administration. In doing so, he misses the substance of indirect rule, its meaning beyond the creation or recognition of (neo-)traditional authorities. Newbury draws a distinction between Lugard’s ‘ideal “Native Authority”’ in the form of an emirate with executive powers and the Fijian district or provisional councils that exercised few judicial or financial functions. But there seems to be little in the argument that these differ to contradict the proposition that Gordon’s administration of Fiji developed a form of government that could be adopted and adapted, further refined and mobilised, by Lugard elsewhere. The ‘problems’ that Gordon and Lugard faced and ‘solved’ were effects of the contradictions in late nineteenth century British colonialism between producing metropolitan advantage and ensuring order amidst exploitation in the


15 Stanmore to Lugard, 5 June 1894; 13 June 1894; 11 November 1894, Lugard Papers, MSS Brit Emp, s 45, f 82; Lugard to Stanmore, 6 June 1894; 12 June 1894; 22 July 1894, Stanmore Papers, MS 49242, ff 121–33.

16 Newbury, *Patronage and Politics in the Victorian Empire*, 177, 80.

colonies. Each responded to particular local conditions, but had similar ends in mind: the extraction of surplus value through the exploitation of black labour while avoiding, or at least glossing over, a fundamental transformation of Indigenous communities, communities which could govern themselves. The mode of exploitation, in both colonial situations, represented a turn away from proletarianisation, rather mobilising ‘native’ modes of production and articulating these with empire. Gordon and Lugard figure here in a genealogy of an art of government directed to these ends, an interpretive and intertextual connection that does not depend on a surfeit of direct communication or on slavish imitation.

If indirect rule is to have any meaningful conceptual content, and in this thesis I argue that it does, it cannot be characterised merely as working through a chief or other Native Authority. The establishment and use of neo-traditional authorities such as the matanitu in Fiji or the emirates in Northern Nigeria, or indeed any Native Authority, represents an element of the working through of indirect rule, an accommodation of chiefs working through British administrators, perhaps, but not its entire essence. Administrators’ writing, which produced the travelling idea of governmentality, was a productive abstraction from the actual processes of state formation. And its crucial elements were, I argue, present in Lugard’s friend Gordon’s administration of Fiji. For Gordon, as for Lugard, the subject of government was the native society more so than the individual native; as will be discussed in greater detail in chapter three, both sought to govern not an agglomeration of individuals but rather a series of apparently traditional communities. Land, labour and order, the key elements of colonial administration, were refracted through this subject of government. And, for both Gordon and Lugard, taxation was the privileged mode of both producing and governing this subject, which was also then transformed into a unit of production. In the rest of this chapter, I discuss the essential elements of Gordon’s governing philosophy in Fiji with a particular focus on those aspects that were echoed by Lugard in his writings on indirect rule.

The Fiji in which Gordon arrived was a site of recent turmoil. White settlers from Australia and north America had established profitable plantations based on the exploitation of local labour and, later, labour from other islands in the Pacific,
but were also involved in the lucrative labour trade to Queensland and other Oceanic plantations. Ratu Seru Cakobau, the paramount chief of the Bauan confederacy, east of Viti Levu, had in 1871 declared himself Tui Viti, the King of a Fijian confederation, garnering settler support and appointing a Ministry comprised exclusively of settlers, enabling his efforts to secure control over the interior of Viti Levu. As it became apparent that he was using his position in an attempt to institute racial and political equality with whites for those in the east, settlers withdrew both their support and any recognition of Cakobau’s sovereignty over Fiji and jurisdiction over white subjects. Under the weight of settler insurgency and an inability to fund his administration, the Cakobau regime neared collapse. Requiring new allies and support, in 1874 Cakobau negotiated the cession of Fiji to the British, safeguarding Fijian land rights and political representation while acknowledging the colonising force that had overwhelmed Indigenous sovereignty.¹⁹

Cakobau had thus sought to ensure that British sovereignty would place some limits on the expansionist tendencies of white settlers. And, from London’s perspective, cession was as much an attempt by London to institute law over the barely governable settlers as it was a colonial land-grab. In 1874, Lord Carnarvon, Secretary of State for the Colonies, declared to the House of Lords that: ‘Looking at the past history and future of those Islands, I should say that a Crown Colony of a rather severe type is the form that should be adopted.’²⁰ The first Governor, Hercules Robinson (then also Governor of New South Wales), established a segregated administration covering Europeans and Fijians separately, the latter arm largely inherited from the structures of rule established by the Cakobau kingdom.

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¹⁹ The period of conflict, which preceded and was not halted by cession, is summarised in Tracey Banivanua-Mar, “Cannibalism and Colonialism: Charting Colonies and Frontiers in Nineteenth-Century Fiji,” *Comparative Studies in Society and History* 52, no. 2 (2010): 268–78; Michael C Howard, *Fiji: Race and Politics in an Island State* (Vancouver: UBC Press, 1991), 21–4. In the so-called ‘Little War’ in the western highlands of Viti Levu in 1876, Gordon’s army put down a substantial rebellion which had threatened the spread of colonial rule. This was in many ways a continuation of struggles over the autonomy of the people of the hill areas of Fiji, whose sovereignty had been ceded by a King they resisted. Gordon acknowledged that it was inaccurate to describe them as rebels: ‘How can those be rebels who have never submitted?’ Gordon to Walter Carew, 4 February 1876, quoted in Asesela Ravuvu, *The Facade of Democracy: Fijian Struggles for Political Control, 1830–1987* (Suva: Reader Publishing House, 1991), 21.

²⁰ Quoted in Ahmed Ali, “Fiji: Political Change, 1874–1960,” in *Politics in Fiji: Studies in Contemporary History*, ed. Brij V Lal (Sydney: Allen & Unwin, 1986), 1. The treaty of cession is included as an appendix in R A Derrick, *A History of Fiji, Vol 1* (Suva: Printing and Stationery Department, 1946). Cession marked a departure from the more archetypal settler colonialism desired by many whites in Fiji. One suggested in 1873 that: ‘The whites can do without the natives, but Fiji can never again be free of the white man. Her destiny is sealed, and as surely as the American Indians, the New Zealanders (Maoris), and the Australians (Aborigines) had to give way to a superior race, so surely must the Fijian follow in the same course.’ *Fiji Times*, 4 January 1873, quoted in Ravuvu, *The Facade of Democracy*, 11.
The native administrative structure, which Gordon was forced by lack of funds to accept, comprised 12 provinces, each ruled by a native chief (Roko Tui) and native stipendiary magistrate. These were subdivided into 84 districts (Tikina) ruled by a headman (Buli), with the village (koro) the smallest unit and also ruled by a headman (turaga-ni-koro). Gordon was to link these in a series of councils, a hierarchical connection established through the assessment, production and collection of taxes.

In the months between cession and Gordon’s arrival, the Indigenous population was further devastated by a catastrophic measles epidemic—the disease having been carried from New South Wales—which killed 40,000 Fijians, one-quarter of the population. This provided an opportunity for the 1500 settlers, who already controlled much of the accessible and fertile land, to make further land claims. Gordon entrenched John Thurston’s 1873 effective ban on the further alienation of land to settlers—he later claimed to have been personally instructed by the Queen ‘to tell the Fijian people that their lands were theirs and should never be taken from them’—and directed the Council of Chiefs to develop a land law that would identify and codify the land-owning unit. This was a difficult and contentious task, and the Council found itself unable to provide a satisfactory codification of custom at its 1876, 1877 or 1878 meetings. Finally, in 1879, it achieved a consensus that: ‘The beginning and the end of the matter is this: we repeat, and with one voice declare that the true and real ownership of land with us is vested in the mataqali alone, nor is it possible or lawful for any mataqali to alienate its land.’

The Lands Ordinance, finally enacted after Gordon left in 1880, had inalienability as ‘its most important feature’. The effect, he hoped, would be that ‘secure in the possession of their lands, the native proprietors will increase in wealth, and make corresponding advances in social progress’.

The point here is not simply the recognition, or transformation, of land rights. The distribution of property—in this instance,
mataqali land—was an effect of political struggles to establish specific relations of production. The land-administering chiefs worked with Gordon to establish communal production, controlled by chiefs, on a secure footing. Chiefs manoeuvred to craft a system that would expand the political and economic possibilities of Indigenous society, a consideration refracted through their particular position of authority. This cooperation between chiefs and colonial administrators comprised, then, both a political relationship with chiefs as power-brokers and an economic alliance, joining in the exploitation of the main body of Indigenous Fijians.

The crucial element of Gordon’s approach was an acknowledgement, extracted by the chiefs, first that there was an Indigenous Fijian social, political and economic organisation that pre-dated colonisation and continued in the colonial period, and second that this organisation had value, both to Indigenous Fijians and to the colonial order.\(^25\) The basis of his government was that:

The white settlers in Fiji had not colonized an empty waste, or cultivated for the first time land until then only roamed over by nomadic savages. The estates of the planters were scattered here and there among a large and industrious population, owners and cultivators of the soil, and possessing a complex social and political organization in vigorous activity.\(^26\)

When he stated his philosophy for governing these populations, it was in terms that would have seemed very familiar to readers of Lugard 25 years later. His modality of government was that of indirect rule in all but name:

[In Fiji] the wisest course to pursue would be to preserve as far as possible the existing native organisation of village communities, to uphold the authority of the Chiefs and local councils, and generally to maintain existing


\(^{26}\) Arthur Hamilton-Gordon Stanmore, "Native Councils in Fiji (*Na Veimbose Vaka Turanga*)," *Contemporary Review*, no. 43 (1883): 713. See also Gordon’s address at the end of his Fijian tenure, where he declared that: ‘It should always be remembered that this is emphatically not a white man’s colony, that the circumstances of its cession and existing facts alike forbid it being so. … This is no empty land just peopled by settlers of our own race.’ Stanmore, *Fiji*, Vol IV, 486.
native laws and customs, modifying them where necessary, but working them mainly through native agency.\textsuperscript{27}

The point here is not the presence of ‘Chiefs and local councils,’ features which are an effect of the local dispensation. The critical element of Gordon’s government is rather the inseparably political and economic ‘preservation’ of ‘native’ organisation, laws and customs, and agency.

This was, then, an attempt to mobilise Fijian social organisation and to expand its capacities and productivity. Gordon would ‘seize, if possible, the spirit in which native institutions have been framed and endeavour to work them as to develop to the utmost possible extent the latent capacities of the people for the management of their own affairs’.\textsuperscript{28} The preservation of (neo-traditional) ‘native’ social organisation was foremost in Gordon’s mind, a concern which implied a belief in Fijian societies’ capacity to produce, to develop and to possess value in themselves. It also suggested that the most efficient and effective mode of colonial exploitation—an end that Gordon both embraced and disavowed\textsuperscript{29}—was through the expansion of Indigenous production and its integration into a colonial economy, articulated with settler-controlled plantation production. Gordon had been forced to colonise on the cheap; ensuring revenue was critical. Unable to fully reconstruct colonial society in the face of both Indigenous strength and an underfunded state, he found himself accepting Indigenous-controlled production and seeking its expansion. This reflected, we will recall, Disraeli’s suggested colonial transformation in 1857.

\textsuperscript{27} The description of Fijians as living in ‘village communities’ drew on Maine to allude to their similarity to Indians. Gordon located Fijians in a racial typology that classified the native peoples of the British empire: ‘No one would dream of placing on one level the acute and cultivated Hindoo or Cingalese and the wandering and naked savage of the Australian bush. The Fijian resembles neither; but he has more affinity with the former than the latter.’ Ibid., Vol I, 198–9. This was a deliberate counter-racialisation explicitly crafted both to dispute the darkened primitivity stressed by settlers eager to demonstrate the necessity of enlightened intervention and the concomitant accessibility of land and exploitable labour, and to assert the amenability of Fijian communities to some kind of self-government following, though modifying, an Indian ‘princely state’ model.

\textsuperscript{28} Stanmore, Fiji, Vol I, 198–9.

\textsuperscript{29} ‘The doctrine that a superior race may rightfully oppress and utilise for its own benefit the existence of a subject one … is not a principle of policy which any civilised government of the present day would avow, or, I trust, on which it would, without avowing it, act.’ But, as Gordon declared to settlers soon after arriving in Fiji: ‘We want capital invested in the Colony; we want a cheap, abundant, and certain supply of labour; … and lastly (though, perhaps, that interests me more nearly and specially than you), we want revenue.’ See ibid., Vol I, 178, 96.
Taxation as a Technology of Rule

Taxation was, for Gordon, the central technology for instituting this economic, political and social order. It represented more than a mere financial expedient: it was the vector through which relations of land, labour and race were channelled. Taxation, in other words, was more a means by which a state could be constructed than an end in itself. In a memorandum sent to the Earl of Carnarvon in 1876, and in a lecture given to the Royal Colonial Institute in 1879, Gordon set out the arguments for his system of taxation which underlay the state apparatus governing Indigenous Fijians.30 The Cakobau government had imposed a poll-tax of £1 per man and 4s per woman which, for Gordon, not only prematurely introduced a cash economy, but was fundamentally counterposed to traditional Fijian social organisation; its greatest fault was the individuation upon which it relied. ‘Among natives,’ he wrote, ‘the individual invariably acts as part of a family or village’.31 As Gordon fondly quoted elsewhere, Tui Lakeba had stated at the first Bose Levu vaka Turanga in 1875:

Who, of himself, can build a good house? ... Who ever heard of a man planting his garden by himself, and then having plenty for his family to eat? Do not we Fijians do all things in companies? How can a single man alone build his house, plant his garden, and construct his canoe and sail it? To do this we must cease to be Fijians.32

The proper subject of government in Fiji was, then, corporate—the Indigenous community—and was conceived not only as a political but also as an economic unit: Fijians ‘ideas of work’, Gordon wrote, ‘are almost entirely of collective work’.33 This also suggested that the system implemented by Robinson in the year since cession required change. Robinson had abolished the poll-tax and replaced it with a tax on all adult males of twenty days’ labour each year, alternatively redeemable by a monetary payment dependent on the wealth of the district in which each man lived. This labour-tax, as well as being punitive in nature, was unsustainable: the work of transporting Fijian men to sites where public works were carried out was

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prohibitive and cumbersome, not to mention disruptive for Indigenous communities. Gordon imagined that his approach would avoid such disruption and rather stimulate Indigenous production.

The decision to emphasise the government of communities or individuals, expressed here through the different systems of taxation that would assess either a village or each individual subject, was a determinant of the colonial articulation of modes of production. Gordon identified that the purpose of individuated taxation was ‘that of furnishing through its instrumentality a large supply of labour to the plantations of the white settlers’.\textsuperscript{34} The syphoning of Fijian labour power from village production to settler-owned plantation production would sap the capacity of Indigenous economies to function, survive and prosper. As Indigenous communities were diminished and impoverished—as they became a landless proletariat or slave force—settler enterprise would be enriched and would emerge as the driving force behind the colony’s productivity. This was not the mode Gordon sought to instantiate as the major productive force in Fiji. There would be a role for white settler-owned plantations, but its mobilisation of Indigenous Fijian labour would be heavily regulated.\textsuperscript{35} Rather, drawing on his previous experience in the plantation colonies of Trinidad and Mauritius, Gordon leant towards the importation of indentured ‘Polynesian’ and Indian labourers.

The introduction of indentured labour was more a concession to white settlers from whom the mataqali system, with its limiting effect on primitive accumulation, had stripped cheap Indigenous labour, than it was a result of Indigenous productive inefficiency. But it was also an essential element of an uneasy alliance between administrators, settlers, and chiefs. The articulation of a white-controlled plantation economy with separate Indigenous production necessitated, in the Fijian context, the importation of large numbers of non-native indentured labourers who could replace the Fijian workers now devoting most of their labour power to village production. These settlers were not mercantile capitalists looking to purchase commodities, but rather land-owners who required a supply of cheap labour to produce those commodities for sale to trading companies.

\textsuperscript{34} Stanmore, \textit{Paper on the System of Taxation in Force in Fiji}, 18.
\textsuperscript{35} Atu Bain has demonstrated that the intention of the colonial state under Gordon was to ‘regulate the flow of Fijian labour, not to impose labour embargoes on the able-bodied indigenous population’. This regulation was effected through the 1876 Native Labour Ordinance which allowed the payment of yaqona by planters to chiefs in exchange for labour, punished absconders, and expanded the range of punishable worker misdemeanours. These entrenched a system of migrant labour, rather than proletarianisation. See Atu Bain, ‘A Protective Labour Policy? An Alternative Interpretation of Early Colonial Labour Policy in Fiji,’ \textit{Journal of Pacific History} 23, no. 2 (1988).
A foreign indenture scheme was a vital corollary of the new restrictions on the availability and hiring of Indigenous labour, and provided a similarly feudal complement to the communal production practiced under Indigenous chiefs. Indian workers, Gordon believed, could be removed from their homes with little effect on remnant communities: ‘The supply of labour to be obtained from India is practically boundless’ and is ‘free from almost all the dangers which attend the Pacific Labour Traffic. The population of the Indian Peninsula is redundant, and emigration is a benefit, not an injury to the community.’

Indenture of a ‘foreign’ labour force, then, was an integral element of the system of recognising Fijian custom. Without importing workers from elsewhere, white plantation owners would have been left without any productive workforce. These settlers were powerful lobbyists and, perhaps more importantly, taxpayers in cash. The articulation of Indigenous owned and worked customary production with settler-owned and indenture-worked plantation production thus represented a hegemonic solution to the problems posed by the emerging contradictions of the dynamic colonial social formation.

The space for indirect rule was thus generated by the institution of foreign indenture, re-making the relationship between Indigenous Fijians and white settlers by tying the former to their villages. Gordon imagined that the Indigenous Fijian production thus protected would be carried out by the family, within a land-owning community, and could be considered, referring to Maine, as a part of the ‘primitive community system’. Thurston, Gordon’s closest colleague in Fiji, declared in 1876 that the ‘individual, as regards rights and obligations, is not known to Fijian law. … They do and suffer as communities. … [T]hey act well in communities, but as individuals they fail, for as a rule they have no individuality.’ In defending his land

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36 Stanmore, Fiji, Vol I, 178–9; Arthur Gordon, Resumption of the Labour Trade in Queensland, To the Editor of the Times, n.d., Stanmore Papers, MS 49242. Indenture in colonies like Fiji, then, relied on the complementary colonisation of India that produced a substantial population of available workers who were extruded from the means and relations of production in India and could find no means of subsistence at home.


38 Stanmore, Paper on the System of Taxation in Force in Fiji, 29; Thurston, ‘Memorandum upon the Establishment of District Plantations in the Colony of Fiji for the purpose of enabling the Native Population to Provide their Taxes in a manner accordant with Native Customs,’ 1876 quoted in Chapman, The Career of Arthur Hamilton Gordon, 166. Thurston here echoed Maine, who had argued
scheme in the House of Lords in 1907 against then Governor Everard im Thurn's proposal to allot to each Fijian two acres of land, Gordon similarly argued that ‘two acres of land independently is not of the slightest use to him. You might as well give him two acres of white paper; it is of no use to him. The property is communal and so is the cultivation’. Production, being itself necessarily communal, was, then, dependent on communal land-holding.

To govern this communal body, Gordon introduced a produce tax levied on Indigenous communities as corporate entities. This, he argued, would not only be effective and collectible, but would also have ‘the yet greater advantage of stimulating native industry, and largely increasing the native trade in the group’. It would increase the productive capacity of Indigenous communities not by any fundamental reconstruction, nor by transforming them into labour reserves, but by promoting the ‘cultivation of articles of export’—the commodities acceptable for the payment of tax obligations were, in 1879, copra, cotton, candelnuts, tobacco and maize—and by educating Fijians in the operation of the cash market and in receiving an appropriate value for their produce. Gordon thus sought to transform Fijian villagers into communal producers of cash crops under the guidance and authority of chiefs, thereby relying upon what Bruce Knapman has described as ‘gradual, internally-generated change’.

Despite Gordon’s close reading of Money’s Java; Or, How to Govern a Colony, this taxation system had its origins only partly in the Javanese system. Money had focused on the ‘culture system’ that was a legacy of former Governor-General Van...
den Bosch. In this system, landlords were instructed to direct their tenants’ cultivation, setting aside one-fifth of village lands for farming cash crops and leaving the remainder for rice. A land rent was collected on the whole village land assessed as if it was all under rice, and the price for the cash crop was fixed at double that rent, theoretically leaving villages with both sufficient food for subsistence and a cash profit after paying rent. In Fiji, Gordon took this mode of linking taxation and cash crop production, and substituted for it a system whereby the crop itself constituted the taxation, and where its value was determined in the market rather than by the colonial administration. This was integrated into a structure of Native Authorities organised around tax assessment and collection and instantiating a hierarchical neo-traditional order. Tax was assessed for each of the provinces by the Legislative Council, but the share of obligations within each province was determined by Fijian rulers. First, the Bose vaka Yasana, Provincial Council, which consisted of the Bulis under the presidency of the Roko Tui, with a Governor’s Commissioner, would determine the tax for each district. Then the Bose ni Tikina, District Council, which consisted of the town chiefs under the presidency of the Buli, determined the share of each township. Finally the share of produce to be contributed by each family was determined by the town chief aided by the elders of the township. Though not mentioned by Gordon, within the family a division of labour along age and gender lines made production for taxation possible, re-generating hierarchies internal to the family unit.

The entire taxation system both depended upon, and solidified, an administration that worked through a series of chiefs installed in a hierarchy under the former Ratu Cakobau. The influence of Gordon’s reading of Money has, as Newbury among others has suggested, been overstated. But Newbury neglects, as have most historians, the apparent influence exercised by Cakobau in developing a regime which strengthened the role of chiefs, embracing their role as preservers of order and enabling their exercise of power over land, labour and, consequently, their people. David Routledge has called attention to the division of Fiji into ‘districts’ that

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43 Money, Java, Vol I, 109–12. One feature of this system was that the ‘real government of the Natives is carried on exclusively through the Native chiefs’: Vol I, p 212. A critical feature of this ‘government’ was directing production.

44 Stanmore, Paper on the System of Taxation in Force in Fiji, 27–8. This administrative structure, inspired by eastern Fijian tradition, was universalised under both the Cakobau and Gordon administrations, sparking a series of uprisings in the western, hinterland areas. Here, as in most colonial settings, the establishment of foreign authority was the site of incessant struggle not only relating to its mere existence, but also conditioning the form, mode and identities of administration.

had first been effected in the 1871 Constitution (which was modelled on the 1864 Hawaiian Constitution), and which was maintained by Gordon. The 'use of the term “districts” obscured,' Routledge argued, 'and presumably was meant to, their identity with the formerly independent chiefdoms of Fiji'.\textsuperscript{46} Under this Constitution, the Cakobau government grafted a formal constitutional structure onto existing strains of Indigenous government. Leading chiefs were appointed as provincial Governors, and subordinate chiefs as magistrates, a change in title that did not necessitate any change in function or practice. Applying pressure on and through Cakobau, and through strategic compromises, these chiefs were able to ensure little change to their role and power as sovereignty shifted and was re-made. Gordon lacked the personnel to staff an administration, and the capacity to replace most of Cakobau's state forcibly. 1874 marked cession, not annexation, and the governing role of a Fijian aristocracy continued.\textsuperscript{47}

**Regularising Government through Tradition**

Gordon's system of taxation was the basis for a modality of government that regulated Indigenous Fijian communities, ruled by chiefs with powers over tax-collection, the mobilisation of labour, and the cultivation of crops, and who themselves governed inalienable land-holding communities, or mataqali. This Gordon represented as an embrace of eternal Fijian tradition rather than an effect of a new form of colonial occupation, distinct from the form of white settler colonialism that had pre-dated cession. The entire system was simultaneously amenable to critique as the embrace of a stultifying tradition that would mitigate against any change. Thurston acknowledged that the policy was 'one of retardation in many respects, but it is life. To the semi savage, progress, i.e. the progress understood by the levers of so-called civilization—is death. Plague, pestilence, and famine are not more certain destroyers.'\textsuperscript{48} Entrenching chiefly power, providing order and expanding production on the cheap, was here conceived as the production and protection of Fijian life, a biopower that worked with a very specific form of life and subjectivity.

\textsuperscript{46} David Routledge, *Matanitu: The Struggle for Power in Early Fiji* (Suva: University of the South Pacific, 1985), 130.


\textsuperscript{48} Thurston to Gordon, 24 January 1881, Stanmore Papers, MS 49204.
But Gordon did not see his system as ‘retardation’, preferring to describe it as a basis for development. Even a restriction on the alienation of land, solidifying order at a particular time, was seen as ‘the only condition of any possible progress on the part of the natives’. For him, progress could only be achieved on the basis of expanding the potential of specifically Indigenous social organisation: ‘if only sufficient time is allowed them’, he pleaded to Lord Selborne in London, ‘I am sure that they will become a thriving and even powerful community’.49 This implied a different role for white settlers: they could trade with Fijian communities, they could export commodities and import products from elsewhere, but they were no longer to be allowed to use Indigenous communities as fully exploitable labour reserves. In a different time, and in a different place, these compromises and effects were echoed by Lugard in Northern Nigeria.50 Gordon’s work between a standard colonial administration and the experimentation of his system of indirect rule laid a discursive pathway in the Colonial Office for further development in Native Administration, from Maine and Money’s responses to the Indian Rebellion, to Gordon’s exceptional system in Fiji, to Lugard’s art of government in Nigeria.

Gordon had sought to regularise his administration within Fiji. His very first piece of advice to assembled chiefs was to write incessantly, recording every moment of order and disorder, life and death:

Do you, Roko Tuis, and you, the Bulis, never tire of travelling about your districts; as for you, the Bulis, if any sudden evil should arise in your districts, write about it at once; let a true register of births and deaths be kept, and do not allow one to be unregistered; also write and report on all matters to the Roko Tuis. Now, as for you, the Roko Tuis, do you write to me every month, but, if necessary, write to me at all seasons and all times.51

Writing inscribed events in the state machine, formalising them in a way that embodied permanence and certainty through proper documentation. The Fijian colonial state did not have the capacity to act upon all these events; the point was more the act of recording than the information itself recorded. The writing Gordon called for was a genre that performed total mastery, knowledge and order,

50 Though Lugard, not faced with a strong settler or industrial capitalist class in Nigeria, had substantially less pressure to provide a cheap labour force through indenture.
51 Stanmore, Fiji, Vol I, 212.
manifesting a secure state that would work through its army of pen-wielding chiefs.\textsuperscript{52}

But Gordon’s exhortation to inscribe betrayed his belief that his work remained insecure. Upon George William des Vœux’s succession as Governor, he complained viciously to London that ‘as a government, you have lost such an opportunity of preserving an aboriginal people …. Had I been able to keep the reins here for ten years from Annexation, … the thing would, I am inclined to believe, have been accomplished.’\textsuperscript{53} His approach remained, he accurately assessed, marginal. At the highest level he crafted policy in a series of memoranda that sought approval from the Colonial Office, usually granted, for exceptional administrative measures. He could achieve policy reform through persuading the Colonial Office on each item, but his system remained experimental. ‘If I am to work cheaply’, he wrote to Carnarvon, ‘I shall have in many ways to run counter to routine’.\textsuperscript{54} This ‘anomalous’ nature of government, Chief Medical Officer William MacGregor agreed, was the principal ‘defect’ in Fijian Native Administration. ‘So long as the Chief remains as an “experiment”, he wrote in 1879, ‘it courts attack and invites criticism and opposition, much of which would cease were this branch of the service put on a permanent and regular footing.’\textsuperscript{55} Unlike Lugard, Gordon was never able to secure this permanence.

In his Fijian experiment, Gordon nonetheless developed a basis for Lugard’s doctrine, in his new subject of government—the traditional Indigenous community—and the regulation of its production through economic and customary techniques. Indirect rule, J D Legge identified in his 1958 discussion of Fijian administration, was ‘not merely ruling through native chiefs’. It denoted ‘a way of approaching the problem of governing a native people rather than any specific practices adopted in dealing with the problem’. This way ‘recognizes the integrated character of native society and the fact that native institutions have important functions to perform’. Rather than imposing British systems on Indigenous social organisation, it sought to ‘adapt existing institutions (only some of which are political institutions) to the changing needs of the society in its contact with the west’. Governing through chiefs, then, was an element of a theorised indirect rule

\textsuperscript{52} On writing and the colonial state, in all its ambivalence, see generally Ann Laura Stoler, \textit{Along the Archival Grain: Epistemic Anxieties and Colonial Commonsense} (Princeton: Princeton University Press, 2009).

\textsuperscript{53} Gordon to Selborne, 7 September 1880 in Stanmore, \textit{Fiji}, Vol IV, 341.

\textsuperscript{54} Gordon to Carnarvon, 2 July 1875, quoted in Chapman, \textit{The Career of Arthur Hamilton Gordon}, 160.

\textsuperscript{55} William MacGregor to Gordon, 30 March 1879, Stanmore Papers, MS 49203.
not because it enabled administration through Indigenous rulers, but because it recognised chiefs as ‘an integral part of a total social system’. Gordon’s ‘conception of native society as an integrated society’, Legge thus argued, was the essence of his contribution to the art of colonial government.56

Fiji was, then, an important early laboratory for indirect rule, though its implementation remained little more than experimental. But the experiment provided a philosophy of ‘native society’ and a praxis of working on that society to order and produce a colony upon which Lugard could draw. Analysing Gordon’s technologies of rule as the means of conducting this society enables our comparative account. We can trace, in other words, alike means of government as they were mobilised to produce different, but not entirely so, ends. In both Fiji and West Africa, the imperative for colonial intrusion was the expansion of the productive capacities of Indigenous societies, not their elimination. It was the institution of this subject of government within what Gordon termed ‘the communal system of native administration’, the form of its articulation with British-owned or capitalist production, and the mobilisation of an institution of economy (taxation) as a principal mode of intervention both to effect this expansion of production and to give structure to a neo-traditional form of administration, that represent the basis of indirect rule in the form Lugard was to develop in the ensuing decades.57 This appeared as a counter-discourse in the practice and writing of the likes of Maine and Gordon, working towards a new norm more than directly trafficking ideas that could be imitated or adopted by Lugard. This genealogy of indirect rule is one of ideologies and discursive formations. In the next chapter, I trace Lugard’s work in transforming this norm into a central discourse of empire.

56 Legge, Britain in Fiji, 165–6, 282. This echoed, as discussed earlier, Maine’s conception of ‘native society’.
57 Lord Stanmore, notes for speech, c.1905, Stanmore Papers, MS 49242.
CHAPTER TWO

An African Political System: Lugard’s Indirect Rule

The rationalization of an unavoidable necessity into a philosophical system, as Lord Lugard and his supporters have done and are still doing, is really something ingenious.

– George Padmore, How Britain Rules Africa, 1936.¹

Introduction

In 1929, settling a dispute arising from the assertion by Residents in Northern Nigeria that emirs collected taxes on their own behalf and could keep them in their own treasury, J E W Flood, the head of the Nigerian Department at the Colonial Office, had occasion to discuss the influence of Frederick Lugard. ‘There is nothing very strange about indirect rule through native rulers’, he wrote, ‘but the ultra-Northern Nigerian makes a sort of fetish of it, believes firmly that the system in the Northern Provinces of Nigeria is absolutely unparalleled, [and] that it descended upon earth owing to the plenary inspiration of Lord Lugard’. As a consequence, ‘every word written or spoken by Lord Lugard becomes the embodiment of a ‘policy’ with all the authority of a text of the Koran’.² This textual authority to which Flood referred, producing a relationship verging on veneration, is the subject of this chapter. As Governor, and later in his long career back in England, Lugard had been a constant writer. His friend and biographer Margery Perham suggested that, for Lugard, ‘pen and paper had been at least as important a part of his equipment as compass, tent, and gun’. He was fundamentally a ‘man of the desk’, who ‘admitted he

could hardly think without the help of paper’. Writing was, for Lugard, a practice of power, a way of exercising authority through reducing colonialism to a field of controllable discourse. And it was also his way of writing his own history, working independently to adopt a position of specular domination and thus present his aspiration to total control as fact.

This writing produced not just a diary or record of experiences, but also an art of government. In 1902, Lugard wrote to his brother that ‘[i]n the organization I am codifying and memo-writing and reducing all subjects to a set of general principles and rules of policy … they are of real interest and well epitomize my work here.’ As we have seen, Arthur Gordon sought to regularise his Fijian administration through the practice of writing. Lugard took this further. His lasting influence derived from these memoranda and guidebooks of administration; the relationship between colonial administrators and Lugard’s texts that Flood described above was certainly no accident. Lugard sought deliberately to abstract from the contingency and precariousness of everyday colonial rule a governing philosophy that could express complete control. This writing was seductive in part because it fetishised the social formation and opened a field for the action of administrators, but also for its presentation of a governing mentality of colonialism, situating colonial administration within a way of thinking by imagining the subjects and objects of government, and presenting techniques for acting upon these for imperial advantage. Lugard’s texts, in other words, were productive in themselves: in them he crafted indirect rule as an art of government that, while produced in a specific situation, could influence and structure colonial government anywhere.

In this chapter I turn to that situation—the Nigeria governed by Lugard—which is usually understood as the archetypal colonial situation of indirect rule. Here, as in Fiji in the previous chapter, indirect rule came as a response to a crisis of order, a way of dealing with the transformations wrought by colonialism, capitalism, industrialisation, and changing domination. Indirect rule, that is, was always implemented as a response to the actions of Africans, or Fijians, who both resisted increased incursions into their lives and politics and worked to craft novel adaptations to the colonial order, to make colonial rule work, at least to some extent, for them. In the first part of this chapter I map some of the conflicts and

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4 F J D Lugard to E J Lugard, September 1902, quoted in ibid., 156.
5 Lugard was Commissioner of Northern Nigeria from 1899–1906, and Governor of both Northern and Southern Nigeria, and then Governor-General of a united Nigeria, from 1912–1919.
contradictions of state formation in colonial Nigeria. Here, and soon in almost all British-ruled African colonies of the first half of the twentieth century, the state had dual functions in relation to the people over whom, and territory over which, it asserted control: it had at once to work to restructure local production to meet the demands of the metropole, and to cohere colonial society as this transformation took place.

Those managing the colonial state had a further need to explain and justify this power to the nascent ‘international community’ after the first World War. As British power slowly declined, and the era of US hegemony began, norms of self-determination replaced an unabashed imperialism. This did not, of course, mean the end of colonisation, but rather that it needed to be justified and understood within a liberal language of trusteeship and improvement. It was through writing that Lugard effected this necessary rationalisation of imperialism, and his most famous text—*The Dual Mandate in British Tropical Africa*—which is discussed in some detail below, can be considered a product of this ideological conjuncture. Lugard sought to present colonisation as a progressive, benevolent implementation of indirect rule, a process that worked in the interests of all if properly applied according to his guidance.

For Lugard, abstraction was necessary for the success of his ambition: philosophies of colonial government could only be received elsewhere in an generalised form. The archive he generated is one of colonial representation, and while it was certainly produced in a context of conflict, the struggle itself rarely comes to light in policy documents. In turning in the second half of the chapter to a close study of Lugard’s more influential publications, I examine a public genre, which should be understood as distinct from the private, internal correspondence and documents of the colonial state which are riven with administrative anxiety, fears for a precarious colonial rule and for the inadequacy of colonial knowledge. The public texts represented Lugard’s aspiration to total hegemony accompanied by his claims to success, as he described the steady and smooth, though firm, implementation of a pre-ordained system of administration. The chapter closes

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6 Toyin Falola has written of the dissonance between the ‘massive evidence of resistance that they had to confront’ and the ‘colonial documents [which] portrayed British conquest and rule as most welcome’. Toyin Falola, *Economic Reforms and Modernization in Nigeria, 1945–1965* (Kent, Ohio: Kent State University Press, 2004), 2. Walter Crocker, an Australian who had worked in the Nigerian administration, wrote of colonial reports that:

In reading them one is struck again, as one has been struck in the past, with the universal tone of gratulation and complacency: ‘steady progress,’ ‘everything is excellent, considering,’
with a brief discussion of the emergence of indirect rule as an imperial standard of administration.

This chapter then is a study of Lugard’s work in systematising and formalising a standard of colonial administration, producing a political rationality that was simultaneously a privileged vantage point for producing ideas and actions, a series of instructions, and a way of framing and viewing the colonial world. Indirect rule, as I argue, was developed by Lugard in the specific colonial situation of Nigeria. His writing represents it as an art of government that arose out of that juncture, but which was certainly more broadly applicable. In this way, the transformation of indirect rule into a standard, or norm, was an effect of his writing. And the art he described was, indeed, generalisable, to the extent that the colonial situation itself was generalisable.

Colonialism in Nigeria was a racialised practice of domination and exploitation for metropolitan advantage. Lacking the consistent strength of a powerful state, Lugard and his administrators had been required to forge alliances with Nigerian emirs and other ‘native authorities,’ and with British mercantile capital, to conduct trade on the basis of peasant production. The theory of ‘native society’ discussed in the previous chapter both made the African objects of government legible, and naturalised the form of colonialism that rested on an accommodation of African society and ‘native’ production. This was, in part, a result of the need to colonise on the cheap, of African resistance to total transformation and of Lugard’s inability to force the issue. But we should explore rather than taking for granted the apparently given constraints or features of colonial government. The limits and ends of colonial rule are best understood as productive pre-conditions. The apparent impossibility of complete transformation in the face of apparently unimpeachable tribalism was not a ‘problem’ that required ‘solution’ but was in fact a strategy of domination that was strengthened by alliances between British administrators and chiefs. And all colonialism was structured by the need for metropolitan advantage. Indirect rule was not a technocratic, problem-solving regime, but was rather a governmental rationality that framed and posed a series of questions about colonial purpose, ‘native society’, and whiteness, each of whose

... and so on. ... The Chief Commissioner, who does know the country and its people and their conditions with intimacy, must smile cynically and a little uneasily as he reads through the piles and piles of stereotyped whitewashing and window-dressing.

resolution was found in an art of government which internalised the assemblages of power and knowledge inherent in the questions asked.

**A Political Economy of Lugard's Nigeria**

The colonial situation Lugard encountered and made in Nigeria was the product of a conjunction of the retreat both from assimilation and from substantial public investment in the colonies. In the late nineteenth and early twentieth centuries, the challenge for colonial administrators was to make the empire pay without great capital investment from the state in London. Even Joseph Chamberlain, the influential Secretary of State for the Colonies between 1895 and 1903, was unable to attract financial support for a pro-development ethic. His efforts to raise funds failed first through a general conservatism in the Colonial Office, then in the face of outright refusal from Treasury to make colonial development an economic priority. In light of Whitehall’s ongoing unwillingness to provide substantial funding, administrative staff were few, and Lugard began his tenure in Northern Nigeria in 1899 with only 5 political officers. With such limitations, the Nigerian colonial state could only be sustained through ever-shifting alliances with local authorities. The difficulty of expanding the state in the face of climatic fears, a rejection of educated Africans, and underinvestment from the metropole, conduced to a mode of government which accepted and was articulated with Indigenous social organisation.

While Lagos, for example, had been annexed as a British Protectorate since 1861, expansion in West Africa from the 1890s spread British influence from the coast into the hinterland, building railways (necessitating the use of often forced African labour) and encouraging exports, particularly in the Gold Coast and Nigeria. In Nigeria, palm oil products from the south-east, where food provision was substantially more secure than in the north, were the main export before and

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throughout the colonial period, and, from 1914 onwards, cocoa (in the south-west) and groundnuts (in the north) became important cash crops. From early in his tenure, Lugard's policy, largely followed all over what became Nigeria, was to prevent the advent of foreign-owned plantations and the land-grabs they required, and to encourage the production of cash crops by peasant farmers on their own land, or on relatively small African-owned plantations. This policy was one effect of the British dependence on alliances with governing chiefs which placed certain conditions on the form of colonial rule, and the desired relations of production.

The hegemony of the colonial state, then, was based in compromise, working conflicting classes and forces into a complementary arrangement. We need to attend to the specific features of Nigerian state formation in order to understand the art of government Lugard abstracted from this dispensation. Here, the state was formed amidst struggles between chiefs seeking to expand their sovereign power over ethnicised subjects and labour power even as that sovereignty was diminished by actual or threatened force, the people's constant labour to find and make spaces of autonomy, and the interests of different sectors of British capital in expanding trade and transforming production. The resultant colonial state expressed a tense resolution of those struggles in favour of an embrace of small-scale, household production, which provided a level of relative autonomy for workers at the same time as expanding the scope of chiefly control over labour power and its products even as chiefly sovereignty was reduced to this remnant. In so doing, the state sided with British merchant capital which could control trade, but not production. To grasp a social order in its dynamic totality, we need to look at state formation through the dialectical articulation of modes of production, thereby tracing the diachronic social formation.¹⁰

Britain acquired a level of control in Nigeria through fierce contestation. In the North, Chiefs, Emirs, and the Sultan of Sokoto himself resisted their loss of

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sovereignty. Colonial armies violently deposed those who resisted in this way, and replaced them with more manipulable or friendly leaders. In 1902, resistance in the Sokoto Caliphate led to military action after a Resident was killed in Keffi, a Fulani chieftainship in the centre of Northern Nigeria, and the palace officer who had killed him fled to Kano where he was greeted and celebrated by the Emir. In response, Lugard led an army into the north, where he killed the Emir of Kano and Sultan of Sokoto, ensuring their replacement with rulers more willing to accept British over-rule. Here, Lugard found established bureaucracies, law courts and schools, with a literate elite Fulani ruling class and a commercial language (Hausa) that could be used for administration. He elected to use this existing structure of Muslim rule as part of the colonial state, in part for utility and in part because it would have been almost impossible to destroy. Here he took his own advice: ‘Thrash them first, conciliate afterwards’. And once the sovereign power of the Caliphate had collapsed, he set out the terms on which this conciliation could proceed. ‘Every Sultan and Emir ... who is appointed’, he proclaimed after taking Sokoto, ‘will rule over the people as of old time ... but will obey the laws of the Governor and will act in accordance with the advice of the Resident’. The colonial state removed the legal basis of the Caliphate as a political unit and established each emir as the head of a distinct Native Administration with powers of legislation, jurisdiction, and, most importantly, tax collection, remitting part to the British authorities.

This model of ruling through chiefs as officers of the state, with the responsibility of tax collection and new powers over land and labour reflected Lugard’s embrace of African production controlled by powerful chiefs in a way

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12 Prosser Gifford, “Indirect Rule: Touchstone or Tombstone for Colonial Policy?”, in *Britain and Germany in Africa: Imperial Rivalry and Colonial Rule*, ed. Prosser Gifford and William Roger Louis (New Haven: Yale University Press, 1967), 60. Lugard was a keen advocate of founding sovereignty in violence: ‘No doubt the policy of trying to make omelettes without breaking eggs has the cordial support of Exeter Hall ... It was not the way our Raj was established in India or elsewhere.’ Lugard, 1902, quoted in R A Adelaye, *Power and Diplomacy in Northern Nigeria, 1804–1906: The Sokoto Caliphate and Its Enemies* (London: Longman, 1971), 257.

glossed as customary. Lugard's indirect rule was not merely rule through native peoples but, more importantly, rule through what were considered to be native institutions. Lord Hailey was to describe it as the 'systematic use of the customary institutions of the people as agencies of local rule'.

In this sense, indirect rule could be said to have colonised communities rather than individuals. As I will discuss below, it was the tribe that possessed a customary law, held land communally, and which encapsulated the African peasant of British colonial discourse and practice. Customary institutions thus governed land (held communally but entrusted to the administration of a chief) and the labour power of the tribe as a whole. Each tribe was constituted and ruled by a Native Authority comprising a chief, who governed through a body of traditional law and custom. The consistent form of the Native Authority owed more to British assumptions of African patriarchal despotism than to any such African tendencies.

Custom was imagined, then, in ways which enabled chiefly control of peasant production. Colonial administrators in Nigeria were unwilling and unable to fundamentally re-construct African society into a proletariat, preferring to facilitate the British purchase of African-produced tropical commodities for export. The colonial period in Nigeria thus saw a rapid and substantial transformative expansion in chiefly powers, along with severe limitations placed on those sectors of British capital which could establish an authority to rival chiefs. The colonial state regularly obstructed the interests of British industrial capitalists in favour of what could be considered African land and labour rights, establishing critical alliances with the land-controlling chiefly class. To this end, chiefs were able to craft a customary sphere that entrenched patriarchal gerontocracy, acquiring substantial power over young men and women's mobility, labour, and sexuality. Communal land rights, held in trust by chiefs, were protected by legislation by 1910, largely confining the white population to trade and business. In 1911 the Colonial Office resisted mining company demands for more extensive controls over labour in the Gold Coast and Nigeria on the basis that these would threaten African cocoa production.


William Lever, the soap magnate, sought to establish oil mills at strategic centres in Nigeria in order to control the supply of raw materials, he too was denied the necessary monopoly purchasing rights over palm-oil.16

These decisions also indicated the relative sway British merchant capital was able to exert on the Colonial Office and the Nigerian administrations. Smaller trading companies which lacked the capital or the inclination to expand into production feared they would be swamped should larger traders take control of production as well. Their opposition, put in the form of both humanitarian concern and cautions regarding order, was largely persuasive. Their concern with order rested on the willingness and capacity of Nigerian communities to resist the foreign alienation of land and to refuse to offer their labour regularly and efficiently on British owned plantations, a capacity which held the potential to threaten colonial rule itself. Africans’ resistance to becoming a regularised proletariat, moreover, made these plantations prohibitively unstable; Indigenous production provided a much more reliable and secure option.17 The overwhelming bulk of production, then, was carried out on African-owned and controlled lands by peasants who grew both subsistence and cash crops. These cash crops were, usually, ultimately sold to European trading firms on the coast. In this way, British merchant capitalists allied with chiefs to differently exploit African peasants. Chiefs were able to accumulate capital through exploiting the labour of peasants, while British traders profited through the favourable export conditions that were an effect of underdevelopment and cartels.18

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17 Hopkins, An Economic History of West Africa, 213–14. Export production, while changing, was not entirely new. West African communities, particularly those on the coast, had been trading for decades across the Atlantic to the west and the Sahara to the east and north, so the exchange economy imposed by colonial rule was more a shift in emphasis than a fundamental change: Wrigley, "Aspects of Economic History," 85–6. The Igbo people in southeast Nigeria, deprecated by the British as a ‘stateless’ people who were ‘not only unorganized but particularly barbarous and intractable’, were exporting 30,000 tons of palm oil each year by 1853: Margery Perham, Native Administration in Nigeria, 2nd ed. (London: Oxford University Press, 1962), 21; Stephen Feierman, "African Histories and the Dissolution of World History," in Africa and the Disciplines: The Contributions of Research in Africa to the Social Sciences and Humanities, ed. Robert H Bates, V Y Mudimbe, and Jean F O’Barr (Chicago: University of Chicago Press, 1993), 178.

The entire colonial formation revolved around the various alliances struck between British capitalists and Nigerian chiefs. Chiefly power was ensured by entrusting them with power over land through a communal land tenure glossed as customary and traditional. This ensured the peasantry had access to land through dependence on a chief, and placed a limit on communal dispossession, preventing the wholesale development of a proletariat or free labour market. And chiefs were expected to ensure that production expanded. They were able to expand the scope of their coercive power, which they mobilised both to recruit labour and to ensure that the peasantry continued to produce as a peasantry, in the face of many farmers’ attempts to accumulate land, employ wage labour, or subvert their social position in other ways. This system’s convenience partly lay in the deferral of force by a politically weak colonial state with limited capacity for direct coercion. Stated in brief, then, peasant production under chiefly control was articulated with British trading capital, an articulation which constituted the form of the Nigerian colonial state.

Anne Philips has argued that this ‘West African Policy’ of reliance on peasant development on communally held lands was little more than a ‘retreat’ in the face of the ‘recalcitrance of local conditions’. The British had arrived expecting to re-make what would become Nigeria through instituting ‘entirely novel relations of production’, but found themselves up against limitations they construed as the exigencies of preserving order. Having retreated to an embrace of peasant production, she argued, they ‘romanticize[d] their failure into a success’ and declared it enlightened policy. But the reliance on peasant development was itself, as Philips details, a colonial innovation, reflecting a move away from slavery and.

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Development?, ed. Toyin Falola (London: Zed Books, 1986). There remained some space for European-controlled industry in Nigeria, reflecting that small sector of British capital which was able to lease land from chiefs to establish mines or rubber or oil palm plantations. Encouraging Nigerian capacity for industrial mining would have been antithetical to colonialism. The imperialist need to maintain Nigeria as a market for British manufactured goods militated against the development of an Indigenous industrial capitalist class which could itself establish factories for the production of such goods. Ekundare, An Economic History of Nigeria, 158–9, 76–9, 82–3; Tekena N Tamuno, The Evolution of the Nigerian State: The Southern Phase, 1898–1914 (Harlow: Longman, 1972), 260.

19 Basing this right of access to and use of land on a customary relationship with a chief was, itself, a primitive accumulation, but one which prevented British land grabs and the establishment of capitalist relations of production.


21 Ibid., 11–12. Cf Hailey, who wrote that the ‘early stage of administration in Nigeria … reflects the application of a deliberate policy, put into operation from the first and steadily developed to meet the expanding needs of civilized government’. Lord Hailey, An African Survey: A Study of Problems Arising in Africa South of the Sahara (London: Oxford University Press, 1938), 419.
towards peasant production resting on the codification of a communal landholding. This latter transformation reflected an accommodation between British post-abolitionist humanitarianism and the relatively weak colonial state’s alliance with chiefs who as a class were able to manoeuvre a recognition of their increasing coercive and distributive powers over land and labour. This was not the imposition of bourgeois relations of production but rather a distinct colonial articulation which was an effect of the balance of power between the specific sectors of British capital invested in West Africa, and Africans of different classes’ continued fight for each element of self-determination. Imperialism is, in the end, reliant upon the extraction of surplus from the colonies, and here peasant production, directed by chiefs, would produce that surplus.

The transformations of chiefly power, which re-made class, gender, and ethnicity, provoked widespread resistance. In the Aba Women’s War of 1929, for example, tens of thousands of Igbo, Opobo and Ibibio women in the Calabar and Owerri provinces attacked not only the British, but also the institutions of (warrant) chiefly rule. This was an area with no tradition of chieftaincy, and the late imposition of Lugardian indirect rule in south-eastern Nigeria which placed warrant chiefs outside the jurisdiction of the Supreme Court in 1914 and enabled them to levy taxation in 1928, producing dissent that exploded into outright rebellion when rumours spread after a census that women would be taxed. This came at a time of escalating contention over the restructuring of production, and economies that were orienting palm oil and kernel production towards imperial trade. As these trade commodities fell in price, an increase in import duties raised the cost of other essential commodities. But individual taxation was sharply resisted not only for its imposition of an increased economic burden in a time of need, but also for its transformative intervention in the gendered organisation of families and communities. Rebels attacked the institutions of colonial rule: first Warrant Chiefs, then Native Courts, and ultimately British trading houses. Though put down by military force, they both instilled a tradition of women’s resistance in south-eastern Nigeria and forced limits to the powers of both warrant chiefs and native courts.

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22 The imposition of taxation had previously provoked protests and riots elsewhere, including the Adubi War in Yorubaland in 1918. See Falola, Colonialism and Violence in Nigeria, 84.
The targeting of chiefs through anti-colonial resistance represented a peasant critique of the mode of colonial exploitation and the way this was represented in the system of administration. The peculiar nature of the Nigerian colonial state reflected its economic organisation. Cities and trading entrepôts on the coast were mostly administered under direct rule through a mode of British common law, while the economically productive regions were zones of indirect rule, tribes governed through regimes of customary law implemented by chiefs. The bifurcated state of indirect rule rested, Mamdani has argued, on two key institutions: segregation and customary law. ‘Segregation separated whites from natives. Customary law separated civil from uncivil society’.24 Beginning in 1899, systems of indirect rule were slowly introduced, and by 1937 covered all of Nigeria other than the municipal areas of Lagos, Port Harcourt, Enugu, Kaduna, Kano and Zaria. The Supreme Court of Nigeria, then, had jurisdiction over these cantonments and over non-Africans outside these spaces.25

Segregation necessitated white government in urban, or capitalist, areas. Prior to the rapid political and economic change of the early twentieth century, in some of the West African colonies—Sierra Leone, the Gold Coast and Lagos—black Africans had been included on many of the legislative councils; these were often English-speaking, literate Christians who lived in the urban or coastal areas. As the hinterlands of each colony came under British control and the power of the colonial administrations—usually including the legislative councils—increased, black Africans were systematically excluded from the government of newly conquered peoples. ‘Parliamentary institutions’, Lugard argued, ‘were not … suited to Africans’. From 1900, Africans were also barred from working in the administrative branches of government.26

Africans in spaces denoted ‘tribal,’ on the other hand, were subject to native administration free from the oversight of common law. In the north, Lugard

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24 Mahmood Mamdani, Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism (Kampala: Fountain Publishers, 2004), 70.
26 Lord Lugard, Colonial Office record of a meeting at the Carlton Hotel, 6 October 1939, CO 847/17/11 in Ashton and Stockwell, Imperial Policy and Colonial Practice 1925–1945, vol 1, 297; Roberts, “The Imperial Mind,” 33.
harnessed Fulani emirs, who had conquered the Hausa states in the early nineteenth century, to his administration. In Yorubaland in the south-west, he ‘recognised’ paramount obas, imbuing them with the powers of northern emirs, and a baale in each tribe. And in south-eastern Nigeria where there was, as we have seen, no pre-colonial tradition of chiefly rule, he took the warrant chiefs, who had first been appointed in the 1890s, out of their place subordinate to the Supreme Court and removed political officers from formal membership on Native Courts, expanding chiefly power and jurisdictional autonomy. This mode of colonial power was, in Mamdani’s phrase, a form of ‘decentralised despotism’, establishing chiefs with powers over subjects and territories largely beyond the rule of law.27

This was not entirely an innovation for the non-urban areas of Lagos. William MacGregor, Gordon’s close confidant in Fiji—and who wrote to Gordon that ‘[y]ou are by far the best and most consistent friend I ever have had or am likely to have as this world is constituted; but you have been to me much more than a friend; you have been my teacher, and have served me as a type which it has been my ambition to copy’28—was Governor of Lagos between 1899 and 1904, having spent ten years as Governor of New Guinea since departing Fiji. A medical doctor by trade, MacGregor pursued a comparatively conciliatory administration which was endorsed by British mercantilists.29 Soon after arriving he wrote to Gordon, bemoaning the lack of a ‘native department’ and a native code or machinery for passing native law, and that district officers were Commissioners of the Supreme Court rather than officers of the Governor, thus implementing common law rather than enforcing executive power which may be vested in Indigenous communities.30 Into this lack, MacGregor introduced a structure of native councils and, as the colony expanded, tried to bolster the territorial authority of hinterland chiefs. He embraced, to a limited extent, the powers of paramount chiefs; including the Alake of Abeokuta.

28 William MacGregor to Arthur Gordon, 25 December 1888, Stanmore Papers, MS 49203. Lorenzo Veracini has argued that in Lagos MacGregor ‘applied a number of principles and practices tried in Fiji, including an ostensible “intimacy” with Indigenous and officially recognised “traditional” leaders aimed at sustaining a “protective” type of colonial governance’; that he had in fact been sent there for his “positive track record [in Fiji and New Guinea] in managing non-transformative colonial relations”. Lorenzo Veracini, “‘Emphatically Not a White Man’s Colony’: Settler Colonialism and the Construction of Fiji,” Journal of Pacific History 43, no. 2 (2008): 201–2.
29 Alfred L Jones, the Liverpool shipping magnate, wrote in 1902 that: ‘In Sir William MacGregor, at Lagos, we have a most humane man, who sympathises with our progressive policy, and Lagos has never seen a better Governor.’ West Africa, 4 January 1902, p 16 quoted in Tamuno, The Evolution of the Nigerian State, 51.
30 MacGregor to Lord Stanmore, 18 February 1900, Stanmore Papers, MS 49203.
and the Alaafin of Oyo. The latter’s empire had collapsed prior to colonisation, but was elevated to a position of great power and prestige and would become central to Lugard’s indirect rule after amalgamation. Taking into account ‘native character, native customs, and native susceptibilities’, MacGregor required ‘native authorities ... to take such a large share in their own government that punitive expeditions, or plots against the Government, are unknown’. Force, that is, was not required when ruling through chiefs.\textsuperscript{31}

But the system was solidified and codified under Lugard, if not in practice then in his writing. In reports, he represented the state in a language of jurisdiction and authority, describing African and British modes of government in an oblique reference to the material conditions of the social formation. Marx defined ideology as ‘the ideal expression of the dominant material relations grasped as ideas’.\textsuperscript{32} And in Lugard’s texts, we find an idealist expression of the arrangement of jurisdiction and authority which matched neatly to the articulation of modes of production. The sites of capitalist trade, of shopkeepers and some limited manufacturing, and the centres of commodity export, were governed directly by a civil law determined largely by British administrators. Areas of primary production, on the other hand, were sites of indirect rule where chiefs administered a body of customary law that expanded to govern property and obligation. The form of rule, or jurisdiction, in other words, matched relatively neatly to respective economies. The articulation of jurisdictions reflected the articulation of modes of production.

We should recall that these material relations were essentially not the result of a simple imposition, but rather developed from the interactions between colonising and ‘native’ communities, each themselves also unevenly stratified. In the same way, a dominant ideology, as Nicos Poulantzas has argued, ‘does not simply reflect the conditions of the existence of the dominant class ... but rather the concrete relations between the dominant and the dominated classes in a social formation’.\textsuperscript{33} Lugard’s triumph was in obscuring these struggles in his texts, representing the articulation of jurisdictions and modes of production as the


\textsuperscript{32} Karl Marx and Friedrich Engels, The German Ideology, 3rd rev ed. (Moscow: Progress Publishers, 1976), 67. In the words of Crocker, from the ‘expedient’ of indirect rule ‘was gradually built up an imposing superstructure of ideology’. Crocker, Nigeria, 214.

\textsuperscript{33} Nicos Poulantzas, Political Power and Social Classes (London: NLB and Sheed and Ward, 1973), 203.
outcome of a considered application of a colonial template. In elaborating his conception of the state through writing, it became a fetishised ideological product, dislocated from the specific conjunction of colonial Nigeria to the extent that it became generalised and portable.

**Lugard’s Art of Government: The Dual Mandate and Political Memoranda**

Lugard achieved this fetishisation through the literary abstraction of this system of ordering both jurisdiction and production. His idealist expression transformed the contingent processes of exploitation, flows of commodities and labour power, into an effect of the governing will. In this section, we turn away from these difficult processes of state formation and towards Lugard’s personal analysis and descriptions of his system of government. Lugard’s written words were received around the Empire largely through his two key published texts: *The Dual Mandate in British Tropical Africa*; and the *Political Memoranda*. These represented Lugard’s attempt to express indirect rule not merely as a minor technique, or as the outcome of the conflict and balance of a particular colonial encounter, but as an art of government; the effect of an orderly application of his political ideology.

Indirect rule in Lugard’s books was, I argue, an art of government in the Foucauldian sense. More than simply governing, it formed a ‘whole way of being and thinking’, a ‘general style of thought, analysis and imagination’. To govern, here, was not to discipline each subject, or to intervene and regulate each action, but rather to direct and conduct communities along an evolutionary path. The end of government was explicitly not imitation—the creation of societies that mimicked Europe—but rather the expansion of the material and civilisational capacity considered inherent in each African society. This art, then, can be characterised as the embrace of ‘native society’ (the tribe) and the privileging of certain techniques of intervention (tax) to produce effects (labour, which could then be directed into either local peasant production or temporarily relocated into capitalist production, or sometimes both) that would assist and direct that society to develop and progress (in a way mediated and limited by racialisation). ‘[L]iberty and self-development’, Lugard declared, ‘can best be secured to the native population by leaving them free to manage their own affairs, through their own rulers, proportionately to their

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degree of advancement, under the guidance of the British staff, and subject to the
laws and policy of the administration'.

Historians have tended to understate the theory of progress in Lugard’s
work, rather seeing his government as wedded to a stultifying vision of order and
traditional authenticity. But progress has a conspicuous presence in his written
work, signified by the growth of the state—the chief was the key signifier—and by
expanded production. In practice, this was the art of reconstituting native society as
a functioning part of a system of domination, re-articulating its institutions of
difference and stratification such that they conduced to colonial exploitation.
Customary institutions were re-made and became the conduits of larger forces of
domination, as local powers that were once constituent parts of regional networks
were articulated with networks of empire. Indirect rule was, as Karen Fields has
argued, ‘a way of making the colonial state a consumer of power generated within
the customary order’. The nature of domination and exploitation was thus
transformed, but not made entirely anew.

The concept of the dual mandate, which formed the basis of Lugard’s
direction of the role of colonial government, synthesised two early twentieth
century conceptions of the ‘trust’. The logic was captured in the epigraph to Lugard’s
Dual Mandate. Joseph Chamberlain, he quoted, had declared that ‘[w]e develop new
territory as Trustees for Civilisation, for the Commerce of the World’, while the then
recent Covenant of the League of Nations in establishing the Mandates System
entrusted colonising nations with the ‘wellbeing and development of peoples not yet
able to stand by themselves, form[ing] a sacred Trust of Civilisation’. The trust, in
these two senses, essentially directed colonial government to convey civilisation to
backward colonial subjects while expanding production and trade in colonial
territories: put more bluntly and evocatively, it represented ‘bringing to the dark
places of the earth, the abode of barbarism and cruelty, the torch of culture and
progress, while ministering to the material needs of our own civilisation’.

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35 Frederick John Dealtry Lugard, The Dual Mandate in British Tropical Africa (Edinburgh: Blackwood, 1922), 94.
37 Lugard, The Dual Mandate in British Tropical Africa, 618. In a slightly earlier version, Lugard placed
greater emphasis on the necessity of the exploitation of the tropics to the development of ‘the
civilised world’:

We have, in fact, reached our existing economic organisation by aid of the tropics, and can
only maintain it by the development of their resources. Nor in such circumstances can we
admit that the native inhabitants have the right to prevent development or to allow the
essential products of those regions to run to waste. It follows that the nations to whom that
synthesis of the civilisational and the material was narrated by Lugard as succeeding the unabashed transformative exploitation of prior colonialism, and opened up a space for the mobilisation of colonial knowledge through a more substantial and refined mode of colonial rule.

Through writing, Lugard was able to create an art of colonial government that partly reflected the administrative order he had himself crafted and which could travel to be received and transformed around the empire. The Political Memoranda were first printed in 1906 as instructions to British political officers in Nigeria and, though revised, were not substantially changed. They were influential to the point that Residents were drawn to the religious theme so often employed in relation to Lugard. George Tomlinson, a Nigerian administrator, recalled that the Memoranda were ‘regarded with something approaching to veneration’, while another colonial administrator agreed as late as 1969 that ‘it was just about the first publication that you had to study’. Neither the Dual Mandate nor the Political Memoranda should, though, be read as a book of rules for implementation by district officers; they were rather guiding texts, introducing principles of government that were to be adhered to without necessarily imitating Nigerian administrative measures.

The objective of colonisation was narrated as governing progress that, fortunately, happened to coincide with Europe’s material needs. But this was a progress that would work very differently to that seen in, to take an example frequently cited disapprovingly by Lugard, British India where ‘we have destroyed the natural institutions of the country, … we have sapped the foundations of native control of the tropics is entrusted must regard themselves as trustees, not only for the well-being of the natives, but also for the needs of the civilised world in the matter of tropical produce.


rule, and have taught only the duty of obedience’. In British Africa, Lugard instructed administrators ‘in every case’ to ‘endeavour to rule through the Native Chiefs’; to strengthen those ‘foundations of native rule’. The chief here represented both an individual man—the leader of a community—and a metaphor for the adoption of African modes of government, harnessing these to a project of progress that appeared as state-building. Lugard was thus able to distinguish between British rule ‘in which the chiefs are mere agents of the Government’ and, more approvingly, ‘native rule under the guidance and control of the British staff’ which governed ‘natives’ as integrated communities with social and political institutions. The objective of this latter mode of government was, he suggested, to ‘evolve reform by organisation and adjustment, without dislocation of customs and traditions to which the people are accustomed’; ‘in a word, the development of indigenous institutions rather than the sudden introduction of alien methods, however excellent’. Such ‘development’ was evinced by the strengthening state, as chiefs learnt ‘how to exert and maintain authority, and establish a chain of responsibility reaching down to the village head’. Colonial administrators’ role, Lugard directed, was not to exact obedience but rather to adopt the role of ‘advisers and guides in a period of involuntary change and transition,’ reconciling old traditions with new conditions.

The administrator would thus guide the chief and, through him, the tribe. The chief emerges here as one more technique of government, a mode of intervening in and colonising communities, conducting them through acting on the institutions that appeared as socially integral. Lugard’s instruction to the political officer to advise and guide the chief relied upon a form of regular oversight that would produce a particular type of chiefly leader. The theme of the good chief, and the responsibilities of the white administrator in relation to making this good chief, appear throughout the Dual Mandate, denoting the improvement of government and the consequent signification of progress.

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39 Lugard, *The Dual Mandate in British Tropical Africa*, 219. By 1942, in a draft booklet on ‘native administration,’ Lugard was referring more complimentarily to ‘the great exemplar of India to whose teeming millions British rule has for over a century brought peace and material and social progress’: Lord Lugard, *British Policy in Africa*, Draft Booklet on Native Administration, 1940–42, ch 1, p 22, Lugard Papers, MSS Lugard 49/1.


41 ‘Each tribe’, one Provincial Commissioner in Tanganyika declared in 1926, ‘must be considered a distinct unit ... Each tribe must be under a chief ... Remember always that a chief is a native ... Remember also that he is your principal weapon in your work and that if he breaks you will have to
An idea of development was, in fact, the unifying principle of Lugard’s governing philosophy. Africa’s alterity and the problem of order provided him with a justification for colonisation: prior to cession, he wrote, ‘throughout the length and breadth of Africa inter-tribal war was an ever-present condition of native life, and ... extermination and slavery were practised by African tribes upon each other’. Societies entirely based around the production of depravity through war, death and slavery impelled intervention and change, beseeching a domination that would bring the ‘torch of culture’ into this ‘heart of darkness’. But in Lugard’s post-cession writing, African socialities were no longer representative of a radical or unfathomable alterity, nor of decadence and degradation, but rather of primitivity. Such societies represented, in this colonising fantasy, earlier phases of human progress: in Africa, ‘[e]very phase of human evolution may be studied as a living force’. Those Britons at the apex of humanity with their racial ‘genius ... to colonise, to trade, and to govern’, found their discovery of this open field of evolution imposed upon them a burden to transform and develop both the field of primitivity and the people who inhabited it, but to do so in accordance with the now universalised principles of human evolution.42 The talents of whiteness corresponded uncannily to this new white man’s burden, signifying the naturalised role of colonial actors.

Lugard traced here a path of progress in terms of collectivity and authority. It began with the patriarchal stage, where no authority was recognised beyond the male head of the family, moving on to the tribal stage headed by a common chief. From here, tribes would group together ‘to form a single administrative unit’ which could constitute a Native Authority and, ultimately, would unite with other administrative units to form a nation. Citing a series of ethnographic constructs, each stage was signified by a point in the development of the state from absence to forceful presence, from the family to the nation, via the tribe and clan. Encountering

42 Lugard, *The Dual Mandate in British Tropical Africa*, 5, 75, 618–19. That the focus on development was an effect of writing can be seen in a comparison of the texts of the 1906 and 1919 editions of the *Political Memoranda*, the former being instructions to political officers in Northern Nigeria, the latter produced for wider publication. In 1906, Lugard noted that ‘Communities, however, who have only recently emerged from such a state of servitude [Islamic slavery], are not, at first, wholly fit to appreciate those rights and to assume those duties [of taxation], and they take some time to acquire the sense of responsibility and its obligations. Mohammedan rule in Africa is vicious, in that it usually holds a large section of the people in this state of irresponsible tutelage, thereby arresting all progress’. (p 86) By 1919, this had been revised to state that ‘Mohammedan rule in Africa, purged of its greatest drawback—viz., that it creates and maintains a large class in a state of bestial servitude—can thus be made an instrument of enlightened progress.’ (p 166) Quoted in Nicolson, *The Administration of Nigeria*, 147.
communities which corresponded to each phase scattered across Africa, Lugard directed the colonial state to govern that which it found, governing tribes as tribes, clans as clans, and nations as nations: ‘there is no desire to impose on the people any theoretically suitable form of government, but rather to evolve from their own institutions, based on their own habits of thought, prejudices, and customs, the form of rule best suited to them, and adapted to meet the new conditions’. Colonial government was, for Lugard, directed towards conducting communities along the pathway of progress by strengthening the institutions that he recognised as states. Its central aim was ‘the high ideal of leading the backward races, by their own efforts, in their own way, to raise themselves to a higher plane of social organisation’.43

Lugard’s theory of progress and transformation began with the radical difference of race. What was good for white people, or the ‘Nordic races’, was not so for Africans, whatever race they may be assigned to. This was a radical alterity essentialised to the point where assimilation was encoded as degradation, and sameness rendered impossible for now. Lugard’s idea is encapsulated by Foucault’s understanding of the ‘end of government’ as ‘internal to the things it directs (diriger); it is to be sought in the perfection, maximization, or intensification of the processes it directs’.44 This, for Lugard, embraced racial difference, and was thus explicit in its ideological shift from assimilation. His aim was:

not to eliminate racial distinctions, but … to encourage the African to be proud of his own race, to feel that it has its own contribution to make in world progress, and that contact with Western civilisation should not mean servile imitation, but an opportunity of selecting all that can assist the growth of what is best in his own institutions and culture.45

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45 Lugard, The Dual Mandate in British Tropical Africa, 5. For the South African politician Jan Smuts too it was ‘clear’ that a ‘race so unique’ required separate government and the preservation of difference: ‘Nothing could be worse for Africa than the application of a policy, the object or tendency of which would be to destroy the basis of this African type, to de-Africanize the African and turn him into either a beast of the field or into a pseudo-European.’ Jan Christiaan Smuts, Africa and Some World Problems, Including the Rhodes Memorial Lectures Delivered in Michaelmas Term, 1929 (Oxford: Clarendon Press, 1930), 76.
Or, as his successor Donald Cameron wrote in 1927, colonial government sought to make ‘a good African, and not a cheap imitation of a European; but in saying that I do not think that I have ever intended that we wanted the African to continue to think for the greater part as an African’.46

The role of the British district officer was, Lugard instructed, in part that of improving the conditions in which these communities lived in order to enable their expansion and development by preventing ‘inter-tribal warfare, slave-raiding, and the ravages of unchecked epidemics’. But in colonial conditions this was inadequate. Maintaining ‘the old order’ became ‘impossible’ as initial contact inevitably produced degradation and weakened the bonds of social cohesion. The ‘present task in Africa’ was, then, ‘to build up a tribal authority with a recognised and legal standing, which may avert social chaos’.47 District officers’ role was that of state-building through imposing authority and acquiring knowledge, working ‘to strengthen the authority of the chiefs, and encourage them to show initiative; to learn their difficulties at first hand, and to assist them in adapting the new conditions to the old—maintaining and developing what is best, avoiding everything that has a tendency to denationalisation and servile imitation’. The aim, Lugard declared, was to ‘endeavour gradually to bring them to the standard of an advanced community’.48 Amidst great transformation, Lugard narrated a colonialism of conducting, maintaining and developing. These techniques of colonial government, and not a fundamental reconstruction, would produce the expansion of the state, of civilisation, and of production. Similarly, Charles Jeffries, an Assistant Secretary in the Colonial Office, wrote in his 1938 handbook for a unified colonial service that in implementing indirect rule, the ‘function of the British administrator is rather to guide by influence and advice than to rule by direct command’. He should make a ‘constant effort ... to seek out and to develop the best in the natural institutions of the people themselves’. The Natal administrator and segregationist George Heaton

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47 Lugard, The Dual Mandate in British Tropical Africa, 66, 217. ‘In order to develop a system suited to their needs, the District Officer must study their customs and social organisations; for without a knowledge of their institutions the result must be failure.’ 220.
48 Ibid., 218. These duties of ‘tribal rulers,’ he wrote, were to ‘promote the welfare of his people and not to exploit them for his own pleasure, and to afford both to rulers and people the stimulus of progress and interest in life’: 229.
Nicholls described indirect rule as ‘trying to guide instead of coerce’.\(^4^9\) This guidance acted first and foremost upon the chief. Through him, it was thought, the tribe could be governed.

As for Gordon in Fiji, here taxation formed a crucial technology in producing the evolving subjects of the colonial state; it was a ‘concomitant of progress’. The institution of tax signified the imposition of, and submission to, law, and thus marked a developmental tipping point:

> It marks the recognition by the community of the Suzerainty of the protecting Power, and the corresponding obligation to refrain from lawless acts. Failure to impose it is regarded as a sign of weakness or fear. The payment of ‘tribute’ to a chief marks the transition from the patriarchal to the tribal stage.\(^5^0\)

Lugard instructed administrators to link their taxation to that tribute: ‘The object in view is to retain as far as possible the ancient tribute as sanctioned by Native law and custom, and to preserve the individuality of the institutions of the country; to utilise the Native machinery for the purpose’. Tax would enable the inauguration of a treasury, an institution essential to the stable existence of a state, and the regular payment of wages to governing leaders and functionaries, linking rulers to the people as their paid representatives and embedding the state as an institution of ‘native’ society.\(^5^1\) In Nigeria, Lugard levied different forms of taxation depending on where he plotted each society in his evolutionary schema, but directed administrators always to ensure that it was ‘collected through the machinery of the native administration, in accordance with native law and custom, and under the close supervision of the British staff’. In this way, the tribute/tax would ‘assist in accomplishing the main object of administration’ by strengthening chiefly power and developing the native state through which the British could rule, ‘always

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\(^5^0\) Lugard, *The Dual Mandate in British Tropical Africa*, 218, 32.

\(^5^1\) Lugard, *Political Memoranda*, 169; Lugard, *The Dual Mandate in British Tropical Africa*, 219, 31. The stress placed on introducing mechanisms that would link Native Authorities (‘chiefs’) to the peoples (‘tribes’) they governed suggests a tenuous tradition. As Nicolson points out, ‘native chiefs in the ordinary sense would have been bound ... to the people by ties of kinship, religion, and social organization’. Nicolson, *The Administration of Nigeria*, 143.
endeavouring to push each community a step further up the ladder of progress, and of individual and municipal responsibility'.

Just as Gordon organised a chain of authority in Fiji around the assessment and collection of tax, so in the Dual Mandate and Political Memoranda Lugard theorised taxation as the governmental technology that involved all levels of Native Administration. Tax, he wrote, was collected from the individual by the village headman, supervised by a district headman who had assessed the tax on the village as a whole, and who in turn reported to a chief. The taxes were received by this chief, presiding over a Native Authority, and deriving his power from the colonial suzerain. The institution of taxation, whether an income or head tax, must be, Lugard wrote, direct. Direct taxation, he suggested, would link the individual to the village, the district, the tribe and, ultimately, the colonial state, and would also transform the taxed subject. It brought, Falola argues, ‘colonial government to the grass roots’, marking the ‘extension of power to all the nooks and crannies of the country’ and to each individual subject through the institutions of traditional society. This new colonial subject was, Lugard imagined, characterised by obligation and allegiance to the state and an incipient recognition of individual responsibility, marking a measure of progress. These conditions were, in turn, linked to the institution of free labour.

Lugard cautioned against levying tax for the sole purpose of leading Africans into debt, and thus compelling them to work for white masters or employers, but believed that through encouraging both active trade and individuality, tax would ‘stimulate productive industry’. Tax was to be assessed not on the basis of actual yield but ‘on what the land should produce if cultivated to a normal standard’, thereby penalising farmers not working at the demanded consistency and efficiency. Increasing labour productivity was integrally linked to the dual mandate. As the

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53 Lugard, The Dual Mandate in British Tropical Africa, 200, 42. The chief was no doubt reminded of his subordinate status by the presence of a British resident whose ‘advice on matters of general policy must be followed’, though the resident must be ‘careful not to interfere so as to lower his prestige, or cause him to lose interest in his work’: p 201.
54 ‘The result it aims at is to emancipate the people from indolence on the one hand and forced service on the other, and to raise them to a plane of greater communal and individual responsibility.’ Lugard, Political Memoranda, 169; Lugard, The Dual Mandate in British Tropical Africa, 232–3. See also Falola, Colonialism and Violence in Nigeria, 79; Barbara Bush and Josephine Maltby, “Taxation in West Africa: Transforming the Colonial Subject into the ‘Governable Person’,” Critical Perspectives on Accounting 15, no. 1 (2004). Walter Crocker’s scandalous account of tax collection in Lame in 1933, a tale of chiefly evasion, people hiding their livestock and running away, and the seizure of such property as he could find to be auctioned to recoup the tax assessments, suggests that deference to colonial tax collection and the form of responsibility it encouraged was a project met with great resistance. See Crocker, Nigeria, 79–81.
African Survey of the late 1930s was to suggest, the dual mandate could be expressed as ‘that of protection,’ on the one hand, ‘and that of calling forth the power of self-exertion’ on the other. Labour was, then, crucial.\(^55\) The expansion of tropical production and trade in the interests of all humanity was a corollary of a more ‘advanced’ form of labour relations understood as individually liberating and thus as civilising.

Lugard turned his attention to directing colonial governments in ‘how the existing supply [of labour] can be better utilised and economised, and how the produce of the tropics can be increased in quantity and value’, an end to which administrators should strive ‘by every means in their power’. Administrators, he wrote, should spend their time ‘informing primitive tribes of the value of neglected sylvan produce, encouraging the growth of cotton, and collecting data as to the output and possibilities of increase of all products sylvan or cultivated’. They should ‘do their utmost to promote the planting of trees of economic value in their Provinces, especially of oil palms, shea, kola, and rubber’.\(^56\) Having denied slavery legal recognition, Lugard sought its replacement with peasant proprietorship; tax levied on individuals thus replaced slavery in transferring value from African ‘peasants’ to the ‘upper classes’. He regarded taxation as ‘a means of promoting the recognition of individual responsibility, which is inseparable from liberty, but is destroyed by the system of slavery’.\(^57\) This substituted for slavery a different form of unfree labour, controllable by the ‘upper classes’ of Indigenous society, but categorically emplaced in a developmental schema between enslavement and emancipated labour.\(^58\)

Beyond encouraging the development of a peasantry, though, when implementing indirect rule administrators were instructed not to interfere greatly in


\(^{57}\) Lugard, *The Dual Mandate in British Tropical Africa*, 233. On removing the legal recognition of slavery, and thus establishing permissive freedom without actually necessarily freeing the slaves, but encouraging a ‘free labour market’ with an ultimate end of ‘free labour hired for wages,’ see ibid., 355–69; Lugard, *Political Memoranda*, 217–48. Lugard’s principal critique of slavery was that it was inimical to the development of individual liberty and, more importantly, self-consciousness; the production of individuated subjects was ‘destroyed’ by slave relations.

\(^{58}\) ‘The peasantry has been emancipated in the true sense of the word to an even greater extent than would be the case by the abolition of domestic slavery. The tax they pay is very moderate, and they are freed from arbitrary exactions. Industry and personal initiative are encouraged instead of being the mark for spoliation.’ Lugard, *Political Memoranda*, 208–9.
the immediate relations of production, re-directing labour towards the production of tropical commodities but placing its regulation largely within the ‘tribe’. Lugard wrote that agricultural education should be limited to very simple facts combined with manual work; as, for instance, the value of rotation of crops, and of leguminous crops and manures as renovators of the soil, in lieu of the wasteful processes of “shifting cultivation” now practised’, as well as the prevention of scourges like bushfires and pests and introducing Africans to crops of greater export value so as to increase the value generated by their labour.\footnote{Ibid., 142.} This would increase both the amount of work done, and the value it would produce, but would not transform work relations.

Just as the genius of the British race was apparently that of colonising, trading and governing, so were the African races represented as essentially suited to and available for work, albeit requiring guidance to increase their efficiency. The \textit{Dual Mandate} is replete with incessant references to African racial virility and potency, industriousness, and willingness to work well: they form ‘a virile and expanding race whose men are often models of symmetry and strength’.\footnote{Lugard, \textit{The Dual Mandate in British Tropical Africa}, 72. See also pp 42, 400–9. African virility was also evidence of the impossibility of African extinction or extermination, combining with the exigencies of tropical settlement to preclude for Lugard the potential of African territories as settler or ‘true’ colonies. But white government, if not white settlement, remained essential. See also Smuts, \textit{Africa and Some World Problems}, 47–8.} The African, Lugard wrote, ‘rarely needs compulsion to work’ and his labour capacity was astounding:

\begin{quote}
The Bantus, and most other negroes, are physically fine specimens of the human race. Powerfully built, they are capable of great feats of strength and endurance. Individuals will carry a load of 100 lbs. on their heads from morning till night, up hills and through swamps, with but brief intervals for rest. The King’s messengers in Uganda, in Mtesa’s time, were, I believe, expected to cover sixty miles in a day.\footnote{Lugard, \textit{The Dual Mandate in British Tropical Africa}, 235, 68.}\end{quote}

Thus built for work, Africans appear in Lugard’s texts as perfectly formed labouring bodies and happily exploitable subjects. The question of government came to be one of direction: how could one best conduct the exercise of black labour such that none was wasted and its fruits could be peacefully harvested by the British in the name of all humanity.\footnote{Crawford Young, \textit{The African Colonial State in Comparative Perspective} (New Haven: Yale University Press, 1994), 79.
This approach was apparently determined, in part, by the tropical climate of West Africa which, for Lugard, rendered ‘European settlement out of the question’. In such a space, ‘the native must be the producer of all agricultural exports’. Ideally, then, ‘the development of the resources of the country should be carried on by the native himself, ... preferably on his own land as a free producer’, while trade necessitated the development of infrastructure under European supervision, mobilising free African wage-labour. Here, Lugard thus advised, the colonial state should reflect what I have described as an articulation of two modes of production: the ideal African was a peasant proprietor, a member of a governable community producing tropical products for sale to capitalist exporters who were usually, though not exclusively, white. These intensely racialised relations of production and trade remind us of Fanon’s argument that in the ‘colonies the economic substructure is also a superstructure’: you are a peasant because you are African; you are African because you are a peasant. Lugard urged a policy of ‘encouraging small peasant proprietors’, a status which ‘makes for individual progress, thrift, and character’ and ‘is the strongest inducement to good farming’, and which should complement a ‘limited number of larger estates employing paid labour’. His colonial state thus sought to regulate and direct the articulation of these two—peasant and capitalist—modes of production. While Native Authorities governed African peasant production and sale of commodities, the Legislative Council would govern capitalist trade and production, and both a developing order in Britain and the exploitation and maintenance of the British working class loomed in the background, dependent on these colonial relations of production. Returning to Fanon’s analysis, we find that ‘what parcels out the world is to begin with the fact of belonging or not to a given race, a given species’. The distinction was constituted by the relationship of production to a (neo-)traditional order and the potential mobilisation of ‘native law and custom’ in its regulation.

63 Lugard, The Dual Mandate in British Tropical Africa, 397, 424. In practice, labour was often forced for infrastructure projects. On the place of white settlers in the tropics, see also pp 41–3. This continued to represent orthodoxy through the interwar period. In 1926, Under-Secretary of State for the Colonies William Ormsby-Gore bemoaned the lack of highlands in West Africa, and explained that the fact that the ‘European can at best be only a sojourner for a succession of comparatively short periods’, determined that British policy must hold to ‘its two essential features of indirect rule and native agriculture’. W G A Ormsby-Gore, Report by the Hon W G A Ormsby-Gore M.P (Parliamentary under-Secretary of State for the Colonies), on His Visit to West Africa During the Year 1926 (London: His Majesty’s Stationery Office, 1926), 12.


66 Fanon, The Wretched of the Earth, 30–1.
African labour was, then, to be governed by Native Authorities through what were conceived as traditional institutions: the institution of tax, as discussed above, but also through the administration of landholding. Controlling the alienation of land, as for Gordon in Fiji, was for Lugard the ‘first and most important step to preserve the peasant proprietor’. Land could not be transferred out of ‘native jurisdiction’, a restriction that would prevent proletarianisation and the unfettered expansion of capitalist relations of production. If peasant, glossed as African, modes of production were to be not only preserved but themselves expanded, Lugard advised that land must be administered by chiefs according to a traditional law and custom. This too marked an evolution; modes of land tenure denoted stages of social progress from communal land ownership, to familial or individual ownership based on use, on to the tribal stage where a chief controlled and allotted the land of his tribe. Upon this chiefly power rested not only African production but the entire artifice of indirect rule in its Nigerian incarnation. The system of ruling through chiefs depended, wrote Lugard, on the recognition of their powers of alienation and control of land: ‘A chief acts as trustee for the tribe in regard to land.’

This was, for Lugard, the heart of indirect rule. It was represented as the direction of so-called traditional Indigenous communities towards increasing their commodity production by improving the efficiency and effectiveness of their social institutions, embracing the totality of their social formation. If we place production at the base of colonial government, Lugard’s linkage through indirect rule of land and labour, tax and law, the state and Indigenous custom, appear as part of a coherent governing art (though they could not but produce contradiction). The specific West African mode of managing custom and land tenure was not crucial to indirect rule in general: what we see in Nigeria is ‘only a particular method of the application of these principles’. Lugard’s account of indirect rule as an art of government rests on the role of Native Authorities as integral (governing) elements of social formations that could be articulated as productive forces with a colonial capitalist system of trade, on the expansion of production and delegation of local administration as indicia of civilisation and progress, and on the community, or society, as the unit of government. In directing the transformation of Indigenous communities through an evolving custom, a transformation naturalised as evolution, taxation and land tenure appear as the privileged technologies of government.

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69 On the administrative unit of indirect rule, see ibid., 202, 44–5.
Lugard’s principles of indirect rule were received as though they set out a coherent mode of governing, establishing Indigenous or native communities as the subjects of government and providing for their articulation with an intruding and transforming colonialism. But for all that he placed his guidance in general terms, Lugard’s techniques of government reflected the particular Nigerian colonial situation. In the West African colonies, Britain sought the acquisition of tropical commodities produced by African labourers, exploiting African communities by the acquisition of surplus through trade which, ‘though it has developed at an extraordinary rate, ... is capable of indefinite expansion’. Lugard’s taxation was designed partly to encourage black labour directed towards tradeable commodity production, but also to promote the development of an African state. This strengthened state would, in turn, administer land in a way conducive to peasant proprietorship, directing black labour again to commodity production. The primary characteristic of these techniques, for Lugard, was their working through the apparently traditional features of each Indigenous community, and their direction towards the production of an exploitable surplus, here tropical commodities.

Elsewhere in Africa, these same techniques could be adjusted towards the production of a surplus of African labour directed into settler-owned agricultural or industrial production. And these ‘everyday instruments of government’ were open to even more novel adaptations as we will see later in the Australian case. But Lugard’s representation of indirect rule as an art rests on the particular subject of government—the traditional Indigenous community as an integrated whole—and a governmental rationality that mandated interventions that worked through apparently traditional institutions. These interventions directed and re-directed those institutions towards a particular articulation with colonialism. In this way, they would produce the colonial social formation.

**Lugard and the Racialisation of Working Subjectivities**

In tracing the way indirect rule was received outside Nigeria, we need to think the mechanisms and principles of articulation as they were represented in Lugard’s

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discourse of indirect rule. Lugard's texts on administration crafted and codified the bifurcated state, with jurisdiction symbolising and regulating different forms of work and production. This description of the Lugardian state may appear overly formalistic—and it is, if one is studying the actual social formation as a complex unity, structured in dominance—but it is faithful to Lugard's own instructions on statecraft: his art of government. Nicolson described the Political Memoranda as 'a dream world, a look-glass world ... amidst a forest of impossible instructions for its custodians'. This reflects one of the contradictions between a universalising ideology and the very particularist structures of rule. But Lugard's philosophy of indirect rule was, as has been demonstrated, a productive abstraction: it took a synchronic view of the colonial social formation and elided the struggle which wrenched it into that position. He set aside the primitive accumulation, the daily violence and the implications of a thorough transformation of traditional power in describing the complete hegemony of the bifurcated state governing a stable articulation of two modes of production; in the Nigerian case those of merchant capitalism and peasant commodity production. And these different modes of production signified, and were themselves produced by, the irreducible and naturalised alterity of race. Lugard slipped so easily between discourses of race, of work, and of progress because they ultimately signified, in his epistemology, the same thing. Political philosophers and functionaries of empire were able to express their complete control amidst real struggle and precariousness through this naturalising discursive function: it explained the total control, which included elements of deferred coercion, of the colonial state.

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73 Lugard's depiction of government effaced the violence that both formed the basis for colonial rule and was not merely momentary but rather attended and structured each moment of security, administration, and exploitation, albeit in shifting forms. This elision was made possible by the creation of a legitimate space for violence—'In Africa you are dealing with tribes who, as a general rule, regard force as the sole arbiter, who are combative, and value life very lightly indeed'—and its deferral; 'the government, by the use of force if necessary, intends to support the native chief though only when that chief's force failed. Lugard, The Dual Mandate in British Tropical Africa, 203, 579. But violent repression was also something Lugard simply chose to omit from his public writing. In February 1906 he wrote to Lady Lugard that 'I love this turgid life of command, when I can feel that the sole responsibility rests on me for everything' such as 'a small crisis like this, with the necessary action to be taken to preserve life, and to re-establish prestige'. He was writing regarding a revolt of the Tiv people, who burnt the Niger Company's store, and a month before he crushed a revolt in Satiru, in north-west Sokoto, massacring by machine-gun over 2000 peasants bearing hoes and axes, executing the leaders of the rebellion in the marketplace and displaying their heads on spears. The
Out of this form of the state emerged forms of political and economic participation that were overdetermined by racialised political subjectivities. Africans were excluded from institutions of capital and democratic government on the basis of race, but were included in an ethnically-defined political process as so many tribes: they were recognised not as Africans but as a series of ethnic minorities. Tribalism thus masked the underlying exclusion whereby whiteness and blackness (or nativeness) mapped onto class positions. This was complicated by so-called detribalisation—which could be legislatively defined as the effect of education or proletarianisation (the growth of a permanent rather than migrant labouring class)—and miscegenation. These were central concerns of government in delineating distinct populations to govern and produce figures of discourse which not only did great violence in Africa but were portable around the world, including to Australia.

The idea of an authentic ‘Native rule’ relied upon a sharp differentiation between white and black, settler and native. Segregation was more than just restrictive legislation or the division of government power: it was the articulation and legitimation of difference. The typical African, Lugard believed, was ‘a happy, thriftless, excitable person, lacking in self-control, discipline, and foresight, naturally courageous, and naturally courteous and polite, full of personal vanity, with little sense of veracity, fond of music, and “loving weapons as an oriental loves jewellery”’. They were, most importantly, ‘steadfast’ in their ‘loyalty and affection’. Lugard resisted any transgression of the ‘native’ category, whether through religious

British should, he wrote to Lady Lugard, ‘annihilate them and it is necessary for the recovery of our prestige that the victory should be a signal one.’ Lugard was, as Meyer and Brysac have described, ‘adept at the martial semiotics of imperialism’. Letters of 2 January and 9 March 1906 quoted in Perham, *Lugard: The Years of Authority*, 248, 60; Karl Ernest Meyer and Shareen Blair Brysac, *Kingmakers: The Invention of the Modern Middle East*, 1st ed. (New York: W W Norton & Company, 2008), 85.

MAHMOOD MAMDANI, “Historicizing Power and Responses to Power: Indirect Rule and Its Reform,” *Social Research* 66, no. 3 (1999). The contemporary black (trans)nationalism of Marcus Garvey (which had huge influence in parts of Africa) and pan-Africanism of W E B DuBois and Kwame Nkrumah, and the later black consciousness of Steve Biko were so challenging for precisely this reason: they denied the colonising basis of tribalism and pointed to emancipatory political identities of blackness or Africanism.

conversion or secular education.\textsuperscript{76} This culture change, he imagined, would loosen tribal bonds and therefore weaken the authority a chief held over his people. The ‘Europeanised African’ is ‘separated from the rest of the people by a gulf which no racial affinity can bridge’. This fragmentation was troublesome and prevented ease of control. Moreover, the Europeanised African changed for the worse not only in outlook, but also in physical capacity. He or she ‘has become less fertile, more susceptible to lung disease and to other diseases, and to defective dentition’.\textsuperscript{77} The pathologisation of the effects of cultural change is central to the racialisation of both Africans and Europeans: Lugard’s distaste for transgression of hardening racial categories and the repugnancy of hybridity reflects the importance to the British of defining and controlling difference. Establishing irreducible difference through racialisation exemplified a colonising determination to maintain the relations of colonialism, to naturalise alterity and thereby stave off decolonisation.

Chiefs were also not to transgress the bounds of the ‘proper’ native. This was to be achieved through an education policy which aimed to ‘train a generation which will be able to achieve ideals of its own without a slavish imitation of Europeans, and be proud of a nationality with its own definite sphere of public work and its own future’. Nigerian education policy shifted to a programme of extending Muslim education from 1908, avoiding the earlier Indian policy of an anglicised education system.\textsuperscript{78} Lugard’s discussion of the role of education as an element of indirect rule is revealing in this context. Education represents a fundamental technology of government. But it was also, of course, a crucial element of colonial subjectivation and represented, in Lugard’s indirect rule, a key site of intervention and uncertainty. We can read his work on education as indicative of the objects and contradictions of colonial policy as a whole. Just as, for example, ‘native authority … is inevitably weakened by the first impact of civilised rule’, Lugard wrote that education would inevitably ‘produce a ferment of new and progressive ideas, subversive of the old order’; the education system must then ‘guide these tendencies so that they may conduce to the betterment of the body politic and not to its disintegration’. This

\textsuperscript{77} Lugard, \textit{The Dual Mandate in British Tropical Africa}, 79–81. This was the other side of theories of white degeneration (to the local standard) in the tropics, which were largely discredited by the twentieth century, and replaced by fear of black degeneration in urban spaces. In each case the problem is primarily spatial.
could only be effected by placing the formation of character and habits of discipline above the training of the intellect as the primary object of education for Africans'.

Lugard’s focus on ‘the formation of character’ as the principal object of education suggests the production of colonial subjectivities was consciously at the foreground of his government. Proper colonial subjects were tribal, were submissive to legitimate authority, and would work without requiring risky or costly coercion. The problem of order here loomed large: Lugard cautioned against teaching Cromwell, whose revolt against the monarchy could provoke awkward questions and induce dissension. Education, he wrote, ‘should enlarge their outlook, increase their efficiency and standard of comfort, and bring them into closer sympathy with the Government’. It should also ‘produce a new generation of native chiefs of higher integrity, a truer sense of justice, and appreciation of responsibility for the welfare of the community’; it should improve native government.

The ‘problem’ of the improperly ‘educated African’ symbolised, for Lugard, the failure of education, producing, as it apparently did, people practically ‘of a different race’. This was a figure adopted from transcolonial discussions of the ‘politically-minded Indian’. The increasingly valorised post-Rebellion alliance with Indian princely rule that I discussed briefly in the previous chapter had, as its discarded other, the Bengali ‘babu’ of Calcutta. If a lesson of 1857 was that a colonial civilising mission produced disorder, this disorder was embodied in the figure of the Indian who had adopted a veneer of education and civility over an otherwise ‘uncivilised’ nature. Semi-educated ‘babus’ were further considered decadent and unmoored, troubled by their transgressive status ‘between’ two cultures but without firm roots in either. These figures of anxiety stood in for the uncertainty of a colonial rule resting on the shifting foundations of colonised societies; they were inscribed as the embodiment of an object lesson in the dangers of dissociating colonised subjects from an ordered state comprising traditional regimes of custom

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79 Lugard, The Dual Mandate in British Tropical Africa, 203, 432, 52. In 1913, he had been allowed to ‘discourage’ schools from teaching Stuart English history on the grounds that this may encourage ‘disrespect for authority’: cited in Roberts, “The Imperial Mind,” 34.
81 Ibid., 81.
82 See Sanjay Seth, Subject Lessons: The Western Education of Colonial India (Durham: Duke University Press, 2007), 47–78 for discussion of the British discourse around these Western-educated Indians’ moral crisis resulting from their supposedly hybrid status between but not within any religious background. This was a gendered satire, the supposed effeminacy of the babu standing in for the degeneracy of educated Indians as a whole; gender disorder connoting a broader social crisis. Mrinalini Sinha, Colonial Masculinity: The ’Manly Englishman’ and the ’Effeminate Bengali’ in the Late Nineteenth Century (Manchester: Manchester University Press, 1995).
and control. These mobile stereotypes—of the prince ruling his traditional community, and the semi-acculturated babu—carried with them the trace of a specific mode of colonialism.

Here, we might only note that this figure invokes the spectre of race in a malleable form. R S Rattray, Government Anthropologist on the Gold Coast between 1921 and 1930, described the appearance of a gulf between ‘the educated African’, who had ‘been cut off in great measure from his own country, customs, and beliefs’ and ‘seems to lack that indefinable something which often ennobles his wholly illiterate countryman, and raises him considerably above the common herd. I do not know exactly how to describe what it is that the one often possesses and the other seems to miss. It appears to me like some hand reaching out of the past and linking him with it.’ Lugard too was ‘baffled’ by the ‘educated native’ who he found ‘distasteful’ and ‘antagoniz[ing]’.

Education and literacy were the mark of detribalisation and deculturalisation read as degradation. The discomfort of racism, that ‘indefinable something’, was here imbued with a strong sense of the authenticity of proper native alterity.

A anglophile or missionary education, with its potential for transforming what Lugard described as ‘character,’ but which we might today term subjectivity, here risked undermining the very physical basis of segregated difference; hence his insistence that after a proper colonial education its subject ‘will remain an African—not a déraciné and pseudo-European’. The same but not quite was altogether too similar for indirect rule; excluding Africans from democratic government and delegating their administration to tribal institutions relied on Africans as tribal subjects. Detribalisation and deracination signified similar processes of disorder. This problem of difference thus appears as a problem of order at the level of subjectivity but read as embodied in race, an at times useful contradiction to which we will return in discussions of the ‘half-caste’ in Australia’s Northern Territory in chapter six.

The Trust in Colonial Government: Indirect Rule as a Standard of Administration

Lugard began the Dual Mandate, we will recall, by quoting the Mandates section of the Covenant of the League of Nations. The Permanent Mandates Commission, of which Lugard was a key member, had placed the principle of the trust at the centre of concern in dealing with the disposition of the former colonies of the German and Ottoman empires. These, it declared, were ‘inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world’, whose ‘well-being and development … form a sacred trust of civilisation’. The ‘tutelage’ of these populations was ‘entrusted to advanced nations’ who reported annually to, and had their administration assessed by, the PMC. This was represented as a shift away from the colonial possession, and towards colonial government in the interests of the governed. The dominance of such language seeped into the government of the British Empire: ‘It is now a truism that the duty of trusteeship is the guiding principle of Colonial administration’.

Trusteeship came to denote the dual mandate, fulfilled by administration through a bifurcated state which incorporated a form of indirect rule. The Parliamentary Joint Committee entrusted in 1931 with determining policy in Kenya declared that the principles of the Mandate were applicable to all British colonies:

The principle of trusteeship implies not only the avoidance of direct injustice to the natives as individuals but also the more positive obligation to afford to the natives, as a race, both time and opportunity to develop their latent capacities and play such part as they may eventually prove capable of playing in the ultimate destiny of the country.

In Kenya, where a white settler population was represented in a local Legislative Council, and there was also a substantial Indian population, these principles could

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be implemented by ensuring separate, but complementary, development. The Joint Committee worried about ‘the effect of native development both in limiting the supply of wage labour upon which white development depends and in creating a formidable competitor to that development’, and emphasised the role of the state in ‘securing that the development of both races shall be complementary to each other’; in this case, that is, limiting ‘native development’ by managing levels of taxation and access to land. Managing the articulation of different modes of production to these ends was the proper business of government as a trustee for both the ‘native race’ and development. The Mandates system and British colonialism here coincided.

The Foreign Office had transferred control over most African protectorates to the Colonial Office only in the early twentieth century; it was only then that the Colonial Office could form a relatively coherent policy-making body. Arising at the same time as the League of Nations, and with Lugard influential in both, they adopted similar standards of administration. Donald Cameron, writing of his term as Governor of the Tanganyika Mandate, found that ‘the terms of the Mandate did not trouble or preoccupy my mind in any way’ as they were ‘the ordinary and recognised principles of British Colonial Administration’. What had been, for Gordon, an experimental and ad hoc system of administering was, in Lugard’s time, the standard of empire. Here we see Lugard’s influence in transforming a minor discourse into a norm.

These principles of administration were seen as being of such wide application, with the capacity to travel, because they were sufficiently amenable to

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88 Joint Committee on Closer Union in East Africa, Vol I—Report, Together with the Proceedings of the Committee (London: His Majesty's Stationery Office, 1931), 24–5. Indirect rule was also suggested as it was government on the cheap: ‘It should be added that the adoption of such a policy is a practical necessity for good administration at the present time. It is impossible to provide a sufficient number of British administrative officials to conduct the business of the whole country.’ (p 35). See Sara Berry, “Hegemony on a Shoestring: Indirect Rule and Access to Agricultural Land,” *Africa* 62, no. 3 (1992).

re-calibration to be practiced in a range of colonial formations. Given a British assumption that, while African progress should be based in African cultures, progress was impossible without white intervention, the dual mandate could even justify a modicum of settler colonialism, as in the work of Edward Grigg, erstwhile Governor of Kenya:

What is our double duty in Africa? The first is to provide for the welfare and progress of the Native inhabitants, and the second is to develop those territories for the benefit of mankind. ...

I am a profound believer in the white colonization of East Africa because white colonization is in my opinion necessary to the prosperity of that part of the Empire, to the welfare of the Natives as well as white inhabitants, and to the peace of Africa.90

Lugard’s language of the dual mandate and indirect rule came to dominate the terrain of colonialism, in whatever local form it took.

This was the case largely because of the general applicability of Lugard’s art of government, representing the conventional role of the franchise colonial state. Lugard represented certain specific technologies as integral to indirect rule, each of which are best understood as means rather than ends in themselves, and each of which worked in slightly different ways in analogous administrations that, while perhaps appearing different on the surface, shared certain common characteristics that enabled their framing as territories amenable to indirect rule. As I have demonstrated, Lugardian indirect rule mobilised the institutions of taxation and land tenure—economic institutions of ‘native society’—as customary technologies of government, working through these (neo-)traditional institutions to direct the society of which they were a part towards the production of an exploitable surplus. This surplus could be specific tropical commodities, as in the case of Nigeria, or both commodities and a surplus of labour, as in the case of Kenya, or even little more than labouring bodies themselves. But the colonial project of articulation and conduction, governing through (neo-)traditional authorities and institutions, is common to each situation.

An abstracted indirect rule, represented as an art of government, thus appeared as the appropriate modality of power in each colonial articulation. It would work to increase the capacities of ‘native society’, expanding labour force, productivity and value, and thereby strengthening the state. These processes could be glossed as evolution, an outcome of the civilising force of progress. A contradiction appeared in each colonial formation of indirect rule, between the conservationist impulse of governing through tradition and the transformative nature of that government. But this contradiction, that would ultimately come to crisis after 1945, did not necessarily appear in that light to colonial administrators in the decades immediately following the publication of Lugard’s *Dual Mandate*.

Rather, his theorised subject of government both racialised and naturalised these colonial articulations, rendering his art ideologically persuasive to colonising Britons across the empire. This chapter has discussed his production of an art of government that was most crucially centred on ‘native society’: working with it, conducting it, articulating it, and developing it. This subject of colonial rule is the focus of the next chapter.
CHAPTER THREE

Framing a Biopolitical Tribe:
Functionalist Anthropology and Colonial Government

If he wanted to control Scientific Anthropology so as to fit into his imp[erial] Idea—he couldn’t have done anything but to create [the] Functionalist School. ... Indirect Rule is a Complete Surrender to the Functional Point of View.

– Bronislaw Malinowski, c.1927.¹

Introduction

Around 1927, Bronislaw Malinowski had occasion to read The Dual Mandate as preparation for a meeting with Lugard where he hoped to collaborate on what would become the International Institute of African Cultures and Languages. His pages of notes reveal not only an anthropologist’s view of Lugard’s art of government, but also the many instances where Malinowski believed functionalist anthropology could be of service to Lugardian administration. He found not only that he and Lugard could work closely together, but that their projects were alike. Indirect rule, he concluded, was a ‘Complete Surrender to the Functional Point of View’. Malinowski’s analysis points to a revealing convergence of knowledge. In Lugard’s work, indirect rule was abstracted from historical accident and contingency and produced as an art of government, a philosophy able to travel to be read and considered, adopted and amended. But indirect rule could be represented in different genres, travelling not only in administrative guidebooks but also as a more explicitly theorised political rationality.

As we have found, indirect rule worked on and through the tribe, maximising its productive capacities and encouraging its development and evolution. Functionalist anthropological texts envisioned their object—native society—as a

¹ Bronislaw Malinowski, Manuscript notes on Lugard’s Dual Mandate in relation to colonial taxation, n.d., Malinowski Papers, MALINOWSKI/10/18.
tribe, and, I argue, conceived this object physiologically. This, I argue, was the deliberate convergence Malinowski identified: the tribe of indirect rule corresponded to the native society of functionalist anthropology. The only mode of governing this object was to ‘protect and improve’. Together, administration and ethnology formed a colonial complex, an apparatus of knowledge upon which a logic of incorporation rested. This chapter is a study of the convergence to which Malinowski pointed in his conclusion above. What was it that made indirect rule and scientific, functionalist anthropology alike? Answering this question allows us to explore indirect rule as fundamentally a system of knowledge, as a way of seeing or framing its subjects, objects, and technologies of action. If indirect rule represented a political rationality, anthropology was one transcolonial network in which it was produced, and by which it could travel.

In 1922, the year of the first edition of Lugard’s *The Dual Mandate*, Malinowski published his master work—*Argonauts of the Western Pacific*—while A R Radcliffe-Brown also published his monograph based on an ‘intensive study of a restricted area’ amongst ‘exotic’ people, *The Andaman Islanders*. The two anthropologists would go on to become de facto leaders of the functionalist school of British social anthropology. Functionalist anthropology’s rise to disciplinary authority was thus entirely contemporaneous with the textual propagation of indirect rule as an art of colonial government. Anthropology’s ontology cannot be separated from its ‘colonial situation’, and nor can colonisation be separated from the production of knowledge about colonial Others. As Ranajit Guha has written, the ‘interpenetration of power and knowledge constitutes the very fabric of colonialism’. In this sense, anthropologists do represent, in Haunani-Kay Trask’s ironic phrase, a part of the ‘colonizing horde’. But the conjunction represented

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more than simply a contemporaneous, and co-located, production. Though Malinowski may have put it the other way, the ‘new’ and ‘scientific’ anthropology expressed the governing logic of indirect rule in a slightly different register. Anthropologists and administrators argued over specific items of policy but, in general, there was no ontological conflict between indirect rule and (structural-)functionalist anthropology.

The appropriation of authority to describe ‘native society’ by British functionalist anthropologists and the seizure of authority to govern through ‘native society’ by British colonial administrators reflects a division of labour and the production of complementary knowledges leading, I argue, to substantially the same regime of government. While Governor in Nigeria, Lugard was ‘inclined to think that researches into native law and custom are best conducted by Political Officers’. Over time, partly as a result of working with Malinowski at the African Institute, he invested greater value in professionalised anthropology, writing in 1942 that an anthropologist’s ‘objective study’ was ‘valuable … to the Administration’. But anthropologists sought to claim exclusive scientific authority to describe native society for colonial administrations, an aspiration that drew them to an idiom drawn from the biological and social sciences. The so-called functionalist turn adopted a new language and moved away from evolutionist narrations of global and racialised histories of progress from primitivism to modernity, rather producing accounts which did not reject this history, but which focused instead on describing and

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analysing 'the process of social life of a certain limited region during a certain period of time'.

Anthropology is important because it was intimately linked to the pre-eminent form of colonial administration in the interwar period, lending its name and scientific imprimatur to a mode of government, working to naturalise the process of colonisation. The bulk of this chapter is a study of the intellectual conjunction of British social anthropology and British colonial administration; between functionalism and indirect rule. But, as will be shown, anthropology is also important as one of the routes by which ideas of indirect rule came to enter and eventually structure white Australian discourse regarding the government of Indigenous people. Anthropologists’ claims to scientific authority gave them a special voice, and they were heard by many concerned Australians throughout the interwar period. Australian anthropologists had a rare and privileged role in developing Commonwealth policy on governing Indigenous people. The appointment of E W P Chinnery, an anthropologist, as Director of Native Affairs in the Northern Territory in 1939, under a policy drafted by A P Elkin, represents the culmination of this trend.

Here I wish to note, without necessarily mapping exhaustively, the ideological convergence and ‘various configurations of interdependence’ between the art of native administration and the science of anthropology. Though often used by colonial administrators, anthropology was never materially essential nor indispensable to British colonialism. But, at a basic level, the relationship between

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[Intensive work ... is not possible among a people who are as yet wholly untouched by western influence. A friendly reception and peaceful surroundings are essential to such work. It is only a people already subject in some measure to the mollifying influences of the official and the missionary who will not fear, or be offended by, inquiry into their customs.
those (colonial administrators) whose professional identity and work was based on
the management and regulation of certain groups, and an academic discourse with
pretensions to science which took these groups as their object, was mutually
constitutive. Whether intended or not, anthropologists were, as Gillian Cowlishaw
identified, ‘complicit in building a body of knowledge about Aborigines which
supported rather than contested their objectification’, as academic knowledge
became a part of the colonising machine. The shared interests of the two groups
represented the basis for an alliance, albeit one characterised by conflict. This last
point remains important. There was never an anthropological consensus on the
value of imperialism. As will be discussed below, individual anthropologists
disagreed not only with each other, but also with colonial administrations.
Nonetheless, the two groups shared the same basic project: advancing the rational
administration of native peoples.

In this chapter, I seek to continue an analysis of indirect rule as an art of
government by approaching it from a different direction. Indirect rule relied, as I
have argued, on a theory of ‘native society’ that may have been an invention of the
nineteenth century, but which did not crystallise as an object of science until
interwar functionalism. Here we explore the ways and the extent to which
anthropologists deliberately sought to provide the necessary knowledge for colonial
administration, an intellectual technology and calculus for working out what to do.
Their development of the study of ‘native society,’ I suggest, represented an
anthropological response to what James Scott describes as the problem, central to
statecraft, of legibility. Sharing and borrowing a conception of the organism from
physiology, I argue that they established a regime of truth, providing what Nikolas
Rose has named an ‘intellectual machinery for government, in the form of
procedures for rendering the world thinkable, taming its intractable reality by

W H R Rivers, “Report on Anthropological Research Outside America,” in Reports Upon the Present
Condition and Future Needs of the Science of Anthropology, by W H R Rivers, Albert Ernest Jenks, and
10 Gillian K Cowlishaw, Rednecks, Eggheads and Blackfellas: A Study of Racial Power and Intimacy in
Australia (St Leonards, NSW: Allen & Unwin, 1999), 49. De L’Estoile, Neiburga and Sigaud argue
similarly that ‘the existence of a scholarly undertaking such as a science of native peoples confers
validity to the project of elaborating native policies that justify the existence of specialized agents
and in turn contribute to singularizing those groups submitted to such policies. This in turn reinforces
their status as a special object for anthropological studies.’ Benoît de L’Estoile, Federico G Neiburg,
and Lygia Sigaud, “Introduction: Anthropology and the Government of ‘Natives,’ a Comparative
subjecting it to the disciplined analyses of thought’. The model native society—which suggested and reflected not only colonial domination, but a particular form of colonial domination—named the colonial object, and was itself made legible through an organising grammar of categorisation. Concepts of race and tribe filled the space of possibility with truth-claims that comprised a distinct political rationality. In examining this political rationality, we need to locate anthropology within both colonialism and the sciences.

Sharing a language with the science of physiology, anthropology shared a sense of the social as organic, theorising and studying the objects of indirect rule: coherent and contained tribes, bound together by symbolic and ritual bonds, understandable as social organisms. In tracing the form of the social theorised in functionalist anthropology, I place it in the context of medical knowledge of the body, the human organism. Here I follow Jacques Le Goff’s suggestion that medical knowledge is an important element of the corpus of knowledge indispensable to historians seeking to understand the ideologies of an epoch, but more generally Archie Mafeje’s important injunction to consider anthropology not in isolation, but as just one of the social (and biological) sciences which are functionalist and ontologically imperialist. This chapter locates Malinowski’s theories of culture and Radcliffe-Brown’s theories of social structure as theories of biopower, and I argue that their functionalisms shared a political rationality with indirect rule. Their work represents an important element of the constitution of a colonial biopower, a travelling regime of power and knowledge.

The Tribe and the Population: Organicism and the Art of Colonial Government

In a 1922 article, Malinowski differentiated between two forms of use that ethnology may have had for colonial administration. First was the very practical value of managing ‘relations between white and coloured people’, which was never a particularly fulfilled anthropological aspiration. Second, and more importantly, was

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ethnology's value as a 'powerful means of widening our outlook on human nature, of allowing us to build up a correct theory of society for the future scientific guidance of human affairs'. It is this second use that I pursue here, with its anticipation of Malinowski's response to the Dual Mandate. What exactly was the 'Functional Point of View', with its theories of society and guidance, or government? At its centre, I argue, was the establishment of the organically modelled tribe as a discrete unit of population. This was a biopolitical object of thought, the 'unit of native society' about which knowledge could be produced and which could be governed.

For Foucault, biopower in the early twentieth century was organised in relation to two poles: a bio-politics of the population and an anatamo-politics of the body. The population, then, was the unit of government targeted by biopolitical intervention through regulating biological norms. When we turn, however, to British colonial government in Africa in the era of indirect rule, we find that, as we have seen in chapter two, the tribe rather than the population represented the basic social unit and the object of government. As Malinowski wrote, 'the social organisation of the tribe lies at the foundation of everything else'. This is not to say that the population was an irrelevant unit: where colonialism was organised around the extraction of labour, the problem of depopulation was crucial. But, for the purpose of describing that colonial population and for its government, the population was divided into tribes. The population could only, in fact, be governed as tribes.

Both Malinowski and Radcliffe-Brown, though particularly the latter, established the self-contained tribe as the object of anthropological knowledge in a way that had been impossible within an evolutionist or diffusionist framework. Diachronic accounts of native peoples, tracing change over time, postulated different models of ‘native society’. These accounts were appropriate for an ethic of wilful transformation, but could not account for the practical concerns of a colonialism that was, moreover, directed towards extracting and exploiting labour from fundamentally unchanging native society. The assertion of radical difference was compromised by accounts that mapped diffusion or evolution. Functionalism, on the other hand, described almost segregated societies; articulated to others, to be sure, but nevertheless self-contained and unambiguously distinct. Functionalists explicitly celebrated the practical utility of their work to administration, placing it at the centre of their requests for funding from institutions like the Rockefeller Foundation, and in the research they supervised and carried out. Radcliffe-Brown, for example, described the anthropologist’s ‘desire to make anthropology of service in supplying the systematic knowledge that is necessary for the proper solution of ... problems ... of administration’, while Malinowski called for anthropology to become an ‘applied science’, translating the ‘theoretical results’ of study ‘into practical rules of conduct for the administrator, the missionary, the entrepreneur, or teacher’. Engaging with serious public concerns, functionalism became the pre-eminent theoretical model in anthropology in the interwar period, and the practice of fieldwork—actually engaging face to face with the objects of study—its privileged mode of producing data.

The practice of intensive fieldwork framed by a social theory linked to physiology led anthropologists to take the tribe as their unit of analysis: an autonomous society, different to all around it and having developed in isolation from, or at least with marked distinctions between, any other tribe. This represented, in part, the conditions studied by Malinowski and Radcliffe-Brown out of which they produced their early extended ethnographic works: Argonauts and The Andaman Islanders. In New Guinea and the Andamans, they imagined their fields as isolated islands. The Ocean, for them, constituted a skin, an ambivalent and, at

times, permeable barrier to the communication and movement of Island peoples.\textsuperscript{19} To see Islander societies in such a way suggests not an immersion in Island worlds, but rather an indebtedness to a certain strain of social theory which modelled the social on the biological, itself in turn conceived with the social in mind. The biological model of a society, or tribe, or organism, was a self-contained unit that worked in and towards an equilibrium and which was secure in, and resistant to the control of, the outside world. This was the model then deployed in the anthropology of African societies.\textsuperscript{20}

Claude Bernard, the physiologist with perhaps the most explicit sociological concern, became the figurehead of the shift from pathology to physiology as the basis for a medicalised understanding of the human body. His work marked a shift from the study of anomalous disorder to a systematic inquiry into the order of things.\textsuperscript{21} His theory of the \textit{milieu intérieur}, though neglected in his lifetime, was his lasting scientific legacy in the field. By the beginning of the twentieth century, the physiological body was understood in relation to Bernard’s distinction between the \textit{milieu intérieur} and the \textit{milieu extérieur}. The former, the internal environment of the body, referred to the stable environment provided by the circulation of bodily fluids, most importantly blood, within which the tissue elements of an organism rested and worked. This, for Bernard, was a self-adjusting system which maintained the body as a whole in a constant state irrespective of external conditions. Stimuli from outside, or the introduction of new elements into, the body met an internal response which maintained the \textit{milieu intérieur} in its perfect state. Each organ, or physiological system, had a function in relation to the maintenance of stability; disease was represented by the improper function of one or more organs, or systems, in supporting the constancy of the internal body.\textsuperscript{22} Benard’s \textit{milieu intérieur}

transformed physiology into a unified science, empirically, rather than spiritually, linking all the systems and properties of the body to the whole: ‘all the phenomena of a living body are in such reciprocal harmony one with another that it seems impossible to separate any part without at once disturbing the whole organism’. Through the preservation of a stable *milieu intérieur*, Bernard postulated a body that was fundamentally self-governing.

Bernard’s conception of the body was crucial for physiologists of the early twentieth century. But it was Walter B Cannon, the American physiologist and endocrinologist, who refined and popularised the concept. In a 1926 speech, Cannon invented the term ‘homeostasis’ to encapsulate Bernard’s theory of the stable *milieu intérieur*. He defined homeostasis, after Bernard, as describing the situation where ‘wide oscillations are prevented and the internal conditions are held fairly constant’, in ‘equilibrium’. This was achieved through ‘the integrated cooperation of a wide range of organs—brain and nerves, heart, lungs, kidneys, spleen—which are promptly brought into action when conditions [of instability] arise’. The increased cooperation of these organs, arising from an increased division of labour, denoted a higher level of evolution which he linked to freedom.

These representations of the stable *milieu intérieur*, or the body in homeostasis, exhibit a fundamental conservatism. The body was conceived as containing complementary rather than conflicting forces which worked together to maintain an equilibrium. The functionalist approach, then, integrated each activity of the body, or organism, within the organism itself. Each activity had as its function the continued preservation and expansion of the life of the organism. This had
therapeutic implications. The best way to work on such a system, particularly if it was tending—as a result of external influence—to disorder, was to encourage its inherent tendencies to stability, to manage the organic processes of equilibrium and seek control and prevention only in relation to external forces. But not all organisms could possess equal homeostatic potential. A more highly evolved organism could, it was suggested, withstand greater pressure from without. A primitive organism, on the other hand, would risk annihilation in the face of rapid and substantial change in the *milieu extérieur* unless it was assisted to adapt by an artifice imposed by a benevolent force. All functions were linked; all worked towards homeostasis; and all responded to needs generated either by external stimuli or the operation of other functions, working towards life. But that which encroached from the outside—unmanaged forces of change—was destabilising. The extent to which the organism could withstand such force was determined by the level of its evolution.

The functionalist anthropological method of studying a social institution as synecdoche relied upon this physiological understanding of the inter-connected social organism. Anthropologists read physiological texts, and adopted their methods of studying life. More substantially, the two ways of approaching an object, whether biological or social, shared what we might term, after Weber, an elective affinity. Anthropologists, in other words, ‘elected’ to adopt those features of an idea—in this case Bernardian physiology—with which they had an affinity, or a point of coincidence or convergence. Their work reflected Bernard’s instantiation of the ‘organ’ as the representative element of the organism, accessible for objectifying study in a laboratory, producing facts concerning not only that organ but more broadly life itself: a physiological correlate of anthropology’s synecdoche. Tracing a social institution through its practice, or cycle, to illuminate the social totality rested on the notion of organic interconnection: each institution was linked and complemented each other institution; each acted towards the same end—life—possessing distinct and interrelated functions. Function, for Radcliffe-Brown after

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Émile Durkheim, referred to the correspondence between a social institution and the ‘necessary conditions of existence’. These conditions were not dissimilar to those of the physiological organism.

While physiologists, as both Malinowski and Radcliffe-Brown were aware, studied the function of organs within an organism, Malinowski placed ‘physiology’ at the centre of his social theory, arguing that biological human needs were the basis of social function and thus indispensable to study. Radcliffe-Brown, more substantially, declared in 1930 that function could be modelled physiologically: ‘functional anthropology aims at studying that life in much the same way that the physiologist studies the life of an organism’. In turning to such language, there is a positivist sociological lineage to which they were both heirs: Auguste Comte, Herbert Spencer, Emile Durkheim and others employed organicist language to describe the social in differing ways, but in dialogue both with each other and with the physiological literature. Similarly, physiologists investigated and described the human organism with the social metaphor firmly in mind. The organism analogy, then, ought not to be regarded as merely the transfer of ideas from biological to social science. Both fields, rather, were informed by similar concerns and were each other’s interlocutor; there was considerable traffic between them transcending strict disciplinary boundaries. The theorised social, at this time, was biological, but the biological was also social.

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Malinowski’s social theory was based on the physiological individual, whose basic bodily needs—nourishment (food) and propagation (sex)—were satisfied by the social totality. All beliefs and customs, social institutions and human relationships, were based on putting ‘man’ in a position to cope better with these problems of existence. The functional view of culture insists therefore upon the principle that in every type of civilisation, every custom, material object, idea and belief fulfils some vital function, has some task to accomplish, represents an indispensable part within a working whole.34 Malinowski’s method mirrored the physiological. A comprehensive institution, he wrote, would only survive if it was ‘organically connected and satisfie[d] an essential need of society’. Functionalism thus aimed to relate ‘all cultural phenomena to the essential wants of the human organism’. Malinowski would trace a social institution—the kula in Argonauts or magic in ‘Magic, Science and Religion’—through its life-cycle, drawing out the function it performed at each stage and in each context. Totemism, for example, functioned in a ‘primitive’ situation where starvation was always a threat to stimulate both an interest which would lead to knowledge of relevant animals and plants, and a belief in man’s capacity to master them. It was thus scientifically explicable as a means of facilitating food security. Each institution could be treated as synecdoche, as the institutions hung together to comprise a society: ‘the main field of primitive custom in its organic aspect lies in the constellation or configuration of bonds within an institution’.35

It was Radcliffe-Brown, though, who explicated the theoretical basis which gave British social anthropology its coherence. In his work not only individuals but also, more importantly, society as a whole could be considered as an organism. Indeed, in Radcliffe-Brown’s work, individuals became almost superfluous; at least not entirely pertinent to study. As early as 1913 he suggested that society hung together in an equilibrium whose purpose was its continued existence, the function of each institution being its manner of contribution to this end. Customs, therefore,

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could be likened to human organs in a living body, playing their part in the life of the organism.\textsuperscript{36} By function of an institution, he referred to the ‘part it plays in the total social system of social integration of which it is a part’. The ‘function of culture as a whole is to unite individual human beings into more or less stable social structures’ and, almost quoting Bernard, to provide ‘such external adaptation to the physical environment and such internal adaptation between the component individuals or groups, as to make possible an ordered social life’. Social institutions thus functioned, in his metaphor, like ‘the beating of the heart, or the secretion of gastric juices’; they could not be removed or the entire structure would collapse.\textsuperscript{37}

In a defence of his method published in 1949, Radcliffe-Brown likened his use of function to that in physiology by extrapolating organic structure (‘organs and tissues and fluids’) and process (‘the life of an organism’). Structure, he argued, ‘determines the process; life consists of the actions and interactions of organs’. But, at the same time, the ‘process determines the structure, by renewing it and keeping it alive’. This study of function was transferrable to anthropology because, for Radcliffe-Brown, ‘there is such a thing as social structure’, comprised of social processes: the function of social institutions. A social structure was defined, he argued, by its ‘arrangement of persons in relationships defined and regulated by institutions’, or kinship. An institution or process, on the other hand, was ‘an established pattern of conduct, or a set of patterns, relating to some feature of social life’. He thus employed the concept of function ‘to describe the discoverable interconnections of the social structure and the processes of social life’.\textsuperscript{38}

Radcliffe-Brown’s social structure was, then, held together by social relationships of a juristic and ritual kind. He believed kinship to be the defining feature of ‘primitive’ society, emphasising inventive and labyrinthine, albeit sometimes incoherent, kinship structures, akin to the blood of an organism, which formalised relationships between members of a society and maintained an internal equilibrium or coaptation, where all elements fit together and complement each other.\textsuperscript{39}


\textsuperscript{39} The characteristic of most of these societies that we call primitive is that the conduct of individuals to one another is very largely regulated on the basis of kinship, this being brought about by the formation of fixed patterns of behaviour for each kind of kinship ritual: Radcliffe-Brown, “The Mother’s Brother in South Africa (1924)” in Structure and Function in Primitive Society: Essays and
relations placed individuals in positions of obedience to jural norms, almost entirely discounting individual humanity in favour of submission to the set manners of relating to others. This was a thoroughly racialised basis of tribal society for Radcliffe-Brown; his focus was on ritual interrelations, completely ignoring relations of production and consumption and deriding those who took these as central. Economy appeared in his work was just one more ‘means of maintaining a certain structure, a network of relations between persons and collections of persons’.  

Radcliffe-Brown wrote little on change, believing synchronic questions to be more important and fundamental than diachronic problems.  

In what little exploration of change he published, he differentiated between two kinds of change: change within a structure which does not affect its form, for example, a marriage which re-aligns personal relationships within a social structure; and change in the structural form of a society. He modified Spencer’s notion of social evolution and described as the highest form of evolution a society which had reached both internal and external equilibrium: ‘social coaptation’ corresponded to civilisation. The drive to equilibrium both forced change and represented the outcome of the function of all social institutions. Difference was, for Radcliffe-Brown, to be found between social structures—each driven towards homeostasis, but in different ways—and any change could be located in the form of ritual relationships of kin.

For Radcliffe-Brown all important institutions could be reduced to kinship, which functioned to maintain social cohesion, equilibrium, or coaptation. Thus he explained ‘totemism’ as constituting a ritual relationship whose function was to
'express and so to maintain in existence the solidarity of the group'. Religion too maintained a sense of dependence on others, directly causing social relationships and maintaining the structure of the society.\textsuperscript{44} Similarly, in his famous analysis of ‘joking relationships’—relationships between two people or clans where one (or both) is permitted, or required, to tease or make fun of the other, while the other is required to take no offence—he argued that such relationships prevented hostility by instituting a stable, ordered form of teasing which created playful, rather than violent, antagonism. This, then, maintained social harmony.\textsuperscript{45} Radcliffe-Brown’s organicism was structured by this distinct assumption of harmony. Leaving no ongoing room for dysfunctional conflict, nor for institutions of disruption, social institutions could only be understood in terms of their role in the maintenance of the life of the social organism.\textsuperscript{46}

Radcliffe-Brown’s social organism, framed by kinship and within which each institution acted semi-autonomously to maintain the social equilibrium, corresponded not necessarily to the Bernardian body, in which the nervous system was responsible for the maintenance of the \textit{milieu intérieur}, but to Cannon’s homeostatic body, where organs exercised ‘local autonomy in the functioning of the cooperative parts’.\textsuperscript{47} This, in turn, relied on the signal discoveries of William Bayliss and Ernest Henry Starling. Their 1901–2 work on the role of the pancreas in digestion had established the existence of pancreatic secretin, the first of what came to be known as hormones. The production of pancreatic juices, they argued, revising Pavlov’s theory on the role of the nervous system in digestion, occurred as a result of chemical interaction; communication between organs by means of the production of circulating chemicals rather than direction from the central nervous system. This discovery transformed physiology and inaugurated the discipline of endocrinology, establishing that the functions of the body were not necessarily co-ordinated by the nervous system, but also by the carriage of ‘chemical messengers, … or “hormones” (from \textit{ῄρµάω}, I excite or arouse), as we might call them, … from the organ where

they are produced to the organ which they affect by means of the blood stream. The 'continually recurring physiological needs of the organism', they argued, 'must determine their repeated production and circulation throughout the body'. Their idea transformed not only the physiological body, but also functionalist method. Hormones influenced organs other than those in which they were produced, they enabled the 'coördination by chemical means of two widely separate organs'. The process of circulation, then, linked otherwise dispersed, or merely physically contiguous, organs not only within the one body governed by the nervous system but also in autonomous or self-governing systems which worked together to produce an overall end: the life of the organism.\textsuperscript{48}

Cannon's homeostatic body was characterised by this decentralised government of the organism. The wisdom of the body was its self-knowledge, its ability to self-regulate almost automatically. Organic mechanisms were not constantly governed by the nervous system, but were rather 'reflexes'. These mechanisms, he wrote, 'which keep steady the conditions of the internal environment, are not, as a rule, under control from the cortex. We can, to be sure, voluntarily breath faster or slower, but ordinarily the rate of respiration is managed automatically. And in a like manner all the other homeostatic adjustments are managed.'\textsuperscript{49} Organic function, that is, was autonomous. Such a system could only be rendered coherent by Cannon's constancy in interpreting function. Just as all Radcliffe-Brown's social institutions maintained the solidarity of the group—social structure, he argued, was akin to 'the chemical-physiological homeostasis of a living


organism’—all Cannon’s organs functioned to ‘keep steady the conditions of the internal environment’.

Returning here to Radcliffe-Brown’s analysis of ‘joking relationships,’ we can situate it in relation to the local autonomy of function explicated by Bayliss and Starling and Cannon. Here, again, we find an instance of affinity between functionalist social anthropology and organic physiology. The physiologists’ accounts of autonomous regulation—a system of laws that was not centrally controlled—could assist in Radcliffe-Brown’s explanation of the regulatory function of non-state social institutions. This theory could account for both organic function in the physiological body and social function in the anthropologised body. The traffic between the two sciences relied upon this modular similarity, producing recognisable affinities. Radcliffe-Brown gave the example of a marriage, which altered the social structure by modifying a wife’s relations with her family thereby establishing for her a new relationship with her husband and entering her husband into a new relationship with his wife’s family. These shifts involved both social disjunction, in that the husband remained, in some senses, an outsider to the family he joined, and social conjunction, as the wife retained a relationship with her family who took an interest in her and her children. The problem, Radcliffe-Brown stated, is that while ‘[s]ocial disjunction implies divergence of interests and therefore the possibility of conflict and hostility, … conjunction requires the avoidance of strife. How can a relation which combines the two be given a stable, ordered form?’ He positioned the joking relationship as resolution: ‘Any serious hostility is prevented by the playful antagonism of teasing, and this in its regular repetition is a constant expression or reminder of that social disjunction which is one of the essential components of the relation, while the social conjunction is maintained by the friendliness that takes no offence at insult.’ This analysis of the joking relationship, which located its function in the maintenance of social structure, marked it as an

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essentially informal institution, ungoverned by any state and unregulated by any administering body. An essential institution for maintaining the social form, it nonetheless retained an autonomy of process.

Both Cannon and Radcliffe-Brown located the capacity for evolution in a greater harmonisation of functions: increased complexity was denoted by an increased division of labour, or function, and their tendency towards complementarity. The outstanding feature of all social systems, wrote Radcliffe-Brown, was ‘coaptation’, or fitting together: ‘Social coaptation in this [behavioural] sense is the fundamental characteristic of all societies.’ Evolutionary advance, then, depended on external adaptation (adjustment to the physical environment) and internal adaptation (adjustment of individuals in systems of orderly relations). This latter could be called ‘social coaptation’, or civilisation. Similarly, for Malinowski ‘tradition is, biologically speaking, a form of collective adaptation of a community to its surroundings’,\(^5^2\) For Cannon, the perfection of internal adaptation meant ‘we are freed from the limitations imposed by both internal and external agencies or conditions that could be disturbing’. This freedom was:

> chiefly freedom for the activity of the higher levels of the nervous system and the muscles which they govern. By means of the cerebral cortex we have all our intelligent relations to the world about us. ... The full development and ample expression of the living organism ... are made possible by such automatic regulation of the routine necessities that the functions of the brain which subserve intelligence and imagination, insight and manual skill, are set free for the use of these higher services.\(^5^3\)

Written with social implications in mind, Cannon’s argument corresponds to that of Spencer, Durkheim, and Radcliffe-Brown: through an organic or social division of labour amongst organs or classes, the higher organs, symbolising the state, could be freed to produce progress.

We will recall that, for Lugard, progress was signified by the evolving nature of the state. For the physiologists and anthropologists, the road to social evolution, to progress, would be found through the increasing harmonisation of social function.

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the development towards perfection of the inherent forces of 'native society'. The rest of this chapter is therefore devoted to exploring these links, unpicking the complicities between anthropology and Lugardian government. These complicities represent, I suggest, the outcome of an elective affinity. Anthropology produced knowledge useful for administration, suiting the needs of a colonialism that in turn bolstered that useful form of anthropology at the disciplinary expense of theoretical approaches including evolution or diffusion. Functionalist anthropology, most importantly, produced truths useful to indirect rule.

**Functionalist Anthropology and Government**

Through studying the organic social integral to functionalism, we can move towards understanding the political rationality immanent in the dominant strands of British social anthropology of the interwar period. We find an analytic useful to discuss this problem in Foucault’s concept of government, an element of biopower. Biopower, for Foucault, is ‘a technology of power centred on life’ rather than death, and tends historically to displace sovereign command with regulatory government.\(^{54}\) This shift represents a different mode of governing, taking charge of life rather than ruling through the threat of death, and refracting power through different objects: the body, the tribe, the population. The crux of government, for Foucault, is the discovery of society as an object distinct from the state, ‘a complex and independent reality that has its own laws and mechanisms of reaction, its regulations as well as its possibilities of disturbance. … From the moment that one is to manipulate a society,’ he argued, ‘one cannot consider it completely penetrable by police. One must take into account what it is. It becomes necessary to reflect upon it, upon its specific characteristics, its constants and its variables.’\(^{55}\) Biopolitical government, as will become clear, represents the regulation, and policing, of the naturalised, vital characteristics of the object of government, enhancing the latent energies within. This stands in distinct contrast to a sovereign mode of authority which works

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\(^{54}\) Foucault, *The History of Sexuality*, 144. Using Foucault’s incessantly Eurocentric work to study colonial situations requires substantial revision and re-thinking. I have discussed some of these problems elsewhere. See Ben Silverstein, “From Population to Citizen: The Subjects of the 1939 Aboriginal New Deal in Australia’s Northern Territory,” *Kontur*, no. 22 (2011): 18.

through an aspiration to totalising control, an authority which can penetrate to, and re-model, any point in the governed object(s).  

Government, as Foucault is often quoted as affirming, is the conduct of conduct; that is, it signifies power as a ‘mode of action which does not act directly and immediately on others’ but rather ‘acts upon their actions: an action upon an action, on existing actions or on those that might arise in the present or the future’.  

It works, that is, through a kind of freedom of the governed, acting upon desires and naturalised forces and instrumentalising them towards a desired direction. This required a true knowledge of the domains of government; a domain that became a field ‘of cognition, calculation, experimentation and evaluation’. That knowledge of the social was essential to effective government or management was the explicit claim that had been made by Malinowski:

The functional method, by showing what culture does for a primitive community, establishes its value and thus utters a warning against too hasty interference with native belief and institution and too wasteful an exploitation of native labour and resources. By demonstrating how primitive custom and law work, it furnishes the administrator with practical hints of how to frame and administer native regulations. By inquiring into savage economic organisation, the functional method can teach how to manage indigenous labour and how to trade with the natives.

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57 Michel Foucault, “The Subject and Power,” in *Michel Foucault: Beyond Structuralism and Hermeneutics*, ed. Hubert L Dreyfus and Paul Rabinow (Brighton: Harvester, 1982), 220. See also Nikolas Rose, *Governing the Soul: The Shaping of the Private Self* (London: Routledge, 1990), 4–5. In this sense, there is no end external to the state or to the population, there is no external aim towards which government should work. Rather, the logic of the state is represented in the constant improvement of the population itself, the end of government is internal to that population. The representation of that population—the subject of government—is here determining. Foucault, *Security, Territory, Population*, 257–8.


59 Malinowski, “Anthropology,” 133. In the same year, the Secretary of State for the Colonies, William Ormsby-Gore argued that colonial policy should be based ‘on real understanding acquired not only from personal contact, but from scientific study of their mental and moral characteristics, of native law and customs, of native history, language and traditions. ... Herein lies the importance of anthropological work, an importance which it is difficult to over-estimate.’ W G A Ormsby-Gore, *Report by the Hon W G A Ormsby-Gore M.P (Parliamentary Under-Secretary of State for the Colonies)*.
Jan Smuts, the South African statesman and Prime Minister in 1919–24 and 1939–48, echoed Malinowski, and bemoaned the intervention of governing efforts that ‘were made without any reference to, or knowledge of, the peculiar native psychology, or the light which anthropology has thrown on the past of human cultures’.60 Functionalist anthropology, as we have seen, provided a specifically organicist understanding of these ‘native cultures’.

This understanding, it should be stressed, is itself productive. There is no object of government—the governed—which exists prior to that government itself. Government constitutes, and is constituted by, its object. As Rose argues, the government of a population, national economy, family, or child is only possible through ‘discursive mechanisms that represent the domain to be governed as an intelligible field with specifiable limits and particular characteristics, and whose component parts are linked together in some more or less systematic manner by forces, attractions and coexistences’. Through defining boundaries around an object, taking the stuff contained by those boundaries as legible and assembling a descriptive body of information, government develops techniques to mobilise the forces revealed by such knowledge. The work of government, that is, depends on the nature of the society identified and described by any particular political rationality. Graham Burchell notes that ‘[g]overned individuals may be identified by their governors as members of a flock to be led, as legal subjects with certain rights, as children to be corrected and educated, as part of a natural resource to be exploited, or as living beings who are part of a biological population to be managed’.61 Or, we might add, as ‘natives’ who are parts of ‘tribes’.

If ‘society’ as a field of intervention ceases to be available to the actions of an omnipotent sovereign will, the nature of the object of government becomes crucial, if not determining; it establishes the problems which underly governmental action, and the scope of possible solutions to those problems. To govern, then, is to take an object of government itself constituted by the technologies used to govern it, to inscribe this object as truth and to act upon its real characteristics, its social

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institutions. A political rationality is defined by this notion of government; it has an object, an aim and technologies for governing that object, and a justification for government. A political rationality is not necessarily a coherent and solid project, but more importantly a language, and epistemology, of power.

The object of functionalist anthropology was, as described above, the tribe, with certain specific characteristics. Sharing language with physiology represented the employment of a distinct idiom of articulation which was more than just rhetoric. The language of political discourse is, rather, an intellectual apparatus for rendering reality thinkable in particular ways, posing particular problems, and amenable to particular forms of political rationalities. The specific register used, that is, constitutes the political field. Representation (classifying a people) and intervention (inciting their management) are inseparable.62

I argued in chapter two that Lugard’s writings introduced indirect rule as an art of colonial government. Its object was the ‘native society’ simultaneously constituted by (structural-)functionalist anthropologists not as a body politic, nor as a social body, but as a social organism.63 The development of this object was crucial to the development of the political rationality in question here. It enabled government based on the problematic of the tribe, and the specific ways in which the tribe was configured as a political problem represented a fundamental condition of possibility for the shift in governmental thought epitomised by Lugardian indirect rule. The artifice of the tribe in Western knowledge was both a productive effect of, and set limits on, power, providing a terrain of government and a matrix of calculation for forms of intervention. It remains, now, to examine the specific characteristics of this art of government by thinking the implications of the organismic tribe.

From Malinowski and Radcliffe-Brown on, social anthropology was structured around what Stocking described as the ‘one ethnographer/one tribe’ model.64 Mafeje defined the anthropologists’ tribe as comprising a unit which featured ‘territoriality, primitive government through elders and chiefs, and a

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62 Rose and Miller, “Political Power Beyond the State,” 179.
primitive subsistence economy’, a list to which we might add consanguinity. As much as this was a product of anthropological theorising, in much of British Africa the tribe was being made material by colonialism. British colonial governments took ‘the tribal unit’ as their object, and communities were re-articulated through such governmental interventions as the ‘break up of internal patterns of trade and communication, the defining of territorial boundaries, the alienation of land, the establishment of Reserves’. But these processes rarely appeared in interwar anthropological accounts. Colonialism, with its very visible material impact, figured only as an epistemic barrier to locating the authentic native society. The fact of colonialism was systematically obscured by anthropologists eager to locate their work in relation to first contact. Recognising peoples as tribes owed something to the overdetermining European social theory of primitivity and something to the material effect of colonial government, but here I am interested in the location of this recognition firmly within the material and epistemological European world. Naming an object a ‘tribe’ represents a specific mode of recognition which fixes that object within knowledge at the moment it is seen, reducing alterity to legibility. We need to interrogate both that knowledge and the anthropological vision in order to avoid the fetishisation of the tribe upon which rests an artifice of colonial knowledge.

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65 Archie Mafeje, “The Ideology of ‘Tribalism’,” *Journal of Modern African Studies* 9, no. 2 (1971): 257–8. Mafeje goes on to argue that though the tribe developed into a political reality, as a category it failed to describe either the material base of colonialism or the mode of colonial exploitation. The ideology of tribalism was, then, ‘a mark of false consciousness’: p 259.


67 Bernard S Cohn, “History and Anthropology: The State of Play,” in *An Anthropologist among the Historians and Other Essays* (Oxford: Oxford University Press, 1987), 19–20. As functionalist ethnographies were created in a world very much affected by colonial transformation, their ahistoricity worked to deny the transformative nature of colonialism. Radcliffe-Brown’s Australian fieldwork was carried out in part on Bernier Island, a Western Australian lock-up for Aboriginal people with venereal disease, and in Aboriginal communities around mission stations along the Gascoyne river. Similarly, Edward Evans-Pritchard’s work in Sudan took place a few months after the RAF had flown punitive missions against the Nuer, and Meyer Fortes’ worked in the Gold Coast only a generation after the destruction of a large-scale state, of which his subjects had formed a significant part. See E E Evans-Pritchard, *The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People* (Oxford: Clarendon Press, 1940), 134ff; Meyer Fortes, *The Dynamics of Clanship among the Tallensi: Being the First Part of Analysis of the Social Structure of a Trans-Volta Tribe* (London: Oxford University Press, 1945).

68 This argument is indebted to Sara Ahmed, *Strange Encounters: Embodied Others in Post-Coloniality* (London: Routledge, 2000).
And we need to question what, precisely, was the form of management incited and devised by functionalist knowledge. We can think this anthropological language here by extrapolating the implications of the tribe as physiological organism. Just as the body was made up of organs, tissues, and fluids, the tribe was disaggregated into institutions and customs; not into classes or castes. Where the body could take in resources and produce energy, the resourced tribe would produce labour power. Taking the organism or tribe as the social whole, and the organ or social institution as the location of action, governmental intervention could only be effective if applied to guide these institutions. Technologies of government, then, were developed with reference to the particular social institutions of each tribe. As was mentioned earlier in relation to the importance of synecdoche in British social anthropology, the tribe was imagined through the prism of a social institution. The structure or life of the tribe could be traced through the study of one necessarily interlinked social institution, itself explicating all the tribe’s vital characteristics. Specifying of the phenomena of the tribe—social institutions—provided a grid through which government could take place. Each institution could be the target of intervention which affected the entire tribe, mapped through a functionalist understanding which linked each social institution, but simultaneously disengaged the tribe as a whole from its economic base, facilitating interventions to re-articulate productive institutions towards an external orientation while avoiding impoverishment or dysfunction. Malinowski, for example, described the Kiriwinian capacity to work ‘well, efficiently and in a continuous manner’, but not by being motivated by gain. Rather, to direct Kiriwinian labour, the ‘white man’ should note that ‘tribal standards’ or ‘ambitions and values also dictated by custom and tradition’ were the only ‘effective incentive’. Functionalist anthropology, in other words, could assist in the government of an externalised native labour by conducting, rather than disrupting, the institutions of native society.

Most crucially, administration—the nervous system—must be adapted to the social body or organism. The state, conceived as a part of the social organism, should be of that organism. This, then, provided a necessity and justification of colonial government. Anthropologists were not unaware of the impact of colonial domination, writing it as ‘decay’, or discussing it in works where the subject was

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69 Malinowski, *Argonauts of the Western Pacific*, 156.
culture change, and where it was symbolised by degradation and danger. The changing circumstances wrought by colonialism and described as external to the social organism had both disrupted the internal coaptation of the tribe and rendered it unfit for the external milieu in which it found itself. Progress, we recall, was denoted by both increasing harmonisation of social function and adaptation to a changing external environment. A change in external environment ought, Radcliffe-Brown wrote, to be accommodated by the organism itself: ‘Social structure is not to be thought of as static, but as a condition of equilibrium that only persists by being continually renewed, like the chemical-physiological homeostasis of a living organism. Events occur which disturb the equilibrium in some way, and a social reaction follows which tends to restore it.’ But a ‘primitive’ social organism was unable to adapt to a change so radical as that effected by colonisation.

The organicist account of the impact of colonialism rationalised racialised divisions of labour and capacity through the distinction drawn by social scientists between the internal, and external, milieux. This returns us to the alibi of empire Mantena identified in relation to the coherent and intact, but vulnerable, native society, and to the continued adherence to an evolutionary schema. Just as different organisms had their distinct nervous systems, different social structures possessed distinct modes of government, adapted to the particular society of which they were a part. Durkheim had argued, after Montesquieu, that forms of government were necessarily connected to types of society. Modes of government, he suggested, were epiphenomenal effects of the form of society, parts of the harmony and cohesion that characterised the social organism.

Exogenous governmental intervention, on the other hand, represented not the actions of a brain or nervous system, but rather a change in the external milieu to which adaptation may prove difficult. A foreign system would not only be of limited utility, it would destabilise through disruptive maladaptation. The source of disease, for Bernard, was to be found in a study of the intersection of organism and milieu. Similarly, Durkheim wrote, health is the ‘perfect adaptation of the organism

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70 Ibid., 154–6. For Malinowski, culture change was symbolised by skokian, a toxic alcoholic mixture invented in the Johannesburg ‘slum yards’, containing anything which could increase the alcoholic content, such as calcium carbide, methylated spirits, tobacco, molasses and sugar, and blue stone. ‘Skokian is a legitimate offspring of the slum yard by European moral intentions.’ Malinowski, “The Anthropology of Changing African Cultures,” xxi.


to its environment’.\textsuperscript{73} Where the gap between structure (of native society) and institution (of the state)—each located by anthropologists at a particular point in an evolutionist schema—was large, adaptation would be impossible and the disjunction between internal and external milieux may prove fatal. Colonised societies were categorised as especially ‘primitive’, a designation which amplified the ‘disintegrating effect’ of a change in the external milieu through the introduction of European settlements or colonising government.\textsuperscript{74} In the face of such potential for disorder, a mode of government which encouraged adaptation became necessary, ensuring continued, if not expanded, life. Thurston, we will remember, characterised Fijian native administration under Gordon as a policy ‘of retardation in many respects, but it is life’.\textsuperscript{75} Colonisation became necessary to make ‘natives’ live. It became a form of biopower. This was not merely a humanitarian aim; it represented an expanded workforce.

When Lugard declared that his aim in devising the appropriate form of colonial state was ‘to evolve from their own institutions, based on their own habits of thought, prejudices, and customs, the form of rule best suited to them, and adapted to meet the new conditions’, he reflected these concerns for an endogenous state that would assist in adapting the tribe, or social organism, to a new situation.\textsuperscript{76} Lugard’s art of colonial government thus took the tribe and sought its articulation and exploitation, but not its destruction. Indirect rule as an art of government sought, to adapt Foucault’s analysis of security, to integrate tribal ‘activity into the state, into its forces, and into the development of these forces, and it will have to ensure that the state, in turn, can stimulate, determine, and orientate this activity in such a way that it is in fact useful to the state’.\textsuperscript{77} The productive capacity available to the state would thus be not only increased but harnessed in ways conducive to the power of ruling classes. Where, for Foucault, economy provided the site of a calculus for identifying and measuring the effects of too much (or too little) government, in colonial formations this calculus was located in the provision of black labour or its

\textsuperscript{73} Durkheim, \textit{The Rules of Sociological Method}, 87. Cf the Pasteurian location of disease in the parasite as germ, infecting the organism from without. This was an influential medicalised notion of disease, but not entirely apposite to discussions of government.


\textsuperscript{75} Thurston to Gordon, 24 January 1881, Stanmore Papers, MS 49204.

\textsuperscript{76} Frederick John Dealtry Lugard, \textit{The Dual Mandate in British Tropical Africa} (Edinburgh: Blackwood, 1922), 219.

fruits. The emerging problem of depopulation, as discussed above, suggested a failure of adaptation as a result of the attempt at domination, and the need for a more informed colonialism. Expertise could, here, emerge and be positioned as a solution to the problem confronting liberal government.

We can see this in the limited involvement of anthropologists in colonial administration in British-ruled Africa. Some colonial governments formally appointed anthropologists to ongoing positions, including the Nigerian administration. Others were commissioned for specific enquiries. In 1929, E E Evans-Pritchard was appointed to investigate the Nuer people of Sudan to assist the colonial administration to govern the ‘tribe’ in the wake of two years of British aerial bombing and brutal punitive missions in response to rebellions led by Nuer prophets. He produced work in dialogue with administrators, and the descriptive terminology he developed became official knowledge. The District Commissioner in Lou, the area in which Evans-Pritchard carried out the majority of his fieldwork, reported that, in describing Lou leaders, he had ‘borrowed a number of words and phrases of his as they express things I want to say more clearly than I could hope to express them myself’. In 1935, W E H Stanner reported to the Kenyan administration on the relation of the Kamba people to the colonial state, a governmental orientation he was to bring to his studies of the Northern Territory of Australia, particularly the Daly River region, in the years to come. Also in 1935, Audrey Richards’ published her investigation of the political machinery of the Bemba tribe in order to facilitate its indirect rule, an article that was used administratively in Northern Rhodesia. Richards had carried out this work at least in part at Lugard’s request. He had expressed his interest in a study of ‘the development of the mineral wealth of Northern Rhodesia’, and suggested she

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80 Government anthropologists were appointed in southern Nigeria in 1908, though they didn’t last long, and C K Meek and Amaury Talbot were appointed in 1927 to investigate the causes of Igbo resistance to colonial government. In 1920 R S Rattray was appointed to the new post of Government Anthropologist in the Gold Coast, and, in 1921, Charles Seligman was contracted to do research on behalf of the government of Sudan. Their impact, however, was limited. Kuper, Anthropology and Anthropologists, 97–8.
investigate and gather data regarding ‘the maximum length of contract which can be entered into without injuriously effecting village life’, the number of adult males who could work on the mines at any time, and the effect of their absence and return on Bemba social life."^^83

But, as Richards indicated in a 1944 review, social anthropology had much greater ‘indirect influence’ than it did through giving direct assistance. The ‘view-points and terminology of anthropology have’, she argued, ‘invaded Government reports and popular literature. ... Younger administrators and missionaries have been stimulated, both positively and negatively, by the flood of criticism and advice poured on them.’^^84 Administrators found functionalist anthropological knowledge useful, we might suggest, because of an elective affinity; there was a connection between the ideological content of social anthropology and its consequences for desirable social action. This is not an example of simple causation, but rather of contingent affinity.^^85 Evans-Pritchard’s direct Sudanese influence was just one example of the administrative adoption of anthropological terminology, a register that led one to pose the problems of government in a way that helped to facilitate the implementation of indirect rule. It can also be found in the employment of Chinnery and Elkin to help draft the Aboriginal New Deal policy in Australia in 1938, a policy that referred to and operationalised a series of ethnographic constructs. The complicity of British social anthropology and Lugardian colonial administration is in general best exhibited in this convergence of ideas or mentalities, a convergence that betrays a mutual influence through the sharing of language.


We find this in, for example, the work of Philip Mitchell. Mitchell had worked in Tanganyika as Assistant Secretary of Native Affairs under Donald Cameron, a key evangelist of indirect rule, and had ‘devoted inordinate efforts to translating the theory of indirect rule into practice’ by establishing tribes ruled by chiefs as administrative units. As a ‘foundation’, he wrote, ‘we take the tribal system not from blind admiration of it but because it was there, could not be ignored and is capable of being modernised and developed’. In so doing, he distanced himself from the perspective of his immediate superior, Charles Dundas, who argued that where ‘tribes’ did not exist the government should rather encourage the growth of village and regional polities.\(^{86}\)

Mitchell’s work, then, depended upon a view that the true political units of Africa were both tribal and autocratic, reflecting the ethnological norm, if not actually existing African politics. He based his understanding on what Africans were by assessing what Africans should be. If tribes could not be found, Mitchell suggested that this was an anomalous result of pre-Mandate German disregard that could be overcome by wise government. For Mitchell, ‘the ancient tribal institutions could be vitalized by responsibility, by having functions and the means to discharge them, and developed into modern forms of local government’. Without such functioning, the process would cease and the structure collapse. And he insisted on describing these tribes in the terms developed by anthropology. They were ‘organic things which can only exist by functioning. Even the simplest African village community must either function or disintegrate; and if it is to function it must necessarily have allotted to it much that is covered by the expression “local Government”.’\(^{87}\) When Mitchell asserted in 1930 that anthropologists were ill-fitted to describe ‘native’ society, preferring the ‘practical man’ for this job, he elided the extent to which his own ‘practical’ assessment and descriptions of ‘native society’ were indebted to the language and ideas—the political rationality—that structured functionalist anthropology. A bemused Malinowski responded to Mitchell’s article with an argument regarding the utility of anthropology as part of the colonial division of

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labour. That the two disciplines performed mutually beneficial, if not mutually constituting, work was clear to Malinowski, if not to Mitchell.88

When colonial administrators spoke of ‘tribes’, as they regularly identified the objects of government, they implicitly referred to the meaning given that term in the discourse of functionalist anthropology. The ‘tribe’, in other words, signified an organic functional whole. Jan Smuts, for example, explicitly drew from anthropology the idea of the organic nature of a holistic native society. ‘For the natives,’ he wrote, ‘religion, law, natural science, social customs and institutions, all form one blended whole, which enshrines their view of the world and of the forces governing it. Attack this complex system at any single point, and the whole is endangered.’ Continuing his deployment of organic language, Smuts described the way the ‘official organs’ of the ‘white man’s administration’ had been added, and had contributed to the ‘loosening of the bonds which bind native society together’.89 He appealed rather to an understanding of the true nature of ‘native society’ as a basis for effective colonial government. The South African Native Economic Commission similarly reported in 1932 that ‘native’ social institutions were ‘reasonable’ and were suited to ‘the requirements and implications of the society by which it was developed. For that society it gave a cure for every known disease; it prescribed a proper way of dealing with every common problem’.90 This holistic model of the tribe, unifying its social institutions in a physiological model, represented anthropologists’ most crucial contribution to the art of indirect rule.

With their influence on the practical administration of differing ‘native peoples’ firmly in mind, functionalist anthropologists also effected a fundamental transformation in the understanding of native systems of order. The tribe as homeostatic organism, as we have seen, was self-governing. Irrespective of the form of the state, each social institution played a semi-autonomous role in managing, ordering, and guiding the society as an integrated whole. This, when translated to Australia, represented an important shift in the field of government. Aboriginal people had previously been thought by anthropologists and administrators to have

89 Smuts, *Africa and Some World Problems*, 85–6. This evokes Bernard’s statement already quoted above, but which bears repeating: ‘all the phenomena of a living body are in such reciprocal harmony one with another that it seems impossible to separate any part without at once disturbing the whole organism’. Bernard, *An Introduction to the Study of Experimental Medicine*, 59.
no systems of law and order.\textsuperscript{91} It was an innovation of functionalist anthropology to set out the study of ‘primitive law’ as a legitimate scientific field. In 1926, Malinowski had written of the need to study and theorise ‘savage law’, assuming a sophisticated and elaborate configuration of interrelated obligations rather than a state as enforcer. He later argued that ‘the law ought to be defined by function and not by form, that is we ought to see what are the arrangements, the sociological realities, the cultural mechanisms which act for the enforcement of law’. These mechanisms of reciprocity and the ‘systematic concatenation of all rules’ ensured compliance, or sanction in the case of non-compliance.\textsuperscript{92} For anthropologists like Stanner, Warner, Thomson, Elkin, Kaberry, Chinnery and others, this was a persuasive view that informed their notions of Aboriginal society. They distinguished between the presence of centralised political authority and the presence of law; a ‘stateless’ or acephalous society could thus have a sophisticated system of law. In the Aboriginal case, as Ronald Berndt was later to write, law ‘speaks, for the most part, through religion’.\textsuperscript{93}

Representing the tribe as comprising ritual relationships—a discursive move derived from Durkheim and common to almost all functionalist anthropology—occluded the economic basis of native society, a basis that was newly articulated in the colonial situations of Africa and Australia’s north. That the tribe as physiological organism appeared at this time reflects this situation. By the interwar period,


\textsuperscript{92} Again here, as discussed in chapter three, kinship looms large over all aspects of the anthropologists’ native tribe. See generally Bronislaw Malinowski, \textit{Crime and Custom in Savage Society} (London: Routledge & Kegan Paul, 1926); Malinowski, “Introduction,” Iviii. Schapera, for example, wrote of the Khoisan people in 1930 that the ‘absence of any organized system of public control does not imply that the Bushmen have no laws. On the contrary all their institutions, manners and customs serve to regulate the relations between members of the band and thus to maintain law and order.’ Isaac Schapera, \textit{The Khoisan Peoples of South Africa: Bushmen and Hottentots} (London: Routledge and Kegan Paul, 1930), 151. See also Malinowski, “Introduction.”; A R Radcliffe-Brown, “Primitive Law (1933)” in \textit{Structure and Function in Primitive Society: Essays and Addresses} (New York: The Free Press, 1952), 212–18. Cf Evans-Pritchard’s Austinian assessment that the Nuer ‘have no law … [and] also have no government’, rather existing in a state or ‘ordered anarchy’: see generally Evans-Pritchard, \textit{The Nuer}.

\textsuperscript{93} Ronald Murray Berndt, “Law and Order in Aboriginal Australia,” in \textit{Aboriginal Man in Australia: Essays in Honour of Emeritus Professor A.P. Elkin}, ed. Ronald Murray Berndt and Catherine Helen Berndt (Sydney: Angus and Robertson, 1965), 201. Herbert Basedow, the doctor and anthropologist who was the first Protector of Aboriginals in the Territory and who had also been president of the Aborigines’ Protection League at the time of their proposing the establishment of an Aboriginal State, believed that Aboriginal communities did have some form of state. The ‘affairs of the tribe’, he wrote, are governed by ‘a small council of old men’ that can be likened to a ‘cabinet’ controlled by a ‘prime minister’: Herbert Basedow, \textit{The Australian Aboriginal} (Adelaide: F W Preece and Sons, 1925), 225.
Africans were actively engaging with capitalism, whether working in mines in Johannesburg, owning shops in Nairobi, or running palm oil plantations in the Gold Coast. This was producing the unresolvable problem of control in the bifurcated state: how could the colonial state continue to produce its subjects as tribal in this context? Indirect rule, as discussed in earlier chapters, relied upon tribalisation; the African colonial subject could only be governed through tribal structures where tribal sanctions applied and where she or he was recognised as a member of a tribe.

The anthropological theory of the functional social institution moved towards an answer. These institutions, which were interwoven to constitute the fabric of native society, were almost exclusively defined in terms of symbols, ideas and a seemingly immaterial culture in a context of great economic change. The focus on ritual as the lynchpin of (African) communities suggested that whatever transformations occurred in work, production, and consumption, so long as kinship ties were maintained these communities could still be profitably aggregated through structures of indirect rule. So long as ‘migrant labourers’ were defined as such—as temporarily off the reserve and not as regularised permanent workers in mines or other European enterprises—they could be seen to maintain their ritual and kinship links to their communities, whose ‘social structures’ therefore remained intact and in sufficient working order to be a force for colonial administration. The fibres of native society could stretch, forming a web of social institutions spanning the colony, linking all subjects racialised as black to their tribe, wherever they may be.

The anthropological emphasis placed on ritual was, then, entirely entangled with the racialisation and tribalisation of Africans. As an ideological resolution to the fear of detribalisation, it suggested that so long as measures were taken to ensure the continuity of ritual links with tribes, Africans could work in European industrial settings and yet be subject to indirect rule. The ritual basis of kinship, and therefore of tribal membership, facilitated a regime of migrant labour that could continue to define native workers as tribespeople so long as they maintained ritual contact with their community on the reserve. Africans’ continued definition as tribal subjects and

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95 “[T]he problem of to-day is to ensure that service with Europeans shall not result in the premature disintegration of native society. For the illiterate worker who has lost faith in the approval or the anger of the spirits of his forbears, who has renounced his tribal loyalties and his claim to a share in the family or clan land and the ready help of his fellows in time of need, has now no motive for self-control and becomes a danger to the state.’ Lugard, ‘Foreword’ in Granville St John Orde-Browne, The African Labourer (London: Frank Cass and Co, 1933), v.
not working citizens, wherever they were and no matter how they may have considered themselves, rendered them continually susceptible to indirect rule and enabled the maintenance of the strict racial dualism that underpinned the bifurcated state. Lugard was preoccupied with the problem, and suggested that the ‘great ... contrast between the communal life of the primitive tribe, hedged round with observances and customary rites, and the life of individualism and license of the labor camp’ can be ‘ameliorated’ by grouping workers ‘under their own tribal authority,’ inducing wives to travel to labour camps with (presumably male) workers, and ensuring that life in the camps was ‘not too prolonged’. Such practices sought to produce tribal subjects everywhere in the colony.

These tribes were, as I have argued, separated from history, almost fetishised, as it were, by a functionalist anthropology that located ritual at the heart of ‘native society’. But the loose relationship with historical change that underlay synchronic accounts was in itself a form of articulation, one that segmented the fundamental essence of ‘native society’ from the world outside it. This articulation corresponds, as we have seen, to that of the various modes of production in the colonial formation. In representing the tribe as ritually self-contained and self-sufficient, anthropologists thus abetted the colonial articulation which relied on obscuring the contradiction of native society’s simultaneous exploitability and

96 Responding, in 1961, to the administrative tendency to inscribe Africans as tribal wherever and whenever they were, Gluckman rather instantiated a spatial dichotomy: ‘it seems to me that the moment an African crosses his tribal boundary to go to the town, he is “detribalized”, out of the political control of the tribe. And in the town, the basic materials by which he lives are different. ... An African townsman is a townsman, an African miner is a miner.’ Max Gluckman, “Anthropological Problems Arising from the African Industrial Revolution,” in Social Change in Modern Africa: Studies Presented and Discussed at the First International African Seminar, Makerere College, Kampala, January 1959, ed. Aidan William Southall (London: International African Institute, 1961), 69.

97 Frederick John Dealtry Lugard, “The White Man’s Task in Tropical Africa,” Foreign Affairs 5, no. 1 (1926): 59. See also Mahmood Mamdani, Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism (Kampala: Fountain Publishers, 2004), 219; Martin Legassick in Eric Masinde Aseka et al., “Mahmood Mamdani and the Analysis of African Society,” African Sociological Review 1, no. 2 (1997): 126. Colonial jurisdiction was neither, and both, territorial and personal. The traditional European evolutionist understanding of a typology of statehood mapped a transition from ancient sovereignty based on kinship, where jurisdiction covered a people wherever they were, to modern sovereignty based on territory, jurisdiction here covering space and that within it. Under indirect rule, the Native Authority controlled and administered customary land, but chiefs governed tribes: they ruled a defined tribalised people irrespective of location, and had no jurisdiction over Europeans even on customary land. At the same time, Supreme Court jurisdiction encompassed both common law land, in towns and industrial locales, as well as Europeans wherever they were. The African town resident here was subject to overlapping jurisdictions. He or she may have considered him/herself a permanent resident of a town but, in being legislatively defined as a ‘migrant labourer,’ he/she was always categorised as belonging elsewhere, under the authority of a chief. Presence in the town invoked common law jurisdiction, subjectivity invoked tribal jurisdiction.
ability to survive super-exploitation. ‘Native society’ became capable of infinite exploitation.

The constant improvement of the tribe formed the logic of the state; the end of government was internal to that tribe. Malinowski and Radcliffe-Brown never rejected evolutionist anthropology, though their synchronic work dealt with different questions. Describing and analysing the function of particular institutions with little interest in their origins led to an incessantly presentist vision of societies. The writing of anthropology was, Mudimbe tells us, the writing of the shift from Other to Same. Inherent in all Malinowski and Radcliffe-Brown’s societies was a capacity to change, to evolve socially, and to become modern. Indirect rule, for Lugard, was about the regulation of contained ‘native society’; transformation was an internal process. He spoke of leaving ‘native population[s] … free to manage their own affairs’ with the ‘guidance’ of British staff who would encourage ‘self-development’.

Yet the modernity to which they would develop was distinct; indirect rule, a system of government immanent in (structural-)functionalist discourse, would produce categorically African modern subjects. Donald Cameron wrote in 1925 that: ‘It is our duty to do everything in our power to develop the native on lines which will not Westernise him and turn him into a bad imitation of a European—our whole Education policy is directed to that end. We want to make him a good African’. Similarly, the South African anthropologist and future apartheid ideologue Werner Eiselen argued in 1929 that the ‘duty of the native’ was ‘not to become black European, but to become a better native, with ideals and a culture of his own’. This ‘good African’ or ‘better native’ would be available for labour and would consume goods purchased in the market place: he would be a part of the capitalist world-system. And this development required, as was discussed earlier, colonial

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99 See, eg, Lugard, The Dual Mandate in British Tropical Africa, 94.

government to prevent disruption to the social structure glorified by both anthropologists and administrators, based on the authority of wealthy male elders over women, the young, and the poor. In describing racialised organic native societies, anthropological knowledge naturalised indirect rule. It created a role for colonial management, but circumscribed that role in a way conducive to implementing structures of ‘native’ government. It disabled, as it were, those challenges to colonialism that were incapable of assimilation into the apparatus of indirect rule, rendering them as disruptive and, consequently, destructive of life. Malinowski recognised this confluence within the particular formation of power and knowledge he saw in Lugard’s work; this was the surrender to which he referred.

This chapter has studied the ways the field of British social anthropology apprehended the various subjects of colonialism. It has traced the production of the tribe as an effect of functionalist sociology, a form of knowledge generated in concert with the growth of functionalism in physiology. In mapping tribes, or ‘native societies,’ as organisms, anthropologists explored and described interconnected social institutions, each of which performed a particular function in relation to the life of the society. The organismic tribe framed African society within a schema of legibility immanent to which was a mode of governmentality. It rendered ‘native society’, in other words, both visible and comprehensible to the colonial state, and incited a particular form of management that rested on a logic of incorporation. If, in anthropological knowledge, each social institution functioned in a harmonious relationship with all others, any intervention into a society risked shifting it from a precarious equilibrium towards annihilation. An incorporating logic of indirect rule, with its imagined recognition and adoption of native traditions, customs and institutions, became both necessary and natural, working to safeguard the integrity of native societies.

Interrogating anthropological knowledge is a productive move not only in tracing the respective places of the physiological sciences or colonial situations in the history of anthropology, but also for the way this knowledge in turn structured administration. It produced and objectified a subject people, and rendered them available for government. And these terms of description, inextricably signifying the objects of anthropological knowledge, came to be fundamental to colonial administration. We thus find, in examining administration and scholarship, a proliferation of operations that have a logic in common. They shared, it has been demonstrated, a political rationality. As functionalist anthropologists grew in
influence, so too did their model of native society, and thus so too did indirect rule. And as we will find in turning our gaze to Australia, the anthropological ‘discovery’ of ‘Aboriginal society’ was one factor pushing the settler state to consider the applicability of Lugard’s art of government to its purposes. But such a discovery was not possible everywhere. The anthropological model of the native social organism responded, we have seen, to the questions posed by specific colonial formations. In Australia’s north, in the interwar period, we find such a formation.
CHAPTER FOUR

The Northern Territory:
Colonial Order and Contradiction in Australia, 1918–45

Darwin, and the Territory, generally, although part of Australia, is not part of White Australia. It is a place where the majority of people, and of the employees, consist of coloured people and aboriginals; where the Government has fixed a standard living wage for an adult aboriginal at 5s. a week and aboriginal rations; where aboriginals are employed by the pastoralists without paying even the 5s. a week; where the great majority of the shops are carried on by Chinese; where trial by jury has been abolished; but on the other hand producers do not have to prepare income tax returns or pay any income tax; ... where football is played in summer and cricket in winter ...

– Justice Charles Powers, 1924.¹

Introduction

In January 1931, over fifty unemployed white men established themselves on the verandah of the government offices in Darwin, demanding an immediate increase in relief work and financial support. This was not the first such occupation: the previous May they had locked Robert Weddell, the Administrator, in his office for several hours before he was freed by police. On this occasion, the men remained on the verandah, establishing placards, tents, and cooking equipment, and raising the Red Flag from one of the verandah posts. Cecil Cook, the Chief Protector of Aboriginals and Chief Medical Officer of the Northern Territory, was both brazen and quick to take a side. The day after the occupation’s establishment, he marched across from the safety of the police station and seized the flag, taking it with him to hand over to the police. The protestors rushed the police station and demanded its

¹ North Australian Industrial Union v Commonwealth Railways Commissioner (1924) 20 CAR 726, 736 (Justice Powers).
return, before hanging it once again from the verandah of the government offices. There they remained, before being ‘cleared’ a few days later by baton-swinging police, an episode that ended with three police and several more demonstrators lying unconscious in the street. This was a white workers’ rebellion, neither the first nor the last of the interwar period. The Northern Territory at this time was a space of uncertainty, of explicit class antagonism, and of outright conflict.

The Northern Territory economy lurched through the interwar period in a state of depressed insecurity. The only major industry—beef production—had few markets and generally struggled to turn a profit. Even at the best of times, most white residents of Darwin subsisted on the basis of two or three days of Government relief work each week (in 1931 they were only receiving one day’s work per week). When, in 1924, the Commonwealth Conciliation and Arbitration Commission held an enquiry into the basic wage, it stressed the Northern Territory’s exceptionality within the Australian nation. The Territory, Justice Powers declared, was ‘not part of White Australia’; it existed in a precarious position geographically within the national space, but neither looked nor behaved in the way the Australian nation was supposed to. In a nation that branded itself a ‘working man’s paradise’, white workers were almost universally unable to find regular work at award wages, a situation Powers attributed to the ‘practically … unlimited number of aboriginals at Darwin, and in the Territory generally, who can be employed under a Government Ordinance at 5s. a week and aboriginal rations’. He described, in other words, a franchise colonial situation within a white nation; an ambiguity that troubled administration throughout the first half of the twentieth century.

This chapter is a study of the racialised political economy of the Northern Territory at this time, focusing largely on the one major industry: pastoral beef production. This was an industry entirely reliant on the cheap Aboriginal labour to which Powers referred. The chapter turns on the crisis that arose in the 1930s out of the contradiction internal to northern production. White pastoralists relied on labour exploitation at a rate that made the physical survival of workers and their communities precarious. Aboriginal people on the cattle stations were, in other words, struggling to stay alive while station managers resisted their calls to provide black workers and their dependents with the basic conditions of existence. The once

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3 North Australian Industrial Union v Commonwealth Railways Commissioner (1924) 20 CAR 726, 734.
‘practically ... unlimited number’ of black workers was rapidly diminishing. It became the task of government to find a way through this crisis, to work out the conditions on which pastoral production could continue to function and make white Australian settlement of the north economically feasible. This was the distinct problem facing the Commonwealth Government throughout the period of study. It was a similar problem to that facing administrators in many of the British colonies of Africa. There they had turned, as has been discussed in previous chapters, to indirect rule as an attempted resolution.

And it was a problem that was spatially specific to the Australian north. Whereas in interwar southern Australia white settlers were both politically and demographically predominant, in the north that domination was precariously based on forcible struggles over sovereignty. Administered by the same Commonwealth Department as the Territories of Papua and New Guinea, the Northern Territory’s location on the mainland and consequent physical contiguity to settler national space rendered it both discursively and materially ambivalent.\(^4\) For administrators, the Northern Territory was thus a space of uncertainty. Government reports emphasised its strangeness and remoteness, and ordinarily included a complaint that ‘the Northern Territory still remains to most Australians, a nebulous kind of place, a veritable unknown land’, or that to ‘most Australians the Northern Territory still remains an enigma—an unknown, semi-tropical territory, partly settled, partly arid, maligned, misunderstood and whimsically paradoxical’. In 1930, Jessie Litchfield wrote on her return from Darwin to Sydney that people in the south were not even sure where it was: ‘I heard once that it was situated in the North Island of New Zealand, and again that it was somewhere in New Guinea.’ They believed it to be ‘overrun with Chinese’, and Darwin to be ‘ravaged’ by ‘[h]ordes of kangaroos’ and ‘the mobs of cannibal blacks camped near the town’.\(^5\) These reflected the position of the north in the imagined Australian nation. In C L A Abbott’s first year as Administrator, 1937–8, he ‘stressed ... that the Northern Territory should now be

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\(^4\) The Commonwealth only had jurisdiction to govern Aboriginal people on the mainland in the Northern Territory and the much smaller Australian Capital Territory, acquired in 1911 from South Australia and New South Wales respectively. Jurisdiction over Aboriginal people in the various states rested in the state governments.

regarded as a normal portion of Australia. I sincerely suggest that the practice of regarding the Territory as freak country ceases and that a proper perspective is taken.6 This vision of the Northern Territory as a ‘normal’ part of Australia, rather than as somehow obscure or deviant, was a way of discussing the manner of its government.

How was Northern Territory difference framed? Was it a colonial territory precariously located somehow within Australia, or was it an integral, albeit distinct, part of the settler nation? Behind these two possibilities lay the alternative models of the externalised colony and the settler colonial frontier; the former representing a potentially permanent foreignness, while the latter signified a space inevitably being brought within the nation. Many thought of the north as more akin to Papua than to Victoria, and as facing some of the same administrative concerns as South Africa. This view was well represented in the official mind. George Buchanan, a British engineer who reported on harbour works across the British empire, suggested Territory otherness in 1925 in mooting the possibility of adopting ‘the Crown Colony System of Government. The Federal Government would, in that case, represent the British Government, and the Minister for Home and Territories would represent the Secretary of State for the Colonies.7 The implications of this colonial view were considered by some to be threatening. The dominant colonial ideology of the dual mandate, with its argument that the world had an interest in African—and, by implication, all colonial—wealth, was described by Walter Crocker as a ‘dangerous argument, as it cuts both ways: what of the White Australia policy?’8 Mobilising colonial comparisons rather than inscribing the north as a frontier, an imperial or transnational vision was set against this national view that Australia was a white man’s country, and that sought fulfilment through the white Australia policy. This position, inevitably, came up against a social and demographic contradiction in the north.

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6 Report on the Administration of the Northern Territory for Year 1937–38, Cmd Paper No 150, 1939, p 19. This did not stop Abbott from telling, in his 1950 memoir, a classic story of Territory difference in complaining of the southern newspaper headlines—‘Administrator’s gardener fined for the twenty-fifth time’—when Billy Shepherd, the ‘half-caste gardener’ at Government House, was once again arrested after drinking and yelling outside the police barracks at night. Shepherd, Abbott wrote, ‘had a service of well over thirty years and to be fined for being drunk less than once a year was not a bad average for a man, white or black, in the Darwin of those days’. Charles Lydiard Aubrey Abbott, Australia’s Frontier Province (Sydney: Angus and Robertson, 1950), 2–3.


National or colonial: what was at stake for Australian nationalists was the north’s ‘ambiguous claim to inclusion in the future White Australian nation’, a claim long made precarious by the tropical climate and economic vulnerability, and fears that if the Territory was not developed by whites, others from further north may do so. This chapter, and the next, address this problem both administratively and ideologically. The governmental solution was to seek a more secure basis for white sovereignty through ensuring development at the expense of a principled embrace of white labour. It managed the articulation of Aboriginal and pastoral production and allowed for the continuing existence of Indigenous communities and economies, but sought to limit their autonomy such that they would produce willing workers for the pastoral development of the north. This worked in the interests of pastoral development, but it was a resolution forced by an Aboriginal insistence on practicing sovereignties, finding spaces of independent social, cultural, and economic life. This practice could not be eliminated. Rather, it became the task of government to organise competing sovereignties and economies into a social formation that confirmed a relation of dependence characteristic of the tropical colonial situation.

This chapter begins with a brief examination of the climatological fears and demographic categorisations and anxieties which characterised the Northern Territory. We then turn to the dominant industry—pastoral beef production—and its mobilisation of Aboriginal workers. Pastoral stations were mapped over Aboriginal country, overlaying rather than superseding Aboriginal spatialising practices. This spatial heterogeneity was also exhibited in the distinction between the station homestead, a locus of white settler management, and the Aboriginal camp which was usually, though not exclusively, home to people Indigenous to that country. This camp provided the bulk of the pastoral workforce, made available for rations or limited wages, and essentially enslaved in a colonial relation of

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9 Julia Martínez, “Plural Australia: Aboriginal and Union Labour in Tropical White Australia, Darwin 1911–1940” (PhD Thesis, University of Wollongong, 2000), 34. In this aspect, North Australia was a ‘laboratory’ of ‘tropical settlement by the white man’, to which the eyes of white men the world over were turned. Isaiah Bowman, “The Pioneer Fringe,” *Foreign Affairs* 6, no. 1 (1927): 53. Many Australians were unconvinced the laboratory would produce satisfactory results. Lyndhurst Giblin, Professor of Economics at the University of Melbourne, proposed in 1930 the possibility of giving the Northern Territory away in the interests of international comity, as other nations struggled with overpopulation: L F Giblin, *Australia, 1930: An Inaugural Lecture* (Melbourne: Melbourne University Press, 1930), 31. This was not unprecedented; in the 1870s Reverend Wilton Hack had been temporarily deputed by the South Australian government to offer land in the Territory to Japanese people. See Ernestine Hill, *The Territory* (Sydney: Angus and Robertson, 1951), 142. See also David Robert Walker, *Anxious Nation: Australia and the Rise of Asia 1850–1939* (St. Lucia, Qld.: University of Queensland Press, 1999), 113–26. And see Jon Stratton, “Deconstructing the Territory,” *Cultural Studies* 3, no. 1 (1989).
exploitation while maintaining a relatively autonomous cultural and economic life. The chapter ends with a return to the broader spatial imagination. The way the north was imagined was a crucial question in debates over the governmentalities appropriate in relation to both settlers and Aboriginal people. This chapter, then, traces some of the circulating material and discursive tendencies that led the settler state to turn to forms of indirect rule as a mode of government in the Northern Territory. In this, and the following chapter, we trace these tendencies, engaging the paths by which indirect rule came to be an art of government available in the north. Settlers in the Territory faced contradicting pressures: their oft-expressed desire for an empty landscape collided with their complete reliance on Aboriginal labour. The requirements of replacement, in other words, contradicted the effacement of Indigenous people. An ambivalent solution mapped the north as categorically distinct from the south-east, developing a partial and temporary arrangement of articulated (dominating and dominated) forms which came to constitute a norm in government practice, rather than a ‘freak’ situation, by the end of the 1930s.

**Settler Colonialism in the Tropics**

The expert scientific opinion that white men and women could survive and work in the tropics may have been, as Warwick Anderson argues, settled by the 1930s. But both popular and administrative written sources indicate that whiteness in the tropics was still a matter of conjecture and anxiety throughout the 1930s and 1940s. For Wynne Williams, former Deputy Chairman of the Territory Land Board, the ‘empty spaces’ of the north—in 1937 only 24 per cent of its lands were owned by whites, whose actual presence on the land was limited—represented ‘an irrepressible bogey which refuses to remain in the tomb of its ancestral skeletons, where it has been nailed down so often with silent, irreverent rites befitting a life of

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recklessness, illusion and futility'. Could white people, many still asked, live and, more importantly, work in the tropical north? Was black labour, they wondered, a necessary element of any northern society in a way similar to franchise colonial situations elsewhere?

Both the 1929 Bleakley Report on Aboriginal administration and the 1937 Payne–Fletcher Report on the northern pastoral industry paid tribute to Aboriginal women, whose domestic labour had made it possible for white women to survive ‘the heavy and enervating duties of household management in a tropical climate not less severe than that of Rabaul’. As one settler, Henriette Pearce, described:

> It takes two years, and much patience, to train thoroughly a native house assistant, but there is not a family in the Northern Territory that is not indebted to the faithful help of dark-skinned women. Without them the white woman would find her work too exhausting in that tropical climate.\(^{12}\)

This was work of the greatest importance. J W Bleakley declared that white women, who represented less than 30 per cent of the northern white population, were ‘expected to maintain the White Australia Policy’. This idealised racial division of ‘women’s’ labour—seeking to exploit black women’s labour power both on the stations and in white homes, while white women’s reproductive power and apparent civilising influence were mobilised to produce a white population—represented an aspiration to permanent and racially pure white settlement in the north. This was a division that tells us a great deal about the mutual imbrication of

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11 W Wynne Williams, “Northern Australia: The Bogey of the Empty Spaces,” *Australian Quarterly* 9, no. 1 (1937): 30; *Payne–Fletcher Report*, 20. Jay Arthur has argued that the ‘empty north’, a phrase first recorded in 1918, referred to the anxiety resulting from an insufficient ‘occupation’: the landscape had been inadequately marked as white, and was prone to an invasion from south-east Asia. It is thus no surprise that someone like P R Stephenson, the radical nationalist writer, would in 1936 call for a ‘white population’ of ‘at least twenty to thirty millions, a number finally adequate for defence against any possible military invasion’. Such growth would, he believed, permanently occupy and mark the land as white Australia. Jay Arthur, “An Unobtrusive Goanna,” in *Tracking Knowledge in North Australian Landscapes: Studies in Indigenous and Settler Ecological Knowledge Systems*, ed. Deborah Bird Rose and Anne Fiona Clarke (Darwin: Australian National University North Australia Research Unit, 1997), 37; P R Stephenson, *The Foundations of Culture in Australia: An Essay Towards National Self Respect* (Sydney: W J Miles, 1936).

12 J W Bleakley, *The Aborigines and Half-Castes of Central Australia and North Australia* (Melbourne: Commonwealth Government Printer,Cmd Paper 21, 1929), 7; *Payne–Fletcher Report*, 70–2; Elisabeth George, *Two at Daly Waters* (Melbourne: Georgian House, 1945), 27–8. The employment of Aboriginal women in urban domestic work was one of the only instances of black labour the North Australian Workers’ Union endorsed. A 1928 NAWU motion to ban the employment of black workers in Darwin was lost, one union member arguing that the ‘aboriginal woman’ was not displacing white labour but simply making the lot of the wife easier in the back yard. Here we see an alliance of race across class. ‘NAWU Meeting,’ 20 April 1928, *Northern Standard* (Darwin), p 3. On the Darwin ‘houseboy’ in transcolonial perspective, see Claire Lowrie, “In Service of Empire: Domestic Service and Colonial Mastery in Singapore and Darwin, 1890s–1930s” (PhD Thesis, University of Wollongong, 2009).
race and gender in the work of making the Northern Territory, a space where climate weighed heavily on the hopes of a white population.\textsuperscript{13}

The study of ‘homoclimes’—comparing similar climates in different places—made popular by geologist and geographer Thomas Griffith Taylor, produced scientific analogies between Australia’s north and British colonies elsewhere. Taylor himself had argued that the most appropriate comparison to the Northern Territory was southern and central India, ‘and any student of Australia’s future will do well to ponder on all that this implies’.\textsuperscript{14} For the Northern Territory’s Superintendent of Agriculture, who noted in 1939 that ‘homoclimes’ existed in Africa and India, it implied that settlers should consider a change in the mode of agricultural production. He suggested implementing a form of shifting cultivation as practiced in Nigeria. But ‘tropical administration’ more often implied a labour question; how best to structure the colony around the exploitation of ‘native labour’.\textsuperscript{15}

The Northern Territory census also reflected these comparisons made with colonies elsewhere. Before the Territory came under Commonwealth control in 1911, its non-Aboriginal inhabitants numbered 3301, of whom only 1182 were white.\textsuperscript{16} In 1929, the non-Aboriginal population stood at approximately 3532,


\textsuperscript{14} Thomas Griffith Taylor, Geographical Factors Controlling the Settlement of Tropical Australia (Brisbane: Royal Geographical Society of Australasia, Queensland, 1917), 42. A recent summary of Taylor’s career can be found in Carolyn Strange and Alison Bashford, Griffith Taylor: Visionary, Environmentalist, Explorer (Canberra: National Library of Australia, 2008); Carolyn Strange, “Transgressive Transnationalism: Griffith Taylor and Global Thinking,” Australian Historical Studies 41, no. 1 (2010). Buchanan found in 1925 that Darwin could be climatically compared to Beira, in what is now Mozambique, and to Madras. Buchanan, Northern Territory Development and Administration, 13.


\textsuperscript{16} A Grenfell Price, The History and Problems of the Northern Territory, Australia (Adelaide: [s.n.], 1930), 32. This represented an increasing proportion of white Territorians. In 1890 only 1009 of a total population of 5366, less than one in five, was of European origin. Buchanan, Northern Territory Development and Administration, 3. Many of these numbers differ in different sources. See also Regina Ganter, “Turning the Map Upside Down,” Griffith Review, no. 9 (2005). Implementing the white Australia policy, most Asian residents in the Territory had been forced to leave. Gwenda Tavan, The Long, Slow Death of White Australia (Melbourne: Scribe Publications, 2005), 26.
including 2684 ‘persons of European origin’, while it was estimated that there were 15,971 Aboriginal people. In 1938, Abbott celebrated the highest non-Aboriginal population since the Commonwealth took control, but it was still only 6704 compared with approximately 15,261 Aboriginal people.\[^17\] This was a space, in other words, where settlers were not only a minority, but were expected to remain as such for the foreseeable future. Making a white majority was to become a critical element of settler colonial population management.

The relatively low number of both settlers and investment represented a limit to the development of the Northern Territory. Its economic prospects were dire, a problem many in the north preferred to blame on poor Commonwealth investment, while southern minds reflected more on climatic constraints. Justice Drake-Brockman of the Court of Arbitration and Conciliation noted in 1934 that ‘the Northern Territory is in the peculiar position that she produces practically nothing of any particular account which brings in revenue for the Territory or any income for its people’. When the anthropologist W E H Stanner argued in 1939 that ‘economically speaking, the north has been dying on its feet for twenty years’, he was, perhaps, understating the situation. Then Prime Minister John Curtin, speaking at a Conference of Commonwealth and State Ministers on post-war reconstruction in October 1944, described parts of the north as ‘vampires which at present are sucking away much of the nation’s strength’.\[^18\]

C L A Abbott cast the trade union as the cause of Territory struggles: ‘Hanging over Darwin like a pall was the shadow of the North Australian Workers’ Union, a union without logic, without any thought of service, without intelligence, and ruled entirely by a paid secretary who seldom remained more than a year or so’. The union did have an unusual sway over Territory politics. In 1918, for example, revolts in Darwin had ousted the Administrator, John Gilruth, after which the Commonwealth, citing industrial turmoil, abandoned its efforts to develop the north from the coast rather than the pastoral inland. Amidst worker militancy, unemployment was a constant fact of life for many white workers of the interwar

\[^17\] Report on the Administration of North Australia for the Year Ended the 30th June 1929, Cmd Paper No 216, 1930; Report on the Administration of the Northern Territory for Year 1937–38, Cmd Paper No 150, 1939, pp 10, 26. The numbers for Indigenous people were usually vague estimations.

The interwar turn away from investment in town, and towards support for pastoralism, an industry reliant on black labour, represented a turn away from employing white workers. In response, the union made several legal and political efforts to incorporate Aboriginal workers into the award; a move that would mandate equal wages for all. These efforts were unsuccessful until 1966. Their campaigns, though, stated publicly and officially what others preferred to keep silent: in a part of ‘white Australia,’ what limited wealth that could be generated was based entirely on the exploitation of Aboriginal labour.

On the Blackfellas’ Back: Pastoral Production in the North

Though barely remaining afloat, the pastoral industry was considered the Territory's primary producer, the ‘one great industry which can compete in the markets of the world’. As an export industry it was a perennial economic disaster, its failure signalled by the extraordinary frequency of Commissions of Inquiry. In the Northern Territory these Commissions were most often ‘technologies of delay’ and inaction; the state’s way of demonstrating that it was acting on the un(der)development of the north while quietly despairing at the prohibitively high political and economic costs of remedying the problem. They usually found that

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19 Abbott, *Australia's Frontier Province*, 207; Bernie Brian, “The Northern Territory’s One Big Union: The Rise and Fall of the Northern Australian Workers’ Union, 1911–1972” (PhD Thesis, Northern Territory University, 2001), 103; Eric W Sager, *Discovering Darwin: The 1930s in Memory and History* (Darwin: Historical Society of the Northern Territory, 1993), 6, 58–67. The union represented white workers, excluding from membership the many Aboriginal and Asian workers of the north. The amalgamation of the North Australian Industrial Union and North Australian Workers’ Union in January 1927 to form the NAWU strengthened white workers’ efforts to maintain a racialised closed shop, and to ensure that wages for white workers on pastoral stations rose regularly.


the finger of blame could be pointed, at least in part, at poor infrastructure. There were no trains so cattle needed to be driven to port or to interstate markets, long trips on which stock quality diminished substantially.\textsuperscript{23} This was a failure of connection: the Northern Territory was only barely bonded to its potential markets in the rest of Australia. The one successful beef export market, the Philippines, was opened to the Northern Territory in 1921 but cut off in 1930. This left Great Britain as the only foreign market for Australian beef, where Australian farmers faced competition from both local and Vesteys-owned Argentinian beef, and where oversupply in the 1920s had led to a continuing fall in prices.\textsuperscript{24}

In response to the Depression-era national economic downturn, in 1932 the Commonwealth government commissioned an enquiry (the ‘Shepherd Committee’), comprising Frank Shepherd, Surveyor-General of the Northern Territory, James Brackenreg, a stock inspector, and D D Smith, the Territory’s Resident Engineer, to investigate the conditions on pastoral leases. Their report, completed in 1934, was neither tabled in Parliament nor published; it was sharply critical of management on cattle stations, particularly on the massive stations controlled by the British-owned corporate and political powerhouses Vesteys and Bovril. In general, the Shepherd Committee found, the few remaining smallholders were much more efficient than the major landholders.\textsuperscript{25} With some exceptions, poor management and general

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\textsuperscript{23} The Vesteys-owned abattoir in Darwin closed in 1920, though it reopened for a few months in 1925. Blaming the unions for high wages, Sir Edmund Vestey claimed in 1925 that it had been ‘more profitable to let the cattle die on the stations than to put them through the Port Darwin works’. ‘Europe Seeking Beef: Disabilities at Darwin,’ \textit{Register (Adelaide)}, 23 January 1925, p 10. Staniforth Smith, Administrator of the Northern Territory, had estimated that two-thirds of Darwin’s (white, male) workers were left unemployed when Vestey’s closed the meatworks. Northern Territory of Australia, \textit{Annual Report of the Acting Administrator for the Year Ended 30th June, 1920}, Cmd Paper, 1921, p 4.


\textsuperscript{25} The damning analysis of absentee holdings of large areas of cattle country was repeated in practically every report into the development of the north. But this did not mean that small farmers
Northern Territory, Shepherd Committee vehicle smashed approximately 50 miles north of Alice Springs, 1924, NAA: M4435, 235.

undercapitalisation were hurting the industry. The Committee was sharply critical of cattle station management: managers rarely knew how many cattle they held, neither making necessary improvements to ensure an adequate water supply nor introducing new blood to their stock. Without adequate fencing or bores, breeding was uncontrolled, and stock losses were common. Consequently, the stock was of poor quality and, when combined with the difficulty of finding markets, the result was an inefficient and economically poor industry. The only substantial investment made on many holdings was in the initial stocking with cattle.26 This inefficiency and

were much more successful. Bill Harney reported that a Mr Charry, who ran a small cattle station at the head of the Wearyan River, near Borroloola, when asked how well he fed his Aboriginal workforce, replied: 'Feed them be damned. Why, they're feeding me from the bush!' W E Harney, *Content to Lie in the Sun* (London: R Hale, 1958), 126. 'Report of the N.T. Pastoral Leases Investigation Committee,' 1934, NAA: F987, REPORT. For a recent account of the politics, work and report of the Committee, see Ted Ling, "The Pastoral Leases Investigation Committee, 1933–1935," *Journal of Northern Territory History*, no. 20 (2009).

26 'Report of the N.T. Pastoral Leases Investigation Committee,' 1934, NAA: F987, REPORT; *Payne–Fletcher Report*, 17, 40; J H Kelly, *Report on the Beef Cattle Industry in Northern Australia* (Canberra: Bureau of Agricultural Economics, Dept. of Commerce and Agriculture, 1952), 50. Pastoralists regularly requested rent reductions, and a 25 per cent reduction was implemented from 1 July 1932, though this made little difference to the rates of payment. See, eg, Northern Territory Pastoral Lessees' Association Deputation to Minister at Sydney, 22 February 1932; J W Allen, Secretary, Northern Territory Pastoral Lessees' Association to Archdale Parkhill, Minister for the Interior, 11 June 1932, NAA: A1, 1934/3449.
underinvestment was, on Vestey's stations at least, partly attributable to the curious payment structure which linked the manager's salary not to profits but rather to costs: the lower the costs of running the station, the higher his salary would be, irrespective of whether this cost-cutting resulted in higher or lower profits.  

In contrast, the very public 1937 Payne–Fletcher Report into the development of the Territory lauded Vestey as a potential saviour of the north. 'The advent of Vestey Bros. into the Territory's trade', they wrote, 'was welcomed on every side'. Even so, the Inquiry acknowledged that many stations were 'too large for effective handling' and 'insufficiently improved for effective management'. They agreed, ultimately, with the public consensus that the combination of unimproved holdings and regular musters had a devastating effect on the quality of the cattle. The nationalist writer Henry Hall complained in 1938 that the large British interests 'are obviously not trying to make a success of Australian beef export from the Northern Territory. ... I wonder have they ever given Empire a thought.' The colonisation of Australia's north suffered from the same reluctance to invest that Chamberlain and Milner faced in devising colonial policy from London, as an Empire-wide cost-cutting practice defeated substantial development.

The industry's prospects were thus limited by the poor quality of its products, largely due to the actions, or lack of action, of Vestey and Bovril, who held massive swathes of the Territory under pastoral lease and ran their stations as cheaply as possible. The Bovril-owned Victoria River Downs station, the largest in the Northern Territory, was stocked with 170,036 cattle (on paper) in 1934, and managed a profit of only £18,910. Even as the industry recovered from the depression, and as cattle prices began to rebound, in 1938 they were only able to realise a net profit of £51. Without investment in infrastructure, the prospect of

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29 Jock Makin, The Big Run: The Story of Victoria River Downs Station, 2nd ed. (Adelaide: Rigby, 1983), 121, 32. The size of the herd was such that the Dry (February to November) never allowed enough time to complete the muster; no one could be sure how many head of cattle were actually on the station. See Keith Willey and Matt Savage, Boss Drover (Adelaide: Rigby, 1977), 72. Some believed that the investment of capital could have mitigated these losses. Gordon Buchanan, ‘Undeveloped Cattle Areas: Resumptions Favored,’ Northern Standard, 24 March 1936, p 3. See also Darrell Lewis, Slower Than the Eye Can See: Environmental Change in Northern Australia's Cattle Lands, a Case Study from the Victoria River District, Northern Territory (Darwin: Tropical Savannas CRC, 2002), 28–9.
even these small profit margins was dependent upon the rate of labour exploitation. The viability of pastoral enterprise was based, that is, on the exemption from paying award wages to black workers.

Beef production was, as was later acknowledged in J H Kelly's 1952 report, heavily state-subsidised. During the 1930s half the cost of well boring and freight on materials for water supplies and fencing was borne by the Commonwealth. Employers' returns from the sale of cattle, though not income earned by stockmen, was exempted from income tax from 1937. Rent, while often unpaid, was absurdly low: in the 1940s the annual rent for one station of 6206 square miles, carrying about 35,000 cattle, was approximately £500, less than the annual wages and keep for a single head stockman.30 But the assistance given in keeping the cheap black workforce in order was, as Dawn May has noted, the most crucial subsidy. Bleakley reported in 1928 that it was 'universally admitted' that 'the pastoral industry in the Territories is absolutely dependent upon the blacks for the labour, domestic and field, necessary to successfully carry on. If they were removed, most of the holdings, especially the smaller ones, would have to be abandoned.'31 That there were few white workers compared to the south-east was an effect of the absence of a convict history and the tropical climate, but also a function of union militancy and economic conditions: largely excluded from the unions, black workers were more efficiently exploitable labour.

The pastoral industry, in summary, was both labour-intensive and undercapitalised in terms of infrastructure. Located at great distance from markets, it was only able to deliver poor quality beef, to be sold for minimal profits. Thus reliant on low costs, the problem of labour became explicitly vital to the Northern Territory in general. Whatever aspirations Australian nationalists may have held for


a white north, they came up against the contradiction presented by their desire for development, a desire that could only be brought to fruition through the maintenance of a cheap black labour force, a problem redolent of other franchise colonial situations. Native Administration in the north became a white mode of regulating and transforming a population of racialised workers. Cecil Cook acknowledged that the ‘pastoral industry for example, which is the only industry of note in the Territory, would collapse without cheap labour’.\textsuperscript{32} In 1927, white pastoral workers on Vesteys stations were awarded a basic wage of £3, and the basic wage for other white workers in the Territory was set at £5 10s. Under the Ordinance, on the other hand, Aboriginal workers were to be paid 5s. per week (2s. of which was to be paid into a Trust Fund) as well as food, clothing and tobacco. It was widely acknowledged that, in fact, they received no money at all.\textsuperscript{33} From 1933 onwards, if employers could prove to the Chief Protector that they were maintaining the relatives and dependents of Aboriginal workers, at a cost equal to or exceeding that 5s. per week, they were legally, as well as practically, exempted from the obligation to pay wages.\textsuperscript{34}

Cook naturalised these differentiated forms of payment in terms of racialised culture, mapping a work arrangement onto apparently pre-determined living standards:

The Aboriginal, to live the life that has been his ancestors’ from time immemorial, requires neither wage nor dole. The virgin bush is at once his dwelling, his wardrobe, and his well stocked larder. The white man, on the

\textsuperscript{32} Cook to Robert Weddell, Administrator of the Northern Territory, 7 October 1935, NAA: F1, 1938/46.
\textsuperscript{34} Report of the Chief Protector of Aboriginals in Report on the Administration of the Northern Territory for the Year Ended 30th June, 1932, Cmd Paper No 124, 1933, p 7. Landowners and pastoral lessees applied a constant pressure to deregulate Aboriginal wages, and some regularly complained that the cost of supporting dependents made Aboriginal labour expensive, an argument sharply rejected by Robert Toupein of the NAWU: ‘the prejudices and sordid desires of exploitation and oppression possessed by these pastoral employers, although thinly concealed by illogical squeals about burdens and costs and welfare, should not be pandered to by the Government’. Allen to Parkhill, 30 May 1932, NAA: A1, 1933/269; Robert Toupein to H G Nelson, 22 August 1932, NAA: A1, 1933/479.
other hand ... is unable to live at the standard set by usage unless permanently employed at a comparatively high wage.\textsuperscript{35}

One representative of pastoralists put it similarly in 1930: ‘What I would like to point out is that the aboriginal is not a white man. He belongs to a different scale of civilization altogether, and his wants are not the same.’\textsuperscript{36} The Payne–Fletcher Board of Inquiry, on the other hand, expressed its preference for the termination of this colonial relation of difference, declaring that Aboriginal labour could never be a permanent solution to the problems of the tropics: ‘Cheap or coloured labour cannot be allowed to become permanently established in Australia. There can be no compromise on this fundamental principle. Australia is prepared to stand or fall by its great ideal.’ The Territory, they insisted, ‘can be developed by white labour and can be permanently populated by white people’.\textsuperscript{37}

But these were mere words, designed for nationalist idealists. Aboriginal people continued to represent the overwhelming majority of the pastoral workforce until the partial advent of equal wages in 1968 and were recognised, as Abbott wrote, ‘as an integral and very vital part in the economy of development’.\textsuperscript{38} By 1938, for example, 3520 Aboriginal people—approximately one quarter of the Territory’s estimated Aboriginal population—were reported as employed (many more were unofficially employed), most in the pastoral industry. Though not legally allowed to be employed outside the homestead, Aboriginal women in the Territory did an extraordinary amount of work on cattle stations as stockworkers, drovers, houseworkers, cooks and more.\textsuperscript{39} Matt Thomas, a road ganger on Wave Hill Station, described the far-reaching gendered inequality of remuneration in 1937. The Aboriginal workers he managed were ‘constantly asking’ for clothing and medicine:

\begin{quote}
Cook to Weddell, 7 October 1935, NAA: F1, 1938/46. Cook was here quoting his own memorandum of 10 March 1928.
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Payne–Fletcher Report, 71.
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Abbott, Australia’s Frontier Province, 138. The advent of equal wages transformed the relationship between Aboriginal workers and the cattle station owners. Most Aboriginal people were removed from the station and the right of the ‘camp’, or Aboriginal owners, to live on their land was denied. See J H Holms, "Nucleated Rural Settlement as a Response to Isolation: The Large Cattle Station," in Economy and People in the North, ed. P Loveday and Deborah Wade-Marshall (Darwin: Australian National University North Australia Research Unit, 1985), 153.
\end{quote}

\begin{quote}
Alfred Searcy, In Australian Tropics, 2nd ed. (London: George Robertson, 1909), 173. See also Willey and Savage, Boss Drover, 12. The work in the homestead was taxing too. Ruby Tracker, an Alyawarre woman, described the workday of cleaning and providing ‘food for the whitefellas’ as well as her family, beginning before sunrise and ending some time after sunset: quoted in Pamela Lyon and Michael Parsons, We Are Staying: The Alyawarre Struggle for Land at Lake Nash (Alice Springs: IAD Press, 1989), 20.
\end{quote}
I managed to get sent out eight pairs of trousers, three shirts, and three pairs of boots for the [three] boys. Nothing was sent for the [seven Aboriginal women], and they worked harder and longer hours than the bucks. The [Aboriginal women] had to make dresses from flour bags to cover their naked bodies.

The conditions at Wave Hill were, Thomas wrote, ‘no better, nor worse, than those upon other stations through the Territory and the East and West Kimberleys’. For Aboriginal station workers, housing was poor, the nutrition derived from rations was inadequate, and the work was demanding. Managers spent very little to provide facilities for any employees, and without wages, and with limited ‘bush tucker’, there was limited scope for Aboriginal workers to improve their situation.

This situation of low investment and cheap labour was conducive to a labour-intensive mode of production, known as the ‘open range’ system of extensive rather than intensive grazing. The tasks of formal open range station work were not dissimilar from Aboriginal foraging, gathering and hunting production which continued on reserves, on the station, and in the wet season; it could be described as ‘wild cattle hunting’. Bill Harney wrote that the ‘cow and calf muster’ was a time when the ‘station blacks … enjoyed a life similar to that which they once knew in tribal days’, and a ‘protector’ in 1944 similarly described stock work as resembling an Aboriginal ‘natural state’.

The two modes of work were certainly not identical though. As will be discussed further in chapter seven, station land was a contested space, mapped by pastoralists as homogeneous, undifferentiated and objectified, while Aboriginal people continued to articulate relational country, rich with cultural, as well as economic, meaning. Wandering cattle, who were chased anywhere and everywhere during the muster, overlay but did not erase Aboriginal country with

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Northern Territory, Cattle – Koolpinyah, 1924, NAA: M4435, 361.

F J Rogers, Cattle muster from 'Elsey Station', 1930, State Library of South Australia, B 54408.
the homogenising effect of pastoralism. Moreover, aside from the muster, work tasks were difficult to reconcile with such naturalised terms as Harney employed. While skills may have been transferrable, the station milieu was a distinctly new articulation.

The ever-present actual or threatened violence of pastoral relations of production, moreover, could not have been quite so present in Aboriginal social life outside the control of the station. The maintenance of stratification was effected through widespread violence linked to the sexual exploitation of Aboriginal women and to the acquisition and maintenance of an efficient black workforce, whether taking the form of beatings, the denial of rations, or death. One former station resident remembered a milieu of violence:

It was things that just happened: people being chained up; people being whipped for hand-pumping the well too slow, for getting in the way of the cattle when the cattle came to drink; thing like that. That was punishable by physical force, and most of the station owners practiced that.42

The ever looming threat of violence, which needed regularly to be renewed by practice, was a specific technology of labour mobilisation. Rendered legitimate by a racial discourse which inscribed violence as a privileged mode of communication between (white) masters and (black) workers, this culture of force and fear was designed to perform that mastery and maintain in workers a submission that could not openly be broken.43 Violent excess was considered essential to control. One white resident disclosed in 1932 that:

I have been up till recently for several years a resident of the Northern Territory and can certify that a lot of unnecessary ill-treatment and cruelty is meted out to the natives and immoral use is made of the native women by white men. But I also maintain that natives need rather harsh and drastic

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treatment to keep them under control, otherwise the Northern Territory would not be safe for the white race, white women especially.'

The ‘need’ for ‘unnecessary’ violence reminds us of the communicative and subjectifying effect of demonstrations of overwhelming force. These combined with threats and rumour to form the ‘political economy of terror’ that Deborah Bird Rose has argued had been established by early settlers. The Reverend Sexton, a member of the Board of Inquiry investigating some of the violent excesses in Central Australia of Constable McKinnon in 1935, noted that once the ‘court sessions were over and men began to speak freely ... it was openly stated that it would be impossible to live in the outback unless a fear complex could be created in the native mind’.

This atmosphere of threatened violence usually prevented workers from withholding their labour by leaving the station. Desertion, when occasionally practiced, was a powerful mode of resistance. Station work needed to be completed in the right season, and thus had some urgency. In a labour-intensive industry, labourers’ withdrawal of their bodies was a powerful way of de-stabilising the station and basically preventing its economic function. It was not a step taken lightly. H V Miller, who had managed Bradshaw station on the Victoria River in the 1920s, complained of his workforce that they ‘would work well for a while, but never steadily. ... Set them at a steady job and for a week or two they would work. Then the novelty would wear off. One morning you would wake up and they would be gone.’ Snowy Kulmilya, one of the workers, put this in context: ‘Oh, we didn’t want to run away. But that head stockman ... we didn’t like him hurting us. ... We were frightened we might get shot. Some people used to just sneak away, run away, away from that man.’

The defiance of desertion was a risky move. W E H Stanner recalled witnessing in the 1930s ‘one desperate man, deserted by his labourers, going after them with a stockwhip, in the knowledge that their work stood between them and

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46 Reverend J Sexton to J B Cleland, 8 July 1935 quoted in Andrew Markus, Governing Savages (Sydney: Allen & Unwin, 1990), 110.
ruin'. This was not uncommon. When workers deserted, though usually remaining on their country, they were often brought back to work by force. At Willeroo, a Vesteys station in the Victoria River district, the workers deserted in 1936. Bartlam, the overseer, went to their camp and began firing, before requesting that one of the workers, Brumby, meet him in the saddle room. There he struck Brumby twice on the head with an axe handle, then kicked him and beat his face with a revolver. The workers returned. Desertion, in fact, was criminalised. In 1924, an Aboriginal man was sentenced at Borroloola to three months ‘with hard labour’ for ‘unlawfully enticing aboriginals away from their lawful employment’. And in 1938, Abo Call published an account of an Aboriginal stockman who had deserted a cattle station in 1932, and whose manager ‘was anxious to get him back’. Two policemen arrived, found the man with two women, and arrested them all. Charged with ‘illegally using a horse’, he was sentenced to six months imprisonment (the women were neither charged nor freed). The station manager was thus left without a stockman, but a lesson was no doubt communicated to the rest of the workforce.

More often, police would avoid laying charges and rather bring back the workers who had deserted, working to maintain a workforce through the continual threat and practice of force. Pastoralists relied on the support of the local police, whose ‘job [was] to provide any aboriginal labour and assistance needed’.

Aboriginal workers certainly did not think they could leave. Hobbles Danayarri, a Mudburra man who had worked on Wave Hill and VRD Stations from the 1930s onwards, remembered an experience of enslavement: ‘Old Gilruth told every man, whitefellow: “You’re going to kill these people right up. And you can have, top of that, couple of men, or big mob men, make them bit of prisoner. If you put them on a job, make them prisoner. Make them work for you”’. At times, according to Cook, pastoralists approached a form of chattel slavery. He wrote in 1932 that ‘there is amongst employers an inclination towards the application of

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49 The Aboriginal ‘Willeroo boys’ involved in the violence received 12 month sentences for assault. J A McDonald, Acting Secretary NAWU to Paterson, 17 June 1936, NAA: A1, 1938/389; McGrath, Born in the Cattle, 110.
50 Quoted in Richard Munro Baker, Land Is Life: From Bush to Town: The Story of the Yanyuwu People (St Leonards, NSW: Allen & Unwin, 1999), 87; ‘Northern Territory Natives,’ Abo Call (Sydney), July 1938, no 4, p 3. The Abo Call was largely written by Jack Patten of the Aborigines Progressive Society, and was the first Australian Aboriginal-focused newspaper.
51 Margaret Ford, Beyond the Furthest Fences (London: Hodder & Stoughton, 1966), 54. See also pp 71, 79, 83. Ford was writing of Central Australia in the early-mid 1920s, where Trooper Noblett would provide a black workforce for newly arrived pastoralists.
52 Rose, Hidden Histories, 138.
principles of slavery to Aboriginal employees’, in the form of ‘an unwritten law ... they shall not employ an Aboriginal “belonging to” ... [another employer] without the consent of the former employer’. In this context, it is no surprise that the Minister of Home and Territories Arthur Blakely declared in 1929 that ‘there was a form of slavery in operation’. But the institution of slavery is not necessarily analytically illuminating here. Aboriginal workers were certainly coerced into working, but it was perhaps the threat of banishment from the station—exile from one’s country—that was the chief tool of compulsion. Aboriginal working communities usually lived on their own country, a relationship recognised by pastoralists for its utility in ensuring a labour force comprising workers who may not want to work for them, but who would not leave without the gravest provocation. Thus taking advantage of communities’ relation to country, pastoralists had a stake in their continuing strength and relative autonomy. Their interest came to align with conserving, rather than eliminating, Aboriginal society.

But this was a categorically and structurally ambivalent interest. While the pastoral industry needed the labour of Aboriginal workers in order to survive, it was vulnerable to Aboriginal attack. Michael Terry wrote of another pastoralist, Mathews, who went to take up land in the Victoria River district in 1926, only to be told by local Aboriginal people that the land belonged to them. Mathews chased them away, and in revenge the land was burnt leaving no pasture for cattle, his hens were stolen, and beef regularly taken. Similarly, Florida Station at Murwangi in

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53 Cook to Weddell, 23 July 1932, NAA: A1, 1933/479. There were also reported instances of ‘breeding one’s own labour’: ‘On one North Australian run, which boasts fifteen half-castes of ages from one year to 36 years, seven at least bear the name of the owner, who was quite emphatic that half-castes should not be taken from the stations on which they were born as they make good labour.’ Bleekeley, The Aboriginals and Half-Castes of Central Australia and North Australia, 27.


Eastern Arnhem Land was taken up in the 1930s and quickly abandoned because of Aboriginal attacks on cattle.\textsuperscript{56}

The 1928 Coniston massacre—where, as mentioned in the introduction, a punitive mission led by police murdered at least 31, and perhaps as many as 110, Warlpiri people—came after Aboriginal threats to white settlers in the area which were, it seems clear, designed to assert Aboriginal ‘sovereignty’ over the area. The immediate provocation was the murder of Fred Brooks, a dingo hunter, but there had been a history of Aboriginal declarations of authority to which the massacre was a more general response. Tilmouth, a settler whose land adjoined Coniston station, had left the area after an Aboriginal man ‘came up to camp, taunting him: “This one black feller country; nothing want ’em white man, white feller shift, can’t sit down longa black feller.”’\textsuperscript{57} As the then Government Resident in Central Australia, John Cawood, put it, what was at stake was occupation of and sovereignty over territory. It was, he suggested, ‘the opinion of old residents of this part’ that ‘trouble has been brewing for some time, and the safety of the white man could only be assured by drastic action on the part of the authorities. In their opinion the only other alternative was to hand the country back to the blacks.’\textsuperscript{58} The question of sovereignty was certainly not settled, nor was violence in any way monopolised by the state. But in this Warlpiri country, white sovereignty was instantiated by the practice of extreme violence, communicating clearly that Aboriginal resistance in the form of assertions of dominion would be met with disproportionate force.

Until the 1940s, pastoralists’ control over, and ownership of the stock on, the land was always tenuous. Aboriginal cattle-spearing was common and, to a limited extent, tolerated.\textsuperscript{59} But both large-scale cattle killing and personal attacks on settlers were met with disproportionately violent responses; these were both read and


\textsuperscript{57} Terry, \textit{Hidden Wealth and Hiding People}, 217ff, 23, 34.


\textsuperscript{59} Phil Mundoon, a former mounted policeman, recalled plenty of cattle killing, despite police patrols, in the Victoria River district in the 1920s: Transcript of Interview with Phil Muldoon, 1964, Tape 1, p 5, NTAS: NTRS 226, TS 7602.
probably intended as Aboriginal resistance to pastoralists’ living and working on the land. As Bleakley wrote, ‘[a]s long as the blacks have reason to labour under a sense of deprivation or injustice, the trouble with cattle killing will continue’. Retribution was considered a part of the Territory economy of justice: ‘there are many nomadic natives wandering about the ranges and periodically the bucks sally forth on a cattle slaying expedition. The squatter puts up with a certain amount of this as a necessary evil, but when the attacks become too frequent, it is Trooper Hall’s job to administer justice.’

This violence was tempered by pastoralists’ tacit acknowledgment that Aboriginal people were the ‘backbone’ of the industry. H V Miller alluded to the contradictions of interwar colonialism in the Territory when he wrote that the ‘Northern Territory aborigines are the Territory’s biggest problem. They are a menace in many ways. They are gradually dying out. They might be better away, but at present they cannot be done without.’ Similarly, Hector Fuller, the manager on the Durack family’s Newry Station in the Victoria River District, wrote in 1937 that ‘[i]t is an old and very true saying that one cannot run both cattle and blacks on the one property, and I presume the cattle come first, as the cattle industry is the only one of consequence here.’ He referred here to non-employed black people (‘bush blacks’), not the workers who were indispensable (‘my blacks’). Fuller sought not the extermination of Aboriginal people, but rather the end of any Aboriginal autonomy and self-sufficiency, and the creation of an entirely dependent slave class. Though relatively extreme, this expressed the contradictory logics of exploitation and elimination that ultimately underlay pastoralists’ plans for the development of the industry. Fuller regarded Aboriginal people purely as exploitable menials, almost as beasts of burden to be used until death.

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61 ‘N.T. Police,’ Northern Territory Times (Darwin), 26 February 1929, p 3. The union-owned Northern Standard had a different take on such activities: ‘The fact that Jacky has to kill an odd goat or beast to get a feed is an eloquent commentary on the way his humane employers feed him and maintain his dependents, and the screaming part is that an overfed policeman is sent hundreds of miles to arrest the underfed miscreant.’ The Bagman’s Gazette, Northern Standard (Darwin), 11 October 1932 quoted in Sager, Discovering Darwin, 71.


63 Hector K Fuller to Constable Fitzer, 23 November 1937, NAA: F1, 1939/593. The equation had been expressed with greater clarity by Mounted Constable Dempsey of Borroloola in 1913, who wrote that ‘Cattle and bush natives cannot together do well on the same country’. Quoted in Baker, Land Is Life, 80 (emphasis added).
Governing Pastoralism: The Work of Articulation

What Fuller ignored, and what the Government would have to take into account, was the emerging view that the reduction of Aboriginal communities to a state of complete dependence was not in the interests of the (pastoral) development of the north. The Payne–Fletcher Report re-framed the situation by positioning Aboriginal labour not as a chattel available by right to pastoralists, but rather as a necessary subsidy to the cattle industry, a product of the particular economic and political dispensation.64 This was a revision of the official mind based on the de facto order on many cattle stations. As often occurred in practice, and as will be discussed below, station managers encouraged the presence of a community from which they could draw labour on their land. Aboriginal communities were treated collectively—workers and ‘dependents’—as tribes which provided workers, and which were both entitled to rations and provided for their own livelihood.65 From the 1930s onward, Canberra began to take this formation as the northern norm akin to franchise colonies elsewhere, rather than as evidence of a deviance to be brought under control. The shift in governmental framing of the specific colonial situation represented a turn to embrace the social formation and a deferral of its transformation. This perpetuated, rather than destroyed, a colonial relation whereby settlers exploited the labour power of Aboriginal ‘tribes’.

The Aboriginal communities thus recognised, though, were systematically super-exploited and deprived, causing, aside from a human disaster, a developing labour problem that came to crisis in the 1930s. While many historians have suggested that the policy shift that ensued, and that is discussed in later chapters, was a result of the need to reckon with the failure of the assumption of a dying race—Aboriginal, or ‘half-caste,’ populations were increasing in numbers, not disappearing—the experience on the Territory’s pastoral stations was very different. Aboriginal people were dying; the working population was ‘rapidly declining … due to neglect, … past exploitation’, and decades of violence, impoverishment, malnutrition, and lack of medical care. Aside from any human

concern for such destruction, the struggling cattle stations were beginning to face a
dire shortage of cheap labour. The labour situation, over the 1930s and 1940s,

Vesteys’ policy, as interpreted by Ronald and Catherine Berndt in 1944–5, and reflecting little change from the general state of pastoral stations reported by Bleakley in 1929, was to accept that a consequence of appalling work conditions and insufficient rations was the diminution of their Aboriginal labour camps, and to relegate the reproduction of labour power to Aboriginal communities.\footnote{Bleakley, The Aboriginals and Half-Castes of Central Australia and North Australia, 6, 9.} Vesteys acknowledged both their industry’s complete reliance on Aboriginal labour, and that black workers on their stations were dying, were not having children who survived, and were generally unhealthy. Gordon Sweeney, then a patrol officer based in Alice Springs, reported after a patrol of the western district in 1943 that there were extraordinarily low proportions of children in station camps, generally under 20 percent. The conditions were particularly apparent on Wave Hill station, a Vesteys property. There, children comprised only 19 percent of the local Gurinji people while, among the Wailbris and Mudburas, both ‘tribes’ of ‘desert natives’ who had only recently come in to the stations, 39 percent were children. One woman lost her child, born prematurely, and no whites at the station noticed she became too sick to attend for her rations at the store.\footnote{Gordon Sweeney to Chinnery, 1943 Patrol Report, 1943, NAA: F1, 1943/65. Many of these more recent arrivals were refugees fleeing the Coniston massacre.} Aboriginal people could work on the stations, but no people could survive such conditions. On Victoria River Downs, which spanned over three million hectares, the Aboriginal population in 1880 has been estimated at over 4200. By the time of the first census in 1939, there were 187 Aboriginal people.\footnote{Rose, Hidden Histories, 212.}

Vesteys, in general, was not at all interested in improving the conditions of life on stations amongst their already existing workforce: ‘I am not’, one station manager wrote in 1944, ‘in the least bit concerned in hearing anything about the
actual station natives themselves’. Rather, he wanted to bring in anthropologists who would ‘contact the bush natives, endeavour to settle the Myall tribe somewhere on our stations where we will be able to more or less keep them in hand, and utilise the labour that is available’. Station managers, on most Territory stations, believed there to be a near inexhaustable supply of Aboriginal people in the bush, who could be brought in to the stations as the labour of their predecessors required replacement. The pastoral economy was thus reliant on the reproduction of labour outside the pastoral mode of production.

As in the case of argument over wages, this was represented as the inevitable outcome of difference. Vesteys argued that pastoral stations were incapable of providing the conditions on which Aboriginal people could live and thrive due to, in this example, different housing needs:

I heard that there was a likelihood of station owners being asked to provide certain housing for aboriginals which do not seem to me to be practical in that it did not take into consideration the nomadic habits of the aboriginal and his desire at all times to design his own type of dwelling. ... [W]e want to give the aboriginal a fair spin but we do not want to be put to unnecessary expense ... [T]he commercial problem confronting stations is to provide sufficient labour to efficiently work their properties for wrapped up in this problem is the dependence of all stations on obtaining black labour.

Relegating the reproduction of the workforce to an Aboriginal economy was constituted as both a necessity and a natural outcome. If stations relied on ‘obtaining’ black workers but were only able to produce Aboriginal death, a living ‘native society’ outside the towns and stations was thus necessary to ensure the continual supply of the black labour required for the success of Territory enterprise. They needed, in other words, to incorporate Aboriginal communities and their social reproduction into the colonial order. What wealthy pastoralists thus sought, and what the Government tried to deliver, was the articulation of Aboriginal economies

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70 AIA to Berndt, 6 November 1944 quoted in Berndt and Berndt, End of an Era, 37. By this time pastoralists were also facing the competition for labour of the Army which during the war employed thousands of Aboriginal workers on far better conditions than those offered by station work.


72 AIA to Berndt, 26 June 1945 quoted in Berndt and Berndt, End of an Era, 49.
with pastoralist enterprise.\(^{73}\) The colonial formation of the Northern Territory was materially similar, in important ways, to that in colonies like Kenya or South Africa, amenable to similar techniques of government. As I will discuss in chapter six, this articulation became the central concern of the Northern Territory Administration and of the Commonwealth Government in its policies on development and native affairs in the late 1930s. Through enabling a form of Aboriginal self-management and self-sufficiency—what we might identify as a form of indirect rule—the de facto arrangement of articulation came to be codified and solidified in the arrangement of government and, consequently, jurisdiction.

Some historians, including Anne McGrath and Lyn Riddett, have emphasised Aboriginal agency in the rural North. They have argued that Aboriginal people ‘chose to work where it suited them’, or ‘incorporated cattle life into their world, consciously adapting and integrating it’.\(^{74}\) The implication is that pastoral settlement did not ‘swamp’ or dominate Aboriginal communities; that the relation was, at certain times and in certain places, the opposite. Their practice of reading pastoral records against the grain to find voluminous evidence of Aboriginal autonomy and resistance shows just how difficult were the settlers’ struggles to ensure that Aboriginal economies subsidised the pastoral economy, and not the other way. As I will argue in chapter seven, the ‘walkabout’ was one key institution of negotiation, where both Aboriginal and pastoral cultures slowly adapted a practice of resistance and cultural preservation to a form that facilitated the economic interests of the pastoral mode of production. Ultimately, each such resolution was a compromise that balanced the competing forces.

But as difficult as settlers’ struggles were, the overwhelming force they bore enabled them to begin a reign of violence that would clear away any space for confrontational resistance. In William Willshire’s words: ‘It’s no use mincing matters—the Martini-Henry carbines at the critical moment were talking English in the silent majesty of these eternal rocks.’\(^{75}\) Quoting Anzac Munnganyi, a Bilinara

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man and former stockman on Victoria River Downs, Rose describes a structural violence that overwhelmed the entire Territory:

White man really put it over Aborigines. ...White man just came up and picked the land straight away. Every place ... They reckon it’s one story, every way. Ngarinmanpurru, Bilinara, Nungaliwurru, Wardaman, Warlpiri, Walman, they now. Because whitefellow never do only one place this way. Every way [they were] shooting. All around the Wave Hill, Warlpiri, Walman, Gurindji, Nyining, Jiyal, Walmyarri, Bilinara, Wollyijurung, Ngarinmanpurru, Nungaliwurru, Wardaman, all round. Right up where this Yanyula, Binbinga, Ngalurunga, Jingulu, Wampayi, same thing. They try it in the Territory every way. That’s the story we know from Top End—old people were losing all the people every way. Aboriginal never got away.\(^76\)

This is not a story of the complete erasure of Aboriginal people and their agency, but rather one of severely constrained choices. Those who worked on the stations were the survivors of an initial wave of brutality, whose social and material existence depended on some interaction with pastoralists in exchange for rations. Aboriginal historians of the Victoria River area, Rose found, emphasised confinement over mobility, underlining an understanding that, ‘in the last analysis, Aboriginal people had been systematically deprived of their freedom’.\(^77\) But rather than arguing between the two poles of agency and de-humanising domination, we might assume instead a ‘condition of enslaved humanity’; a condition, in Walter Johnson’s formulation, that ‘was at once thoroughly determined and insistently transcendent’.\(^78\)

Aboriginal action rarely sought to remove white settlers entirely, or to perform an exclusive possession of the land. Rather, agency was manifested in an extraordinary labour to maintain community and country, and to demand of pastoralists an at least tacit recognition of their customary and lawful order, mapping of territory, and social relationships.\(^79\) Riley Young Winpilin, an Aboriginal

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\(^{77}\) Ibid., 73. See also Peter Read who, in arguing that Aboriginal workers were enslaved on the cattle stations of the north in this era, writes that Aboriginal people ‘did not choose’ to work on the stations but rather ‘had no alternative’: Read, “The Survival of Slavery in Australia in the 20th Century,” 39.

\(^{78}\) Johnson’s work emphasises the need to move away from discoveries of agency as free will, a ‘natural’ (liberal) counterpoint to slavery, and rather to question the ways even the ‘bare life existence of slaves’ were both ‘sedimented with enslavement’ and irreducible to ‘simple features of slavery’. Walter Johnson, “On Agency,” *Journal Of Social History* 37, no. 1 (2003): 115–16.

\(^{79}\) Much like the ‘proto-peasantry’ or ‘peasant breach,’ as the autonomous development of peasant production by plantation slaves in the Caribbean has been termed by economic historians,
man of the Victoria River District, described survival on one’s own land in order to
care for that land as the underlying reason for working on the station. People told
themselves, he said, ‘Long as you can look after the land. Keep the place, right thing
… . We might do something more sometime. We might turn the law someday. Any
year’s time.’ Musso Harvey, a Yanyuwa man and former station worker, described
the maintenance of ceremony on the station, learning and practicing every evening.
The old men of the community would ‘call the name of people, call the country, what
ceremonial, of good. What dreaming went through, how he went … tell us all the
ceremonial.’ These old men were able to extract breaks for such practice from
station managers—‘one day off or two day off, they have the dance, go back to
work’—and managers would both ‘leave us alone’ and prevent other settlers from
going ‘into that business, stay out of it’. This acceptance required remarkable
coercive effort or manoeuvring by Indigenous people. Their consequent survival
came to be normalised by the state in the late 1930s, when a new policy recognised
this survival not just of Indigenous people but of re-articulated Indigenous
communities, albeit by assimilating them into a colonial ontology.

This assimilating articulation discursively re-thought the Australian north. I
have discussed, in this chapter, some of the features of the Northern Territory as a
specific colonial formation, resembling a franchise colony more than a settler colony.
It was an ambivalent part of the Australian nation, a nation founded on and
committed to the white male settler as emblematic and functional sovereign. But at
the same time it was spatially located in the tropics and populated by few white
people, and pastoral development was dependent on black labour. This represented
a contradiction. Aboriginal people’s work on cattle stations and simultaneous
commitment to autonomous communal economic lives was, in this sense, a way of
demonstrating their indispensability to a modernising Australia, making plain the

Indigenous production and practice of land tenure on stations and reserves was both a mode of
response to the pastoral labour system and a mode of resistance to the life it mandated. Indigenous
economies ‘operated within the system’ of colonialism, ‘but nevertheless did open up some
possibilities for autonomous action’. An analytic dichotomy of domination and agency is
unsustainable in understanding this situation; Indigenous people were agents, opening spheres of
relative autonomy on reserves, stations, and in towns even as the interlocking economies functioned
to exploit them. Contradiction was built into the system, requiring constant management to ensure an
ordered social formation, and forcing the state to take Indigenous production not only as an obstacle
to development, but also as its necessary basis. Sidney Wilfred Mintz, Caribbean Transformations
See also Stuart B Schwartz, Slaves, Peasants, and Rebels: Reconsidering Brazilian Slavery (Urbana:

80 Quoted in Rose, Hidden Histories, xxi.
settler problem of producing a white nation amidst dependence on Indigenous communities. This contradiction was unfathomable to white Australian nationalists, committed as they were to an uninterrupted and perfect settler sovereignty. But the situation was made legible by coming to understand Australia’s north as a distinct colonial formation, with assemblages of sovereignty that necessarily differed from those of the south.

We have found that, in the Northern Territory, sovereignty was explicitly unsettled. The conflict and massacre at Coniston Station in 1928 was, in its extremity and publicity, exceptional. But it was at the same time representative of the contestation that attended each assertion of sovereignty in the interwar north. Patriarchal white sovereignty, as Aileen Moreton-Robinson has argued in the settler colonial context, has a possessive logic; whiteness is produced through acts of possession as sovereign subjectivity. Possession, at an ontological level, occurs 'through the imposition of one’s will-to-be on the thing which is perceived to lack will, thus it is open to being possessed'. Sovereignty, in other words, is practiced through structuring encounters around a naturalised subjectivity of potential proprietorship.82 But white sovereignty in the interwar Northern Territory could appear only as lacking in relation to this structuring logic of possession. Settlers were unable to instantiate themselves as sole law-makers, sole sovereigns, and sole political communities. They needed, inevitably, to reckon with overlapping sovereignties, territorialisations, and modes of production. This forced them to re-think the nature of settler colonialism in the north, to come to terms with the strength of Aboriginal communities in a modern nation, and to develop an assemblage of sovereignty that articulated possessions.

This situation could have been understood, as will be discussed in the following chapter, as that of the pastoral frontier; a space on the ‘other side’ but inevitably being brought within the nation. But it also came, in the interwar period, to be interpreted and normalised as a franchise colonial situation, albeit within a settler colonial nation. Some, though certainly not all, settlers were pushed towards an understanding of the need, in the Northern Territory, to acknowledge the existence of functioning Aboriginal communities and to work to manage their articulation with expanding settler pastoralism. In so doing, they had cause to turn to those models for understanding ‘native society’ then circulating the Empire. They

turned, that is, away from framing the Northern Territory as ‘freak country’, away from an interpretation of the north as somehow constituted by a lack of whiteness, in relation to a settler colonial nation. In so doing, they began to normalise the north as a colonial situation in which, as we saw in examining the Nigerian example, a native people appeared not only as an obstacle to colonial development, but also as a potential, if produced as contained, incorporated, and its forces channelled in specific directions. The ‘discovery’, or discursive production, of ‘native society’ was, here, the critical move. Settlers’ discovery and recognition of Aboriginal communal economic and sovereign potential, in other words, located Australia within the empire-wide milieu of the arts of governing and colonising peoples. And as it did so, indirect rule came to be an available mode of governing the Northern Territory.
CHAPTER FIVE

Framing a Positive Policy: Advocates for Indirect Rule in Australia

From now on the rules of the game will be very strict, for the days of anthropology have arrived, and the Native will become an important subject, lifted from the abject state we doomed him to as ‘just a nigger.’ And may God speed his plough!

– Fred Blakeley, *Hard Liberty*, 1938.¹

Introduction

In the early years of the twentieth century, Henriette Pearce followed her husband, a miner, to Maranboy, seventy kilometres east of Katherine in the Northern Territory. Her exemplary account of settlement, told to Elisabeth George in 1943 and published as *Two at Daly Waters* in 1945, recounted an arrival in what she imagined to be an empty landscape, finding herself and her husband ‘almost as solitary as Adam and Eve must have been when they went out as pioneers from the garden of Paradise’. But as she found herself alone, her imagination filled the landscape with menace: ‘a fear ... gripped my heart. I thought of the wild black people hidden in the bush, and it seemed to me that the night was full of watching eyes.’² From an emptiness to a savage occupation, the Northern Territory came to be populated by a mystically powerful threat. Aboriginal people could see her, in all her affective vulnerability, but she could not return their gaze. The emptiness of the country was filled with the terror of invisible dangers.

Pearce’s first encounter with Aboriginal men was, then, a transformative experience in finding a place for alterity. ‘[S]uddenly’, she wrote:

there seemed to me something ominous in the quiet of the hot morning air. I flung the hair back from my eyes and saw just in front of me a score of naked

black men carrying long spears. Their faces were streaked with ochre, their bodies painted with white skeleton lines, and they wore strange head-dresses that looked like something out of a nightmare to my English eyes. They stood there watching me, as still as if they had been carved in stone, but with eyes so dark and piercing, so intensely alive, that I had felt their glances rather than heard their stealthy approach.

She screamed and ran away from the threat, but her fear turned out to be short-lived. ‘I was afraid of myalls (wild natives), but I had to become accustomed to dark faces about me. One of my first duties was to train the native helpers for their work inside the house and out.’ It was now her controlling gaze that could tear apart and assemble, arrange and re-arrange its objects. The extraordinary power of, and the threat of subjection to, the black gaze was subjugated: ‘dark faces’ sutured now to working rather than violent bodies. Her training being successful, Pearce became completely reliant on the native labour, both in the house and on the mine, that made her life possible. The savages she had imagined turned into material to be disciplined as workers or, in her words, as ‘helpers’. The Northern Territory emerged in this narration as a terrain characterised not by absence but by otherness. And this otherness came to be constituted not by threatening ‘savages’ who must be exterminated, but by a race of menials to be exploited for labour. As we will recall from the discussion in chapter two, a similar process of control through labour was fundamental to indirect rule in Nigeria.

Pearce’s exemplary discovery of redeemable otherness—what the Methodist missionary in Arnhem Land T T Webb described as ‘a people extremely primitive and undeveloped, but at the same time rich in possibilities’—rather than absence represented the seepage of the northern social formation into a popular understanding. In the previous chapter, I mapped a pastoral economy of beef production as the dominant northern industry, as the pivot around which Territorial politics revolved. My interpretation in that chapter was largely materialist, tracing

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4 T T Webb, The Aborigines of East Arnhem Land, Australia (Melbourne: Methodist Laymen’s Missionary Movement, 1934), 29. The colonial field was thus transformed into a debased version of Europe, no longer of another species, but nor necessarily in need of uplift and improvement, as in earlier nineteenth century colonial discourses. Rather, the potential for progress was found in the nature of collective colonial subjects themselves. Cf Saree Makdisi, Romantic Imperialism: Universal Empire and the Culture of Modernity (Cambridge: Cambridge University Press, 1998), 113.
an articulation of different modes of production, examining the particular relations of exploitation on cattle stations and the ways these were racialised and activated. In this chapter we return to the question of representing and framing this situation. Pearce’s account of that northern situation represents what I argue is a particularly colonial understanding. As I will discuss later in this chapter, it was an imaginary categorically not of the frontier.

Pearce’s style of interpretation was also given voice by social anthropologists and the many humanitarian groups based in the urban south-east who came together in protesting the proposed military expedition to Caledon Bay in 1934. This broad social movement culminated with the anthropologist Donald Thomson’s 1937 project on behalf of the Government of the Commonwealth of Australia in Arnhem Land; a signal moment in the colonisation of the Northern Territory. His work, which I discuss in this chapter, marked a conjunction of government and anthropological discourse, bringing colonial and colonising knowledge into an at times uneasy relationship with a continuing, albeit transformed, invasion. In this chapter, we turn to a shift in the objects, and consequently the techniques, of colonial government in the Northern Territory. Sparked by Aboriginal action both in the Northern Territory and in the centres of policy in the south-east, the popularisation of anthropological knowledge provided a discourse within which Aboriginal claims and agency could be framed.

This chapter thus tracks the infiltration of indirect rule into proposals and campaigns for new political solutions to the government of Aboriginal people in the north of Australia. There was an explosion of white organisations interested in Aboriginal welfare in the interwar period, provoked by the growing southern Aboriginal activism of the era and by the contradictions and sovereignty disputes in the north. Many white Australians in the south found in indirect rule—which they

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The growth of white women’s activism at this time was particularly notable. As early as 1928 Constance Ternent Cooke wrote in relation to one of the Aborigines’ Friends’ Association’s plans to exploit Aboriginal people that ‘I can raise up the women if they dare attempt it, as we are well organised in Australia’. Cooke was then Vice-President of the Aborigines’ Protection League, and remained heavily involved in the Women’s Non-Party Association and the Australian Federation of Women Voters. She may, as Jane Carey has argued, have over-estimated the interest of white women’s movements in ‘pro-Aboriginal’ activism. Constance Ternent Cooke to Travers Buxton, 28 November 1928, ASAPS Papers, MSS Brit Emp S 19, D 2/21. See Fiona Paisley, “For a Brighter Day’: Constance Ternent Cooke,” in Uncommon Ground: White Women in Aboriginal History, ed. Anna Cole, Victoria K Haskins, and Fiona Paisley (Canberra: Aboriginal Studies Press, 2005); Fiona Paisley,
encountered through reading reports of the British empire in Africa and the standards set by the League of Nations Mandate system, from colonial rule in the Western Pacific, and from applied anthropology—an authoritative and limiting resolution to the more substantial claims being made by Aboriginal people. In previous chapters, I described what we might call the mentalities of indirect rule, or of functionalist anthropology. Here, through a selective mapping of Indigenous policy discourse, we will follow these mentalities as they moved in Australia from radical idealism to be established as a norm within a white-dominated Aboriginal rights discourse.

This and the following chapters place indirect rule in the context of the settler state’s evasion of Aboriginal political claims. If indirect rule had its African origins in balancing colonial expansion, chiefly authority, and the need to control rebellion, in Australia it can be seen as managing a compromise between settler colonialism’s logic of elimination, Aboriginal action, and the contradictory needs of northern development. The turn to indirect rule and its obsession with rendering racialised difference impermeable came at a time of increasing white panic over populations labelled ‘half-caste’ which were introducing a new ambiguity into northern Australian politics. Administrators developed new schematic categorisations, riven with ambivalence and contradiction, which sought to occlude the complexities of hybridity by rendering them utterly incompatible with governmental logic. But the unerring focus of southern white humanitarians on northern Aboriginal people should remind us of the pervasive influence of ideologies of race and authenticity in popular, as well as state, practice. In this chapter I examine just a few of the more notable or influential policy schemes, including the model Aboriginal State plan and Donald Thomson’s recommendations, and place them in the context of a broader intertextual milieu of empire.

Through tracing these plans, each carrying the traces of transnational or transcolonial influence, we move to examine the ideological shift in interwar Australia, and the encroaching dominance throughout the 1930s of what I have termed the political rationality of indirect rule. Indirect rule was, most critically, constituted by the production of Indigenous people as part of ‘native society’, a social form best governed through conducting its social institutions or forces.

towards colonising outcomes, working with rather than against those institutions. Each of the policy suggestions we will examine proposed the implementation of what we might understand as a tempered form of indirect rule, one conditioned by a white Australian refusal to part with an entirely racialised understanding of Aboriginal inferiority. But, more importantly, they grasped towards the notion of Aboriginal potential and capacity for growth, production, and improvement. Influenced by both scientifically anthropological and popular ethnographic accounts, they framed Indigenous people in Australia not only within terms of degradation and an inevitable decline and disappearance, but also as comprising functional, and functioning, native societies. These modes of representation were complementary, rather than contradictory. Mapped onto the space of the Australian nation, policy-makers located native societies in the north and their disappearance in the south, tracing the gradations between. This instantiated the north, and only the north, as a space for what the influential University of Sydney anthropologist A P Elkin described as ‘a positive policy’ for Aboriginal people, one that was heavily indebted to the philosophy of indirect rule. In this chapter we will explore those policies, and the implications of their spatialisation, as we trace the interwar development of indirect rule into a dominant political rationality in Australian discussions on the government of Indigenous people.

Voices from the South: Aboriginal Activists and White Humanitarians

In April 1929, 33 representatives of interested organisations met in Melbourne for a one-day conference, convened in the wake of the publication of the Bleakley Report, to discuss the Commonwealth government’s future treatment of Aboriginal people in Australia. One of those present was J Chas Genders, a wealthy accountant from Adelaide who was the Secretary of, and driving force behind, the Aborigines’...
Protection League. Genders first spoke early in the conference, during the first debate relating to a motion to amalgamate three reserves in Central Australia, thereby creating one large reserve of 5000 square miles to be developed by the Federal Government in the ‘interests of the aborigines’. The ‘initial error’ in white Australia’s treatment of Aboriginal people, he argued, was ‘in allowing the black man’s tribal lands to be overrun, without assisting him in the transition from an age-long nomadic life to more settled conditions, by keeping his tribes intact, finding him agricultural teachers and giving him all possible assistance’. Having not taken the needs of Aboriginal society into account, and having taken their country, ‘we have smashed their wonderful tribal systems of government. It follows that we have de-tribalised and demoralised them and, as we know, large numbers have become diseased. That is the indictment against Australia today’.

While supporting the amalgamation of reserves as in the original motion, Genders moved an amendment: ‘That taking the aboriginal boundaries, we should not consider latitude and longitude, but act in accordance with the land of the aboriginals’. Did this mean, the Minister for the Interior asked, that they should ‘take the natural configurations of the land?’ Genders answered ‘yes, that the land, taking the aboriginal boundaries, should be allotted in perpetuity to the aborigines, that they should be allowed to govern it as far as they are able with the assistance of teachers and others’. This was clearly moving the discussion well beyond the bounds of the Minister’s intention. Implementing tribal boundaries and recognising Aboriginal self-government was never the intention of the reserves plan; indeed the discussion on reserves was about to move on to the suggestion that the reserves be renamed ‘sanctuaries’, since ‘[n]aturalists now have sanctuaries for native animals, and birds, and I do not see why there should not be sanctuaries for the aborigines’.

Genders’ amendment was withdrawn. He moved it later in slightly different form, this time relating to ‘all nomadic tribes, still with their tribal governments’, but again met with little success. The Minister, evidently bemused by the vision of members of the League, commented that ‘while there are many admirable things in the

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8 Ibid, pp 9, 11–12 (Genders), 10 (Minister, Genders, Mathews). We should note here the Minister C L A Abbott’s conflation of ‘Aboriginal’ and ‘natural’, a likeness which Genders implicitly disputed.
motion, I think you are a little ahead of your time Mr. Genders'. At his suggestion, Genders withdrew the motion to be referred to a committee. The committee was never formed and the proposal was considered, by those outside the League, to be dead.\(^9\)

This broad motion had forced an argument on the narrower proposal to establish a model Aboriginal State that Genders had been pursuing since first bringing it to the conservative Aborigines’ Friends’ Association in early 1925.\(^{10}\) His new organisation, the APL, had as its President Herbert Basedow, an anthropologist who in 1911 had a short-lived and ignominious rule as the first Chief Protector of Aboriginals in the Northern Territory, resigning after 45 days. Mary Bennett, who Henry Reynolds has described as ‘probably the most important humanitarian activist of the 1930s and 1940s’, was to become a key supporter.\(^{11}\) The APL drafted a petition that called on the House of Representatives to ‘cause to be constituted a model Aboriginal State to be ultimately managed by native tribunal as far as possible according to their own laws and customs but prohibiting cannibalism and cruel rites’. While white assistance should be provided, provision was to be ‘made that ultimately the Government may be conducted by aborigines, and that it would be possible at some future time that the Administrator himself could be a native’. Other than officials of the Federal Government, and authorised missionaries, teachers and agricultural instructors, no non-Indigenous people would be allowed to enter. No Aboriginal people were to be detained in the state against their will, and none was to

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\(^9\) Ibid, pp 11–13 (Cooke, Genders, Minister). Genders continued to contribute to the conference, but only to disagree with proposals made by others. See pp 17, 24, 28. Russell McGregor describes Genders as the ‘single exception to the consensus’ at this conference: Russell McGregor, “‘Breed out the Colour’ or The Importance of Being White,” *Australian Historical Studies*, no. 120 (2002): 118. See ‘Report of Hon Sec and member of executive (Colonel Genders) to the State Executive upon his return from the conference to discuss Mr. J. W. Bleekey’s report and other matters connected with the care of Aboriginals and half-castes, convened by the Minister of State for Home Affairs of the Commonwealth (Hon. C. L. A. Abbott, M.P.), held in Melbourne on 12th April, 1929’ in *Aborigines’ Protection League, Australian Aboriginals. A Statement by the Aborigines’ Protection League Explaining Its Basic Principles and Proposals and Discussing Statements in the Public Press and Recent Reports and Recommendations* (Adelaide: Aborigines’ Protection League, 1929).

\(^{10}\) The AFA was a consistent opponent of the proposal. Rev John H Sexton, Secretary, Aborigines’ Friends Association to Secretary, Home and Territories Department, 16 March 1925; Sexton to Thomas Glasgow, Minister for Home and Territories, 15 November 1926, AFA Papers, SRG 139/1/65.

\(^{11}\) Basedow saw Aboriginal people as under-exploited racialised labour for the tropical north where ‘white labour is impossible’—‘Providence has given us a coloured man, the Australian aboriginal, but I regret to say that we have not availed ourselves too well of the opportunity’—who, if they survived, could provide services to generations to come: Herbert Basedow, *The Possibilities of the Northern Territories of Australia, with Special Reference to Development and Migration* (London: Empire Parliamentary Association (United Kingdom Branch), 1932), 10–11. On Bennett’s support for Genders’ plan, see Reynolds, *This Whispering in Our Hearts*, 220; M M Bennett, *The Australian Aboriginal as a Human Being* (London: Alston Rivers, 1930), 130; Bennett to Cooke, 26 March 1929, Cooke Papers, GRG 52/32/25.
be forced into the area. Rather, the ‘tribes’ already living within the area of land
granted would provide the nucleus of the state’s population. Inspired by Maori
representation in New Zealand, the state was also to have representation in Federal
Parliament. An accompanying Manifesto elaborated some of the claims and provided
more extensive arguments for the establishment of the State including a suggested
location: Arnhem Land.12

The petition was presented to the Commonwealth Government in October
1927 with over 7000 signatures.13 Cecil Cook, then Chief Protector in the Northern
Territory, expressed provisional support, and the Commonwealth referred it to
Bleakley to investigate in 1928. While crediting the proposal as ‘having been born of
a sincere and wide-spread desire for the upliftment of a downtrodden race’, Bleakley
described it as ‘impractical’. He denied that Aboriginal people had any ‘conception of
democracy as understood by civilized nations’ and argued that ‘native laws and
customs seem to utterly fail to conceive of any idea of a combination or federation of
tribes for mutual government or protection’. The establishment of a democratic
native state would, therefore, ‘thrust upon them a social machine they cannot
understand’. Bleakley noted that if the proposal was stripped of its ideas of
‘federated self-government’, it could provide a useful scheme for the development of
Aboriginal people.14 This was, however, not what the League was aiming for.

The APL located the blame for attacks on Aboriginal communities on
individual cases of cruelty and oppression, a general ignorance of the impact of
taking away hunting grounds, a lack of missionary effort and, most importantly, the

(for distribution with the forms for Petition to the Federal Parliament),’ AFA Papers, SRG 139/1/65.
On the place of New Zealand policy as inspiration for the APL, see Russell McGregor, "Looking across
13 'State for Aborigines,' News (Adelaide), 15 April 1926, p 5; Michael Roe, “A Model Aboriginal State,”
Aboriginal History 10 (1986): 40. Signatures were obtained through a widespread publicity push,
including staffing stalls in Adelaide: see, for example, 'The Aborigines. Suggested State. Native
Tribunal,' Sydney Morning Herald, 28 January 1928, p 11; 'Model Aboriginal State. Petition to
Parliament,' The Argus (Melbourne), 22 February 1928, p 11; 'Aboriginal State,' The Register
(Adelaide), 22 February 1928, p 8; 'Aboriginal State: Petition for Establishment,' News (Adelaide), 23
February 1928 p 4; Qui Vive, 'Around the City: Gossip About People and Events,' The Observer
(dalaide), 19 March 1927, p 63. Signatures were also collected in England, however they arrived too
late to be included. J Chas Genders, The Australian Aborigines (Adelaide: Aborigines’ Protection
League, 1937), 1.
14 Cecil Cook, 'Reflections on proposed native state', 3 September 1927, NAA: A1, 1932/4262;
Radcliffe-Brown also thought the plan ‘hopelessly utopian and impossible’. W Lloyd Warner, A R
Radcliffe-Brown, and F W Burton, “Some Aspects of the Aboriginal Problem in Australia,” The
Australian Geographer 1, no. 1 (1928): 69.
problem that ‘[o]ur well-meant and costly experiments in their interests have not been sufficiently on the right lines’.\textsuperscript{15} They believed that the Commonwealth, or the states, could not rule Aboriginal people without producing death:

we have thoughtlessly smashed up the corporate life of hundreds of tribes, disinherit ing and demoralising the Aboriginals. This is the main cause of the tremendous reduction of the Aboriginal population now fast approaching extinction. Before the white man’s advent they had wonderful systems of Government and were a fine and healthy race.

The League sought, then, to allow these systems of government to thrive: ‘We do not propose to thrust any social machine on the Aboriginals, and heaven forbid that we should desire to impose our social life on him.’\textsuperscript{16} This idealised ‘tribal government’ could, Genders and the APL argued, produce Aboriginal life. An embrace of this government represented, then, the production of ‘races of people who will be of immense help in developing our empty Northern Estate particularly in the more torrid zone’\textsuperscript{17}. In this turn to a biopolitics we can see the influence of an ethnological discourse of primitivism, as well as echoes of the public re-valuation of Aboriginal socialities by the emerging Aboriginal political organisations of the south-east. But it was firmly contradicted by the formal position of the Commonwealth Government.

The League did involve some Aboriginal people in formulating their plan. Prominent Aboriginal inventor and scholar David Unaipon was on the Executive of the League, and in 1928 George Rankine, an Aboriginal man from the Port McLeay mission in South Australia wrote in support, arguing that it would enable the fulfilment of Aboriginal potential: ‘We are not welcome in white society, and do not wish to encroach upon it, but should be given the opportunity of living in a community of our own. We shall then be able to show that we can produce industrialists, scientists, poets, musicians, and so on, just the same as the white man.’\textsuperscript{18} Genders noted that the ‘fact that so many aborigines have written to the daily press approving of the proposals of the Aborigines’ Protection League is a great encouragement to us in the work which is ahead’. Neither he, nor any other member of the League, spoke though with the Indigenous people of Arnhem Land, the

\textsuperscript{15} “Petition: A Model Aboriginal State.”

\textsuperscript{16} Aborigines’ Protection League, \textit{Australian Aboriginals}, 3, 6.

\textsuperscript{17} “Petition: A Model Aboriginal State.”

\textsuperscript{18} George Rankine, Letter to \textit{The Register} (Adelaide), 26 January 1928, p 4. See also Narrunga Johnny, Letter to \textit{The Register}, 2 February 1928, p 4.
proposed site for their experiment in indirect rule.\(^\text{19}\) There was some Indigenous opposition, much of which appears to have been based on the misconception spread by the Aborigines’ Friends Association that all Aboriginal people would be forced to leave their homes to be confined within the boundaries of the state. Walter Hutley, for example, reported in late 1927 that the ‘natives’ at Point McLeay were interested in the ‘proposed native state’ but ‘expressed strong objection to anything which involved their removal from the district’.\(^\text{20}\)

But it was Aboriginal people’s activism which had, on a more basic level, provoked people like Genders to reconsider their ideas of Indigenous people. Aboriginal people in the south were, through the interwar period, founding a range of vibrant political associations across the country.\(^\text{21}\) The earliest of these was the Australian Aboriginal Progressive Association, led by Fred Maynard, whose brand of black (inter)nationalism was inspired, John Maynard has conclusively argued, by Garveyite movements of self-reliance and black emancipation. The AAPA sought ‘Aboriginal rights to their own land, citizenship, stopping the government practice of removing Aboriginal children from their parents and defending a distinct Aboriginal cultural identity’. Formed in 1924, this was the first pan-Aboriginal political organisation, and quickly grew to encompass 11 branches and over 500 members, all of whom were Koori, by 1925.\(^\text{22}\)

\(^\text{19}\) J Chas Genders, Letter to *The Register* (Adelaide), 26 January 1928, p 4; Blackburn, “White Agitation for an Aboriginal State in Australia (1925–1929),” 164. While living in England, Mary Bennett met the Aboriginal activist Anthony Martin Fernando, of whom she had expectations of support: ‘If his hostility and mistrust can be overcome and his cooperation secured, I hope that the Aborigines’ Protection League of South Australia might be able to use his energies for the service and help of the aborigines.’ Fernando was reluctant to even meet Bennett. Bennett to Buxton, 8 February 1929, ASAPS Papers, MSS Brit Emp S 19, D 2/21. Thanks to Fiona Paisley for pointing me towards this source.

\(^\text{20}\) The Point McLeay Mission was run by the Aborigines’ Friends Association. Walter Hutley, ‘Report to the Advisory Council of Aborigines, Visit to Point McLeay Mission December 16\(^\text{th}\) to 20\(^\text{th}\) 1927’ SRSA, GRG 52/10/1927/9. In March 1928, a ‘deputation of full-blooded aborigines and half-castes’ waited on the Premier of Western Australia, and criticised the suggested formation of the model State, but seemed to think that all Aboriginal people would be forced to live there. ‘The Lot of the Native. Opposition to Segregation,’ *Advertiser* (Adelaide), 10 March 1928, p 17; ‘Aborigines in Western Australia. Proposed Native State Disapproved,’ *Sydney Morning Herald*, 12 March 1928, p 10.

\(^\text{21}\) There is a tendency among some historians to downplay the influence of Aboriginal people in the field of activism around colonisation and Indigenous rights (see, eg, Paul Hasluck, *Shades of Darkness: Aboriginal Affairs 1925–1965* (Melbourne: Melbourne University Press, 1988), 25; Attwood, *Rights for Aborigines*, xiii), however it is clear that the 1920s saw a significant increase in Aboriginal people’s capacity to speak to power and be recognised by the broader settler population: John Maynard, “Australian History – Lifting Haze or Descending Fog?,” *Aboriginal History* 27 (2003): 139.

In claiming autonomy and freedom on reserves, this movement embraced the notion of an ‘educated and capable’ black elite, echoing W E B Du Bois’ call in the US to a ‘talented tenth’. These ‘educated aboriginals possessing the requisite ability for such management’ could run reserves according to ‘modern’ principles of government:

Our people have ... accepted the modern system of government which has taken the place of our prehistoric methods[.] ... We are, therefore, striving to obtain full recognition of our citizen rights on terms of absolute equality with all other people in our own land.23

They took from Marcus Garvey ‘the call for recognising cultural significance and the importance of their own homeland’, re-modelling it for Australian Aboriginal conditions.24 Land and self-government were at the centre of their platform. Claims such as this represented a conception of Aboriginal self-determination influenced by transnational trends in black identities, as well as a modernising discourse at the centre of many contemporary decolonisation movements. Maynard’s initial opposition to the model state plan was ‘placated’ once it was explained to him that it did not entail the forcible removal of all Aboriginal people into its bounds, perhaps seeing in it a valuable potential for self-determination. By 1928 the AAPA was publicly expressing its support: ‘the officers of the board and members of our Association extend to you all [the APL] greetings re your very great efforts to bring about such reforms as outlined in your policy for the aboriginals of Sunny Australia. We heartily endorse your views’. But theirs was no claim to be ruled indirectly; Maynard and the AAPA had little interest in embracing a ‘repressive authenticity,’ and rather focused on dynamic new articulations of Aboriginal political identities and formations.25

But while the assertion of such Aboriginal cultural and political identities may have placed Aboriginal survival, citizenship and history in public discourse,

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24 Maynard, “‘In the Interests of Our People’,” 18.

white humanitarians and government officials struggled with the dissonance produced by this challenge to their conception of a dying race. Rather than an untouched, uncolonised native remnant, the AAPA expressed a new articulation of blackness in the heart of white Australia. That almost all white humanitarian groups were unable to come to terms with claims such as those of the AAPA in any framework other than that of indirect rule is indicative of the continuing centrality of race: neither black self-government in general, nor Aboriginal self-government in particular, was conceivable as any more than a distant aspiration. For colonisers, the most black people around the empire could be entrusted with was indirect rule, a mode of colonial government.

By the 1930s, Aboriginal social and political movements had been founded in Cumeroogunga and Melbourne (the Australian Aborigines League), Sydney (the Aborigines’ Progressive Association), and Darwin (the Australian Half-Caste Association). The two urban south-eastern movements—which worked together to stage the National Day of Mourning in Sydney on the sesquicentenary of white invasion in 1938—sought immediate land and citizenship rights as their principal goals, but also focused on Aboriginal self-government, suggesting that claims made under the sign of citizenship were rooted in the continuing practice of Aboriginal sovereignties. Indigeneity was represented, in other words, as the source of Aboriginal people’s entitlement to rights. These were not simply, as Tony Austin has suggested, assimilationist organisations: the ‘ultimate object’ of the AAL was ‘the conservation of special features of the Aboriginals culture and the removal of all hardships Political, social or economic’. William Cooper, a Yorta Yorta man from northern Victoria, sought Aboriginal control of reserves, writing in 1938 that ‘our natives are boiling over with indignity at the way the managers and matrons are oppressing us, often using the color of law to aid them’. Aboriginal ‘administration’ of stations and reserves could, though, provide a ‘step to our full emancipation’.

28 Cooper to N M Morley, 7 March 1936, Elkin Papers, P130/12/148; Cooper to Rev William Morley, 5 November 1938, APNR Papers, S55/7. These claims echoed their 1937 petition to the King which
The 1939 Cumeroogunga walk-off, staged as the reserve was stripped of much of its land, children were stolen, and Kooris continued to struggle to survive under oppressive conditions, moved the campaign beyond deputations and petitions and towards a demand for immediate land rights and self-determination. Similarly, as well as citizen rights, Bill Ferguson, Pearl Gibbs, and Jack Patten of the APA sought the abolition of the NSW Aborigines’ Protection Board and Aboriginal self-management on reserves.29

From the mid-1930s, these south-eastern groups also commented on the place of Indigenous people in the Northern Territory. Cooper, for example, argued in 1937 that ‘Now we hear much of developing the north. Why should not our own people develop it? Why will the Government not let us have a chance to do it, make our own State in our own country?’29 By the late 1930s, he was also tentatively supportive of the model state plan, though by now the APL had effectively moved on. In 1937 he called for ‘our own state in our own country’, and in 1939 referred to ‘a “Balfour Declaration” for a national home in Australia’.31

The 1934 Caledon Bay affair, to which we will turn, marked something of a turning point in public interest that was certainly consolidated by the public attention the walk-off generated five years later. Elkin’s views regarding a series of controversies in the Northern Territory were regularly reported in the Sydney Morning Herald in 1934, and the issue of the Commonwealth’s government of Aboriginal people in the north became a key public concern.32 This was, in many

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29 The APA split soon after the Day of Mourning, with both Ferguson and Patten claiming to be President. See Horner, Vote Ferguson for Aboriginal Freedom, 71–4. On the Cummeragunja walk-off, see Attwood and Markus, Thinking Black, 21–2.

30 Clive Turnbull, ‘Aborigines Petition the King,’ Herald, 7 August 1937 in Attwood and Markus, Thinking Black, 80. See eg, Cooper to John McEwen, 19 February 1938, NAA: A1, 1936/12778; Cooper to the Prime Minister, 4 July 1938; Pearl Gibbs to Dame Enid Lyons, 5 March 1938, NAA: A1, 1938/4793. The APA’s newspaper, the Abo Call, which regularly reported news from the Northern Territory, was distributed in Darwin by Reuben Cooper: ‘The Abo Call in Darwin,’ Abo Call, May 1938, no 2, p 2.

31 The Herald, 7 August 1937; Cooper to McEwen, 3 January 1939, NAA: A659, 1940/1/858. Cooper was aware of the League and the Petition when making these calls: The Sun (Sydney), 22 February 1929. See also Cooper to Rev William Morley, 5 November 1938, APLR Papers, S55/7.

ways, a tribute to the upsurge in Aboriginal political action in Victoria and New South Wales, though activism focused on the north was nothing new for white southern groups. Brought together by their opposition to a ‘punitive mission’ to Arnhem Land, a network of white humanitarianism focused away from the south-east had preceded this particular controversy. They questioned the assumption that Aboriginal people in the north necessarily formed a dying race, and expressed concern with brutality and mismanagement. Through improved conditions and policies, they argued that Aboriginal people could survive not only as individuals but necessarily also, for now, in their corporate existence. This incessantly referred to the Aboriginal people of the north, never to those communities amongst which southern white humanitarians lived. There, and not in the south, they could envision a shift in the mode of government, embracing Aboriginal survival. And in seeking a means to Aboriginal survival and development, they turned to what Elkin described as the ‘indirect method’: ‘the development of primitive society so that it may participate in the life of the modern world in its own right’.  

**Donald Thomson in Arnhem Land**

Elkin’s attempts in the mid-1930s to monopolise the authority to dispense knowledge regarding Aboriginal people was partly self-aggrandisement, but was also an effect of the growing public prominence of Australian social anthropology in the interwar period. Though located firmly within the British discipline, there are important distinctions between anthropologists’ functions within their colonial social formations. Where the relationship between anthropologists and British administrators in Africa was primarily ideological and intertextual, in Australia anthropologists became key players in public debates on the nature of administration, producing influential, Government-commissioned reports, and being consulted when new policy was developed. After the northern controversies of 1934, and due in no small part to the distinct work of Thomson and Elkin in crafting

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33 Alison Holland, “The Campaign for Women Protectors: Gender, Race and Frontier between the Wars,” *Australian Feminist Studies* 16, no. 34 (2001): 30; A P Elkin, “The Place of Sir Hubert Murray in Native Administration,” *Australian Quarterly* 12, no. 3 (1940): 26. Bain Attwood and Peter Biskup agree that the main influences or inspirations for this new activism were the discourses of anthropology and humanitarianism, the former emphasising racial difference and the latter a common humanity. Attwood, *Rights for Aborigines*, 82; Peter Biskup, *Not Slaves, Not Citizens: The Aboriginal Problem in Western Australia, 1898–1954* (St Lucia, Qld: University of Queensland Press, 1973), 87.
a public role for anthropological knowledge, Australian social anthropology took on an important advisory and, at times, practical role in public debate regarding the administration of Aboriginal people.\(^{34}\)

The Australian branch of British social anthropology was based, in the interwar period, around the Department of Anthropology at the University of Sydney. It was established, with Radcliffe-Brown as Chair, in 1925 in order to teach anthropology to cadets and officers of the Papua and New Guinea administrations, backed by funding from the states and from the Rockefeller Foundation. As well as training administrators, Radcliffe-Brown developed the course more generally, began publishing and editing *Oceania*, and directed the disbursement of ANRC funds for anthropological fieldwork. In these latter two capacities, the Department supported a great deal of research into Aboriginal societies in the interwar period. Radcliffe-Brown left for Chicago in 1931, amidst a withdrawal of much of the funding for the position.\(^{35}\) He was temporarily replaced by Raymond Firth, before Elkin took over the role as de facto head of Australian social anthropology at the beginning of 1933.\(^{36}\)

When we compare social anthropology in Australia to its African counterpart, we find important distinctions in the material objects of anthropological study. Whereas in African settings anthropologists came to study tribes that were being, in part, constituted in colonial encounters, in twentieth century Australia there had been little settler or state engagement with Aboriginal social organisation beyond a


\(^{35}\) Lugard had supported Radcliffe-Brown’s endeavours to preserve funding for teaching members of the New Guinea administration, lobbying the High Commissioner for Australia in London by stressing the importance of involving anthropological perspectives in colonial government. Radcliffe-Brown to Lugard, 10 September 1930, Lugard Papers, MSS Lugard 8/1; Lugard to Radcliffe-Brown, 7 November 1930, Elkin Papers, P130/41/17. See also Lugard to Sir Granville Ryrie, High Commissioner for Australia, 20 October 1930; Ryrie to Lugard, 3 October 1930; Lugard to Ryrie, 31 October 1930, all in Lugard Papers, MSS Lugard 8/1.

general determination to see its end. Working in a settler colonial formation, anthropologists argued that their task in Australia had a special urgency: to study the rapidly disappearing remnants of tribal Aboriginal society. Citing Tasmania as his example, Malinowski bemoaned the simultaneity of the rise of social anthropology and the fall of Indigenous societies: ‘Just as we have reached a certain academic status and developed our methods and theories, our subject-matter threatens to disappear.’ Radcliffe-Brown similarly noted that:

We have only just begun in time for I find that everywhere throughout Australia and Melanesia, the natives are either dying out rapidly or they are losing their customs and traditions. Work can be done now which will be impossible in a few years time. In a way, the work we are engaged on is the most urgent in any field of science, since, if it is not done now, it can never be done at all.

Aboriginal culture, he suggested, was ‘bound to disappear in another half century; even if the blackfellow himself does not become extinct his customs and languages will’. The problems social anthropologists posed themselves with respect to Australia were, in this way, partially distinct to those they considered in Africa. But their denial of Aboriginal coevalness was to be contested by a new generation of social anthropologists working in Australia.37

Anthropologists of Aboriginal communities sought to make themselves useful for administration in ways similar to their colleagues in Africa. Searching to establish a conjunction of native tribes and colonial government in Australia, they found their field in Australia’s north. In 1936, the Queensland anthropologist Ursula McConnel described with admiration the work of anthropologists in Africa and in Papua, who studied ‘native customs’ as part of ‘the work of social reconstruction’ to ‘re-interpret such customs ... and relate them to European ideas’. This relation was of administrative importance and inspiration; it gave relevance to her work and that of her fellow anthropologists in northern Australia. ‘One can only hope’, she wrote, ‘that anthropologists have not laboured in vain in the last seven or eight years in Northern Australia in making an intensive study of native culture, and advocating

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the possibilities of its adaptation to the work of social reconstruction." But the constitution of this knowledge and the consequent ‘discovery’ of native society were insufficient stimuli towards a different political rationality. It was only when the settler colonial logic of elimination tended towards a crisis in the colonial order, as discussed in the previous chapter, that a reform in the mode of colonial government and knowledge become possible.

The major sovereignty crisis of the 1930s, though, took place away from the cattle stations in the remote north-east of the Northern Territory. Between 1932 and 1934, a cycle of violence in Caledon Bay in east Arnhem Land produced a sense of disorder which transformed it, in the Darwin and southern imaginations, into a space beyond the control of white administration. In September 1932, a group of Yolngu men killed five Japanese trepangers who were in an Aboriginal reserve without a permit, and who had abducted Yolngu women. Mounted Constable Albert McColl, a member of the police party sent to investigate, was speared to death on Woodah Island (south of Caledon Bay) when he too was seen with a Yolngu woman in June 1933. This sparked alarm in Darwin and beyond, and a larger expedition was publicly mooted. Robert Weddell, the Administrator of the Territory, proposed sending 24 men armed with 20 rifles and 2000 rounds of ammunition, 12 revolvers and 1000 rounds of ammunition, and four shot guns with 300 cartridges. ‘Strong, demonstrative force’ was ‘imperative,’ he declared, as the ‘natives [were] numerous, hostile and cunning, many murders by them during the last sixteen years remaining unpunished’. An extraordinary public outcry forced Canberra to prevent the punitive mission and though calls for increased white militancy were compounded when news of the killing of two white trepangers on the same island arrived in Darwin in December 1933, a peace party of missionaries, organised by and at the expense of the Church Missionary Society, had been sent to deal with the matter. This expedition succeeded in bringing a group of men—those considered responsible for the killings—to Darwin where they were tried and convicted before the notorious Judge Wells.39

39 See Copy of Telegram Received from Administrator, Darwin, 27 August 1933, NAA: A431, 1947/1434. Correspondence relating to the protest is collected in NAA: A1, 1933/7632. For a thorough account of the entire saga, see Mickey Dewar, The ‘Black War’ in Arnhem Land: Missionaries and the Yolngu 1908–1940 (Darwin: Australian National University North Australia Research Unit, 1992). Dhaakiyarr Wirrpanda was the most famous of these convicts, having been sentenced to hang. The High Court overturned the judgment on the basis of judicial misconduct at trial, and he was released, but disappeared. Tragically, he is believed to have been lynched by vengeful police. See
While the peace party was still in the field, Donald Thomson heard of the conflict and wrote via the Chancellor of the University of Melbourne to offer his services, an offer that was rejected by the Interior Ministry in December 1933. Once the party returned, Thomson renewed his call to be sent to Arnhem Land, where he could carry out a ‘first-hand investigation ... of the Aboriginal population’ and place the ‘formulation of any policy ... dealing with native affairs’ on a ‘scientific’ basis. Government scepticism was met with a public campaign supporting his appointment. The Melbourne Herald bemoaned the state’s inability to assert order and control, a problem it found unsurprising given the ‘lack of exact knowledge’ regarding Arnhem Land. ‘Surely,’ the Herald argued, ‘the first necessity for dealing with such a problem is that we should have a scientific knowledge and an accurate understanding of the native.’ The collection of this knowledge could ‘be done only by an anthropologist of Mr Donald Thomson’s special qualifications’.

As in the case of the 1857 Rebellion in India, or the conflicts in Fiji or Nigeria which were discussed in chapters one and two, then, it took a crisis of order—and its framing as a failure of commanding colonial knowledge rather than as the agency of a sovereign Indigenous community—to provoke concern with the production of scientific accounts of colonised societies. Essential to successful indirect rule, Margery Perham wrote, was ‘a determination to know the facts of native life in all their variety and to act upon that knowledge at whatever cost to administrative convenience’.

Problems of colonial government were thus transformed into

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40 Thomson was working as an anthropologist in the School of Anatomy at the University of Melbourne. Mentored by Radcliffe-Brown, Thomson had fieldwork experience in Cape York, and was becoming a skilled propagandist, publishing numerous articles in the daily newspapers. See Nicolas Peterson, “I Can’t Follow You on This Horde-Clan Business at All’: Donald Thomson, Radcliffe-Brown and a Final Note on the Horde,” Oceania 76, no. 1 (2006); Bain Attwood, “Anthropology, Aboriginality and Aboriginal Rights,” in Donald Thomson: The Man and Scholar, ed. Bruce Rigsby and Nicolas Peterson (Canberra: Academy of the Social Sciences in Australia, 2005), 105.


42 H C Brown, then Secretary of the Department of the Interior, noted that Thomson’s proposal was ‘all very interesting but it does not solve our problem in the least’. It was ‘the administration of the law that is our immediate trouble’ and ‘we want something more than anthropology’. Thomson to Perkins, 18 July 1934, NAA: A659, 1939/1/5250; ‘Ruling the Native: First Essential Is To Learn About Him,’ Herald (Melbourne), 9 April 1934; ‘An Offer That Should Be Gladly Accepted,’ Herald (Melbourne), 14 February 1934, NAA: A659, 1939/1/5250. Humanitarian groups, such as the Victorian Aboriginal Group, were generally supportive of his appointment. See Fifth Annual Report of the Victorian Aboriginal Group, 1934, Amy Brown Papers, MS9212, 3655/1a; Thomson to A N Brown, 30 March 1935, Amy Brown Papers, MS9212, 3654/1(k).

43 Margery Perham, Native Administration in Nigeria, 2nd ed. (London: Oxford University Press, 1962), 59. Perham expressed tribes physiologically: ‘The sinews that had held tribal life taut and virile had slackened in the wider peace and protection brought by the white man. Two acids were eating into the healthy cells of family and tribal life: the Western money economy and Christian
questions which had, at their heart, the issue of knowledge. In such contexts, the field was open to the claims of new and more penetrating colonial knowledges. This was a particular approach to government which was based, as was discussed in chapter three, on the constitution of a regulable object which was external to the state. The social sciences, then, could provide an assemblage of usable knowledge about this object, producing a field available for indirect rule.\footnote{Andrew Barry, Thomas Osborne, and Nikolas S Rose, “Introduction,” in \textit{Foucault and Political Reason: Liberalism, Neo-Liberalism, and Rationalities of Government}, ed. Andrew Barry, Thomas Osborne, and Nikolas S Rose (Chicago: University of Chicago Press, 1996), 9.} In Australia, perhaps more than in any other colonial field of the British Empire, anthropologists stepped in to the breach armed with their developing knowledge. When a crisis of order developed in Caledon Bay, social anthropologists, with claims to scientific legitimacy, could make a role for themselves.

Cabinet finally approved Thomson’s proposal in December 1934, after Justice Wells had sentenced Dhakiyarr to death, and he received his formal commission in March 1935.\footnote{Minister for the Interior, Cabinet Document, Agenda No 1280, Mr Donald F Thomson, B. Sc, 10 December 1934, NAA: A6006, 1935/01/04; Paterson to Thomson, 4 March 1935, NAA: A659, 1939/1/5250.} Frederic Wood Jones, one of Thomson’s key public supporters, hailed the Minister’s decision as one that ‘lifted the question of the aboriginal from medieval darkness to the enlightenment of modern scientific study’, while the \textit{Sun} celebrated his work as heralding a possible ‘new deal’ for Aboriginal people. John Perkins, the outgoing Minister, had more modest ambitions, hoping that Thomson would ‘contact’ and ‘establish peaceful relations … with as many native tribes as possible’.\footnote{F Wood Jones, ‘New Era for Aborigines: Scientific Study Of Their Problems,’ \textit{Herald} (Melbourne), 6 August 1934; ‘A New Deal For the Native,’ \textit{The Sun} (Sydney), 19 May 1936, NAA: A659, 1939/1/5250; Perkins to Elkin, 15 August 1934, Elkin Papers, P130/41/84. Perkins was removed from Cabinet in response to the outcry in Britain over the Caledon Bay controversy.} After months of wrangling over the conditions of his employment, Thomson finally departed for Arnhem Land in March 1935 where, over the course of two expeditions, he lived for 26 months. His important reports, with recommendations of policy, sought total segregation of ‘tribal’ Aboriginal people, not necessarily on a permanent basis, but until a civilising policy had been developed that did no harm.\footnote{Thomson was in Arnhem Land from March 1935 – January 1936 and June 1936 – October 1937. See Donald F Thomson and Nicolas Peterson, \textit{Donald Thomson in Arnhem Land} (Carlton: Miegunyah Press, 2005).}
Thomson began his 1937 report with an appeal to scientific knowledge of the governed society as the basis for effective policy. To this effect, he cited the 1930 British ‘Memorandum on Native Policy in East Africa,’ which recognised the necessity for ‘an understanding of the peoples and their cultures and social organization—of the study of their institutions—as a preliminary step to administration’. As an anthropologist, Thomson asserted his capacity to provide ‘a plain, unbiased scientific statement of the facts’, gathering data measuring the effect of different governmental interventions on the governed population. He would be able to produce an account of typical ‘populations,’ each ‘group[ed] … into ethnographic “areas”,’ more commonly understood as tribes, for study and action.48

In taking the tribal unit, Thomson was part of a relatively new tradition in Australian anthropology which emphasised the positive potential of northern Aboriginal communities. Radcliffe-Brown, whose 1930 masterwork on Aboriginal social organisation structured social anthropological work for decades, had used his position as inaugural Chair of Anthropology at the University of Sydney and at the ANRC to send researchers north and west, directing, in his successor Raymond Firth’s words, a ‘systematic attack’ on ‘the vast field of native life open for exploration’.49 Whether as a result of Radcliffe-Brown’s supervision at the University of Sydney between 1925 and 1931, or of their studies in England, anthropologists of Aboriginal communities tended to place the tribe at the centre of their analyses, and to locate the tribe within a tradition of colonial government.

Such descriptions owe much more to the value of anthropological knowledge than to any Indigenous social organisation. To take their assessments as evidence of tribal Aboriginal existence is to invest anthropological accounts with powerful truth-claims; fetishising the figure of the ‘primitive tribe’ by detaching it from the history of its determination and the social relationships within which it was discursively and materially produced.50 Anthropological recognition assimilated the

50 Sara Ahmed, Strange Encounters: Embodied Others in Post-Coloniality (London: Routledge, 2000), 5–6, 114. In this section I am examining the ‘tribe’ as a figure of interwar colonial discourse. In this regard it is a mobile signifier, denoting a mode of production, a ritual community, a racialized conservative insularity, or a unit of primitive government. It bears only a very tenuous relation to the terms and signs Aboriginal people used to describe their communities, which are categorically not
other into that which was already known, occluding alterity by locating it within imperialist knowledge. To be recognised as other—as stranger, as savage, as native—is not to be external to the colonial order, but to be brought within, and thus signifies a discursive formation not of the frontier. It is commonly stated that the effect of the ‘other’ is the constitution of the self. But the product of describing the ‘tribal’ other was not only the ‘modern’ settler nation; it was also the ontological assimilation of Indigenous communities, in settler knowledge if not in Indigenous self-knowledge. Identifying tribes, in other words, brought these communities into a field of colonial government.

In the north and west, anthropologists constituted governable tribes which could be incorporated into the administration of the Northern Territory, as well as Queensland and Western Australia. Many acknowledged in their accounts that while they ‘took the tribal unit’ as the object of study, this was an ideological, rather than empirical, commitment. The American anthropologist Lloyd Warner, who was supported by both Malinowski and Radcliffe-Brown in his Arnhem Land fieldwork in the mid-1920s, published his suggestively titled *A Black Civilisation*, a study of the Murngin people, in which he classified eight tribes. But these tribes were, largely, of his own creation. ‘The tribe’, he wrote, ‘is almost a non-existent unit among these people. … The tribes of northeastern Arnhem Land, of which Murngin is one, are very weak social units, and when measured by the ordinary definitions of what constitutes a tribe fail almost completely.’ The task of the anthropologist, though, was to take a tribe and explore its institutions and their functions. Aside from his early disclaimers, Warner’s description of the Murngin proceeded as though they existed as such outside of his text. Malinowski had described in his diary his ‘feeling of ownership’ on surveying the Trobriands: ‘It is I who will describe them

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51 Though he used the word to refer to all the people of the area, ‘Murngin’ was used locally, Warner reported, to identify one of the eight groups of Yolngu people—Yaernungo, Burera, Murngin, Barlamomo, Djinba, Ritalango, Yandjinung and Dai—he encountered, and were the group geographically located in the centre of his study area. The name had no other claim to primacy. ‘The word Murngin was found as a designation only after much effort. The people do not think of themselves under this name or classification. The word has been used by me as a general term’. W Lloyd Warner, *A Black Civilization: A Social Study of an Australian Tribe*, 1st ed. (New York: Harper & Brothers, 1937), 15ff. Warner had analysed and written much of his material at the University of Sydney as a fellow under Radcliffe-Brown.

52 Ibid., 9, 35.
The Murngin people as a ‘tribe’ was, quite literally, Warner’s; he consciously created it through description.

In his popular 1938 survey account of Aboriginal society, Elkin agreed that the tribe was not a grouping lived in by Aboriginal people. Though he could identify that ‘there is a tribal sentiment centring round the tribal territory, language and social customs’, he noted that ‘the tribe seldom, if ever, functions as a whole in warfare or food-gathering. These are matters which concern local groups or clans.’ The tribe ‘is not really important politically or economically’. Not only did Aboriginal people rarely act as a tribe, he found it difficult to identify where each tribe ended and the next began:

Each tribe consists of a number of localized groups which are the real political and economic units, and it is they which tend to make one tribe dovetail, as it were, into its neighbours. This is mainly the effect of the kinship system ... Indeed, language apart, border hordes of two tribes are more interested in one another than are distant hordes within one tribe.

Identifying a linguistic basis for the tribe, Elkin refused to displace it as the crucial social unit of ‘native society’. Taking the tribal unit was not entirely arbitrary; it had, as Stanner identified, important governmental implications. Discussing the development of ‘native policy and administrative methods in Australia’ in 1938, he argued that the immediate political task for social anthropologists was to undertake a ‘tribal survey to locate and register tribes according to their district, cultural condition, and immediate needs’. This would allow ‘the plotting of natural administrative areas with reference to the need for decentralization, the logic of geography, and underlying cultural resemblances’. Warner’s and Elkin’s creation of tribes had the function, Stanner implied, of framing objects of government.

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55 Ibid., 27.

And so too did Thomson's work. He sought to establish an important departure from the white public’s view of Caledon Bay, which imbued it with an immutable savagery. Arnhem Land in general was Aboriginal territory. White pastoralists had found it difficult to establish a foothold, due to a combination of successful Aboriginal resistance to their presence and a lack of appropriate grazing grasslands. The Arnhem Land Reserve had been proclaimed in 1931, and well into the 1930s the main trade remained trepang, though Macassan traders had been replaced by a few whites and hundreds of Japanese men. Arnhem Land came to be emblematic of Northern Territory difference within the settler nation; barely colonised and mostly populated by black people. Vic Hall, a key protagonist in policing the Reserve during the ‘Black War’, wrote that:

the 32,000 square miles of the Arnhem Land Native Reserve was nothing but a half-explored space on the map. No machinery existed for dealing with its savage inhabitants, who had never been ‘shot up,’ intimidated, or given any cause to respect the law. In fact, by international standards, it wasn’t a reserve at all; it was a completely uncontrolled wilderness where savages held sway.57

Jeremy Long has argued that the name Caledon Bay, in Arnhem Land, had in the 1920s and 1930s ‘become a metaphor for the lands beyond the frontier of settlement where “the blacks” were “untamed” and given to treachery and violence’. The traveller C Price Conigrave, to take but one example, wrote that the ‘native of the eastern portion of Arnhem Land’ was ‘a natural murderer’ who was ‘liable to kill at sight anyone visiting his coast who is believed to have in the hold of his lugger enough flour and other stores and gear to make an attack worthwhile’.58

Hall ascribed this murderous nature to a strange admixture of blood, a racial fusion that had produced a violent asociality: ‘It was because the Balamumu [the ‘tribe’ he considered responsible for the violence] had a great deal of Malay blood. The Macassarmen who had been coming to the Arnhem Land coast for centuries had been good mixers. Total result—a tribe that was the fightingest, most rumbustious one in all Australia.’ Harold Nelson, the Commonwealth Member of Parliament for the Territory, agreed that the local tribes were a ‘mixture of Japanese and Macassars, and combine the cunning of the Japanese with the strength and barbaric savagery of

the Macassan'. They pursued, he declared, a ‘fetish of murder’. Such views, hardened into immutable racialised characteristics, supposed no potential for redemption. Violent reprisals were the only possible response to these tribes’ overstepping the bounds of their containment. Thomson’s claim to a scientific ethnography, on the other hand, represented an attempt to understand the Arnhem Land tribe beyond pathology and in the context of its value. In this episode, as a ‘punitive mission’ was prevented and Thomson ultimately deployed in its stead, we see the emerging signs of a transition in the settler state’s mode of governing Aboriginal people. Representing Aboriginal people as tribes or native societies rather than as deviant communities of violent aggression produced them as potential subjects of indirect rule. It suggested that development could proceed through conducting Aboriginal society, not through clearing it away.

Thomson advocated a policy of ‘saving the remaining natives’. This could only be achieved, he argued, through segregating ‘undetribalized’ populations, put into practice through the imposition of inviolable reserves in Arnhem Land and wherever else appropriate populations could be found. Within these reserves, every effort should be made to ‘preserve intact their social organization, their social and political institutions, and their culture in its entirety’. Contact with non-native settlers and traders, whether ‘whites or Asiatics,’ was inimical to such a goal: interaction had, thus far, proved to be fatal. Until a method of assimilation could be developed which avoided this dire end, adjusting ‘native society’ to a new milieu, segregation should continue.

He also proposed the professionalisation of northern native administration along the lines of that in Papua and New Guinea, suggesting the establishment of a Department of Native Affairs staffed by anthropologically-trained men under a qualified Director, and the creation of special native courts. His plan was certainly not a complete rejection of assimilation, and was thus only a partial corrective to

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59 Hall, *Dreamtime Justice*, 26; H G Nelson, n.d., NAA: A1, 1934/1141. Bill Harney, a patrol officer in the 1940s, located this violence and ‘untrustworthiness’ in a dysfunctional gendered division of labour:

When I was trepanging on Groote the natives were good and reliable workers and the women were never employed, yet on the mainland the women were always ready to work while the men just sat and brooded over their grievances of past days. I am certain it was this thing that made the Groote Eylanders so trustworthy in the past and the Caledon natives completely opposite.


Cook’s dream of a white North. Thomson’s proposed new Department would be tasked with developing a system of civilising those Aboriginal people already detribalised, while missionary organisations could be enlisted to establish and maintain stations as buffers around reserves. Here welfare work and the civilising mission could proceed, acting upon those Aboriginal people who were moving away from reserves. The ‘buffer’ Thomson envisioned would not protect reserve inhabitants from the encroachment of outside influence, but would rather prepare Aboriginal people to encounter the white(r) areas of the north. His segregation, likewise, was not exclusively protective, but also positive and constructive: by embracing Aboriginal social organisation, Thomson envisioned spaces of Aboriginality within settler Australia, a north that would not quite, or at least not yet, be white.

Drawing on the anthropological literature discussed in chapter three that identified kinship not only as a domestic institution but also as a principle for ordering public life, and thus framing law and government, Thomson likened the ‘Aboriginal problem’ of the north to that facing other colonial administrations around the world, presenting issues of cultural dissonance in government and the preservation of order. But it was also an importantly distinct ‘problem’. Aboriginal production and social organisation was considered to differ importantly from that of ‘natives’ in the Pacific: the ‘Papuans, the Melanesians, the Polynesians and others’ were each a ‘gardening or an agricultural people—a people with a settled village life’. Northern Aboriginal people, on the other hand, were ‘a race of nomadic hunters … with no settled habitation or village life’. This did not mean, though, that government-minded anthropological study was futile. Joining in the growing trend

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62 Though it did also have a protective function, particularly regarding Aboriginal people’s susceptibility to disease. See Thomson, *Report on Expedition to Arnhem Land, 1936–37*, 16.

63 Thomson to Perkins, 18 July 1934, NAA: A659, 1939/1/5250. But while distinct, the scientific argument for Aboriginal potential was reliant on a particular racialisation which, especially, denied the existence of ‘Negroid’ ancestry or traits in Aboriginal people. These contested the racial hierarchies narrated by Arthur Gordon, for example, not by disputing the value of categorisation by race, but by relocating Aboriginal society to a higher and more capable state. This was a critical site of limited discursive contestation. The Aborigines’ Protection League, for example, argued that:

> The opinion generally held that the Australian native is the lowest type of humanity in the world is now found to be quite erroneous. On the contrary he does not belong to any negro race and has been proved to possess great mental powers, ability to quickly learn, and can be taught agriculture, engineering, [and] carpentering[.]

Similarly, Elkin argued that Aboriginal people constituted a distinct ‘Australoid’ race, not descended from the ‘Negroid’. Such determinations suggested that there would be no chance of a ‘throwback’; progress, under the right conditions, would be linear and inexorable. “Petition: A Model Aboriginal State.”; Elkin, *The Australian Aborigines*, 2–3.
for anthropological study of so-called acephalous societies, Thomson described Aboriginal government:

In the absence of kingship, chieftainship or other outward and visible signs of authority, the tendency is too often to assume that there is no organized code of behaviour among these people, i.e., a failure to recognize the fact that they have a definite code grounded in tradition and approved and sanctioned by the society. It comes as a surprise to many people, even among those whose business it is to deal with these natives, to know that they have a legal code that is not merely capricious, but functions in a definite manner.64

His model of Aboriginal social organisation coalesced around the shared obligations that wove the horde—the land-using group identified by Radcliffe-Brown—together. Kinship and its attendant obligations ensured compliance with law and custom, or sanctions in their breach, and formed the basis for an economic life Thomson went on to describe after his wartime experience in Arnhem Land, and which I will discuss in chapter seven.

Thomson’s reports had little immediate effect. He returned to Melbourne from Arnhem Land at the end of 1937 completely disillusioned. “Everywhere I have turned,” he said, ‘I have found myself against a brick wall; circumlocution will defeat enthusiasm and sacrifice. ... I have come South from Arnhem Land completely discouraged because of the unresponsiveness of the [Northern Territory] administration, its failure to frame a policy of native administration and its apparent ignorance of its responsibilities to the aborigines.’65 He moved to England in 1938, returning to Australia—and to Arnhem Land—to serve in the Australian Air Force when war broke out.66 His work was important, though, in establishing in both the official and public minds a new, and scientifically authorised, sense of Aboriginal society. This was not the dynamic articulation expressed by Aboriginal activists like Maynard or Patten, but rather the recovery of an almost pristine tribal society, as though colonialism had made no change to Aboriginal life. White science displaced black activism. And Thomson’s continual public statements and articles played a

64 Thomson, Report on Expedition to Arnhem Land, 1936–37, 11.
substantial role in formalising the nature of Indigenous institutions, thus normalising the possibility of governing, rather than exterminating, Aboriginal communities. This new norm, again in relation only to the north, was to structure policy in the late 1930s.

**Indirect Rule as an Australian Norm**

Anthropologists’ vocation of speaking for Aboriginal people framed Aboriginal political claims within colonial ontologies. Anthropological knowledge normalised the existence of native society within Australia’s north, thereby normalising a representation of the north as colonial. The public production of these objects located them in a colonial situation and posed the question of their government—a question being considered across the empire. And, as was demonstrated in chapter three, it was framed in a way that tended towards the implementation of a form of indirect rule. While Aboriginal social movements and practices of sovereignty, in the form of social campaigns in the south-east and military action in the north, may have generated the political terrain for a reconsideration of policy which led to schemes like the model Aboriginal state, they were neither the driving force behind it nor crucial to its genesis. The principal direct influence was rather the growing hold of a functionalist point of view, as well as experience of colonial rule overseas and its practice of indirect rule. These assemblages of power and knowledge made Indigenous struggles legible to the colonial state by framing them as beseeching a more enlightened *colonial* government.

The influences—intertextual and ideological—were explicit. The APL’s Manifesto mentioned the Australian Mandate in New Guinea and the treatment of Maori in New Zealand as inspirations and, in his newspaper, *Daylight*, Genders regularly reported news relating to Indigenous people in east Africa, New Guinea, Canada and the United States. He noted in 1929 that in ‘discussions which are now going on relating to the black man in Africa, Kenya, British Guiana and other places, one principle predominates, viz., the recognition that he should have land in inalienable possession’. This was the basis for Lugardian indirect rule. The idea of the model State was evidently inspired by developments in colonial rule overseas,
and by the increasingly widespread white ‘discovery’ of ‘native society’ in Australia’s north.\(^{67}\)

Genders was particularly influenced by Jan Smuts’ widely-published 1929 Rhodes Memorial Lectures delivered in Oxford. In a letter to the *Advertiser* soon after their publication, Genders recommended reading these lectures, noting the ‘the very close resemblances between General Smuts’s views and the proposals of the Aborigines Protection League’. Months later, Genders once again drew public attention to Smuts’ speeches, writing that his ideas could provide for the continued existence of Aboriginal people.\(^{68}\) Smuts, then opposition leader in South Africa, had spoken of the ‘native problem’ and expressed the dominant ideology of empire in Africa. He aimed to ‘evolve and pursue a policy which will promote the cause of civilization in Africa without injustice to the African, without injury to what is typical and specific in the African’. This meant rejecting the imposition of European forms of rule. Indeed, ‘[n]othing could be worse for Africa than the application of a policy, the object or tendency of which would destroy the basis of this African type, to de-Africanise the African and turn him into either a beast of the field or into a pseudo-European’. An effective policy for Africa, Smuts argued, would ‘not force her institutions into an alien European mould, but ... [would] preserve her unity with her past, conserve what is precious in her past, and build her future progress and civilization on specifically African foundations’. Smuts therefore argued for ‘institutional segregation’, which he contrasted with ‘territorial segregation’. While the latter was an element of the former, indirect rule was constituted by the advent of institutional segregation: governing Indigenous people through what were seen as their own institutions.\(^{69}\)

The more general South African influence on the APL was inherent in the suggestion that the state could become a labour reserve: ‘The first Aboriginal State might be a kind of labour office for Pastoralists and other employers, and within its

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\(^{67}\) *Daylight*, 31 May 1927, p 187 in NAA: A1, 1932/4262; ‘Report of Hon Sec and member of executive (Colonel Genders) to the State Executive upon his return from the conference to discuss Mr. J. W. Bleakley’s report and other matters connected with the care of Aboriginals and half-castes, convened by the Minister of State for Home Affairs of the Commonwealth (Hon. C. L. A. Abbott, M.P.), held in Melbourne on 12\(^{th}\) April, 1929’ in Aborigines’ Protection League, *Australian Aboriginals*; Blackburn, “White Agitation for an Aboriginal State in Australia (1925–1929).” 165–8.


own borders would gradually lure the native on to industrialism of the kind most suitable to him. With our help he will quickly learn." But the League also looked elsewhere in Africa. Mary Bennett introduced Genders to Kenyan politics by lending him a copy of the Hilton Young Report and, in a 1937 booklet, Genders summarised three forms of colonial government as expressed by Lucy Mair in her *Native Policies in Africa*: the ‘white man’s country’ policy, assimilation, and indirect rule. He noted that in Australia, the ‘white man’s country’ policy had been adopted, where ‘native interests are subservient to those of a small dominant European population’. By contrast, indirect rule in its ideal execution, Genders wrote, ‘consists in initiating the native into European ways through the enlightened use of his best institutions, a policy which involves the co-operation of the African in his own development’. Another leaflet produced by the League surveyed many of the key texts written by Lugard on indirect rule of Africans, before arguing that Lugard’s method of ruling native races was much more effective and humane when compared to the ‘easy way of dominating and dragooning the people’. This leaflet made a case for indirect rule on the basis that it would be the only way of preventing Aboriginal people’s destruction, dispossession or subjection under an alien system.

The model state proposal was an early attempt to locate Australian administration of Indigenous people within an Empire of white men governing natives, and to establish indirect rule in Australia through, in a sense, a derivative discourse. Though unsuccessful, it was, for white humanitarians, an agenda-setting campaign. This was a comparatively safe way of approaching the increasingly challenging claims of southern Aboriginal people and organisations and diverting them elsewhere, to the remote north. In rejecting its general applicability, it made an implicit claim that Aboriginal people in the south, named as so-called ‘detribalised’, were no longer Aboriginal in an important sense. This eliminating and externalising move located Aboriginal potential in those communities Thomson had described as

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70 *Daylight*, 3 September 1927, p 234, ASAPS Papers, MSS Brit Emp S 22, G 374. Genders was ‘pleased to note’ that ‘we find the proposals of this League supported by the authorities in South Africa’: Genders to Buxton, 21 December 1927, ASAPS Papers, MSS Brit Emp S 19, D 2/20.


'undetribalised' as a result of their segregation, while in the white Australia of the south, a policy of elimination was left largely undisturbed. The model state campaign's innovation was in placing the philosophy of indirect rule in the public consciousness not only as a colonial policy in Africa but also as a plan to be pursued in Australia, but its conventionality was in restricting its applicability to the Northern Territory.73

Their campaign for indirect rule in Australia was bolstered when in 1930, as part of a widely read series of magazine articles, Hubert Murray also argued for the applicability of indirect rule to the Australian situation. He directed readers to Lugard, and advocated a system whereby the administrator ‘retain[s] as much as possible of native custom, and as much as he can find of native law and government’. This was not, he cautioned, appropriate everywhere: where the administrator could work only with what he called a ‘nomadic population of hunters’, some elements of direct rule would be necessary. But the government of Aboriginal people, Murray suggested, ought to be reconstructed with indirect rule in mind, removing the ‘injustice’ that ‘reflected little but discredit upon our country’.74

Murray had been Lieutenant-Governor of Australia’s colony of Papua—formally a Territory administered through the same Commonwealth department as the Northern Territory—since 1908, taking office eleven years after William MacGregor departed for Lagos leaving a legacy of inalienable Papuan land. In ‘land questions’, Murray declared, ‘we can be and are loyal to the principle of indirect rule’.75 His policy in Papua was best expressed in his Native Taxation and Native Plantation Ordinances of 1918, which set aside land for plantations near each village, and ensured that Papuans would work the plantations by establishing a tax burden on each community proportionate to the number of men aged between 16 and 36. His aim, in so doing, was to establish Papuans as peasant proprietors who were required to plant and cultivate a certain quantity of coconut palms in a village

73 Tim Rowse has imagined what would have occurred had the campaign succeeded and an Aboriginal state created in Central Australia. His imaginary state would have been ruled by Fred Maynard, Pearl Gibbs, and David Unaipon, none of whom were Indigenous to that area. See Tim Rowse, “What If the Federal Government Had Created a Model Aboriginal State?,” in What If? Australian History as It Might Have Been, ed. Stuart Macintyre and Sean Scalmer (Melbourne: Melbourne University Press, 2006).


plantation, governed by village councillors who were first appointed in 1923. But Papuans were also regularly indentured to work on settler-owned plantations and mines; Murray's intent was to establish peasant production within a village economy as providing the means of subsistence, and thus a subsidy for settler-owned plantation production. His understanding of indirect rule tended more towards the establishment of a social formation akin to that in Nigeria—congregating Papuans in villages and transforming them into peasant proprietors—rather than an embrace of Papuan economic organisation, but he mobilised (neo-)traditional Papuan social organisation to effect this economic transformation.

Murray was a student of Lugard and Donald Cameron, and after 1922 explicitly adopted the dual mandate as his guiding philosophy. He was thus able to integrate the mobilisation and direction of Papuan labour into a benevolent framework, arguing that it worked to develop the colony—thereby justifying the presence of settler-managed plantations—and that to 'accustom them to the habit of regular and steady work' would 'promote the well-being and development of our natives'. This represented his attempt to preserve, and to govern, 'primitive society' through village communities. He found no chiefs in Papuan societies, and instead appointed village councillors as his machinery of rule. 'We cannot fulfil the letter of Indirect Rule,' he declared, 'but we are true to its spirit'. This was a deliberately, and explicitly, transformative mode of government. In a 1939 meditation on policy he argued against permanent reserves, which could be critiqued as ‘an “open air museum”’ and ‘may be classed as “lands dedicated to perpetual barbarism”’, but echoed Thomson's view that, in practice, ‘primitive peoples ... must, for a time, be guarded from contact with strangers’. He also quoted Lugard's dictum that 'no one would wish to perpetuate the conditions of tribal life, but clearly if chaos is to be prevented, it is necessary that the inevitable change should be as gradual as

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possible’. Murray emphasised the progressive function of indirect rule, but sought a progress firmly rooted in a traditional Papuan society.

He imagined this traditional society through a developing interest in anthropology, constructing difference not only around lack, but also through a theory of native society. Following Lugard in mapping production onto racialised tribes, and Maine in taking the village as the unit of native society, Murray characterised Papuans as peasants within a village community. This theory thus set out the objects and the ends of government, effected through a traditionalised machinery that articulated the art of indirect rule in a different colonial formation. The Papuan example—characterised by Elkin as ‘modified direct administration; that is to say, it was direct in form though in spirit it complied with the indirect methods used by Lord Lugard, Sir Donald Cameron and others in Africa’—was crucial not only for the APL but also for many other groups.

At Genders’ suggestion, the Victorian Aboriginal Group, a Melbourne-based and exclusively white organisation, studied Murray’s article in *Stead’s Review* and came to advocate for the implementation of further modified forms of indirect rule in parts of Australia. This group had been founded in 1930, inspired by the publication of the Bleakley Report, as the ‘Study of the Australian Aboriginal Group’ and, under the guidance of Robert Croll and Alfred Kenyon, had conducted a programme of reading anthropologists and ethnographers—Howitt, Basedow, Spencer and Gillen, Gribble—and attending lectures. The VAG’s study, and their idea of Murray’s techniques, led them to advocate a plan of separate development which would ‘reserve enough land for tribes to keep within their own natural boundaries. Let them live in their own way teaching sanitation cut out cruel customs and introduce religion by degrees’.

Mimicking the philosophy of indirect rule, this was a rejection of neither colonial rule nor the territorial logic of settler colonialism. As Bain Attwood has pointed out, the VAG was both paternalistic and maternalistic, interpellated into

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78 Sir Hubert Murray, Comments on Netherland Committee for International Nature Protection, ‘Report Concerning the Possibility of Protecting the Primitive Natives, Especially the Mountain-Papuan-Tribes in Dutch New Guinea,’ 19 August 1939, Murray Papers, A3142. On reserves, Murray was here quoting Percy Girouard, who had governed Northern Nigeria between 1907 and 1909.


80 Genders to Brown, 15 October 1930; Brown to Genders, 28 November 1930, Amy Brown Papers, MS9212, 3653/1a.

81 VAG Minutes 1930–1931; VAG Minutes 12 June 1930, Amy Brown Papers, MS9212, 3652A. The VAG formally splintered off from the Citizens Educational Fellowship, a Christian organisation, in 1933.
whiteness as members of a superior race acting as trustees of a primitive people.\textsuperscript{82} Amy Brown, the Honorary Secretary of the Group, summarised its conclusions after a year of study by declaring that ‘the same land cannot be used by both native & white races’: she did not dispute the claim to exclusive occupation of land so characteristic of settler colonialism. But, where this may have meant the complete elimination of Aboriginal people, the VAG rather suggested cordonning off reserves where Aboriginal people could ‘pass through the … stages of development, … from the food-grabbing stage to the food-growing stage’.\textsuperscript{83} To understand this process the VAG turned to anthropological knowledge.

By 1934, the VAG was putting together formal proposals for the government of the Northern Territory amidst the Caledon Bay controversy.\textsuperscript{84} Their wide reading and correspondence had already led them to work with the practices of the British empire firmly in mind. As well as reading Murray, they read and corresponded with John Collier in the US, and suggested ‘the methods which have proved so successful under British control in Papua and Africa, or the United States of America in their management of the Indian problem’.\textsuperscript{85} But, reflecting the influence of Elkin and the prominence of Thomson in 1934, they were fundamentally committed to anthropological knowledge as the knowledge of colonial government. Crucial to their proposals was the appointment, as in Papua and New Guinea, of trained anthropologists as patrol officers who would be the main governmental contact with Aboriginal people, reflecting the conservationist ethic that had been central to Gordon’s Pacific approach. The VAG wanted Aboriginal reserves to be closed and inviolable except for these patrol officers, and also called for better educational opportunities and special native courts for the trial of native offences.\textsuperscript{86} This proposal formed an element of the public pressure on the Commonwealth in 1934 to reconstruct its administration of Aboriginal people in the north. It accorded, the VAG

\textsuperscript{82} Attwood, Rights for Aborigines, 85.
\textsuperscript{83} Report and Conclusions, 1930; Brown to Genders, 28 November 1930, Amy Brown Papers, MS9212, 3653/1a, 3655/1a.
\textsuperscript{84} Victorian Aboriginal Group, Quarterly Letter, 30 June 1934, Amy Brown Papers, MS9212, 3654/1(J).
\textsuperscript{85} Brown to the Prime Minister, 17 July 1930, Amy Brown Papers, MS9212, 3653/1a. Correspondence with Collier was carried out largely via Matthew Sniffen, Secretary of the Indian Rights Association in Philadelphia. Matthew K Sniffen to Brown, 10 July 1936, Amy Brown Papers, MS9212, 3654/1(J). Further correspondence with Sniffen is contained in Amy Brown Papers, MS9212, 3657/1b.
\textsuperscript{86} Public Meeting, 19 September 1934, ‘A Policy for the Australian Aboriginal,’ Amy Brown Papers: MS9212, 3652A. The meeting also resolved that Framlingham reserve should be leased, at a nominal rate, to the Aboriginal people then living there, with a school building provided. The idea for trained anthropologists was drawn from Elkin and Murray’s influence. I C Campbell, “Anthropology and the Professionalisation of Colonial Administration in Papua and New Guinea,” Journal of Pacific History 33, no. 1 (1998).
considered, with the philosophy of indirect rule, synthesising functionalist anthropological knowledge, separate development, and some limited Aboriginal jurisdictional independence. But the VAG's plan could not stretch to envision Aboriginal economic independence.\(^{87}\)

In late 1936 the Anti-Slavery and Aborigines Protection Society, which, while resisting active support for the model state plan, had ‘regard[ed] it with benevolence’, circulated a proposal for ‘Land Trusts for Native Races’ for comment from a range of Australian organisations.\(^{88}\) Submitted in final form to the Australian government in August 1937, this proposal would solve the ‘land question’ by setting aside land for Aboriginal people which they could work and develop, with assistance from ‘the stronger races,’ such that they would ‘rise ... in the social and economic scale’. The land could thus be used for stock or crops, providing an Aboriginal-controlled economic base. This, the Society asserted, was a fulfilment not only of Australia’s responsibility as a Trustee—citing land policy in Kenya, Nigeria, Southern Rhodesia and North America—but also a fulfilment of the model state plan, providing a place where Aboriginal people could ‘work out their own destiny’.\(^{89}\)

There were two critically important aspects to this plan. It imagined the development of Aboriginal reserves: ‘the empty, undeveloped Reserve is of little material benefit to the native, or to the Government, except perhaps as a place of refuge from the white man’. And, echoing the dual mandate, it considered that this development could be carried out by, and thus in the interests of, Aboriginal people who were not to be differentiated ‘from the hinterland Indians living in the remote Sierras of South America, or parts of Bechuanaland and Central Africa, or from the nomadic tribes of Kenya or Tanganyika, and the detribalised aboriginal Indians of

\(^{87}\) The VAG’s plan was similar, in this sense, to the anthropologist and activist Olive Pink’s demand for a ‘secular sanctuary’ in central Australia. This sanctuary would be open to the Warlpiri people, and to an anthropologist who would ‘finally help adopt them to our civilization by making them “better blackfellows”’ (by “better” I do not mean morally or spiritually but more able to stand contact with our culture without losing all that is good in their own and not adopting all that is worst in ours, as is so often the case’). Pink to Paterson, 31 January 1935, NAA: F3, 8/30 See also Julie Marcus, *The Indomitable Miss Pink: A Life in Anthropology* (Sydney: UNSW Press, 2001), 147. Pink had some influence on a section of the socialist left. See Tom Wright and Labor Council of New South Wales, *New Deal for the Aborigines* (Sydney: Modern Publishers, 1939).

\(^{88}\) John Harris to affiliated Australian committees, 25 November 1936, ASAPS Papers, MSS Brit Emp S 22, G 378. They received responses from the Women’s Non-Party Association of South Australia, the Australian Federation of Women Voters, Ernest J Bryce, Michael Sawtell, the VAG, the APL, the Australian Aborigines’ League, the Australian Aborigines’ Amelioration Association, the Australian Board of Missions and the Aborigines’ Friends Association. Australians for the Protection of Native Races and the Church Missionary Society of Australia promised full replies but they are not contained in the ASAPS archive. See ASAPS Papers, MSS Brit Emp S 22, G 378.

\(^{89}\) Harris to J A Lyons, Prime Minister of Australia, 10 August 1937, NAA: A431, 1948/273, PART 1.
Canada’. As Mary Bennett identified, this would ‘focus attention on the fact that the native IS EDUCABLE’. William Cooper found the proposals ‘splendid,’ and suggested they not be confined to the north, but also implemented at Cumeroogunja as well as other places in the south-east. The VAG, on the other hand, regarded the plan as ‘impracticable’ and suggested that ‘African conditions are [not] in any way comparable with Australian’.

Reflecting a Lugardian pre-occupation with a definitively racialised index of progress, the Commonwealth’s response echoed this notion of Aboriginal particularity. It described a special inability to self-govern that rendered any form of indirect rule impossible, albeit distinguishing Aboriginal people not from Africans but also from Islanders:

[Y]our society is unable to accept the view that there is a fundamental difference between Australian aboriginals and the natives of other hinterlands’ territories. From the knowledge which the Commonwealth Government possesses of the natives of Papua, the Mandated Territory of New Guinea and many parts of the Pacific, it is competent to state that there is a fundamental difference between the Australian aboriginals and the natives of these territories and parts.

Social anthropologists’ discovery of native society in the north was yet to reach the status of governing truth. This question, put in comparative terms of equivalence and hierarchy, was a discursive battleground for debating Aboriginal administration. The Papuan example was a regular referent for anthropologists, missionaries and humanitarians. It was not only the VAG who used it as the basis for their proposals for the Northern Territory; the missionary J S Needham and Elkin each called for the ‘Papuan system of government’, as did the Association for the Protection of Native Races and Mary Bennett. The dissonance between the comparative racialised

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90 Ibid. See also Harris to Lyons, 5 December 1938, ASAPS Papers, MSS Brit Emp S 22, G 379. For discussion of this plan, see Alison Holland, “Saving the Race: Critics of Absorption Look for an Alternative,” in Contesting Assimilation, ed. Tim Rowse (Perth: API Network, 2005), 88–9.
91 Bennett to Harris, 7 March 1937; Cooper to Harris, 10 January 1937; Brown to Harris, 4 January 1937, ASAPS Papers, MSS Brit Emp S 22, G 378.
92 P Strahan, Secretary, Department of Prime Minister to Harris, 18 January 1938, NAA: A431, 1948/273, PART 1. The Aborigines’ Friends Association similarly considered the proposal ‘[un]suitable to Australian conditions’: Sexton to Harris, 17 December 1937, ASAPS Papers, MSS Brit Emp S 22, G 379.
categorisations of Australian Aboriginal society reflected the status of indirect rule as a counter-discourse in the Australian official mind.

A Pastoral Colony on the Pastoral Frontier: Understanding the North

The push to implement a form of indirect rule in Australia was, then, first taken up and put on the political agenda principally by humanitarian groups. In Britain, too, indirect rule had captured the imagination of humanitarian critics of British expansion, from anti-slavery campaigner E D Morel to Leninists like Leonard Barnes.94 The Fabianist Labour Party Advisory Committee on Imperial Questions argued in a series of policy papers that the ‘welfare of indigenous races, their economic prosperity, and their advancement in culture and civilisation, must be the primary object of colonial administration, to which all other interests must be rigorously subordinated’. This could be achieved, they argued, through encouraging a strong peasant economy in place of widespread proletarianisation.95 On issues of imperialism, that is, the Fabians were heir more to a liberal than socialist tradition. Indirect rule was thus made attractive to some in Australia as a mode of preserving native life, of governing humanely and in the interests of native peoples. They were receptive to change, having been pushed to reconsider the justice of Australian settler colonialism by Aboriginal activism, and the art of indirect rule represented a limited challenge to the status quo.

The spatial implications of metropolitan thinking were relatively unproblematic; Britons wrote and thought in relation to a relatively distant and categorically externalised British Africa. In settler colonial Australia, on the other

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hand, white writers and activists had a deep interest in denying the applicability of
the arts of native administration to their homes; in denying, that is, the colonial
nature of the spaces in which they lived. In turning to the north as a privileged
location for the introduction of the technologies of indirect rule, they established the
north as colonial, and the south or south-east as categorically not. The south, in this
discourse of differentiated Indigenous erasure, was a homogeneous and empty
national space, a local metropole, while the north was a colonial territory, physically
and (ambivalently) administratively attached to the south, but certainly distinct. The
north constituted a space where anthropological knowledge could be brought to
bear in providing an enlightened scientific administration of Indigenous people. It
was susceptible to comparisons with African colonies like South Africa or Kenya, and
to object lessons in administration from Papua and New Guinea. It was a territory
available for Australian sub-imperialism. This was the vision of the Northern
Territory that underpinned many of these proposals for administering Aboriginal
people and it was one that came to be publicly accepted, albeit in a contested
context.

But this vision was certainly not the only obvious interpretation of northern
conditions. Ways of framing the north were the site of contemporary contestation,
forming the basis of a dispute over the most appropriate mode of government. In
Australian historiography, the frontier is a ‘pastoral frontier’; the phrase is repeated
so often in the literature as to render any alternative formation almost
unimaginable. The pastoral economy of beef production I described in the previous
chapter is thus most often understood as a frontier situation. But why, we might ask,

96 The comparison with South Africa was partly embraced officially. There had long been occasional
contact between the Governments of Australia and South Africa with respect to ‘native affairs’. The
South African Government took an interest in the Territory’s Aboriginal Ordinance of 1918, and
circulated it around the provinces for opinions, before concluding that it was an extremist piece of
legislation, and that ‘one can at least say that a great deal in the Ordinance is repugnant to S[outh]
African notions and would be hard to parallel outside native territories under German
administration’: P Horsfall to Sydney Buxton, Governor-General, 18 October 1918, NASA: GG 1548,
50/739. In 1937, after Cook’s request at the Conference on Aboriginal Welfare, the Commonwealth
sought information from South Africa regarding its policy on ‘racial relations’: Commonwealth of
Australia, Aboriginal Welfare: Initial Conference of Commonwealth and State Aboriginal Authorities
Held at Canberra, 21st to 23rd April, 1937 (Canberra: Commonwealth Government Printer, 1937), 35;
J B M Hertzog to Joseph Lyons, 7 December 1937, NAA: A659, 1939/1/10859. In 1938, the South
African government requested copies of Australian legislation controlling ‘mixed marriages’, and in
1946, the Commonwealth consulted South Africa, with the Northern Territory in mind, regarding the
implications of the ‘colour bar’ in industry. Hertzog to W M Hughes, Minister of External Affairs,
Australia, 12 September 1938, NAA: A432, 1938/1157; High Commissioner for the Commonwealth of
Australia, Cape Town, Despatch No 66/46, 30 December 1946, NAA: F1, 1946/840.
does the pastoral necessarily signify a frontier? What work is done by inscribing it as such?  

The frontier was to become a recurring motif in official discourse in relation to the Northern Territory in this period: Abbott, the Administrator of the Territory from 1937 to 1946, titled his memoir *Australia’s Frontier Province*. As late as 1960, the north remained, according to the Department of Territories:

one of Australia’s more challenging frontiers. Unexplored and unexploited, its resources await development. More capital and more knowledge are needed to do this; there is also a shortage of people, in both private and government employ, of the calibre needed to develop these resources.

We will return to the ideological effect of the frontier in later chapters, but here it is critical to note the place of the frontier in a settler-colonial teleology. This frontier is, as Deborah Bird Rose has pointed out, ‘quite explicitly not the nation, but rather a site for the making of the nation’. The frontier as border appears as a line in time rather than space; a ‘Rolling Year Zero’ which pre-dates the nation, constituting but specifically coming before. This temporality and teleology is crucial. The frontier is understood as the space and time where settler sovereignty is produced. The resolution of frontier conflict is overdetermined; it ends in the erasure of Aboriginal communities, in the constitution of the practice of Aboriginal sovereignties as anomalous and marginal. The frontier was thus purposeful. It was not just a space of naturalised violence and menace, a border between two systems where neither was dominant, but rather a made space whose naming actively authorised an assymetrical violence which produced settler sovereignty through prohibiting any oppositional force. In the interwar Northern Territory, it was a way of framing the sovereignty struggles discussed in the previous chapter, of projecting their resolution as an inevitable end.

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97 For a comparative analysis, see Silvio R Duncan Baretta and John Markoff, “Civilization and Barbarism: Cattle Frontiers in Latin America,” in *States of Violence*, ed. Fernando Coronil and Julie Skurski (Ann Arbor: University of Michigan Press, 2006), and see also Markoff’s ‘Afterword, 2002,’ in the same volume.


In this sense, frontier violence is of a piece with other practices instantiating and communicating settler sovereignty. And here we might turn to the distinct racialisation of the settler colonial frontier. The teleological narrative of the frontier inscribes an inevitable elimination. Thomson coined the word ‘undetribalised’, a novel adaptation of detribalisation discourse which connoted its inexorable force; one that could be resisted temporarily, but which was a natural effect of the passage of time. This staged a similar narrative to Chief Protector Cecil Cook’s preoccupation with miscegenation to which we will turn in chapter six, a logic of racialisation which inscribed children with both Indigenous and non-Indigenous biological ancestors within a calculus of diminishing Indigeneity. Whether political or cultural, as in the case of the tribe, or racialised, as in the case of Indigeneity borne in quanta of blood, the logic of the frontier was one of Indigenous erasure and replacement.

Staging the north as frontier was thus one way of safely marking out a space where Aboriginal people could live in Australia without coeval coexistence. In this imagined national geography, a pristine Aboriginality was located in Arnhem Land, diminishing over space and time as one moved away. Donald Thomson’s work on Arnhem Land had established it in the white imagination as a privileged locus of Aboriginal authenticity, cultural cohesion, and production. Harold Thornell, who worked as an agriculturalist at Yirrkala Mission between 1938 and 1944, described the typical urban Aboriginal person he saw in Alice Springs as ‘a drunken, dirty no-hoper’ who lived ‘in parks in the less savoury part of cities or in shanty-towns on the outskirts of our townships’ and who ‘repulsed’ him. These he contrasted to the ‘proud, dignified and unspoiled’ Aboriginal people he found in ‘their own environment’. It was in that environment that Vic Hall found that Aboriginal law was enforced, while settler law was practically unenforceable.  

But, as discussed in the previous chapter, the Northern Territory in general appeared to many in Adelaide, Melbourne and Sydney as only tenuously part of the Australian nation, or even as entirely foreign. For many, it was a place of radical otherness, characterised by racial pluralism in a remote tropical wilderness. Lynette Russell has argued that, across the twentieth century, one encounters a settler  

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102 Harold Thornell and Estelle Thompson, A Bridge over Time: Living in Arnhemland with the Aborigines 1938–1944 (London: Hale, 1986), 53; Victor Charles Hall, Outback Policeman (Adelaide: Rigby, 1970), 63–4. This northern imaginary has not disappeared from public discourse. One recent writer began a chapter on Eastern Arnhem Land in the mid-1930s with: ‘In the days when the world was wide and Arnhem Land was still a mysterious wilderness through which naked Yolngu roamed ...’: Andrew McMillan, An Intruder’s Guide to East Arnhem Land (Sydney: Duffy & Snellgrove, 2001), 165.
assumption of a single Aboriginal culture. We find, in looking at contemporary representations of the interwar Northern Territory that this imaginary Aboriginal culture was internally differentiated and spatially diverse. Difference, here, signified diminution. Genders, for example, considered that the 'kind of problem which ... exists in the lower portions of South Australia and Western Australia' was 'entirely separate from that relating to the Natives in the Northern portion of Australia whose Tribes are still intact'. The focus on this latter 'problem' was expressed in racialised terms by one member of the Victorian Aboriginal Group, who 'registered a protest against the study of anything but the Full blood aboriginal'. Few of the members of the humanitarian groups of the south made any but the most tokenistic attempts to engage politically with the Aboriginal people who lived around them, preferring to lobby the Commonwealth regarding the government of those they marked with authenticity in the north, concomitantly marking Aboriginal people of the south as lacking, in an important sense, a true Indigeneity.

It was the ideology of the frontier that inscribed the south and southeast as 'no longer' containing 'tribal' Aboriginal people; the north, with its culturally intact Indigenous communities, was transformed into a sign of the southern past, a past perhaps amenable to indirect rule in a way the south was not, but one that was categorically becoming the south. Becoming, that is, a part of the white nation.

But a state of ‘becoming’ need not be fulfilled. Staging the north as a frontier zone that radiated diminishing Indigeneity performed disappearance, or elimination, without disturbing the colonial relations of the Northern Territory. A colonial, rather than frontier, narration was possessed of an immutable racial dualism. Where black labour was critical to colonial security—economically, and thus also to a project of replacement—it's elimination was structurally contradictory. It was to this ambivalence that William Cooper appealed when he moved from a racialised discourse to one of nationalism in suggesting that recognising Aboriginal

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104 Genders to Buxton, 21 December 1927, ASAPS Papers, MSS Brit Emp S 19, D 2/20; Victorian Aboriginal Group, Minutes, Book II, 30 April 1931, Amy Brown Papers, MS9212, 3652A. The APL was a notable exception to this rule, proposing that territory be set aside for ‘detribalized’ Aboriginal people in their home state of South Australia and opposing the removal of Aboriginal children from their families. Anna Haebich, *Broken Circles: Fragmenting Indigenous Families 1800–2000* (Fremantle: Fremantle Arts Centre Press, 2000), 324–6. The Committee for Aboriginal Citizenship, organised by Michael Sawtell and Joan Kingsley-Strack, and which claimed Ferguson and Gibbs as members, was specifically organised to support the citizenship claims of the Aborigines Progressive Association. Committee for Aboriginal Citizenship, Minute Book, 1938–39, Kingsley-Strack Papers, MS 9551, B/1.
people as the saviour of those northern ‘empty spaces’ could enable the ‘peopling of
the vast hinterland, so unsuited to the European, with a virile race capable of
developing the vast resources of Australia’. This would be the work of Empire, as
‘the Aboriginal is more British often than the white’.

Cooper’s suggestion was just
one of the many calling for the mobilisation of black labour to develop the north,
reminding us of the Australian dependence on Aboriginal people to maintain a
settler presence spanning the continent. Blackness as a category of labour—
super-exploitable and available in the tropics—was structurally distinct from the
Indigeneity of those on the other side of the frontier. The former is embedded in the
social formation, while the latter is constituted through extrusion and only brought
within in a practice of elimination or in an Indigenous practice of resistance.

The interwar proliferation of a discourse on black labour, which expressed
domination in an articulation of the conjunction between class exploitation and
racialisation, tends to describe the production of a ‘native society’; what Harold
Wolpe was grasping towards when he identified in a different context an ‘attempt to
conserve and control ... non-capitalist societies in the face of the tendency of
capitalist development to disintegrate them and thereby to undermine the basis of
exploitation’. This is a structure of colonialism whose reproduction, that is, is
dependent upon the production and maintenance of alterity. Immutable
racialisation is thus an overdetermining metaphor for embedded differentiation,
distinct—albeit not entirely distinct—from the logic of elimination. This was
undeniably a process of replacement, but within which elements of Aboriginal
society and country were to be deliberately conserved and articulated with settler
pastoralism. And these ‘native societies’ were domesticated by staging the process of
their disappearance.

We will recall from the beginning of this chapter Henriette Pearce’s
‘discovery’ of Aboriginal capacity to work, symbolically replacing an empty northern
wilderness with a potential field of industrious productivity in the white Australian
imagination. But her reliance on ‘native helpers’ in the home, much like that of the
white pastoralist on the range, placed her firmly in a relation structured by
dependence: the elimination of Aboriginal society associated with the practice of the
frontier would destroy the vulnerable basis of white settlement. Katharine Susanna

105 William Cooper to John Harris, 16 March 1937, ASAPS Papers, MSS Brit Emp S 22, G 378.
106 Harold Wolpe, “The Theory of Internal Colonialism: The South African Case,” in Beyond the
Sociology of Development: Economy and Society in Latin America and Africa, ed. Ivar Oxaal, Tony
Prichard expressed the northern pastoralist’s interest in this conservation in the opinion of the station owner in her controversial 1929 novel *Coonardoo*:

Mrs Bessie would not allow any Christianizing of the aborigines on Wytaliba [station]. She had never seen a native who was better for breaking with his tribal laws and beliefs, she said. And as long as she lived, aborigines on Wytaliba should remain aborigines. For that reason, although all day Coonardoo was Mrs Bessie’s shadow, and learned to wait on and do everything for her, bring her tools, make her baths and her camp-fires, always at sunset she went off with her people and slept with the dogs by her father’s camp-fire.¹⁰⁷

The need to maintain the colonial relation was here expressed as a desire to maintain an Aboriginality that was signified by tribal culture. The discourse of detribalisation described the colonial contradiction of a structure which encouraged change antithetical to its reproduction. Frederick Wood Jones wrote in 1934 that ‘[d]etribalization is the first step towards certain racial death, attempts to fit the detribalized native for a place in our civilization is the final one.’ Detribalisation may well have been, as Frederick Cooper has argued, an anxious practice of ‘labelling such people by what they were not’, but as a way of structuring language it did important work by instantiating the ‘tribal native’ as the contemporary norm as the eroded basis for Indigenous life.¹⁰⁸

Any state must cope with contradictions, and in the Northern Territory, the Commonwealth engaged with the conflict between an imagined settler colonial frontier, with its logic of elimination, located in what appeared as an extraction colony, a formation characterised by dependence on native labour. But these ideological contradictions could be resolved by disaggregating the nation, both spatially and temporally, combining a logic of the frontier with the racial immutability of a normalised colonial situation. A space for Indigenous people could be simultaneously located as regularised in the north, on the other side of a frontier, while that frontier location staged it as disappearing, being erased, by the inexorable passage of time mapped on to space. These ideological moves in response to crises of sovereignty and development, which the developing white humanitarian

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movements placed firmly in the public mind by the mid-1930s, generated a space for ‘native society’ to be governed by indirect rule. And these moves simultaneously obfuscated the efforts of Aboriginal activists in Melbourne and Sydney to claim a space for their own articulations of Indigeneity in the heart of national modernity.

But while disputed in these terms, the contradiction was also very much a material problem. In the Northern Territory, it produced a situation that called for new modes of government, for an articulation that would reduce its elements to some kind of complementarity. In many ways, the turn to indirect rule represented a partial resolution of this conflict. We discussed in chapter four the northern pastoral economy, establishing a social formation that was simultaneously reliant on Aboriginal labour and was exploiting Aboriginal people at such a rate that it was destroying those people and communities. At the same time, struggles over sovereignty were provoking white Australians in the south to re-consider the place of the Northern Territory in the national imaginary. We can trace a shift in technologies of the government of sovereignty, from the Coniston massacre to the appointment of Thomson, an anthropologist, to work in Arnhem Land. We find here a transition from the elimination of Aboriginal society to a determination to work with it, producing a ‘native society’ that could manage itself and be articulated with the developing colonial formation.

The ‘discovery’ of ‘native society’, we will recall, represents one, critical, element of the introduction of indirect rule. The production of anthropological knowledge in Australia thus conduced to the ideological internalisation and material incorporation of Aboriginal people into a new, replacement society. As the advocates for indirect rule in Australia, whether professional anthropologists or humanitarian campaigners, argued forcefully for the existence of such societies in Australia’s north, they normalised indirect rule as an applicable art of government for that part of Australia’s national space. And they did so by establishing the existence of governable tribes within a social formation that was dependent on the continuing existence of Aboriginal people. When the contradictions of northern development finally tended towards crisis in the late 1930s, we find the partial adoption of their ideological interventions in governmental reform.
CHAPTER SIX

Native Administration in the Northern Territory:
From a White North to a Colonial Biopower

Must the native of the Territory die out as he has done in the South? ... If the blackfellow attempts to leap at one bound the chasm of ages, he will fall and be annihilated. So far the white man has reached out no hand to help him, but only tossed across to him, from his side of the gulf, a stick of tobacco, a box of matches, and a bottle of grog. Now he has suddenly realised his duty towards the race whose land he has taken, and is doing his best to build a bridge for the black man by which he may cross in safety. It remains to be seen if it can be done.

– Elsie R Masson, An Untamed Territory, 1915.¹

Introduction

John McEwen was appointed the new Minister for the Interior, with responsibility for the Territories, in Joseph Lyons’ coalition government in November 1937. His responsibilities in the Northern Territory, as well as in Papua and New Guinea, were far reaching—he described himself as the ‘Pooh-Bah of the North’. Upon taking office, McEwen described having on his desk two different but related reports, each of which I have previously discussed: Thomson’s report on Arnhem Land calling for a protective segregation, and Payne and Fletcher's report on Northern Territory development and administration, which emphasised the importance of cheap black labour as a subsidy to pastoral-led development. McEwen considered the problems of development and Indigenous people together. Charged with building a replacement society in the north, he developed plans in 1938 which linking

Aboriginal administration to development, and the establishment of reserves to the pastoral industry.²

The Commonwealth thus announced two new policies in December 1938. These were designed to be complementary, restructuring both ‘native administration’ and its interventions into the pastoral industry in the Northern Territory. It would, under this new dispensation, establish a Native Affairs Branch under the leadership of E W P Chinnery, an anthropologist with experience in the Papuan and New Guinean colonial administrations, and provide for a staff of patrol officers and district officers. On receiving a draft of the ‘native administration’ plan from Canberra, and noting that it would split the offices he had held since 1928—Chief Medical Officer and Protector of Aboriginals—the incumbent Cecil Cook believed that he was being displaced by a southern humanitarian campaign. Cook astutely surmised that while there may have been governmental reasons for the restructure, it was also designed specifically to sideline him personally. With this in mind, he found it ‘very difficult to comment dispassionately’ on the proposed policy, noting that ‘[s]o many entirely personal factors are involved in the proposed changes that I am afraid my commentary, so far from appearing to be the well-considered judgment of an experienced official, might appear to be simply the pleading and lamentation of an officer unwillingly superseded.’ But, ever the victim, he could not restrain himself from such a personal plea, and so produced two memoranda to be sent to Canberra, the first an ‘endeavour [to] completely … unburden my soul on the personal aspects involved’ and the second, written the next day, a more formal policy discussion.³

The basis of Cook’s complaint was that the new policy proposal substantially reflected his own ideas—it retained his intention to produce a white north—but ‘with the variation that it is considered necessary to appoint another officer to implement it’.⁴ Most historians have largely agreed with Cook’s interpretation, focusing on personal politics and neglecting the political and discursive shift marked by the new regime. And, in this context, the personal politics cannot be ignored. The disputes between Elkin and Cook, and the many who intervened to criticise either or both of them, were structured both by their different modes of producing knowledge and by the more petty networks and cliques which formed around the different(ly)

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⁴ Cook to Abbott, 28 April 1938, NAA: A452, 1952/541
governing white men. In this chapter I thus explore both these elements; the interplay between personal relationships, rivalries, and political differences remains crucial to understanding the period. I position these debates in the wider context of British imperialism and the nexus between colonial development and native administration. It is here, I argue, that we find an Australian instance of the implementation of indirect rule, governing a ‘native society’ by conducting its internal trends and forces in a specific articulation with a colonising society.

We found in chapter four that northern pastoral production was reliant upon the reproduction of alienable labour power within Aboriginal society. This turned, in other words, on the production, domination and preservation of Aboriginal communities as ‘native societies’. In the unambiguously national spaces of Australia’s south-east, specifically black labour had become largely superfluous, and it was rather the continued expropriation of Aboriginal land that was central to the interests of the reproduction of capitalism. This ideal type of settler colonialism was accompanied by policies directed at destroying Aboriginal societies, policies Cook had implemented in the north while facilitating the essentially eliminating conditions of untempered pastoral exploitation. But Cook’s attempts to make a white Australia were, as well as generating increasing opposition, becoming more apparently antithetical to the reproduction of capitalism and colonial expansion. His assimilationist plans were failing; not in the sense that they did not work, but in that they were making the development of the north impossible. This, more than the personal differences between Cook and others, was McEwen’s primary concern. Cook sought Aboriginal elimination. He worked to replace Aboriginal society by erasing all that was specific to Indigenous people, governing in the interests of whiteness to produce a white man’s country that need not concern itself with black people. Indirect rule was the furthest policy from his mind. But as this situation produced disorder, McEwen had cause to seek a more enlightened government, one that would be based on a more solid footing, incorporating Indigenous society into the colonial formation; the basis of indirect rule.

In this chapter, we turn in detail to Cook’s techniques of administration to explore the way the contradiction described in chapter four was manifested in Aboriginal policy, and thus to set the scene for the shifts implemented to resolve this crisis in 1939. Cook’s plans, we find, were not so much rejected as confined and complemented. In this sense, the new policy represented a synthesis of the tendencies to exploitation and elimination, embedding them within a specific
structure of northern colonialism. This ‘Aboriginal New Deal’, as McEwen titled the policy, categorised Aboriginal people into four classes: ‘Half-castes’, ‘fully detribalised’, ‘semi-detribalised’, and ‘Myalls or aboriginals in their native state’. These not only divided the Aboriginal population in relation to the tribe or caste—metaphors for an ahistorical authenticity—they also marked out a sequential pathway to citizenship. In its new policy, the Commonwealth thus set out ‘not yet’ citizens, and designed a road along which they would march towards progress, based on what Elkin described as an ‘understanding of the How and Why of the processes of civilization and of Australian life’ which was ‘necessary for progress towards and in citizenship’.

Assimilation—the elimination of Aboriginality—remained a distant element of the Aboriginal New Deal: it retained the teleological narrative of the frontier. And Cook’s plans for managing urban spaces were largely accepted without change. But the New Deal incorporated a series of measures designed to counteract its eliminationist tendencies for certain populations. As Frederick Cooper has written in the context of the colonial reconstruction of coastal Kenya, officials ‘backed off from the universality of their transformative goals but not from their desirability’. Most importantly, the new policy sought to ensure a continuous black labour force available to pastoralists; it would therefore work towards developing the north. This was certainly a retreat if we take elimination as the constant logic of Australian colonialism, but it worked decidedly in the interests of building a replacement society in a way inspired by the practice of the British Empire in Africa and the Western Pacific.

As we will explore, different modes of government related to each category, at each point on the march. We find, I argue, that forms of indirect rule would be implemented for ‘myalls’ and ‘semi-detribalised’ Aboriginal people by the state, and

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5 Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals (Canberra: Commonwealth Government Printer, 1939). In describing the policy as the ‘Aboriginal New Deal’, McEwen was presumably referring to John Collier’s Indian New Deal, the Wheeler–Howard (Indian Reorganization) Act which had, in 1934, implemented a form of indirect rule on Native American reservations. In 1938 William Cooper of the Australian Aborigines League had forwarded a copy of this legislation to the Commonwealth Government, suggesting that it be adapted and implemented in Australia: Cooper to the Prime Minister, 4 July 1938, NAA: A1, 1938/4793.


by pastoralists for those labelled as ‘detribalised’. I begin this chapter by analysing Cook’s ideology and idealised end of government through his policing of racial transgression, before examining his most thorough statement of policy, developed in 1935. I then move on to his many white critics and opponents who quite successfully made his position untenable. The chapter ends by locating the Aboriginal New Deal both in the context of this debate and in relation to the needs of northern development. This analysis echoes the argument of chapter five; southern humanitarian campaigns for reform, which normalised indirect rule, coincided neatly with the expansion of colonial society in the Northern Territory.

**Cook’s Assimilationist Policies**

The son of a doctor, Cook had studied medicine in Queensland before taking an interest in the public health implications of Aboriginal populations, carrying out disease surveys in Queensland, Western Australia and the Northern Territory. He worked under Raphael Cilento at the Australian Institute for Tropical Medicine before taking the positions of Chief Medical Officer and Protector of Aboriginals in the Northern Territory in 1927. Despite a certain level of scepticism regarding the administrative value of social anthropology, Cook had taken leave in 1930 to study the short course under Radcliffe-Brown at the University of Sydney.

Cook emphasised his work as claiming territory for a unified White Australia. The “‘White Australia” Policy’, he argued, was ‘the keynote of Australian nationalism’. Ostensibly responsible for Aboriginal protection, his project was to produce a homogeneous white nation. Where southern critics may have suggested that the north be governed in the interests of Aboriginal people, Cook regarded his aim as enabling tropical white settlement, a problem he framed as medical and sanitary. Australia, and here Cook included the tropical north without differentiation, was different from other countries where the task of native administration was that of ‘the management of an immense settled native population’.

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9 Cook recounted later in life that he was inspired to study Tropical Medicine after hearing a speech by William McGregor, then Governor of Queensland, as a schoolboy. Transcript of Interview with Dr C E Cook, 1–2 March 1981, p 18, NTAS: NTRS 226, TS 179.

10 Cook to Abbott, 7 January 1928; Abbott, Memorandum, 4 March 1929, NAA: A1, 1931/2597; Deane, Secretary of Home Affairs, to Radcliffe-Brown, 30 May 1929, Elkin Papers, P130/41/45.

population of an appreciable density, in whose Territory the white has intruded as a numerically insignificant section of the population. While in those other places ‘government is of the native for the benefit of the native’, in ‘this country,’ he wrote, ‘the native actually has become an intruder in a white man’s country. Politically, the Northern Territory must always be governed as a white man’s country, by the white man for the white man.’ To this end, ‘general policy must be regulated in the interests of the white intruder and is followed regardless of its destructive effect upon the native social organization with which it is incompatible’. Believing that ‘it is impossible for the aboriginal to survive without some social organization’, Cook thus pursued a policy of white settlement which had as its correlate the destruction of Aboriginal society and the death of its people.\(^{12}\)

The growth of populations Cook and other settlers and administrators labelled ‘half-caste’—Aboriginal people with a non-Aboriginal biological parent, usually their father—was, in this context, a major cause for concern both in relation to northern whiteness, and to elimination. These populations comprised people who were categorically not white, and were increasing at a rapid rate. Cook devoted much of his 1931–2 annual report as Chief Medical Officer to the ‘problem’. In that year, the non-Aboriginal population (which was certainly not exclusively white) of the Northern Territory was 4549, including 2950 Europeans and a ‘half-caste’ population (categorised as non-Aboriginal) of 730. But the annual per capita rate of increase for the white population was only 0.3, compared with 16.2 for ‘half-castes’. At this rate, it would be only 13 years before the ‘white race’ was ‘submerged’.\(^{13}\) It was thus ‘a matter of social and economic urgency’ that ‘half-castes’ be assimilated, both politically and biologically. To that end children were removed to institutions where they could be trained, and marriages between white men and ‘half-caste’ women encouraged, to produce children increasingly alienated from Indigenous communities and to ‘breed out the colour’. He linked these interventions to producing citizens: ‘the Halfcaste must be prepared for ... citizenship. ... [H]e should be a white boy up to the age of 21 years’. The easy interchangeability of terms of

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\(^{12}\) Cook to Weddell, 7 October 1935, NAA: F1, 1938/46; Cook to McEwen, 2 September 1938, NAA: A452, 1952/541.

\(^{13}\) Commonwealth of Australia, *Aboriginal Welfare: Initial Conference of Commonwealth and State Aboriginal Authorities Held at Canberra, 21st to 23rd April, 1937* (Canberra: Commonwealth Government Printer, 1937), 14. The approximately 18,677 ‘full blood’ Aboriginal people caused no such worry, though the ‘high birth rate ... featured by other coloured races’ suggested that without some intervention, the Territory ‘could be expected in a few years to evolve a colour problem of no little gravity’. Report on the Administration of the Northern Territory for the Year Ended 30th June, 1932, Cmd Paper No 124, 1933, pp 3, 28.
civilisation and race illuminates colour as a secondary characteristic, nothing more than an ‘indication of miscegeny’. ‘Breeding out’ denoted the elimination of Aboriginality, not merely the whitening of complexion.\textsuperscript{14}

The total control deemed necessary for Cook’s Medical Service to safeguard White Australia extended beyond reproduction to the management of disease, each targeting what he considered a contaminating effect of contact with Aboriginal populations. Following his former mentor Cilento, Cook conceived of Aboriginal people as the carriers of leprosy, hookworm, malaria, venereal disease and tuberculosis. ‘All medical officers are agreed’, he thus wrote, ‘that the Medical Service must have full and undisputed control of natives if it is to pretend to perform this function of safeguarding the health of the white people.’\textsuperscript{15} The unification of offices—Medical Officer and Aboriginal Protector—reflected Cook’s notion that each shared the same goal: producing a healthy and dominant sovereign white race. His approach to Aboriginal communities represented the medicalisation of the fear of a social menace. Hybridity was, for Cook and other white nation-builders, the key concern and potential taint of the north. The conservative journalist and historian Malcolm Ellis wrote of the Territory in 1924 that its population was a ‘sinister human broth’ dominated by Asians on the Coast ‘and in the stations, either the pure Australian native gone civilised (which means Bolshevik and insanitary), or the hybrid, which haunts every woodheap.’\textsuperscript{16} Such was the perceived threat to the uninterrupted domination of white Australia.

The ‘problem’ of Aboriginal people was, for Cook, spatialised. Aboriginal people on reserves, in an anachronistic space where they could be imagined as docile or contained, were little threat to settler dominion so long as they remained


\textsuperscript{15}Cook to McEwen, 2 September 1938, NAA: A452, 1952/541.

segregated. But the presence of Aboriginal people on stations or in cities was read as a problem which called for the state to intervene to re-assert a social and spatial separation. The ‘half-caste’ and the ‘tropical disease’ were metaphors of reproduction or contagion for the white anxiety that attended this sharing of space. And their disavowal, in pathologised or medicalised terms, illuminates the crucial racial element in any discussion of order and disorder in the interwar Northern Territory. In Darwin, for example, Aboriginal people could not be excluded as they were required workers, but were confined to the Kahlin Compound between 1911 and 1938, and then the Bagot Reserve from 1938 onwards, each of which was located on the outskirts of town. Segregation was designed to police contact between populations articulated in this relation of menace. Obsessed with bodies, Cook’s urban segregation policies should be seen as articulating whiteness through the exclusion and progressive inclusion of specifically racialised subjects.17

It was thus to the ‘half-caste problem’ that Cook devoted the bulk of his intellectual and administrative attention. Believing the growing ‘half-caste’ population to be precariously poised between a reservoir of contamination and a more peaceful and healthy incorporation into a white Australia, he sought control over both the lives and the reproductive capacity of Aboriginal people, especially targeting women. Cook had initially refrained from attempting to regulate such relationships, believing that, in the absence of white women, white men’s ‘sexual passion’ required some outlet.18 But from 1930 onwards there was a discernable shift in both his rhetoric and the laws he drafted. ‘Mating’ between Aboriginal and non-Aboriginal people, and between ‘coloured aliens’ and ‘any female of part Aboriginal blood’ were both banned. Cook’s permission was required for the marriage of any ‘half-caste’ woman and was not always granted; after 1933 he became more particular in deciding on the appropriateness of any coupling. Though he never achieved much success in actual regulation, he did move effectively to

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18 C E Cook, “The Native in Relation to the Public Health,” *Medical Journal of Australia* 1, no. 18 (1949); Andrew Markus, *Governing Savages* (Sydney: Allen & Unwin, 1990), 93–4, 96. The white Territorian population, particularly outside Darwin, was largely male. In 1924, Judge Powers of the Court of Arbitration found that ‘outside of Darwin the Territory is, generally speaking, a country of men getting to middle age and old men. Ninety-five per cent. of the men are not married, and do not intend to marry’. *North Australian Industrial Union v Commonwealth Railways Commissioner* (1924) 20 CAR 726, 736 (Justice Powers)
impose substantial restrictions on the autonomous movement of many Aboriginal people.¹⁹

Cook’s obsession was illustrated by his tragic intervention in the life of Emily Geesing, and her ultimate success in removing the legal basis of his control. Geesing had been taken by police from the home she shared with her white partner and placed in the Alice Springs Bungalow, while Robert Johnson, her partner, was prosecuted for ‘co-habiting’. Geesing challenged her detention, and Johnson his conviction, on the basis that she was technically an ‘octoroon’, not a ‘half-caste’, and thus not subject to the Aboriginals Ordinance. In response, Cook sought to expand the population over which he had control. The Ordinance included in its definition of an ‘aboriginal’ any ‘female half-caste not legally married to a person who is substantially of European origin or descent and living with her husband’, and defined a ‘half-caste’ as any ‘person who is an offspring of parents one but not both of whom is an aboriginal, and includes any person one of whose parents is a half-caste’. For Emily Geesing to prove she was ‘an octoroon’, Cook argued, ‘she must have established, beyond reasonable doubt, that every woman in the maternal line of inheritance was actually married to a person substantially of European origin and living with her husband at the time when the female issue of the next generation was born’.²⁰ This was an interpretation designed to bring under his authority almost any person with any Aboriginal ancestor: the ‘legal term half-caste throughout the definition has no reference to any hypothetical blood significance’. For Cook, ‘any individual with aboriginal blood, however diluted, falls under the definition of “half-caste”’.²¹ This was race deployed almost explicitly as metaphor; the language of

¹⁹ For all its centrality to Cook’s policy, there were rarely many such marriages. In 1932–3, he approved ‘the marriage of seven female half-castes, four with Europeans and three with half-castes’. Three applications were refused. Despite the increased scrutiny of couplings, his represented a slight increase. 1931–2 had seen four marriages, while in 1930–1 there were seven, though only one to a ‘full-blood European’. ‘Report of the Chief Protector of Aborigines’ in Report on the Administration of the Northern Territory for the Year Ended 30th June, 1932, Cmd Paper No 124, 1933, p 8.

²⁰ The importance of the marriage relation reminds us that a critical function of Christian marriage was to enshrine patrilineal descent and, most importantly, patrilineal inheritance. The transmission of whiteness as property was thus dependent upon reproduction only within a legally recognised marriage. Without marriage, the possibility of children being raised by their Aboriginal mother and inheriting her Indigeneity—itself an unrecognised property right—was manifest.

²¹ This extraordinary expansion of Cook’s authority was rejected by the court, which through an examination of her ‘pedigree’ found she was an ‘octoroon’, and awarded compensation for unlawful detention. Aboriginals Ordinance 1918 (NT) s 3; Sidney Pick to Abbott, 28 September 1937; Cook to Abbott, 18 November 1937, NAA: F1, 1937/734; ‘Verdict for Octoroon for £75, Wrongful Imprisonment in Half-Caste Institution,’ Advertiser (Adelaide), 12 November 1937, p 12. Clarence Smith, Emily Geesing’s brother, remembered the episode as a triumph of resistance over Cook. Transcript of Interview with Clarence Smith, February–April 1988, Tape 2, p 2, NTAS: NTRS 226, TS 486.
blood mixing signified the transgression and destabilisation of those settled categories upon which government rested. Cook’s plan to swamp Aboriginal people with whiteness required his constant government to ensure its product was an increased white population rather than an overwhelming coloured majority.

The 1937 crackdown which tormented Geesing and Johnson was one attempt to deal with the largely unsupervised and less formal relationships between white men and Aboriginal women that was the cause of the growing population that so troubled Cook. His more regular interventions into the relationships of those visible to him—in towns and other places under the scrutiny of the state—were designed to ensure the racial and sexual health of the nation. They worked to establish the discursive abnormality of particular relationships. Cook’s general loathing for, and eliminationist fantasies of, the ‘half-caste’ was a more explicitly racialised analogue of Lugard’s distaste for ‘detribalised Africans’, each expressing an unease with interstitial subjects. Both the African (or, increasingly, Australian) ‘detribalised native’ and the ‘half-caste’ Aboriginal person complicated the differentiation that enabled colonial rule. These terms represented modes of dealing with transgression that produced figures of lack—not ‘tribal’, or not ‘full-blooded’—which established the ‘full-blooded tribal native’ as the norm.

This found expression in Cook’s most thorough policy suggestion, made in 1935, when he proposed a system of protection that would ‘honour the Commonwealth’s obligation to the aboriginal, and yet so far meet opposition from the more bitter partisans as not to prove impracticable at the outset’. Cook set out his belief that contact with white people, while both unavoidable and desirable, was fatal for Aboriginal society: the ‘process of detribalization’ began with the alienation of young people from their elders, the consequent death of tribal ritual with those elders, and ‘those ceremonies and sanctions which held the tribe together are lost and the individual becomes an isolated unit without social background either European or native’. Aboriginal society could not be protected within inviolable reserves, both because ‘idle’ land could not be countenanced, and because it was already too late to save most tribes from contact. Indeed, wrote Cook, they ought not to be saved. And so Cook recommended that the Commonwealth commit itself to ‘absorbing the aboriginal race to the civilized community’, continuing the biological assimilation policy he had already begun.22

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22 Cook to Weddell, 7 October 1935, NAA: F1, 1938/46.
Cook thus differentiated between different classes of Aboriginal people. Aboriginal tribes which had made contact with white people should ‘be induced to abandon the nomadic habit and live in settlements’, where they could slowly be brought under an educational regime. For ‘myalls … beyond the sphere of civilized control’, Cook had few suggestions beyond the regulation of missions. Those who were ‘detribalised’ and lived in or around cities were the main focus of his plan. These subjects should, he wrote, be educated by the Government to develop a capacity for employment. These people were prepared for the most menial tasks available, serving the white community. Cook’s crucial educational task was to inculcate a ‘knowledge of the significance of time and the value of money’, to ‘recognise the significance of contract’, ‘a high appreciation of the principles of hygiene and personal cleanliness’, and eradicate any nomadic sentiment. This was a plan of disciplining new subjects, converting ‘the detribalised aboriginal in town districts from a social incubus to a civil unit of economic value, and in country districts from an unproductive nomad to a self-supporting peasant’. These elements—time, money, contract and hygiene—constituted knowledge that, as Foucault has written in a different context, ‘enables the subject not only to act as he ought, but also to be as he ought to be’. This was knowledge that not only, and not principally, remedied an ignorance, but was fundamentally transforming.

The emphasis on total control, in institutions like the Kahlin compound in Darwin or the Bungalow in Alice Springs, and the complete re-making of Aboriginal subjectivity and racial identity, was not confined to the management of physical reproduction, but also extended to social (re)production. The invocation of a ‘proper’ understanding of the ‘value of time and money, the obligation of contract,

23 Ibid; Cook to Weddell, 8 July 1936, NAA: A1, 1937/70. His proposed policy was forwarded with approval by Weddell, and the urban assimilation component was endorsed by the Minister in February 1936. It was publicly announced only in June 1937: Weddell to J A Carrodus, 11 October 1935, NAA: F1, 1938/46; Carrodus to Weddell, 19 February 1936; ‘Welfare of Aboriginals. New Settlement at Darwin,’ Statement for Press, Department of the Interior, 29 June 1937, NAA: A1, 1937/70. See also Cook’s complaints at the delays: Cook to Acting Administrator L H A Giles, 17 March 1937, NAA: A1, 1937/6167. By the time Cook came up with a plan for reserves and missions the New Deal was already being drafted in Sydney and Canberra.


25 It was Cook who transformed these institutions from derelict spaces. Joe McGinness remembered very little surveillance and control in his early years as an inmate at the Kahlin Compound in the 1920s. He received no schooling and was left to his own devices during the days when his mother was at work. Joe McGinness, *Son of Alyandabu: My Fight for Aboriginal Rights* (St. Lucia, Qld.: University of Queensland Press, 1991), 9–10. Similarly, Clarence Smith recalled only one and a half hours of schooling each day in the Bungalow before leaving in 1927. Transcript of Interview with Clarence Smith, February–April 1988, Tape 1, p 3, NTAS: NTRS 226, TS 486.
and the principles of hygiene and personal cleanliness’ mapped out the bounds of the modern, individuated subject to which Aboriginal people should, in this assimilationist plan, aspire. Money, here, was the key referent. In a long-lasting colonial discourse of Indigenous dispossession, it was not only a lack of property in land that signified a lack of civilisation, but the use of money, constituting the basis of property and accumulation. Assertions that Aboriginal people could not appreciate the value of money therefore suggested they had no conception of property: they did not own the land being taken from them, and need not be paid for their labour.

In 1929, Bleakley reported that ‘[v]ery few natives understand the use of money or values of articles ... The simple people of the Territories want more education before they can be safely trusted to handle even a part of the earnings in cash without benevolent supervision.’ Similarly, J W Allen, spokesman for the Northern Territory Pastoral Lessees’ Association, was of the opinion that without ‘preparation’ for money, payment of wages would cause ‘more harm than good’: ‘In justice to themselves and the community they should be gradually led to the appreciation of money. Moreover money is too valuable in Australia to-day to permit of any unnecessary waste of it.’ Cook’s plan would provide that training, enabling Aboriginal people to work for wages, a necessary element of individuation and consequent citizenship. Money represented an objectified and impersonal measure.

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27 See, for example, John Locke’s discussion of the Indigenous peoples of the Americas as embodying an originary, pre-property, state: ‘Thus in the beginning all the world was America, and more so than that is now; for no such thing as Money was any where known. Find out something that hath the use and value of money amongst his neighbours, you shall see the same man will begin presently to enlarge his possessions.’ John Locke, Two Treatises of Government (Cambridge: University Press, 1964 [1689]), Vol 2, Chap 5, Para 49. At the same time, this negative relationship to money became a racialised characteristic of the Indigene. Jessica Cattelino has shown the denial, in a settler colonial discourse, of the possible conjunction of Indigeneity and the accumulation of money. Native wealth somehow compromises sovereignty, an effect that can only be attributable to the racial overdetermination of nativeness. Jessica R Cattelino, High Stakes: Florida Seminole Gaming and Sovereignty (Durham: Duke University Press, 2008), 98–103.
29 J W Allen to Arthur Blakely, Minister for Home Affairs, 3 July 1930, NAA: A1, 1938/329. This was not entirely a consensus view. Jack Meaney, a stockman and drover in the 1920s who later went on to join the Communist Party and work for the NAWU, recalled that he refused to ‘employ anybody—including an Aborigine—I refused to employ them if I wasn’t getting award wages’. On the Roper Valley station, he did employ one Aboriginal worker at full award wages, despite not holding a permit. ‘And did I get into trouble! But I still won the day. They just quietly forgot about it. And I refused for bloody years to not [pay full wages]. Well of course I was a “blackfella lover” and all this sort of caper.’ Transcript of Interview with Jack Meaney, May 1989, T1, pp 5–7, NTAS: NTRS 226, TS 558.
of value, constituted by alienation from the products of one’s labour; work for money was abstract, disinterested work, performed by commodified bodies and producing congealed value that could be appropriated by others.

Many explicitly linked, as did Cook, an inability to appreciate money to a more general failure to appreciate value. The popular view, as expressed by the Territory carrier Charles Chewings in 1936, was that Aboriginal people ‘have no sense of value’; they thus ‘squander’ money and are unable to ‘reflect and to think along lines we are used to’.\(^{30}\) This represented an inability to ‘understand’ time, or rather to quantify it in terms of valuable units to be spent. Valuing time would mean that one was occupied at all hours; in this discourse an appreciation of the importance of time would inculcate a work ethic of regularity. This would regularise and compartmentalise time; there would be a time for work and a time for leisure, and time was thus ordered in a way that conduced to individuals whose relational responsibilities were to this external, and supposedly objective, order rather than to their communities.\(^{31}\)

Most importantly, such an appreciation of time would enable progress. ‘The black,’ asserted W H Grant of the Northern Territory Pastoral Lessees’ Association, ‘has no idea of saving up for tomorrow. If he has anything he must spend it.’\(^ {32}\) This was a common refrain. The travel writer C Price Conigrave described the Aboriginal ‘irresponsibility that is unmindful of the future, he feeds to repletion to-day, and does not worry unduly if on the morrow he is on short commons.’\(^ {33}\) In place of this apparent inability to understand the passage of time would be a mode that conceived time as moving forward. This not only imagined a distinct past, present and future, but oriented the subject as facing forward, away from the past and towards the future; a very modern mode of progress. Individual wages for individual work would constitute a key element, representing free labour—a relationship of contract—rather than the compulsion of individual subjection within a regime of status. The freely fabricated relations of contract relied upon the congruence of the unencumbered individual as the embodiment of freedom. This was subjectivation as

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\(^{32}\) W H Grant in Notes on Conference regarding the payment of Halfcastes and Aboriginals in Country Districts, 1930, p 50, NAA: A1, 1938/329.

replacement: together, money, time and contractual relations would establish an alienated objectivity as the repository of value, replacing Aboriginal moral and philosophical worlds.

Such a system, based on measurable and hence commodified time and money, imagined the commodification of labour. The image of the self as a rational, atomised subject ‘underlay the possibility that individuals could separate from the rest of their being, and sell, their labor’. Commodity production, involving the transfer of labour power from worker to capitalist, required standard measures to govern the exchange. Quantity of effort (time) and medium of remuneration (money), were thus both linked to the transformation of the subject into one able to alienate abstract labour. Cook, thus, sought not to mobilise the different specific Aboriginal modes of understanding real labour, but to destroy them and replace them with a subjectivity conducive to the labour extraction of a developing industrial capitalism. Such a split subjectivity, whereby Indigenous people would become able to sell their labour power only by ceasing to be, in some sense, Indigenous, suggests the incommensurability of the ‘working native’ in the official mind of settler colonialism. A double alienation, from Aboriginal society, and from one’s labour power, structured Cook’s eliminationist politics of the Aboriginal population.

Importantly, though the Aboriginal New Deal rejected Cook’s notion of biological absorption, it maintained his ‘civilising’ project in towns and cities and for ‘half-castes’. It embraced vocational training towards productivity and citizenship in the Darwin compound, and suggested training ‘half-castes’ for basic work tasks. As Tony Austin has pointed out, even the most radical of southern humanitarian groups pressed for extreme state control over the lives of northern ‘half-castes.’ The Australians for the Protection of Native Races, for example, agreed that the ‘half-caste problem’ constituted a ‘menace to the whole of Australia’, and the Victorian Aboriginal Group considered that their ‘absorption into the white race’

was an ‘enlightened policy’: they should be educated to take their place in the community.\textsuperscript{36}

But while there was little revision of this aspect of Cook’s policy in 1939, his overall mechanism of assimilation was substantially refurbished. What differentiates Cook from those who followed was his total and immediate commitment to a white North, on the frontier but ultimately part of an undifferentiated Australian space. His settler colonial vision entailed the entire replacement of Aboriginal social organization: ‘normal native life’, he wrote, ‘is utterly incompatible with white settlement’.\textsuperscript{37} But a vision of the North as a part of the Empire, as a colonial territory, encouraged a different economic organisation and art of native administration. The Aboriginal New Deal, with this in mind, embraced new structural and methodical ways of extracting labour, not yet requiring the fundamental transformation of Aboriginal subjectivities to produce value from their work. Its ultimate end—assimilation—remained the same as Cook’s, but it was an end whose deferral was structurally embedded in the system of government.

\textbf{White Men Governing: The Campaign against Cook and an Anthropological Takeover}

In his first memorandum in response to the 1938 draft policy, Cook painted himself as someone who had devoted his life to the care of Aboriginal people, a calling for which he had ‘incurred the displeasure and, oftentimes, the hatred and abuse of practically every employer of aboriginal labour in the Territory’, suffering ‘personal abuse, libel and slanderous stories concerning my professional ability and even my private life’. He felt that he had become the ‘most hated man in the Territory’, a title


\textsuperscript{37} Cook to Weddell, 7 October 1935, NAA: F1, 1938/46.
earned, he believed, through constant action in defence of Aboriginal people. If Aboriginal administration had suffered, it was due to the poor staff he had been forced to work with by Canberra. Lashing out at all around him, he criticised Len Samut and Xavier Herbert, who had been foisted upon him to take charge of the Kahlin Compound in Darwin for six months in 1936, as inappropriate appointments. ‘For the most part,’ he wrote, ‘this office has been the dumping ground for the unwanted incompetents of other Branches’. While the quality of his staff may have merely provided a way for Cook to shift the blame, he had certainly never been fully able to implement any policy with his chronically understaffed and underfunded Department. Cook had complained previously of a failure to approve or fund his work. His 1935 policy suggestion—approved 12 months after submission and which was closely reflected, he believed, in the 1938 proposal—had remained largely unimplemented.

It was not, for Cook, his failures, but rather a southern humanitarian campaign that had brought him to the verge of dismissal, sacrificed as a ‘scapegoat’ for Reverend Morley, Secretary of the Australians for the Protection of Native Races. There was some truth to this. Elkin, a close colleague of Morley in the APNR, had worked for years to produce the new policy: it had been suggested as early as 1936 that he was plotting to remove Cook. But for J A Carrodus, the highly influential Secretary of the Department of the Interior, Cook had ‘proved quite satisfactory in every way’. Elkin’s influence was, however, growing. A former Anglican priest, he had taught Anthropology at the University of Sydney since replacing Raymond Firth in 1932, from which position he was virtually in charge of social anthropology in Australia. He was the editor of *Oceania* and director of field research through the ANRC, and used his positions to patronise some, and isolate others. For Elkin,

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38 Cook to Abbott, 28 April 1938, NAA: A452, 1952/541. Herbert, no friend of Cook’s, agreed that Samut was of limited competence, describing him and office assistant Harry Partridge as ‘numbskulls, unlearned and untrained in anything but toady to superiors, men utterly lacking in initiative and quite oblivious to the importance of their work, and even what is called “anti-native”.’ Herbert to Arthur Dibley, 17 October 1936 cited in Austin, *I Can Picture the Old Home So Clearly*, 201.
40 Abbott to Carrodus, 29 April 1938, NAA: A452, 1952/541; Carrodus, Memorandum, 12 February 1936, NAA: A1, 1937/70. Carrodus had served as acting Administrator of the Northern Territory in 1934. Herbert described him as a ‘Nigger Hater and a bosom pal of Cook’s’: Herbert to Elkin, 29 March 1938, Elkin Papers, P130/41/628.
41 Elkin’s disputes with Donald Thomson were both longstanding and vicious, cutting Thomson off from ANRC funding for most of his career: Tigger Wise, *The Self-Made Anthropologist: A Life of A.P. Elkin* (Sydney: George Allen & Unwin, 1985), 131–2, 41–2, 203–4. Radcliffe-Brown was no friend of his successor Elkin, describing him as “a disaster both for the Department in Sydney and for “Oceania”. He is a mean cuss and makes a special point of ignoring my work and what I did for him. Raymond Firth protested to him over this: Radcliffe-Brown to Thomson, 5 July 1949, quoted in
political and academic work complemented each other, and his professional advice to Carrodus and McEwen was of a part with his involvement in the push to remove Cook.

Cook’s authoritarian and cold style of administration, and his unwillingness to contemplate the survival of Aboriginal communities, had made him anathema to many who fought for a different northern regime. There was no shortage of vitriol, much of it sent south by northern correspondents. Fred Thompson wrote of the ‘One-Eyed Chief Protector, Dr. C. E. Cook, who has shown himself to be utterly devoid of any feeling of humanity in his dealings with the aboriginals, half-castes and particularly aboriginal leper afflicts … that awful misfit’. Herbert described him as an ‘overgrown, clever, bumptious boy’, who was a ‘monster in his attitude to the unfortunate people he is employed to protect. He not only does not understand them, but detests them. Small wonder they hate and fear him.’ Another northern correspondent described him as ‘one of those scientifically inhuman automata, to whom you are not a living personality, but merely Class --- Genera --- Record --- File --- and so on … he is too far removed from genuine human feeling’.

Cook did have at least one defender. When Elkin described him as an ‘armchair director and insinuate[d] he spends his time sitting in Darwin’, a Mr Sleman, Secretary of the Northern Territory Hikers’ Association, telegraphed in protest. Cook, he wrote, had been President of the Association for the past four years and has ‘unrivalled claims as territory’s foremost hiker’, to the extent that ‘Australia’s boot factories are at present clamouring for his custom’ and ‘his private museum contains scores of specimens of worn out boots’. It is unclear whether Elkin passed this word of Cook’s hiking prowess on to Morley, who had proclaimed that 1938 would be the year that the ordinarily very conservative APNR would ‘make a fresh attack on the Departmental system as it is administered at Darwin’. They would take the opportunity presented by the advent of a new administrative structure to remove Cook from his post.

But personality politics was not the only context for change. Since his appointment as Minister for the Interior, McEwen had set about injecting energy
into Territory policy, representing the interests of rural capital as well as the spirit of empire in developing the north. Just two months into his tenure, on the sesquicentenary of the arrival of the First Fleet, Aboriginal activists met in Sydney for a national Day of Mourning and to call for citizenship rights, the abolition of the NSW Board of Protection, and for Aboriginal autonomy. The following Monday, on 31 January, about twenty of the delegates from the conference including Bill Ferguson, Jack Patten and Pearl Gibbs met with the Prime Minister Joseph Lyons, his wife Enid Lyons, and John McEwen at Martin Place. Patten presented the Prime Minister with a statement of national claims, calling for a national Department of Aboriginal Affairs, with a staff at least half of whom were Aboriginal people. The aim of this Department should be, he declared, to ‘raise all Aborigines throughout the Commonwealth to full Citizen Status’. Lyons noted that this would require a meeting of the state premiers to refer power to legislate for Aboriginal people to the Commonwealth, then an impossible proposition.44

Nevertheless, according to Enid Lyons, this meeting left an impression on herself, the Prime Minister and McEwen.45 A few weeks later, in February 1938, Elkin met with Carrodus and McEwen to discuss the framework for the new Aboriginal policy, and began to put into action the APNR’s plans for the removal of Cook. This meeting synthesised the influences and tendencies of the time, from rural capital to the national requirements of government, to a functionalist political rationality. In the words of Elkin’s biographer, Tigger Wise, ‘Jack “I am the Country Party” McEwen and A.P. “I am Anthropology” Elkin took to each other

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The policy—which Wise described as ‘pure Elkin’—was put into a formal draft by April, and in June McEwen set off on a trip around the Territory, a traditional practice for new Ministers for the Interior. As was customary, on this trip he was accompanied by administrators, advisors, and representatives of major economic interests, including Carrodus, Abbott, the Commonwealth Railways Commissioner G A Gahan and A MacBlain, a pastoralist. Unusually, he also took with him E W P Chinnery, then on leave from his position as Government Anthropologist in New Guinea and seconded as Commonwealth Advisor on Native Affairs.

Chinnery had been a patrol officer in Papua between 1910 and 1917, where he clashed with Hubert Murray, a factor in the rejection of his application for the post of Government Anthropologist in 1921. Instead, he worked in New Guinea as a labour advisor on the mines, Government Anthropologist, and Director of Native Services and Native Affairs. Chinnery had trained in ethnological research under Haddon and Rivers at Cambridge in 1919–20 and, though aware of the shift in social anthropology towards functionalism, worked in a different, perhaps outdated manner.

His brand of practical anthropology was, given the exigencies of administration, concerned with ‘the cultural development of the natives’, through modifying native social institutions away from ‘primitive life’ and towards ‘civilisation’. Chinnery was committed, though, to the philosophy of indirect rule, writing when working as a labour advisor that ‘[i]t has been found in other countries governing native subject races that the most successful administrators are those who rule as far as possible according to the laws and customs of the peoples themselves’. It was, therefore, ‘essential that the labor policy should be founded on an intimate knowledge of the various natives employed’.

Once Elkin heard of Chinnery’s involvement in mainland Australia, he commenced a correspondence that would be crucial in ensuring that the policy finally announced resembled the
original draft in a form that remained substantially unchanged. It was also Elkin who, with the policy practically finalised, first broached with Chinnery the possibility of his being seconded to the new Branch of Native Affairs as its Director. Writing to England celebrating his success, Morley wrote that the ‘best thing in the proposals’ was the replacement of the ‘odious’ Cook with Chinnery. The personal campaign against Cook thus came to fruition with Elkin’s success.

The year 1939 signalled a victory for Elkin in sideling other influences in Aboriginal administration. Though cited as an influence, Elkin’s rival Donald Thomson too felt marginalised by the new policy. He wrote on reading the New Deal that:

As far as native affairs are concerned I feel very bitter indeed. I used to think that everyone of us Australians had a sense of fair play, and was likely to receive it, but the attitude of the new Minister [McEwen] for me has been so unjust that I feel outraged ... the Minister has adopted practically all the measure[s] that I had fought for so long, often using phrases in which they were couched.

The new policy was not only directed at such personal power struggles, but also represented the triumph of Elkin’s particular developmentalist view of native administration. McEwen, we will recall, had considered Aboriginal government and pastoral development together as related issues. His resolution suggested the possibility of articulating the ethnographic ‘native society’ with pastoral production, a formation conducive to indirect rule.

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51 Elkin to Chinnery, 22 June 1938, Chinnery Papers, MSS 766/8/2; Chinnery to Elkin, n.d; Elkin to Chinnery, 5 December 1938, Elkin Papers, P130/41/84. Elkin and Chinnery kept up a voluminous correspondence through 1939 as Chinnery began the implementation of policy in Darwin.
52 Morley to Harris, n.d., ASAPS Papers, MSS Brit Emp S 22, G 379
53 ‘In the preparation of this policy, the Government has studied closely the report and recommendations of Dr. Donald Thomson and other authorities.’: Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals, 2.
54 Thomson to White, MHR, 2 March 1939 quoted in Geoffrey Gray, “A Deep-Seated Aversion or a Prudish Disapproval: Relations with Elkin,” in Donald Thomson: The Man and Scholar, ed. Bruce Rigsby and Nicolas Peterson (Canberra: Academy of the Social Sciences in Australia, 2005), 92. This echoes almost verbatim Cook’s complaint quoted above. Edmund Foxcroft, writing perhaps the first history of Aboriginal administration in 1941, similarly attributed to Thomson the credit for developing the principles adopted in the 1939 policy, though, as Rowley pointed out, the policy contained none of the urgency inherent in Thomson’s proposals. Austin gave Thomson little of the credit, arguing that the tendency towards the assimilation of ‘tradition-oriented people’ suggests Thomson’s ideas had been trumped by Elkin’s. See Edmund J B Foxcroft, Australian Native Policy: Its History, Especially in Victoria (Melbourne: Melbourne University Press, 1941), 148; C D Rowley, The Destruction of Aboriginal Society (Canberra: Australian National University Press, 1970), 330; Austin, Never Trust a Government Man, 295.
The Aboriginal New Deal, in other words, formed an important part of McEwen’s reforms to the administration of the Territory, and was announced in mid-December 1938, the week after he revealed plans to overhaul land administration and pastoral development. This, the Government’s long-awaited response to the Payne–Fletcher Report, was thorough. McEwen set out a strategy for northern development that would, he hoped, ‘presage a new era of settlement and development in the north’. He declared a five-year plan of ‘vigorous’ road construction and stock route development and the introduction of a system of coordinated sea, rail and road transport to substantially reduce freight charges. The government would advance money to settlers to assist in developing their holdings and income from primary production, mining and fisheries would be exempt from both Commonwealth and Territory income tax for the next ten years. This policy sought to develop the north on the back of pastoralism: ‘The cattle industry is, and, in my opinion, will, as far ahead as we can see, remain, the principal industry in the territory’. It was also, then, a part of a plan for native administration. ‘Naturally’, McEwen wrote to Elkin, ‘the policy for the welfare of aboriginals has been closely connected with the general developmental policy.’ And here the New Deal, announced differed importantly from Cook’s policies. Its synthesis of elimination—the logic of the settler colony—and exploitation—the rule of colonial difference—represented an attempt to frame a policy which provided for the reproduction of a replacement society in the north, one which explicitly incorporated Aboriginal society. And it was an incorporation that reflected the particular colonial nature of the Northern Territory, seeking an economic articulation of producing societies, a relationship that differed in some respects, but in others reflected those formations examined in chapters one and two. This was an Australian adaptation of an art of colonial government, influenced heavily by the need to frame administration with respect to the dual mandate, an effect of pressure.

applied by the movements discussed in chapter five. In the next chapter, we turn to this Australian synthesis of elimination and exploitation, producing a novel formation of indirect rule.
CHAPTER SEVEN

When is Rule Indirect?
Time, History and Unfree Labour in the Aboriginal New Deal

My main trouble is that I cannot see the end that is aimed at. Are you contemplating segregation for ever, or are you contemplating temporary segregation so that the natives may build themselves up into some modified form of civilisation? If that is so I want to see the end that is in view.

– Atlee Hunt, 1916.¹

If some system of indirect rule was adopted in the native reserves there seems to be a great opportunity for collaboration between administrative officers and anthropologists in demarcating the initial units of self-government and later planning for their enlargement by amalgamation. I know this seems pompous in connection with the Territory reserves, but it is really only the application on a very reduced and primitive scale of a system of proved value.

– ‘Crown Colonist’, 1939.²

Introduction

The previous three chapters have established a context for the reform announced in 1938 and implemented in 1939 in Aboriginal administration in the Northern Territory. We first explored the nature of the Territory as a social formation, an economy based on pastoral beef production and reliant on Aboriginal labour. In a settler colonial nation, this relation generated a contradiction between the logics of

elimination and exploitation. We then turned to southern campaigns to reform Aboriginal government, and their work in establishing the existence of ‘native society’ in Australia’s north. At the same time, these movements placed the north within the British Empire, as a territory that was Australia’s to govern under a dual mandate, suggesting that indirect rule ought to be the governing norm. The slow transition in government that culminated in the new policy of 1939 reflected both the success of their work in framing relations in the Northern Territory as explicitly colonial, and the developing labour crisis, an effect of the exploitation and domination on pastoral stations that was killing Aboriginal workers. Finally, in chapter six, we traced the more direct opposition to Cecil Cook’s efforts to use Aboriginal administration to produce a white north, again reflecting this transition. The Aboriginal New Deal both displaced Cook and established a new basis for government.

It is important to remember that, in sorting Aboriginal people into four ‘classes’, from ‘myalls’ at one extreme to ‘half-castes’ at the other, the Aboriginal New Deal was a refinement, but not a transformation, of Cook’s schema developed in 1935. One of its important innovations was to link these racialised populations in an evolutionary chain spanning black to white—subject to citizen. At its most basic level, this marked a departure from Cook’s proposals. All Aboriginal people were now to be considered ‘redeemable’ or civilisable, though, in the case of most, not yet. Where Cook contemplated the biological eradication of Aboriginality, the 1939 policy set out a plan for Aboriginal survival, staging their progress as a story of human evolution in space and at the level of subjectivity. Anthropology had provided a language and a rationality for the turn from a schema based on blood to a synchronic civic spectrum, a representation in terms of tribal subjects and Australian citizens that masked, rather than erased, the underlying racialisation. A black subject would never, him or herself, experience such a transition; the policy was expressed by staging this trajectory through the production of progressive difference.

The new policy declared that ‘semi-detribalised’ Aboriginal people and ‘Myalls or aboriginals in their native state’ should be ‘left alone and protected from the intrusion of whites’ while living ‘their ancient tribal life’. This was not a permanent state; they were ultimately to acquire citizenship ‘by right and by qualification’. The early steps on what was imagined as a ‘long march’ towards this goal (which would take ‘many generations’) were tribal segregation, followed by
controlled contact with the buffer stations to be established around reserves. On these buffers between ‘tribes’ and ‘civilisation’, rations and medical care would be available along with training; buffer stations would become ‘a centre from which natives could be drawn for employment and to which they could return after their period of employment had terminated’. Its technical and agricultural training would make the station a ‘centre of hope and refuge’, depending on the direction of approach. This produced the reserve as the site of people whose subjectivities were incommensurable with civic government, ‘left alone’ but governed, as it were, in accordance with a form of indirect rule.³

Those apparently ‘fully detribalized natives’ who lived on pastoral stations would remain there. Aboriginal labour would be better monitored by the Branch of Native Affairs staff, but would remain cheap, assuring pastoralists that their super-exploitable workforce would remain.⁴ These communities lived in a different sphere of indirect rule: directly articulated with the pastoral economy, the station camp represented a self-regulating space which remained partially committed to an Indigenous economy. This commitment suggested a link between Aboriginal people who worked on pastoral stations and those in the reserves, a link representing to settlers both a racial solidarity and the conservation of racialised difference. The final stages of the long march were located in towns and cities, and reflected little change to Cook’s rule discussed in the previous chapter.

The long march was reflected in state practice through the bifurcation, or rather trifurcation, of the state. Aboriginal people in reserves, imagined as uncivilised and ungovernable by a modern state, would be subjects of their tribes, ruled by a tribal order of traditional law and custom. Aboriginal workers on pastoral stations, marked by the state as detribalised or semi-detribalised but, for pastoralists, existing as categorically black workers, were governed at times by the station manager, at other times by their own tribal order, and at times by both simultaneously, dependent on the season. And finally, so-called ‘half-castes’ and ‘fully detribalised’ Aboriginal people in or around urban areas were located the closest to citizenship, ruled by the modern state to membership of which they were supposed to aspire. The spatial here mapped on to the civic as a denominator of subjectivity. In the previous chapter, I discussed the government of those temporally situated near the end of the long march. In this chapter, I examine the two types of

⁴ Ibid., 4–5.
Aboriginal subject whose government was, I argue, heavily influenced by the art of indirect rule: those in the reserves and those on and around pastoral stations.

The new system thus envisioned the objects of Native Administration as a series of incompletely differentiated populations spanning the course of history, mapping the Northern Territory spatially and temporally in the form of imagined Aboriginal movement from reserve to station, and onwards towards the town; from categories of nomadism to civilisation, from tribalism to citizenship. In its shift from a schema of intelligibility based on the genetic (blood) with an evolutionary social correlate (the savage) to a civic spectrum, this operationalised social anthropology. It was a synchronic expression of a diachronic and imperialist evolutionary narrative, representing and producing a series of progressive populations, moving towards an ultimate assimilation. And it would do this through different modes of governmentality with respect to each category. This staged the Northern Territory as slowly becoming a part of a white Australia. But an embrace of indirect rule—articulating ‘native societies’ with settler production and governing them through acting on their social institutions—in the earlier times of this march denoted an acceptance, for now, of the colonial necessity to produce and maintain difference. The Northern Territory was thus the site for a governmental synthesis of colonial projects, re-articulating indirect rule in an ambiguous settler colonial formation.

This synthesis was constituted by an acknowledgement that there were limits to the potential reach of state intervention. Indigenous cultural and economic practices in the north could not be eradicated not only due to Aboriginal people’s concerted efforts to maintain spaces and practices of autonomy throughout colonisation, but also because pastoral capitalism had come to feed off this autonomy, working to conduct ‘native society’ in ways conducive to increasing exploitation. The colonial formation was a compromise, or balance of forces, and can be characterised by examining the articulation of different modes of production, or different subjectivities, or cultural communities, each of which was transformed by this process of articulation. This is not to suggest that settler capitalism was not dominant, but that its domination was not total; it was limited both by Aboriginal practice and by its own contradictions.

The 1939 New Deal not only recognised this dependence amidst multiplicity, it enshrined it in policy and represented it as a stage on the long march to modernity. It sought, in other words, discursively to transform a colonial situation into a pastoral frontier, establishing a teleological relation between the different
articulations manifested in the reserve, the pastoral station, and the town. But this was a narration riven with ambivalence. As well as sequentially plotting these spaces, and the subjectivities and economic and cultural relations in them, the New Deal tacitly acknowledged that they were complementary and mutually constitutive. The reserve, in other words, was constituted as an Aboriginal domain in relation to the pastoral occupation that spanned the rest of the Territory. And the limited wealth that made towns possible was derived from their relation to the pastoral stations as the only major industry of the north. The New Deal recognised that, though it narrated these as stages of development from an imagined archaic Aboriginal savagery to modern white citizenship, staging progress was not the same as its fulfilment. The performance of the frontier in a colonial situation represented instead a practice of progress which would accommodate northern articulations within the settler colonial nation.

The long march was a linear, forwards motion, but not necessarily to be made by any individual person. That it would take ‘many generations’ suggests that it was most importantly a staging of progress, in both subjectivity and space. ‘Natives,’ in this narrative, began on the reserve as tribal subjects, moved on to pastoral stations where they became semi-regularised and inescapably racialised labourers, and were finally detribalised to become citizens in modern, usually urban, spaces. This inexorably forward motion was distinct to settler colonialism. As was discussed in chapter three, in South African or Papuan colonial government, for example, the ‘native’ remained ‘tribal’ at all times; work on the mines or on settler-owned plantations was specifically defined as work performed by migrant labourers who may have left their homes on reserves or in tribal villages for it, but who remained subjects of tribal laws, tied to those tribalised spaces. The issue of jurisdiction is illustrative. In South Africa, colonising discourse imagined Africans as subject to chiefly rule at all times and in all places. In the Northern Territory, on the other hand, movement to the city—at the far end of the long march—was definitively a movement out of native, and into settler, jurisdiction. There would be no going back

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5 Here, Martin Legassick’s notion of the ‘frontier zone in which there was no single source of legitimate authority, in which different legitimate authorities could compete’ and which was ‘temporary, unstable, fluid, and dynamic’, presenting a ‘crisis of values, cultural and political’, seems apposite to describe the nature of the northern formation. Martin Legassick, “The Griqua, the Sotho-Tswana, and the Missionaries, 1780–1840: The Politics of a Frontier Zone” (PhD Thesis, University of California, Los Angeles, 1969), 11, 13. Cf the settler colonial ideology of the frontier, representing a border which produces the underlying binarism—settler/native—so crucial to settler colonial expansion. See, in this respect, Henry Reynolds, The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia, Rev. ed. (Ringwood: Penguin, 1990); Henry Reynolds, Frontier: Aborigines, Settlers and Land (St Leonards: Allen & Unwin, 1996).
and, by this late stage, no throwbacks. The native tribe was at the basis of progress in both iterations of indirect rule, but in distinct ways. In the Australian settler colony, it represented the discursive beginnings of progress, and was economically accountable as the productive generator of exploitable black bodies. Through this case study, we can illuminate the civilising mission always inherent in the art of indirect rule as a positivity; a modern and developmental mode of remaking the world.

In this chapter, I analyse the Aboriginal New Deal as an expression of indirect rule as a political rationality. We follow the staging of this ‘long march’ in space, tracing the policy’s logic. The chapter begins in the Aboriginal reserves, those sites identified as Aboriginal spaces both in policy and, in some ways, practice. As was discussed in chapter five, the most critical sovereignty crisis of the 1930s took place at Caledon Bay, within the Arnhem Land reserve. Incorporating reserves into Aboriginal policy through the rationality of indirect rule represented the ambiguous resolution of this crisis, staging the contested sovereignties of the reserve as the first point in a ‘long march’ to a white Australia of universal citizenship. We then turn to the second space of the Aboriginal New Deal, on the pastoral stations that sought to cover the rural areas of the Northern Territory with elaborate articulations of beef production and functioning Aboriginal societies. These represented, in the policy, a move away from the reserve in both time and space, but not yet the erasure of Indigeneity. Rather, they were sites of a tempered indirect rule, as pastoral production worked through the government of ‘native societies’, working with their social institutions to mobilise black labour. The chapter turns, finally, to one instance of this conduction of an Aboriginal social institution: the walkabout. The work of government was, in this case, that of conducting tribal societies in an articulation with white settlement to stage the production of a replacement society. This began with the outward articulation of the reserves, and would end with atomised urban citizenship produced by those technologies of rule devised by Cook and discussed in the previous chapter, a long march with critical ideological function but whose material failure was internal, inevitable, and integral.

**Government’s Spaces of Indirect Rule**

In British-ruled Africa, indirect rule was centred on space marked as native. As in colonies like Kenya or South Africa, in Australia that space would be named a
reserves.⁶ But there was nothing inherent in establishing a reserve that produced it as a site of indirect rule. Rather, there was a tussle among settlers between three competing visions for the Aboriginal reserves of the Territory. Cook saw them as refuges where Aboriginal people would slowly and peacefully die out, an inevitable result of encroaching modernity. Many humanitarian groups instead sought inviolable reserves, proposing a museum-like preservation of primitivity. McEwen’s policy drew on both these propositions to cast reserves in a different light. Filled with what he, Elkin, and others imagined were wandering ‘myalls or aboriginals in their native state’, the reserves comprised those small tribal spaces that the New Deal harnessed to the far end of the process of assimilation. These were governable only through tribal organisation, a limit to settler government that was inferred from the crisis of order sparked in part by the Caledon Bay controversy.

There were only a few reserves in the Northern Territory, and these were certainly not the inviolable spaces humanitarian groups called for. In 1920, Miles Staniforth Smith, who replaced J A Gilruth as Administrator of the Northern Territory and who had previously worked as Hubert Murray’s deputy in Papua, declared three of the reserves previously recommended by Baldwin Spencer—Groote Eylandt (896 square miles), Oenpelli (2000 square miles) and Daly River (3300 square miles)—as well as the substantial Lake Amadeus Reserve in the southwest corner of the Territory (21,875 square miles), which formed part of the larger reserve also covering parts of South Australia and Western Australia. This last remained formally unpatrolled until Ted Strehlow was appointed as patrol officer in 1936. The Arnhem Land reserve was declared in 1931, on Bleakley’s recommendation, and the area around Haasts Bluff was proclaimed an Aboriginal Reserve in 1940.⁷

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⁷ Annual Report of the Acting Administrator for the Year Ended 30th June 1920, Cmd Paper No 119, p 19; J W Bleakley, The Aboriginals and Half-Castes of Central Australia and North Australia (Melbourne: Commonwealth Government Printer, Cmd Paper 21, 1929), 34. The Humbert River Reserve, which had been proclaimed in 1909, was never actually used as a reserve, and from 1914 onwards was subject to a grazing licence. See Charles Schultz, Beyond the Big Run: Station Life in Australia’s Last Frontier (St. Lucia, Qld: University of Queensland Press, 1995). Both the Anglican Church Missionary Society and the Methodist Missionary Society had missions within the Arnhem Land reserve, on the Roper River and Groote Eylandt, and on Goulburn Island respectively. Strehlow’s appointment was, as was that of Thomson the previous year, a response to a situation of violence. See J P M Long, The Go-Betweens: Patrol Officers in Aboriginal Affairs Administration in the Northern Territory 1936–74 (Darwin: North Australia Research Unit, Australian National University, 1992), 16–18; Barry Hill, Broken Song: T.G.H. Strehlow and Aboriginal Possession (Milsons Point, N.S.W.: Knopf, 2002), 231–5.
Spencer’s initial 1913 proposal for reserves where Aboriginal people could live out the rest of their lives had been met with confusion. Atlee Hunt, Secretary of the Department of External Affairs, could understand segregation to allow a peaceful end to the Aboriginal race, but worried that openly accepting the extinction of a people would not be ‘in accord with the spirit of our civilization’. A positive policy, though, seemed unclear: how could Aboriginal spaces be imagined within a white Australia of which the north formed a part? What, he asked of Spencer, was the ‘end in view’? Such uncertainty surrounded the place of reserves over the first half of the twentieth century. The Aboriginal New Deal confirmed that their establishment need not disrupt the ‘end’ of settler colonialism in the Territory, but rather could begin a process of assimilation, a slow erasure of Indigeneity.

While I have identified in previous chapters that the critical issue for government in the Northern Territory was pastoral-led economic development and its need for black labour, official discussion of native administration engaged this concern through a debate over the nature of the Aboriginal people to be governed. This coalesced around two questions: did Aboriginal people have society of value (could their ‘tribes’ reproduce and thereby provide a source of labour?); and were Aboriginal people and communities improvable (could they assimilate?). These questions were answered by reference to Aboriginal reserves and the people and societies found there.

Many of the advocates for change discussed in chapter five mobilised colonial comparisons to advance their agenda. These were contested by administrators. For Staniforth Smith, Administrator between 1919 and 1921, Aboriginal people could only be compared unfavourably with Indigenous people elsewhere: ‘The greatest difficulty that confronts the administration in dealing with the natives is the fact that they do not form themselves into settled communities, with individual possession in land, as in New Guinea.’ In 1933, then Minister for the Interior J A Perkins made a similarly negative comparison in noting that the ‘conditions existing in Papua and New Guinea are totally different from those of the Northern Territory. In the former

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9 This debate would be echoed in the decision the High Court of Australia elected to make in the 1992 *Mabo* judgment, between classifying the claimant community as ‘so low in the scale of human organization’ that it has no property rights or as possessing rights which ‘qualify’ the Crown’s radical title. See Ben Silverstein, “The Rule of Native Title: A View of *Mabo* in the British Empire,” *Griffith Law Review* 16, no. 1 (2007).
Territories the natives are permanently settled in villages. In 1939, however, McEwen in the Aboriginal New Deal confirmed that ‘the Australian aboriginal is not inferior to the natives of Papua or New Guinea. Mr. Chinnery came to this conclusion after visiting the Northern Territory and studying the aboriginals on the spot.’ This did not end the anxiety over whether Aboriginal societies could be successfully articulated with settler societies, and whether the result of any contact would be the ‘erosion’ of Aboriginal communities, rather than their constructive transformation.

In early 1940, Chinnery wrote informally to the Chairman of the Native Labour Commission at Rabaul of Aboriginal inappropriateness for work when compared with ‘the New Guinea native[,] … Since coming here my opinion of the New Guinea labourer has gone up tremendously. The New Guinea employer is extremely fortunate to have such material and if some of them could spend a short period here they would realize it.’ But such views were deemed irrelevant in setting out the purview of the new regime: the very next week Chinnery produced a report elaborating the implementation of the 1939 policy.

Whatever the administrative opinion regarding Aboriginal social life, the question of its adaptation to what would become a White-dominated Australia was central to the manner of imagining the Aboriginal reserves. For Baldwin Spencer, they were merely a place of segregation until the inevitable, and imminent, passing of the Aborigines: ‘In contact with the white man the aborigine is doomed to disappear’. Until then, ‘it is far better that as much as possible he should be left in his native state’.

Cook similarly argued that ‘the survival of native social organisation is incompatible with the policy of white settlement to which the Commonwealth is...

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10 Staniforth Smith, ‘Handbook of the Northern Territory,’ typescript draft, 1921, NAA: A238; Perkins to Helen Baillie, 2 May 1933, Elkin Papers, P130/12/124; Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals, 9. See also A P Elkin, Citizenship for the Aborigines: A National Aboriginal Policy (Sydney: Australasian Publishing Co, 1944), 12–13. The view of Aboriginal comparative inferiority persisted. In 1938, in response to a draft of this policy, then Administrator of the Territory Abbott wrote with reference to New Guinea, Papua, Solomon Islands and Nauru that a ‘study of Australian aboriginals shows very clearly that these people are a problem entirely unto themselves and that experience of natives in other countries is of very little practical value when the Australian natives are being considered’. Abbott to Carrodus, 28 April 1938, NAA: A452, 1952/541.


12 Chinnery to Bob Melrose, 12 January 1940, Chinnery Papers, MS 766/16/6; Chinnery to Abbott, 18 January 1940, Chinnery Papers, MS 766/8/8.

13 Quoted in D J Mulvaney and J H Calaby, “So Much That Is New”: Baldwin Spencer, 1860–1929, a Biography (Melbourne: Melbourne University Press, 1985), 126. In 1914 the Minister set out that: ‘The object of policy must be to interfere as little as possible with tribal areas where such aboriginals as are willing to live there might be placed under the management of a Protector.’ Northern Territory: Outlines of Policy by the Honorable P M Glynn, Minister for External Affairs, 19 June 1914, NAA: A3, NT1914/5471.
committed’. Reserves were ‘refuges or sanctuaries of a temporary nature’ that could ‘protect the aboriginal from the destructive effects of the impact of white civilization’. Here he reflected in part Abbott’s ‘doubt’ that the ‘Australian aboriginal’ was ‘receptive enough to hope that he can be brought to such a high standard as to entitle him to full rights and privileges of citizenship’.

Cook did believe that Aboriginal assimilation was possible; it was the cornerstone of his policy. But the form of assimilation he proposed would not mobilise the reserves and Aboriginal societies in any way, working instead through their ultimate destruction. For Cook, after Spencer, reserves were places where Aboriginal people would die in relative peace. At the 1937 national conference on Aboriginal Affairs, Cook argued that ‘if we leave the aborigines in the north alone they will die out. On the other hand, if we bring them under our influence they will breed, and their numbers increase until they menace our security’. Given that his aim was a white north, as part of a white Australia, Cook’s policies were directed to the elimination of Aboriginal people. This was a two-pronged attack. On reserves he would merely acquiesce as Aboriginal society would die, the victim of neglect, lost land and consequently lost economic possibilities, and fatal contact with white men. Off the reserves, elimination would have to be actively made, and he developed complex biological and cultural assimilation policies that would rid the Territory of the ‘Aboriginal’ problem, discussed in the previous chapter. In this approach, native society was nothing more than something to be ignored or overcome: ‘at the outset we shall be dealing with natives without a background’. By the late 1930s, this view came to be displaced by a logic within which ‘native society’ could be the colonial basis of both production and government. In the terms of the Aboriginal New Deal, ‘the form of uplift’ pursued would ‘aim at preparing the aboriginals gradually to develop in their own way, within their own reserves’. These differing assimilationist imaginaries represented the major difference between Cook’s regime and that which succeeded him. The re-structure was thus not, as some historians

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16 Cook to Weddell, 28 April 1936, NAA: F1, 1940/203.
17 Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals, 8.
have followed Cook in suggesting, merely a belated embrace of Cook’s policies. It represented, rather, the turn to govern a colonial north rather than a national frontier.

Cook’s necropolitical elimination would have produced both uninterrupted white dominion and white(ned) workers, but without harnessing its potentially productive excess along the way. The new regime, on the other hand, saw Aboriginal people rather as a series of developing and differently exploitable populations, each with productive forces from which value could be extracted. The Aboriginal New Deal categorised Aboriginal people into a number of different groups, staged sequentially as an evolution from the tribe or native society to an agglomeration of atomised citizens, but each possessing its own logic and social institutions. Each group, then, was temporally articulated to the group categorised as ‘before’ or ‘after’ it—from tribal to semi-detribalised to fully detribalised, for example—but, located in space, could also be articulated with the proximate white mode of production. Through conducting the social institutions of each group, these dual articulations could be made dynamic. The production of extractable labour power, under this policy as for Lugard, was an essential correlate of the progress of the community.

Within the logic of the Aboriginal New Deal, this labour was not only disciplining, forming new, modern subjectivities, but was also built into the structure of northern colonialism. Staging assimilation and progress, from so-called traditional Aboriginal society in reserves to modernised individuals in the towns, different forms of work at each stage on the long march would make development—the production of a replacement society—possible. The new practice of replacement was, then, a biopolitical embedding of Aboriginal society within a modernising Northern Territory. Inducing, or recognising, the replacement society’s dependence on the existence of Aboriginal workers, the Aboriginal New Deal worked to articulate this dependence with elimination through representing a diachronic narrative of progress in a synchronic schema of time and space. The practice, though not the fulfilment, of elimination was structured around the exploitation of black labour.

Embedding reserves within this structure reflected a substantial functionalist modification to the segregationist vision, a change that was exemplified in the increasing dominance of Elkin’s writing and policy work. In 1934 he argued that:

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A policy which merely aims at protection and prevention is never satisfactory. If, however, we worked out some positive policy with the object of raising the aborigines in social, economic and religious status, we would at least be doing something worthy of our trust. What we are doing in New Guinea we should also do in Australia. There is a growing body of enlightened public opinion with regard to this matter. Indeed, its size astonishes me.\(^{19}\)

Elkin had been committed to a ‘positive policy’ for Aboriginal people since the late 1920s, and it was his vision that was most influential in the development of a new programme. He disavowed the usual slur against anthropologists, claiming that no one associated with his Sydney school had any ‘desire to preserve any of the aboriginal tribes of Australia or of the islands in their pristine condition as “museum specimens” for the purposes of investigation’. Social anthropologists, ‘like all good members of a “higher” and trustee race, are concerned with the task of raising primitive races in the cultural scale’.\(^{20}\) This represented a rejection of the humanitarian dream of an inviolable reserve. Amy Brown of the Victorian Aboriginal Group, for example, had written that ‘the principle of inviolable reserves and of aboriginal ownership must be maintained. … [R]emoval from tribal lands is the surest way to breakup of aboriginal culture and extinction of the tribe’. Similarly, Thomson proposed a system of absolute segregation in the north, arguing that this was the only way to ‘preserve intact their social organization, their social and political institutions, and their culture in its entirety’.\(^{21}\) Placed away from pastoral stations and therefore from labour recruitment, inviolable reserves do not appear to have been considered valuable to the settler state; though as a limited form of protection from the very real threat of the daily violence experienced by Aboriginal

\(^{19}\) Elkin to Paterson, 21 November 1934, NAA: A1, 1938/31785.

\(^{20}\) A P Elkin, “Anthropology and the Future of the Australian Aborigines;” *Oceania* 5, no. 1 (1934): 2–3. Here Elkin was casting himself in opposition to both Donald Thomson and to the Adelaide school of physical anthropology. The denial that reserves were akin to museums resonated with claims for indirect rule made elsewhere. Philip Mitchell wrote in 1929 to a ‘rabid socialist acquaintance’ that ‘[w]e are not going to have any zoological gardens where black men are to be carefully fenced off to develop “on their own lines”. … But a little time is needed while we help the African to modernize his social forms and to adjust himself to the complexities which the present day involves for him.’ Philip Mitchell, *African Afterthoughts* (London: Hutchinson, 1954), 129.

people, they would have had great, albeit compromised, value to those inside. But the inviolable reserve seems counterposed to the logic of expanding colonial occupation. So much of colonial history can be figured as the clearing of space: colonisers begin by imagining an empty space, and then establish a frontier which they must always transcend, constantly pushing back and over boundaries to mobility.22

Just as did the inviolable village in Fiji, an inviolable reserve as museum would work discursively to confine Aboriginality itself through the physical confinement of certain Aboriginal people. Defining inviolable reserves, within which roamed supposedly timeless and nomadic natives, was a practice of dispossession. Inviolability’s logic of the contained pristine produced a double bind: those within either made no mark on the land and did not own it, or they ceased to be Aboriginal. This marked the land with the script of a narrative that contained and confined Aboriginality within a timeless past, away from the progressive effects of history, and interpellated a mobile and transcendent settler subjectivity. There in the inviolable reserves, constant and unchanging, would be the past superseded; a nomadism that had been overcome in a triumphant story of pioneering. Any move off the reserve was, within this logic, contaminating to the extreme. The consequence of contact was fatal.23 As a place to die, in Spencer or Cook’s formulations, or a place to live, for Brown or Thomson, these reserves could not countenance change. Theirs were strictly racialised productions of immutable savagery.

The new policy, though, imagined Aboriginal society itself coming to transcend nomadism. The move off the reserve and into labour provided both the

23 John K Noyes, “Nomadic Landscapes and the Colonial Frontier: The Problem of Nomadism in German South West Africa,” in *Colonial Frontiers: Indigenous – European Encounters in Settler Societies*, ed. Lynette Russell (Manchester: Manchester University Press, 2001), 200–1. Geoffrey Parsons expressed the humanitarian concern at this lack of inviolability by describing the dire and fatal consequences: ‘Unless the policy of providing inviolable reserves is adopted, it may be only a couple of generations before the full-blooded Australian Aborigine joins his Tasmanian brother, Neanderthal man and the dodo.’ Geoffrey Parsons, *Black Chattels: The Story of the Australian Aborigines* (London: National Council for Civil Liberties, 1946), 46. Preserving an authentic remnant of ‘native society’ was thus a historical gift to all mankind. Fred Blakely suggested that the great central Australian reserve should be administered under a mandate, and that the value of allowing ‘Natives’ to live within it ‘according to their customs’ would be in handing ‘to posterity something that would be priceless: one patch of the world just as God made it, the last stand of the Aboriginal, the oldest human being preserved for all time’. Fred Blakeley, *Hard Liberty: A Record of Experience* (London: George G Harrap, 1938), 187.
mechanism of progress and the cause of a change in the discursive nature of the reserve. In this subtle shift lay a substantial revision in the system of governmental signification. The inviolable reserve located Aboriginal people as distinct from the pastoral economy; indeed it relied on this distinction to establish pastoralism as progressive, modern and white. If it was work that brought Aboriginal people into history and progress, then keeping them from work located them outside progress, and confirmed the distinction between settler and native that was rendered unstable by a biological absorption that threatened to ‘submerge’ the white race.

The Aboriginal New Deal represented an attempt to reconcile these ambivalent discursive figures—the othered primitive and the progressing native—and the ideological tendencies they represented. For Elkin, the trust did not mean that the entire north—‘where the natives are still numerous’—should be given over to Aboriginal people, but rather that Australia was entrusted with a dual mandate to exploit the land, and that this ‘exploitation should be for the good of the natives as well as for the gain of the whites’. Welfare would not be sufficient, nothing short of a ‘positive policy’ of uplift would do. And, in the spirit of the dual mandate, this uplift would be based on ‘the conviction that there is something, perhaps much, in the native institutions and way of life which is of value during the period of culture change, if not permanently’.24

The establishment and, more importantly, development, of reserves were significant elements of Elkin’s positive policy. On reserves, established on the traditional territories of Aboriginal communities, change could be effected. ‘But the change’, he explained to a popular audience in 1934, ‘should be made by them, by their elders, the past-masters of the secret-life’. The first action of any plan for changing Aboriginal communities would be, then, to guide its desires through education and inculcating work discipline: ‘institutions should be established on [reserves] ... for education and also for giving the natives some new economic interest, such as gardening, pastoral work, carpentry, and so on’.25 Productive work

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25 A P Elkin, “The Aborigines, Our National Responsibility,” Australian Quarterly, no. 23 (1934): 56; Elkin, “Anthropology and the Future of the Australian Aborigines,” 6. The Methodist missionary T T Webb also proposed the establishment of such institutions on reserves. In these institutions, Aboriginal people would ‘be helped to a real recognition of the necessity and dignity of labour, for without that recognition, there will be no real development of the qualities of initiative and independence’: T T Webb, The Aborigines of East Arnhem Land, Australia (Melbourne: Methodist Laymen’s Missionary Movement, 1934), 30, 36. The centrality of work in twentieth century
would be the mechanism of progress. Reserves were thus re-inscribed not as spaces where Aboriginal people would slowly pass—designed to ‘smooth the dying pillow’—but as spaces for functioning Aboriginal communities, providing the basis for a practice of assimilation. This was essential to the political consensus. Despite his scepticism as to its chances of success, Abbott, among others, insisted on incorporating reserves as elements of an assimilation policy rather than—or, at least, as well as—a space for protecting Aboriginal cultural life.26

There is something of an ideological contradiction in harnessing reserves to a project of producing citizens. Such a policy, as Jeremy Beckett has written, ‘used the goal of eventual entry into the community as a justification for segregating Aborigines on settlements, and the goal of eventual citizenship as a justification for curtailing their human rights’. The apparent contradiction makes sense, however, when segregation is cast as a modernising ideology strengthening reserves by preserving native social organisation as a structure itself to be evolved towards modernity.27 This was not merely an acquiescence in continuing Aboriginal customs beyond the limits of settler power, but the transformation of these limits into a virtue: continuing Aboriginal customary life could be mobilised and built upon in a project of improvement.

Both extinction and assimilation have, in a way, the same end within a dominant settler colonial discourse—the elimination of nativeness—but they followed importantly different paths. In the path adopted in the establishment of the Native Administration Branch in 1939, Aboriginal communities and economies would be temporally and spatially articulated in different ways with pastoral capitalism. This resembled a resolution common to colonial societies around the Empire, conducting progress through mobilising labour: a positive policy indeed.28 It would provide the pastoral industry with what Ronald and Catherine Berndt recognised it came to need by the late 1930s: an ‘active, contented, healthy and

colonialism’s civilising mission is discussed in Michael Adas, Machines as the Measure of Men: Science, Technology, and Ideologies of Western Dominance (Ithaca: Cornell University Press, 1989), 241–58.


28 Recognising this, the Model State movement sent its congratulations on the new policy. Charles Duguid, President, APL, to H S Foll, 17 June 1939, Duguid Papers, MS 5086, 1/2.
increasing group of people, a potential reservoir to keep the industry going'.

The reserve as reservoir presupposed a self-managing native community which responded to external stimuli—including the raising of taxes, the stimulation of desire for commodities, the restriction of land—to induce a greater or lesser outflow of labour. This self-managing native community would inhabit a space of indirect rule.

But the regime of administration in the reserves would not reflect the default model of indirect rule as expressed in African native administration. There would be no chief appointed (or recognised) and no codification of native law and custom to be implemented by the Native Authority. Here we return to the administrative and anthropological debates over the nature of the Aboriginal people to be governed. Aboriginal social structure was considered importantly different to African or Pacific social structures. Anthropological work of the 1930s, however, demonstrated that ‘statelessness’ did not indicate an incapacity for self-government within a structure of indirect rule, but rather that that self-government would work differently. As Lugard had argued in his *Dual Mandate*:

> Let us realise that the advanced communities form a very minute proportion of the population of British Tropical Africa. The vast majority are in the primitive or early tribal stages of development. To abandon the policy of ruling them through their own chiefs, and to substitute the direct rule of the British officer, is to forgo the high ideal of leading the backward races, by their own efforts, in their own way, to raise themselves to a higher plane of social organisation, and tends to perpetuate and stereotype existing conditions.

For Lugard it was here, amongst people considered ‘primitive’ or ‘early,’ a primitivity signified by the absence of a suitable administrative structure that could

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29 Berndt and Berndt, *End of an Era*, 31. Imagining a (future) native labour source as a ‘reservoir’ was not unique: this was the model embraced by, for example, the South African Inter-Departmental Committee on the Labour Resources of the Union: ‘The position may be likened to that of a reservoir with outlets at a certain level.’ Report of the Inter-Departmental Committee on the Labour Resources of the Union, 1930, p 23, NASA: MNW 485, MM2514/19.

30 Julie Wells, who concludes her study of Aboriginal assimilation policy by suggesting that ‘ungovernable’ Aboriginal people in reserves were then ruled as ‘wards’, points here to the nineteenth century north American conception of wardship whereby Indigenous sovereignties were subordinated but not necessarily completely erased. See Julie Therese Wells, “The Long March: Assimilation Policy and Practice in Darwin, the Northern Territory 1939–1967” (PhD Thesis, University of Queensland, 1995), 235.

be harnessed to the colonial state, that indirect rule faced the test of its progressive mode.

In dismissing the argument that indirect rule was applied in Australia, historians have ignored the contemporary anthropological and administrative understandings of Aboriginal social organisation.\(^{32}\) The principle of indirect rule, that of incorporating native social organisation, is often confused with the details: the establishment of a tax-collecting Native Authority, led by a chief (traditional or not). Indirect rule, as I have argued, was an art of government which articulated the governing elements of native society within colonial networks of production and trade, and which had as its end the expansion of that society's productive forces. It was not simply constituted by administration through a chief. In Australia, indirect rule had great influence as a political rationality but, given settler Australians' belief in Aboriginal difference from other 'natives,' appeared as a distinct practice of the art. Lugard's advice was that '[p]rinciples do not change, but their mode of application may and should vary with the customs, the traditions, and the prejudices of each unit.' A 'slavish adherence to any particular type, however successful it may have proved elsewhere, may, if unadapted to the local environment, be as ill-suited and as foreign to its conceptions as direct British rule would be'. This Australian application may have looked very different to indirect rule in West Africa, but is explicable so.\(^{33}\)

The Aboriginal New Deal did not envision the establishment of a formal bifurcated state structure which would include a series of settled juridical Native Authorities. Rather, reserve boundaries were constituted to demarcate the limits of settler state power, a spatial register for articulated and bordered modes of governmentality. Bordered space was here the mechanism of articulation, an adjustment to the techniques of colonial government developed by Lugard and his followers in Africa. Framing government in relation to land and territory reflects what Patrick Wolfe has identified as a tendency, prominent within Australian settler colonialism, to articulate a relationship directly between colonisers and the land.

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\(^{33}\) Lugard, *The Dual Mandate in British Tropical Africa*, 193–4, 211. Aboriginal production was imagined as limited in its capacity to generate a surplus for trade. In the Northern Territory, Indigenous modes of production could thus not provide taxation revenue, they would only provide the means of reproduction. Nicolas Peterson, "Thomson's Place in Australian Anthropology," in *Donald Thomson: The Man and Scholar*, ed. Bruce Rigsby and Nicolas Peterson (Canberra: Academy of the Social Sciences in Australia, 2005), 67. See also Peterson's earlier work, where he described the relationship established on cattle stations as internal colonialism: Peterson, "Capitalism, Culture and Land Rights," 87–8.
his argument, this suggests the elimination of native societies, a 'negative articulation' between settlers and natives.\textsuperscript{34} But it need not do so. To be sure, declaring and mapping reserves was a technique of occupation, inscribing the entire territory within the spatial inventory of colonial expansion; what John Noyes has described as the coloniser's 'mythical mastery of space'.\textsuperscript{35} And those native societies within the reserves were located in relation to a practice of elimination, at a definable point in an evolutionary and assimilatory march. But in plotting the reserve in this specific relation to other colonial territorialities—the station, the camp, the town—which required for their reproduction a native people, northern colonialism was structured around the certain deferral of that elimination. The practice of elimination and the requirement for a continuing supply of black labour constituted a dialectic whose uneasy synthesis was expressed through re-iterating the privileged value of territory in a settler colony, but refracting that territory through native society and government: a specifically northern articulation.

This language of government obscured the productive work done by declaring reserves and identifying the types of societies within them. While the governmental rationality we are exploring situated reserves as limits to settler government, as idealised spaces of Aboriginal autonomy, their existence as 'reserves' was a function of the very encroachment of that autonomy. Reserves were not final frontiers, lawless places beseeching domination and requiring settler intervention to bring order. They were established as an effect of invasion, a negotiation of Aboriginal people's limited success in insisting on spatialising their autonomy and settlers' developing need for functioning Aboriginal society. Reserves, then, were considered in the official mind to contain what Elizabeth Povinelli has described as the 'structure and function of primitive society [which] would serve as an organic administrative apparatus'. To leave a cultural or religious space was, in an interwar Australia where Aboriginal society was theorised in the manner I have described in chapter three, the same as leaving a space for both law and work, each governed by ritual, an assemblage distinct from the \textit{homo religiosus} Jeremy Beckett identified in the 1960s, whose land contained sacred sites rather than hunting grounds.\textsuperscript{36} The constitution of functioning and self-governing reserves in the

\textsuperscript{34} Patrick Wolfe, \textit{Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event} (London: Cassell, 1999), 2.

\textsuperscript{35} Noyes, \textit{Colonial Space}, 146.

particular circumstances of the Northern Territory in the 1930s–40s should thus be considered an Australian adoption of indirect rule, effectively and productively recognising Aboriginal society. In setting them out as Aboriginal domains—spaces of law which, if respected, could be relied upon as part of an ordered colony—the reserves of the New Deal were spatial registers of the ontological assimilation inherent in indirect rule as governmentality.\footnote{Construction of Aboriginality, ed. Jeremy Beckett (Canberra: Aboriginal Studies Press, 1988), 207. Publicly, some newspaper columnists, the latter here a member of the administration, recognised the similarity, noting that the new policy heralded the implementation of a modified form of indirect rule: see, eg, Darwin Correspondent, ‘Long Range Policy for Aborigines,’ Sun (Sydney), 3 February 1939; Crown Colonist, ‘Aboriginal Policy,’ The Northern Standard (Darwin), 24 February 1939.}

In the Aboriginal New Deal, reserves, pastoral stations, and towns were linked in a chain of progress, expressing an historical evolution by plotting each quite literally in sequential time. The subterfuge of reserve anachronism, masking its constitution as an effect of modernity, was critical to staging the logic of the frontier in the north. The story of settler colonial history is one of white progress, subduing land and natives and becoming modern. This is a modernity encoded within a racial logic of whiteness and a purposefully capitalist production. To reckon openly with a fundamentally colonial dependence on Aboriginal people for northern development would be to disrupt this narrative. Staging settler colonial modernity thus depended on effacing the interrupting dissonance posed by a potentially co-eval ‘native society’. By scripting progress onto both territorial semiotics and developing subjectivities, on the other hand, the labour producing reserves of the modern north were discursively produced as anachronism, relegated to, and surpassed as, an earlier moment in history. But staging this narrative of progress also suggested the semi-permanence of the reserves; registering the distinction between \textit{becoming} modern and \textit{being} modern. The Aboriginal New Deal organised the Northern Territory’s fundamental reliance on the reproduction of black labour power into a representation of progress, staging the settler colonial north as real without yet—indeed never yet—making it so. ‘Each staging of the modern’, Timothy Mitchell has argued, ‘must be arranged to produce the unified, global history of modernity, yet each requires those forms of difference that introduce the possibility of a discrepancy, that return to undermine its unity and identity.’\footnote{Timothy Mitchell, “The Stage of Modernity,” in Questions of Modernity, ed. Timothy Mitchell (Minneapolis: University of Minnesota Press, 2000), 24. The argument in this paragraph is indebted to Mitchell’s broader suggestion on the nature of modernity. Ghassan Hage has argued that the ‘other’ fulfills an important function in relation to the production of a coherent nationalist fantasy space. In the face of the inevitable failure of the domesticated national space, the other is, he writes, …}
reserve thus symbolically articulated with ‘modern’ spaces marked a new narration of colonialism in the north, one which sought to contain the signs of the Other through staging difference in a register of progress.

This link represented a final rejection of inviolability. Stanner wrote in 1939 that though inviolability had long been a ‘cardinal principle,’ any ‘close scrutiny of the history of reserves would probably show that not one has gone unviolated’. Its value was largely in its performed imaginary and permanence. But, by linking the reserve to the labour camp and to the city in an unbroken temporal chain, the Aboriginal New Deal postulated the ultimate end of the reserve, albeit an end located in the distant future: it would never yet be. Progress loomed much larger in the Australian iteration of indirect rule than it did elsewhere. As discussed in chapter two, development and pedagogy were always essential elements of Lugardian indirect rule and its implementation. But whereas in British Africa tribal spaces were to remain imagined as substantially untouched by colonialism, settler colonialism contemplated an ultimately complete dominion. Australian reserves were thus oriented outwards in an emphatically transformative manner. The imaginary move to new environments would mark the production of new subjects and forms of social organisation. As Elkin wrote, however well ‘adapted’ Aboriginal ‘tribes’ were in relation to their geographical and social environment, white settlement had effected a ‘sudden and all pervading’ change in these conditions, ‘going right to the roots of their religious and mental adjustment’. The anthropological problem of administration, as we follow the march away from its earliest beginnings, was thus whether Aboriginal people were able to work out a new adaptation in the changed conditions, adapting the milieu intérieur of native society to a changed milieu extérieur.

This neither purported to work from a tabula rasa nor sought completely to erase Aboriginal culture. The New Deal referred interchangeably to ‘aboriginals in their native state’ and ‘natives in their tribal state’. Reserves were thus believed to contain specifically tribal communities, whose nature needed to form a part of any

constructed as ‘that which stands in the way of its attainment’. The other is then ‘necessary for the construction and maintenance of the fantasy’. The continued ‘failure’ of elimination provides an alibi for the failure of the nation to come into being: colonial difference is thus an effect of Aboriginal resistance but is also functionally internal to settler colonialism. Ghassan Hage, White Nation: Fantasies of White Supremacy in a Multicultural Society (Sydney: Pluto Press, 1998), 74.

41 Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals, 2, 5.
plan of government. Elkin wrote, for example, that efforts to force an Aboriginal transition from a hunter-gatherer economy to gardening and agricultural work would be unsuccessful until the economic system could be ‘correlated with ritual and animistic belief’. In other words, Aboriginal culture (glossed as religion) was both real and needed to be taken into account in order to effect a successful assimilation. Aboriginal tribes and their tribal cultures ‘provide[d] an important base from which the next step can be taken’. As Charles Rowley identified—and it is no mere coincidence that he came to write Aboriginal history from experience working in Papua and New Guinea—Aboriginal institutions, ‘as instruments of assimilation …, would now be the means of processing individuals to make them acceptable in the general community’.

The reserves of the Aboriginal New Deal were designed to perform dual and mutually reliant functions: the remote reproduction of labour, and a base from which progress towards citizenship and development would begin. This labour would, as I will argue more fully below, be a disciplining force towards such development. Work, as practice and as discipline, would push Aboriginal people along the long march to civilisation. The association of reserves with indirect rule was important in the settler colonial context for its mandated relations of production. Rather than a transforming free labour, systems of indirect rule mobilised labour organised by tribal custom; that is, they revolved around a regime where ‘natives’ followed the dictates of customary law. For so long as it could be imagined that work was tribally mandated, Aboriginal workers who remained tied to reserves could be considered unassimilated. But work was transforming, and it was by governing Aboriginal labour that Native Administrators could conduct Aboriginal progress. McEwen has been quoted as expressing regret, in a 1939 speech, that some Aboriginal people were being driven to ‘ancient ways’ rather than

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44 The South African government used the metaphor of the ‘long march’ in a similar way to describe its policy of native administration:

_The Native economic question is therefore how best the Native population can be led onward step by step in an orderly march to civilization._

The movement has already made some advance. Certain classes of Natives have made substantial progress. As a whole it has, however, not been an orderly march. The great bulk of Natives who have been influenced by European contact, has moved on in a haphazard manner, involving many definitely undesirable features. What is wanted is a gradual and substantial upliftment, of a nature in which a civilized community can take just pride.

'progressing' towards integration. He hoped that the Native Affairs Branch would remedy this situation, leaving such ways in the past. Staging progress in this way mediated the transformative function of work by linking pastoral stations to an altogether 'precapitalist' sense of ritual rather than empty time, unfree rather than free labour, and obligation rather than desire. There would be no throwbacks, but the performance of inexorable progress would remain unfulfilled.

**Rationing Kin: Indirect Rule on the Pastoral Station**

Aboriginal workers on pastoral stations were those reified in the New Deal as 'fully detribalised' and as dangerously interstitial, close to civilisation but still too close to savagery. The very term 'detribalised' suggests colonial officials' grasping attempts to come to terms with black workers. Their proximity to and participation in work, in a pastoral mode of production, indicated movement and progress but also the danger of degeneration. In practice, as pastoralists were well aware, the station and stock camps contained many people entirely comfortable with moving between the station and the bush. 'Backyards of cattle stations,' the anthropologist Ursula McConnell wrote of the north, 'dovetailed into the front gardens of the primitive hunting-areas'. Movement in space was not even essential. As Nicolas Peterson has described, Aboriginal people on stations would spend a great deal of time, often close to half the year, working for themselves rather than for pastoralists. Station managers sought to encapsulate this time in the concept of the walkabout, to which we will return after a study of station work, which was itself usually considered by pastoralists to be performed in relation to a customary realm. The term 'detribalised' here is a sign of confusion and contradiction. As 'detribalised' as these populations may have appeared in the official mind, to pastoralists they were most crucially tied to tribal custom, providing a basis for the employment relationship in

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which station managers tried to extract labour by mobilising an articulation of what they believed were settler and Aboriginal moral and physical worlds.47

That this labour was central to the Aboriginal New Deal is shown in Elkin’s alignment of anthropology, administration and pastoral capitalism in his advice to the Berndts as they commenced their fieldwork in the Territory in 1944:

The General Manager [of Vestey’s] is just as aware as I am that the future of the Pastoral Industry in the North depends on the aborigines, on their welfare and contentment, and on their continuing to exist. ... You should endeavour to keep up the supply of stockmen and other station employees. If aborigines were not forthcoming, you should study the sociological and psychological reasons and advise the General Manager or Managers on ways of improving the conditions and attitudes. If the population seemed to be dying out, you should also study the causes and suggest cures. ... What we are aiming at is to build up a contented aboriginal community in the regions to which they are accustomed, and around the Pastoral Industry which they like. A wealthy firm like Vestey’s gives us that opportunity.48

Here Elkin linked Aboriginal survival with working Aboriginal people. Similarly, the 1939 New Deal described ‘employment’ as a crucial element of its progressive policy.49 Chinnery turned his attention to labour management early in his tenure, distributing a circular requesting information regarding ‘the existing condition of aboriginals—men, women and children—associated with places of employment and aboriginals living elsewhere’. With respect to ‘aboriginals associated with


49 Department of the Interior, Commonwealth Government’s Policy with Respect to Aboriginals, 7.
employment’, he asked protectors to ‘please go fully into the conditions of life of the various people affected’, covering details including ‘those connected with dependents and hangers-on’.

The focus of native administration would, therefore, be on developing Aboriginal communities—including workers and dependents—as labour reservoirs, willing (and exploitable) labour forces on pastoral leases. This would most importantly ensure the pastoral development of the north. But it would also constitute the mechanism by which Aboriginal people would move forwards along the march to civilisation. This labour located Aboriginal workers on a continuum between enslavement and freedom, the latter constituting the modern destiny of all subjects. The New Deal did not disengage ideas of progress and freedom; its particular end of progress echoed Cook’s earlier desire to produce free working subjects. ‘To project the universalization of free labour as the raison d’être of history,’ as Gyan Prakash has noted, is ‘to stage the bourgeois mode of production as History.’ But, in the Aboriginal New Deal, freedom could not be immediate. Aboriginal people were not yet modern, and their labour relations were thus importantly narrated as forms of unfreedom. The link between subjectivity and a mode of engaging in labour was determining.

The relationship between employer and worker on northern cattle stations was not that of the exploitation of abstract labour by capital, but rather a much more involved form of exchange relationship, whose meaning was both contestable and contested. Pastoralists at times professed to view black labour as part of a syncretic relationship between themselves and the Aboriginal community camped at their station. Such was later made apparent at the 1965 hearings into the payment of award wages to all labourers on pastoral stations. The station managers called as witnesses—and no Aboriginal workers were called to respond to claims, nor to put forward their own understanding of the relationship—described a bond between owner/manager and workers that incorporated an assemblage of non-economic elements they cast as originating within Aboriginal custom. They noted Aboriginal people’s ‘attachment’ to the land, and a relation of reciprocity between themselves

50 Chinnery to Strehlow, 20 May 1939, NAA: F126, 22.
52 On abstract labour, the transformation of concrete labour into labour power, measured by time and paid by wages, see Dipesh Chakrabarty, Provincializing Europe: Postcolonial Thought and Historical Difference (Princeton: Princeton University Press, 2000), 47–71.
and the camp. When asked whether he believed that Aboriginal workers thought of themselves as ‘working’ for him, Tony Chisholm of Anningie Station in Central Australia replied:

I don’t think so. I think their feelings are more that they are giving me a hand.
—Do they use that phrase?
—Yes they do. I have heard them. If you go down and say, ‘I want four men to come up and start work on a muster’, they say, ‘Come on, you fellas, you have to give a hand to the boss.’

Pastoralists imagined an Aboriginal camp that contained a tribe which had a customary relationship to the land, and which could be drawn on for labourers in exchange for the provision of rations and being allowed to remain on that land.

Similarly, Les Penhall, a patrol officer in Central Australia in the late 1940s, recalled a situation of ‘benevolent feudalism’ where:

it was just the group of people living on the station, which was in their own land, and they had an affiliation with it. It suited them to live near the station homestead, because they had water and food supplied, and it suited the station owner to have them there, because it meant they weren’t out running around amongst his cattle. So it was a mutual agreement type of a thing.

This marked what Dawn May described as the substitution of ‘letting in’ for ‘dispersal,’ the shift marking a different mode of resolving conflict, albeit one which necessarily followed the other. The ramifications of this earlier ‘dispersal’ were occluded by writers like Elkin, who later portrayed the situation as a balance of forces, of the Aboriginal ‘horde’—the ‘real master of ... workers’—and the pastoralist adapting to each other as Aboriginal people reached a stage of ‘intelligent parasitism’. Such a ‘traditionally’ constituted horde or, more popularly, tribe was the subject of indirect rule. Pastoral development, in this reading, did not expand to

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54 Transcript of Interview with Les Penhall, 1982, Tape 1, pp 7–8, NTAS: NTRS 226, TS 303.

55 Dawn May, From Bush to Station: Aboriginal Labour in the North Queensland Pastoral Industry, 1861–1897 (Townsville: History Department, James Cook University of North Queensland, 1983), 65. ‘Dispersal’ was a euphemism for the murder of Aboriginal people in order to expel their community from a place, while ‘letting in’ refers to the process of incorporating Aboriginal people into settler-dominated spaces and institutions.

destroy native societies, it relied upon their production. The Aboriginal New Deal embraced this tribalised, and thoroughly racialised, narration of the organisation of labour on pastoral stations. Black labour could not (yet) be seen as free, as a commodity to be bought and sold in a marketplace. But it was usable, in Jan Larbalestier’s words, ‘as part of a mutually agreeable’—which does not necessarily imply agreed—‘exchange of obligations, services and goods between two discrete groups’. Within this structure, Aboriginal communities were seen as ‘freely maintaining control over their lives and their cultural integrity’.⁵⁷

Reducing Aboriginal work to a level explicable within political economy is, in an important sense, an assimilating move, eliding the fullness of meaning that such work may have had to the people themselves.⁵⁸ But, for its government, Aboriginal work had to be reduced to a mode intelligible to the state and to the pastoralist, and functionalist anthropological knowledge again presented a grid of intelligibility through which Aboriginal life could be conducted. If indirect rule was a technique for crafting an administration with respect to the social form of the governed, we need to return to the understanding of Aboriginal societies as kinship-based, without a commanding state but rather based on relationships of reciprocity. In the absence of a chief or similarly acknowledged Native Authority who could be invested with the power to command his subjects to work, how could labour be extracted?

Here Donald Thomson’s work is relevant for the way it conducted to the incorporation of Aboriginal societies as labour reservoirs. In his Economic Structure and the Ceremonial Exchange Cycle in Arnhem Land, published in 1949 but for which the fieldwork had been carried out in the early 1940s, Thomson set out to explore Aboriginal work. Against stereotypes of innate native laziness or of a primitive communism, he wrote of a society characterised by ‘industry’, in which ‘everybody, man or woman, works hard, and that the work is well organised and runs smoothly’. In Aboriginal society, he found, ‘there is no idleness’.⁵⁹ Why, Thomson asked, did they work so much? What was it that made Aboriginal people work? Malinowski’s

description of Kiriwinian labour, discussed in chapter three, centred on custom and tradition as incentives to work. Personal gain was of little consequence. Thomson’s analysis of Aboriginal work was similar. His answer was kinship obligations. Thomson cast the kinship system as one of ‘obligations and counter obligations, and even if he is content merely to discharge these to the extent necessary to maintain his prestige, a man must necessarily work hard’. Kinship relationships here were maintained by continual gift-giving obligations. These obligations, which Aboriginal people were compelled to fulfil, constituted a psychological urge or work drive that was ‘more forceful than any material urge’.60

Such obligations were the result of ceremonial networks of trade, similar to those described by Malinowski in the Tobriands as the kula or by Stanner, with respect to the Daly River region of the Territory, as merbok. In all of these, the exchange was essentially ceremonial. Economic aspects were considered, Thomson asserted, ‘to be … relatively unimportant’.61 Here Thomson drew on Marcel Mauss’s Durkheimian analysis to describe an ongoing gift economy. For a gift to go unreciprocated was the equivalent of rejection, leading to the breakdown of social solidarity. From this, Thomson extrapolated in a manner that echoes Radcliffe-Brown, came the ‘urge to carry out the exacting hard work’. The individual’s place in society was a consequence of their gift-giving, which induced in the recipient an ‘obligation’ to ‘reciprocate with a gift of at least equal, or if possible greater value, in order to maintain his social status and to enhance his prestige’. The sanction for a failure to ‘meet the obligations imposed, for example by the kinship pattern,’ included the loss of ‘face, prestige, in his group’. The avoidance of shame and the acquisition of prestige thus ‘furnishes one of the most powerful mechanisms which underlie the production of food and goods, and the circulation of these’.62
With this analysis, Thomson refurbished Radcliffe-Brown’s model of the horde to incorporate Aboriginal production, or at least the pragmatic existence of Aboriginal people. Kinship made the individual work, which he/she did within a family, and that kinship was a traditional social institution. Thomson thus linked Aboriginal social organisation with economic organisation. This model made conceivable the articulation of Aboriginal societies—resembling that which Emmanuel Terray was later to describe as working through the lineage mode of production—\(^{63}\)—with cattle station economies, the northern Australian incarnation of capitalism. Thomson’s model enabled a particular resolution to the labour question. His question—what makes Aboriginal people work?—was also being asked by pastoralists. And his answer—kinship obligations—suggested that in order to extract Aboriginal labour sustainably, one needed to mobilise kinship structures. The exchange of gifts which structured kinship solidarity represented the transfer of a surplus accumulated purely for the purpose of that exchange. The task facing pastoralists was to realign this mode of production such that work would produce not objects to be exchanged as gifts but rather would fit into the chain of work tasks on a cattle station. In this settler colonial logic of Indigenous labour extraction, pastoralists narrated themselves as mobilising a relation of reciprocity whereby they granted rations in exchange for an obligation for work. Matt Savage, a drover in the Northern Territory in the first half of the twentieth century, reported that Aboriginal people’s ‘frequent generosity has an edge of calculation behind it. When you receive a present from a black you must always give him something in return.’ For pastoralists, the Aboriginal worker was ‘not a machine, but a human being working for an employer’, capable of ‘lending a hand’ in the formulation quoted earlier.\(^{64}\) But these workers appeared to pastoralists as particular types of human

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\(^{64}\) Keith Willey and Matt Savage, *Boss Drover* (Adelaide: Rigby, 1977), 100; *North Australian Industrial Union v J A Ambrose and Others* (1924) 20 CAR 507, 516 (Justice Powers). In this dispute, Justice Powers had to make a finding on whether Aboriginal people were ‘employees’, ‘persons’, or fell into some other category, for the purpose of determining the wages of white cooks and head stockmen, each of whose wage was related to the number of ‘persons’ cooked for or ‘employees’ supervised respectively. He decided that ‘two aboriginals shall be counted as one such person’, but that each actual Aboriginal person was an employee. Bleakley described the dehumanising tendency of a
beings; racialised, tribalised and fundamentally othered in ways conducive to forms of exploitation that harnessed the collective of ‘natives’ to beef production. Relational reciprocity, rather than wages, was narrated as their imperative to work.

Kinship emerged as the basis of the native society; kin constituted the Australian equivalent of the caste or tribe. Maine had described kinship as the basis of primitive society, as the central conceptual principle of a primitive politics which structured all social relationships. Thomson’s work linked these relationships to gift economies, organising kinship around production and trade. In Australia, this principle of native society was thus understood to indicate that while individuated Aboriginal people would not necessarily work, their kinship groups could. Just as governing the Foucauldian population channelled governmental intervention towards guiding biopolitical norms—‘births and mortality, the level of health, life expectancy and longevity’—governing the tribe turned on the conduction of customary institutions which, in Australia, were most crucially those of kinship. When Aeneas Gunn, part-owner and manager of Elsey Station in 1902–3, became known as the ‘Maluka’, a Djingulu word for ‘old man’ or ‘person in charge’, he meant to insinuate himself as station owner into the kinship system of the ‘native society’ on his station.

In the negative discourse, detribalised Aboriginal people were those imagined as alienated from the kinship ties that held together Aboriginal society, and thus also alienated from the customary drive to work. Maintaining a functional Aboriginal community thus coincided with the interests of pastoral development. Its government was indirect, relying on harnessing allegedly native institutions to mobilise its productive forces. Aboriginal work on cattle stations was imagined as

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communally performed labour, but still conceived as regularised and thus disciplining and improving. The stages of progress, with their several classes of Aboriginality, located each by proximity to and practice of work.

To move off the reserve and on to the pastoral station was imagined, in this discourse, as a move from a wilderness to a controlled rural environment. Such motion would, in consequence, re-make Aboriginal people’s relationships to space and time in a way conducive to a progress defined discursively as becoming regularised, obedient, and purposeful workers. This was a discourse in which purposeful, dominant action in space was linked to a mastery of time, to historical progress. Work carried out within the tribe, on the reserve and in an imagined wilderness signified a failure to dominate nature and an inefficiency that was linked to an inability to progress. The work that Aboriginal people would do on cattle stations, on the other hand, may have been performed in ways consistent with what was considered by pastoralists and administrators as tribal law and custom, discursively constituted as a form of unfreedom and as part of an incarnation of indirect rule, but it would be performed under the direction and management of station managers and white stockmen. Aboriginal people would work at the will and direction of white people, being disciplined in the efficient and purposive use of time. This disciplining effect rendered station work critically different to work in unarticulated Aboriginal modes of production. Even the continual industry and occupation that Thomson described above could be taken as an indicia of timelessness, of a failure to apportion regular times for work, leisure and rest. In such an atmosphere of presentness, Aboriginal people could not plan for the future, they could not progress. Their so-called traditional lives needed to be partially

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68 On the importance of regularized work time to the working subjects of modern capitalism, see E P Thompson, “Time, Work-Discipline, and Industrial Capitalism,” Past and Present 38, no. 1 (1967).


supplemented by the cattle station economy to move towards an ordered relationship with time and, therefore, towards progress.

The partial transformation of modes of work was, as discussed in chapter two, an element of a Lugardian governmentality. Lugard’s progressivist condemnation of slavery, which he believed that all ‘thinking men’ shared, was based on two critiques. First, the production of slaves required slave-raids and violent processes of transportation, resulting ‘not only in much human suffering, but also in a decrease of the population, and consequently in a decrease of the productive capacity of the country’. Second, he suggested, ‘no people can ever progress if personal initiative and personal responsibility is denied to them’. Slavery may well have been ‘an institution well suited to the African’, but that ‘existing slaves may be happy in their lot is not argument to the mind of any one who aims at the progress of the race in a remote future’. As Frederick Cooper points out, in encouraging an end to slavery Lugard was not acting to make slaves happier, he was enforcing a progressive—here characterised as efficient and liberating—work discipline. The importance of this discourse lay in its linkage of the relations of production and progress, constituting slave relations as unfreedom and hence as anachronism, a concomitant of its narration of the inevitability of progress towards freedom. But the move away from slavery was, for Lugard, one that needed to be made slowly through various stages towards an idealised ‘modern’ future. Similarly, the Aboriginal New Deal did not envision an immediate move from tradition to modernity. Rationing the camp, rather than paying individual workers, was a way of treating the northern station camp as a single, barely divisible, tribal body which regulated distribution by custom and provided customary labour. This ensured a continuing Aboriginal sociality along the stages of the long march.

The pastoral exchange of a tribe’s labour for rations and the right to live on the land was a relation that mitigated against individuation. In 1930 the Northern Territory Pastoral Lessees’ Association (NTPLA) argued that ‘in considering the question of remuneration for aborigines employed on stations, due consideration must be given to the extent to which these stations are accustomed to feeding

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indigent aborigines and the relations of the aboriginal employees’. They sought to frame the issue not as incorporating payment for work done, but rather as a relationship between the station manager and an Aboriginal community, with work exchanged for some upkeep. W H Grant, speaking on behalf of pastoralists at a 1930 conference, expressed the system of allowing Aboriginal communities to remain on country as being materially dependent upon the provision of rations rather than wages:

I know that on the Stations the policy is to employ as many of these blacks [who belong to that country] as possible. I have here a list of blacks employed on Wave Hill which shows 64 aboriginals employed by the Station. They are employed in all sorts of capacities; stock boys, cow tailers etc. against those 64 there is a lot of dependents. They run into a total of 107. If they had to be paid only the number actually required would be employed and the others would swell the number of unemployed.

In a context where, as discussed in chapter four, pastoral stations were largely unprofitable, this became the policy of the Territory Administration which encouraged pastoralists ‘to ration their employees and their dependents and ... to employ more blacks than they want. If we require them to pay these aboriginals they will say we don’t want this one and that one and will send them away from the Stations.’ The term ‘dependents’ here designated the members of a tribe or kinship body. As V G Carrington, Chinnery’s deputy, reported in 1945, ‘dependants might be regarded as the whole of the people who in tribal law be regarded to look to the young and strong of the tribe to support them’. The station camp was, then, conceptualised as a traditional community, constituted by tribal customs and structures. Where cash wages would have led to an accounting of individual productivity, efficiency and necessity, in pastoralists’ conception of the employment relationship rationing allowed the Aboriginal community to exist as a tribe.

Many communities did insist on remaining, if they could, on their own country. And Aboriginal people’s practice of distribution between residents of the camp, whether working at the time or not, was a practice of community, constituting relationships through exchange. This was the work of articulating relationships in a

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73 Recommendations for the Progressive Development of the Northern Territory, To be Submitted by the Northern Territory Pastoral Lessees Asscn to the Honorable, Arthur Blakely, Minister for Home Affairs, at Canberra on Thursday 27th March, 1930, NAA: A1, 1938/329.
75 V G Carrington to Abbott, 10 October 1945, NAA: A432, 1962/4737.
new context of at least partial dependence on the provision of rations. What is important for our purposes is the naming of the society produced by those relationships. In some parts of the Northern Territory, Aboriginal people represented the station community as the product of ‘station time’, an articulation that had important continuities with, but was distinct from, a pre-invasion community, or a community of other overlapping phases of invasion, variously named ‘wild times’ or ‘welfare times’. Many members of the community would have been refugees from elsewhere, having fled a regime of terror in their own country in the hope of finding a lesser threat elsewhere. For pastoralists, on the other hand, these kinds of dynamic and modern articulations of Indigenous communities were almost inconceivable. If ‘native society’ was to be representable as fragile and endangered rather than intelligent and adaptable, swept up by modernity rather than negotiating change to invent and make local futures, it must at all times be tied down to an unchanging traditional past. When pastoralists witnessed that, in the station camp, ‘[e]verything … was shared quite freely’, they turned to the ethnographic construct of the tribe, whether intact or in various states of breakdown, for a grid of intelligibility. The relationship between pastoralists and the station camp was thus conceptualised as one between land-managing bosses and a community wedded to its tradition.

Other historians have hinted at, or speculated upon, entirely different Aboriginal interpretations of pastoral colonialism. The struggle to impress meaning on the relationship of exchange attended the struggle over the land itself. Such struggles were ‘enmeshed, from first to last, in a complex dialectic of challenge and riposte, domination and defiance’. Many Aboriginal stockmen and women may well have considered themselves, for example, to be establishing relationships with managers beneficial to themselves and their communities, drawing settlers into webs of obligation and reciprocity that produced Indigenous entitlements. In this context, pastoralists’ projections of control, and their explication of harnessing of

76 Willey and Savage, Boss Drover, 100. In 1944, Gordon Sweeney reported a dynamic of sharing that was based around the nuclear family: ‘The immediate dependants of the workers will receive a meagre ration of white flour, tea and sugar [from the ‘station store’], they will get the bones and offal when bullocks are killed at the station and will share in the workers’ food which reaches the camp; other natives in the camp will receive nothing but what is shared with them by their more fortunate relatives.’ Sweeney to Chinnery, 1944 Patrol Report, 5 August 1944, NAA: F1, 1943/65.
78 See, eg, Peter Anthony Willis, Patrons and Riders: Conflicting Roles and Hidden Objectives in an Aboriginal Development Programme at Kununurra, Western Australia (Flaxton, Qld.: Post Pressed, 2003).
Aboriginal societies to development, rather than the other way around, was an exercise of narrative mastery over both people and space. Settlers, missionaries and workers were very much aware of the utility of a tentative embrace of Aboriginal narratives and ideologies—what Nicholas Thomas has described as ‘the fabrication of shared meanings’—but resisted their dominance. Rationing, for pastoralists, remained a technique of colonial government more than a relation of reciprocity, something owed to Aboriginal owners for settlers’ use of and presence on the land.\footnote{Nicholas Thomas, \textit{Entangled Objects: Exchange, Material Culture, and Colonialism in the Pacific} (Cambridge, Mass: Harvard University Press, 1991), 171; Rowse, "Rationing’s Moral Economy," 97.} This technique, I suggest, was integral to the establishment of this particular form of indirect rule.

This is indirect rule in the sense set out by Hubert Murray who, in situating his government of Papua as an object lesson for Aboriginal native administration, described his response to a smallpox scare in 1915:

\begin{quote}
We wanted the natives to consent to vaccination, so we told them that there was a very powerful and dangerous sorcerer in the West—that was the quarter from which the smallpox was expected—and that this sorcerer had made a very bad sickness, which he might bring along at any moment. But, though the sorcerer was strong, the government was stronger, and would protect all those who claimed its protection; a mark would be put upon the arm of those who trusted themselves to the government, and the sorcerer, when he came, would see the government mark, and would retire foiled and baffled to his home in the West. This was sailing pretty close to the wind, but it was Indirect Rule all right, and, furthermore, we were successful beyond our wildest dreams ...\footnote{Sir Hubert Murray, "The Trend of Native Administration," \textit{Stead’s Review}, 1 August 1930, 5.}
\end{quote}

Here Murray was thinking perhaps of Lugard’s suggestion that: ‘Where new ideas are to be presented to the native mind, patient explanation of the objects in view will be well rewarded, and new methods may often be clothed in a familiar garb’.\footnote{Lugard, \textit{Political Memoranda}, 9. The South African Native Economic Commission gave similar advice in 1932:} What Murray effected here was the co-option of Indigenous narratives into the

\begin{quote}
The European can, by assisting the Natives to transform and revitalise their institutions, introduce a leaven of progress which will work through the whole community. By trying on the other hand to introduce that leaven by means of institutions which they do not understand and appreciate he will meet with the inertia of conservatism, or even in cases with active opposition. The object should therefore be to use their institutions as far as this is possible.
\end{quote}

\footnote{Union of South Africa, \textit{Report of the Native Economic Commission}, 31.}
governmentality of the colonial state, rather than (in fact, as well as) co-opting Indigenous chiefs or political systems.

In considering the station camp as a functioning traditional society, pastoralists embraced the functionality of anthropologically-defined Aboriginal constructions of the relationships between people. The accuracy of such models is not necessarily important here. The act of elaboration was performative rather than descriptive.\textsuperscript{82} Impressing meaning on stories of rationing and labour was crucial to the fight for supremacy on the stations of the Territory, and the synthesis established by pastoralists solidified their dominion. They expressed their practice as working through ‘native society’ but articulating it with a dominant pastoralism.\textsuperscript{83} This narration concealed the destructive effect of labour exploitation. It became the role of the state to subsidise and re-align production to ensure its sustainability and development.

We need to note here that rations were always short, relying on the subsidy of Aboriginal foraging, if not—and, for pastoralists, preferably not—hunting. Gordon Sweeney, the patrol officer based in Alice Springs, reported in 1944 that stations ‘require stockboys, but many dependants are expensive to maintain adequately …. The stations are generally unable or unwilling to bear the full responsibility for the dependant women and children and old people on their stations’. The manager at Wave Hill station justified the regular shortfall by writing that though the rations provided contained no vegetables, Aboriginal people ‘have, in their native state, always eaten certain root crop ... [which] they continue to obtain’. These enabled a diet that would, ideally, though not in practice, prevent malnutrition. In 1951, a Commonwealth dietary survey of the Territory found that supplementation of rations by Indigenous foods was not sufficient to bring Aboriginal stockworkers’ diets up to a subsistence level. These foods were not, and had not been for many years, a ‘significant’ food source.\textsuperscript{84} The inadequacy of this subsidising articulation was the cause of the crisis in labour power I have discussed earlier.


\textsuperscript{84} Gordon Sweeney to Chinnery, 1944 Patrol Report, NAA: F1, 1943/65; A S Bingle, AIA to Ronald Berndt, 14 November 1944, Chinnery Papers, MS 766/8/42; Winifred Ellen Wilson, \textit{Dietary Survey of Aboriginals in the Northern Territory} (Canberra: Department of Health, 1951), 105.

Album of anthropological photographs - Aboriginal Inquiry Central and North Australia - J.W. Bleakley - Native single men's quarters, Brunette Downs cattle station - (Page 70a), 1928, NAA: A263, ALBUM
Working and Walkabout: Pastoralists’ Time of Indirect Rule

Though much time was spent producing Indigenous foods during work times, the principal time of Aboriginal production was the annual ‘walkabout’. While some have explored walkabout as Aboriginal resistance, here I interrogate how the practice came to be inscribed within the north Australian logic of labour extraction. From the earliest establishment of cattle stations, the Aboriginal workforce would, at times, walk off the job. This was at times both an individual or collective practice, whether as a strike, for ceremonial responsibilities, to work, or for other reasons. In this sense, it was a practice of everyday resistance, denying employers the right to control Aboriginal lives and challenging the imposition of an

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obligation to work. The walkabout or ‘holiday time’ could, moreover, be considered a period of Indigenous autonomy. Minoru Hokari reported his Gurindji informants describing it as a time of communicating with country, practicing cultural economy. Living on ‘bush tucker’ was, then, an elective rather than forced economy; the result of Aboriginal insistence, carving out time in the yearly cycle for autonomy and continuity. It temporally broke up the year, and was a time of Aboriginal social practice. I am interested here in the pastoral, administrative and popular discourses of walkabout that came to be incorporated into the Northern Territory’s pastoral mode of production. It was an institution that was an effect of Aboriginal practice but that, in being named walkabout, reflected a colonial framing.

The critical question here is not one of causation, of whether the yearly walkabout was an effect of Indigenous deprivation or of autonomy. It concerns, rather, the effect of framing the institution within the walkabout as a discursive assemblage. However the practice functioned for its protagonists, naming it a ‘walkabout’ tended to placed it in the biological, rather than political, realm of action. Withdrawing labour, particularly in a non-declaratory and un-unionised manner, was not considered the practice of a disciplined, regularised workforce, and came to be pathologised popularly and by both employers and anthropologists. Bleakley described the nomadic practice of walkabout as a ‘blood call’, which could not be resisted. The popular Walkabout magazine carried as its byline: ‘The title has an “age-old” background, and signifies a racial characteristic of the Australian aboriginal who is always on the move.’ Warner wrote of more psychological drives to roam, discussing the ‘uncontrollable desire “to take a walk about,” chiefly under the compulsion of movement from place to place but also because of love for homeland and native culture. The desire to go to other places is forever present in the mental constitution of a black’s behaviour’. These accounts located the walkabout as a central practice of Aboriginal culture, an inevitability that could not be overcome.

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87 Bleakley, The Aboriginals and Half-Castes of Central Australia and North Australia, 8, 29; Walkabout 1, no. 1 (1934); Warner, A Black Civilization, 148; Abbott, Australia’s Frontier Province, 149; Barnes, “Social Organization.” Elkin, on the other hand, situated Aboriginal nomadism as an economic, rather than biological, practice. Elkin, The Australian Aborigines, 14. This is an extremely suggestive note. Elkin did not suggest, as Labalestier implies, that the ‘walkabout’ was a survival—a relic derived from a nomadic hunter-gatherer economy and persisting among pastoral workers—but rather signified his belief in the continuing importance of Aboriginal economies and production on and around pastoral stations. Cf Larbalestier, “A World after Its Own Image”, 275.
For many white settlers, the walkabout was evacuated of purpose. In Bill Harney's glorifying account, it was the practice of atavism, denoting a precapitalist mode of existence that was something to be overcome by historical progress embodied in cattle station work. He defined walkabout as ‘wandering aimlessly around and living as one wishes to live’, and wrote of Aboriginal people’s lives consisting of ‘Walkabout a little, then work again ... an endless round.’ It was thus, in Harney's popular discourse, a signifier of both the lack of purposive action and a timelessness, or cyclical time, that inhibited progress. This innate nomadism would, if unregulated, inhibit the efficiency of the cattle station. As W H Grant, speaking on behalf of the NTPLA, complained in 1928: while black workers were ‘useful’, their ‘habit of “going bush” or on a “walkabout” as it is called, when they feel that way affects, of course, their dependability.’

But it was something pastoralists felt they had to accommodate. Alex Kerr of Delny Station in Central Australia recalled being advised by another pastoralist to ‘give in’ once the ‘walkabout urge was beginning to be apparent. “Let him go, no matter how inconvenient; if you don’t, it will be a damn sight more inconvenient for you directly.”

Conceived as both counterproductive and incorrigible, the way pastoralists sought to manage the practice they saw as walkabout is instructive. Given the seasonal climate of the Northern Territory, with its long wet season in which station work was limited, it was impractical to employ a workforce all year round, though the labour of the many black women who worked in the station homestead was required whatever the season: these women remained employed and were sometimes kept from the long walkabout. In down times, the rest of the camp was given rations and sent off to fend for themselves until they were required again in the dry. This time of the walkabout was set out in terms not of laying off but of allowing for an essential feature of Aboriginal cultural practice in a 1930 exchange between Alfred Martin, representing the NTPLA, and Owen Rowe of the NAWU:

Martin: … they walkabout at the end of October or November. They must have their walkabout.

Rowe: If the work was there they would not get their walkabout.

88 W E Harney, Content to Lie in the Sun (London: R Hale, 1958), 9, 107; W H Grant, in ‘The Pastoral Case: Mr Grant’s Address,’ Northern Standard (Darwin), 25 March 1928, p 3. See also Charles Chewings, Back in the Stone Age: The Natives of Central Australia (Sydney: Angus & Robertson, 1936), 10.

89 Margaret Ford, Beyond the Furthest Fences (London: Hodder & Stoughton, 1966), 100.
Robert Toupein of the NAWU put it differently, speaking of ‘cheap labour that they can call up and turn loose when they like’. The supplied rations were never sufficient and, at these times, Aboriginal people were expected to support themselves by hunting for native animals and foraging. Walkabout for many, including Elkin, meant ‘living off the country’. In practice, illicit cattle killing was the basis of Aboriginal survival in the walkabout economy.

During the wet, in pastoralists’ logic, an Aboriginal mode of production would support Aboriginal people. Coming to an arrangement whereby Aboriginal people went on ‘walkabout’ once a year, for a few months, rather than more regularly and, in the minds of pastoralists, sporadically and unpredictably, was a technique designed to maximise production and minimise cost. When Aboriginal people unilaterally walked off the job during the work season, it was usually treated as desertion and they were brought back by force. Employers came to agreement with their workforce to ‘permit’ lengthy breaks, described as walkabouts, for several months in the wet season. Did Smith, who ran Mount Allan station in central Australia from the late 1940s, described the standard practice of dealing with a new Aboriginal workforce:

They’d just go off any time to have a corroboree, you know, in the middle of when we were mustering and so forth.

So I tried to convince them that we were running a cattle station and all during the cool weather we had to do the stock work etcetera; autumn and

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90 Notes on Conference regarding the payment of Halfcastes and Aboriginals in Country Districts, 1930, p 57, NAA: A1, 1938/329
91 Toupein in ibid, p 40; Nicolas Peterson, “Cash, Commoditisation and Authenticity: When Do Aboriginal People Stop Being Hunter-Gatherers?,” in Cash, Commoditisation and Changing Foragers, ed. Nicolas Peterson and Toshio Matsuyama (Osaka: National Museum of Ethnology, 1991), 80; Elkin, "Reaction and Interaction," 173; Hokari, Gurindji Journey, 196–8. By the 1930s this was not a realistic subsistence practice. As Owen Rowe of the NAWU reported, ‘I think most station employers will agree with me that after their walk-about they come back considerably leaner than they were when they went away.’ Similarly, one station manager later noted that ‘at the end of “walkabout” it is a pretty miserable bunch of “blackfellas” we get back’. This was, in part, the point: Aboriginal workers would return to the station after the wet knowing that they would be provided with rations enabling their survival. Rowe in Notes on Conference regarding the payment of Halfcastes and Aboriginals in Country Districts, 1930, p 63, NAA: A1, 1938/329; Frank S Stevens, Equal Wages for Aborigines: The Background to Industrial Discrimination in the Northern Territory of Australia (Sydney: Aura Press, 1968), 45; Richard Munro Baker, Land Is Life: From Bush to Town: The Story of the Yanyuwa People (St Leonards, NSW: Allen & Unwin, 1999), 105–6. There were no wet and dry seasons in Central Australia, but between December and February the weather was too hot to continue stock work, and Aboriginal people were sent on walkabout for this period. Pastoralism was entirely at the mercy of the seasons.
spring we maintained everything; in the summer we took things as easy as we could, and just looked after the bores and that sort of thing. Around, say, December, Christmas time, they could all go and have their young man corroborees and ceremonies, etcetera, which didn’t take long. And they all agreed to that, and that’s how they operated. So with their ceremonies, etcetera, they worked in with the operation of the property. McGrath describes this as the ‘compromise of the off-season holiday’, as it required the movement of ceremonial practice from the dry to the wet season, and the institutionalisation of a bush economy and ceremonial season. Povinelli, on the other hand, writes of a more coercive regime of institutionalising the walkabout: ‘Aborigines were kept from “going bush” during enforced labor periods’ and ‘compelled to “go bush” after a season of work’. The institution of the walkabout is critical because it represents an articulation of Aboriginal and settler worlds, economies, and social institutions that is specific to the time and place; it is characteristic of the pastoral Northern Territory of the pre-equal wages era. It was an accommodation that was, then, both particular and general, established between pastoral managers and Aboriginal people, but also structured by a colonial mentality that made the society and practices of the latter legible to the former. Settlers were thus pushed to accommodate, but also ideologically embraced an ethic of incorporation, rather than eradication, and narrated their articulation of the walkabout with pastoral production as an effect of their wilful (partial) transformation of native society. Whatever one’s emphasis, the settler discourse of walkabout was institutionalised as a multidimensional element of the pastoral mode of production. It was the time of Aboriginal economies and culture, a time of unemployment on cattle stations and the reliance on the subsidy of a functioning Aboriginal economy. This particular articulation did have specific exploitative functions in relation to the enrichment of cattle station owners, but its character cannot be wholly deduced

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92 Transcript of Interview with D L (Did) Smith, 17 April 1996, Tape 3, p 5, NTAS: NTRS 226, TS 844.
94 This was perhaps symbolised by the discarding of clothes; Aboriginal workers had their clothes taken by station managers to be kept over the walkabout/off season. Matt Savage described workers returning to the station from their walkabout of ‘living in the manner of their ancestors’, where the white staff would ‘throw each man a pair of boots, a shirt and trousers’: Willey and Savage, Boss Drover, 71. See also Julia Martínez, “When Wages Were Clothes: Dressing Down Aboriginal Workers in Australia’s Northern Territory,” International Review of Social History 52 (2007): 280.
from the study of those functions: it was, rather, the outcome of struggles and negotiations between different peoples with different historical powers and roles.\footnote{Larbalestier, "A World after Its Own Image", 32–3.}

For Aboriginal people, the walkabout may well have been a practice of resistance or autonomy, but in the logic of indirect rule, which here corresponded to the logic of pastoral capitalism, it was framed as laying off workers in seasonally differentiated employment. This created a domain within the pastoral work rhythm for Aboriginal cultural practice which was felt to enable the continued existence of Aboriginal communities and economies. This now regulated time, with ordered alternating periods of work and walkabout, set out the realm of the (semi-)detribalised Aboriginal class, which was located between, or in both, pastoral capitalism and Aboriginal economies. This interstitial status marked the incompleteness of assimilation, the mid-point of the long march from the reserve to the town, from nomadic wandering to a settled productivity, from subject to citizen.

Contestation over the timing of work, embodied in the struggle over the meaning of walkabout, was longlasting, not determined by the pastoralists’ determination to regulate their workforce. Theirs was a discipline never complete as Aboriginal workers, both individually or in small numbers, or as a collective, continued to walk off for various reasons, most famously at Wave Hill station in 1966. On this occasion, and on increasingly frequent occasions, Aboriginal people intervened to an extent that prevented pastoralists’ monopoly on the public narration of experience. These were understood by the broader Australian community as purposeful walk offs, not as aimless walkabouts. Nevertheless, the pastoral discourse of the walkabout and its incorporation in the station work rhythm was crucial in the narration of Aboriginal order and progress. This practice divided the year into two: work (station time, owned by the pastoralist) and walkabout (bush time, owned by Aboriginal people). In the former, labour time was owed to, and efficiently spent, by the employer; in the latter it could be passed by Aboriginal people.\footnote{See for comparison Thompson, "Time, Work-Discipline, and Industrial Capitalism," 61, 95.} The station was, it was intended, the producer of not only beef, but also progressive and advancing Aboriginal communities.
Progress and Citizenship: The End of Indirect Rule

As for Lugard, indirect rule foresaw an ultimate independence after a period of a specific form of tutelage. A British Parliamentary Committee in 1931 declared the purpose of colonial rule as ‘utilising the native root stock of tribal organisation and tradition in order to secure a healthy and vigorous development of political responsibility’. This ‘native stock’ was also the subject of Donald Cameron’s progressive project, ‘to graft our higher civilization upon the soundly rooted native stock, stock that had its foundations in the hearts and minds and therefore on which we can build more easily, moulding it and establishing it into lines consonant with modern ideas and higher standards, and yet all the time enlisting the real force of the spirit of the people, instead of killing all that out and trying to start afresh.’\(^{97}\) In Australia, northern pastoral production was itself based on what might be termed an ‘Aboriginal stock’ that was subjected to the progressive influence of labour.

This returns us to the end of assimilation alluded to at the beginning of this chapter. What, Hunt had asked of Spencer when the latter proposed the establishment of reserves, was ‘the end that is in view’? The end, for many, remained difficult to ascertain. Stanner, after setting out his own plan for arresting the slide towards Aboriginal extinction in 1939, noted that their preservation would have ‘some end which at the moment is clear to very few of us’.\(^{98}\) The Anglican Reverend J S Needham wrote in 1935 that the objective for successful rural Indigenous communities ought not be integration but rather ‘they must live apart, inter-marry among themselves, and form a permanent coloured people inside Australia. That is the most puzzling problem of all.’\(^{99}\) Was the aim to produce Aboriginal people who were the same but not quite, or were merely the same, as settlers? The transformative project inherent in indirect rule sought to produce not necessarily replicas of white men, but rather better ‘natives’. For Cameron, we recall, the colonial ‘duty’ was to ‘do everything in our power to develop the native on lines

\(^{97}\) Joint Committee on Closer Union in East Africa, Vol I—Report, Together with the Proceedings of the Committee (London: His Majesty’s Stationery Office, 1931), 36; Donald Cameron, “The Principles of Native Administration and Their Application (1934),” in The Principles of Native Administration in Nigeria: Selected Documents, 1900–1947, ed. A H M Kirk-Greene (London: Oxford University Press, 1965), 197. Hubert Murray argued for the educative role of indirect rule by noting that ‘in a Mandated territory which is to be eventually independent, Indirect Rule must be applied to a far greater extent than in a territory like Papua, which, ultimately will merge in the Commonwealth’. Murray to Elkin, 16 March 1939, Elkin Papers, P 130/13/77.


which will not Westernise him and turn him into a bad imitation of a European ... We want to make him a good African'.

A level of ambivalence regarding this end was not necessarily a problem. It was the interim, the time of the march, that was of importance in the political and symbolic economy of the Northern Territory.

In the Aboriginal New Deal, though, citizenship was the explicit end. As both Alistair Davidson and David Dutton have recently pointed out, prior to 1948 Aboriginal people were entitled to citizenship on the basis of the rule that made birthplace determining. Chinnery agreed, writing in 1942 that ‘[t]he aboriginals are Australian citizens, entitled to the fullest possible consideration.’ But the nexus between civilisation and citizenship was reiterated through the assimilationist imaginary. Aboriginal people’s legal status was mediated by the legislative exclusion of all ‘aboriginal natives’ from any of the rights of citizenship, to vote, for example, or to receive social security. Whatever the formal position of Aboriginal people, it is clear that they were not substantive citizens. Rather, Indigenous people in this era represented the ‘key boundary marker’ of Australian citizenship; ‘Australians But Not Yet Citizens,’ in Beckett’s phrase. Citizenship here represented on the one hand an expression of allegiance, and on the other a form of civic subjectivity or political, as distinct from pre-political, action.

This was a time when citizenship was, many white Australians believed, coming to be an entitlement dependent on level of civilisation. In 1938, Mary Bennett wrote to the Commissioner for Native Affairs in Western Australia, A O Neville, complaining that:

At this time when the whole world is revising interracial legislation, and there is noticeably throughout Australia a growing spirit of goodwill and fair play towards the native race, it is most unfortunate that Western Australia is discredited by legislation undertaken at the instance of the Commissioner for

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Native Affairs, making ‘colour’ and not ‘civilization’ the basis of citizenship—contrary both to the spirit and letter of our laws.\textsuperscript{103}

Bennett disputed the racial bar that prohibited Aboriginal citizenship. Rather, theirs should be a question of qualification by level of civilisation. When Aboriginal people of the south-east claimed universal citizenship, then, they challenged both these notions of their inferiority. Those at the Day of Mourning passed a resolution calling for ‘a new policy which will raise our people to full citizen status and equality within the community’. In debating another matter, Bill Ferguson rejected the need for training before attaining this goal: ‘I ask you to support the resolution [to abolish the NSW Board of Protection], and not to worry too much about the stepping stone. That will take care of itself if we have full citizen rights.’\textsuperscript{104} In Dipesh Chakrabarty’s terms, they answered the ‘not yet’ with ‘now’. But such terms can miss the extent to which, in a settler colony, the granting of citizenship would function as a ‘containment strategy’.\textsuperscript{105}

Overcoming difference was central to assimilation as a technology for attacking Aboriginal political subjectivities. Citizenship in settler discourse denoted belonging, or allegiance, or the production of a group ‘free of internal divisions’. Its use in the developmental government of Indigenous people was thus a rejection, or misreading, of Ferguson’s claims, echoing the transformative appropriation of ‘native’ or Indigenous sovereignty claims in earlier incarnations of indirect rule. Particularly in the interwar period in Australia, the civic ideal of citizenship came to form the basis of the production of a civic culture based on the absence of conflict.\textsuperscript{106}

On this reading, the common assertion that Aboriginal people lacked citizenship suggests, perhaps, a trace of their autonomous sovereignty and a recognition of political difference. As the settler imagination tended more to understand Aboriginal

\textsuperscript{103} M M Bennett to A O Neville, 14 February 1938, Duguid Papers, MS 5068, Series 11/2. Bennett made a similar point, differentiating between classification by blood quantum and by level of civilisation, to the Anti-Slavery Society in 1940: John Harris to J A Lyons, 5 December 1938, ASAPS Papers, MSS Brit Emp S 22, G 379. The substitution of a level of civilisation for race as the mark of inclusion in Australian citizenship reminds us that colour and blood were metaphors for Indigeneity as a sovereign category. Civilisation, as much as deracination, signified in interwar settler colonial discourse the subject’s move away from nativeness.

\textsuperscript{104} ‘Our Historic Day of Mourning & Protest,’ Abo Call, April 1938, no 1, p 2.


\textsuperscript{106} See, eg, Dutton, One of Us?, 3; James Walter and Margaret MacLeod, The Citizens’ Bargain: A Documentary History of Australian Views since 1890 (Sydney: UNSW Press, 2002), 91–9; Davidson, From Subject to Citizen, 74–6.
people as living within functioning and regulated native societies as political bodies, their exclusion from national citizenship alluded to this political affiliation as an alternative, rather than anachronistic, belonging. At the same time, the move towards citizenship represented a move towards erasing this autonomy. Once the present viability of Aboriginal society was accepted, it could be contained by movement towards a citizenship which would deny the permanent political existence of Aboriginal communities. Rather, ‘native society’ represented the basis for the long march of individuals out of ambivalently sovereign societies towards atomised subjects of citizenship.

Under the New Deal, Aboriginal people would never reach citizenship, the end point of the march. General qualification was, at this stage, unforeseeable. In May 1939, the Australian cabinet considered and approved the standard set out by Chinnery, at the direction of McEwen, for qualification for citizenship. This was a four-part test, comprising a capacity to exercise the privileges and fulfil the obligations of citizenship, being vouched for by a ‘reputable and responsible European’, being capable of earning one’s own living, and having a ‘capacity for education’. There would be, Chinnery estimated, ‘probably not more than ten or twelve … aboriginals who would be entitled to citizen rights’ in ‘the whole of Australia’. He mentioned William Cooper and Doug Nicholls as men who ‘obviously are entitled to the advantages and obligations of full citizenship’. 107 But ‘[n]o responsible authority,’ the Chief Electoral Officer reported in 1941, ‘would seriously advocate the grant of all political and other rights, powers and privileges, with their concomitant obligations and liabilities, to aboriginals generally. To do so could only result in utter chaos and the opening of the way to extensive abuses.’ 108 In the north, the space imagined as colonial and as containing mostly ‘culturally intact’ Aboriginal people, citizenship remained an elusive goal.

107 E W P Chinnery, ‘Qualities Which Should be Held by any Aboriginal Requiring the Privileges of a European,’ 5 April 1939, Chinnery Papers, MS 766/8/14; Department of the Interior, Cabinet Submission, ‘Citizen Rights to Aboriginals,’ 4 May 1939, NAA: A461, N382/1/1.
108 Chief Electoral Officer for the Commonwealth to Carrodus, 6 November 1941, NAA: A431, 1949/822. Herbert Collings, Minister for the Interior, repeated these words in a memorandum for the Premiers’ Conference held in 1946 when it dealt with these matters: Memorandum: ‘Granting of Franchise to Australian Aboriginals, 1946, NAA: A431, 1949/822. This set out a new test for granting Aboriginal people a ‘certificate of citizenship’, requiring them to prove they possessed and were known by a ‘surname and one or more christian names’, were able to handwrite their own name and ‘the figures from 1 to 20 in correct consecutive order’, were in or available for employment, were ‘of good behaviour and repute and … living under civilised conditions of a reasonable standard,’ or had served in the Defence Forces. The Commonwealth Electoral Act was not amended until 1949.
But whose goal? In 1940, the Northern Standard reported that a number of ‘half-caste’ men and women entitled to vote had announced that they intended to vote informally or not to vote at all. This, the newspaper editorialised, was ‘in protest at their lack of full Australian citizen rights’, producing the unedifying ‘spectacle of men and women who have theoretical citizen’s rights announcing their intention to destroy their franchise in protest at their treatment as civilians’. But for Chinnery, this indicated their problematic rejection of modernity; he read their action as evidence of Aboriginal people’s allegiance to others, however assimilated or white they may have appeared in the logic of the state.\(^{109}\) And there was something to his interpretation, not in the sense of Indigenous intransigence or recalcitrance, but in identifying a refusal completely to disavow Indigeneity as a condition for acquiring the rights of citizenship.

The failure to actualise the policy’s end did not distract from its performative function, within which indirect rule was integrated into a totalising system of government in different ways, and in specific spaces. The Aboriginal New Deal envisioned a ‘long march’ from reserves, where ‘native society’ would be ruled indirectly through leaving a space for its function, to pastoral stations, where pastoralists governed through conducting the institutions of ‘native society’ towards the increased production of labour, and finally on to citizenship in the cities and the ultimate disintegration and erasure of Indigeneity. This staged history, producing evolution across the space of the Northern Territory; mapping, as discussed earlier, a synchronic expression of a diachronic system. The intersections of time and space, in other words, represented the making of a white nation, a subject in a constant state of becoming. This complex articulation of governmentalities was held together by the political rationality of indirect rule, a mentality within which native society signified both an anachronism to be overcome and a necessary and ineradicable basis for progress.

The language of recognition in the Aboriginal New Deal masked the contradictory production of a customary order as both the theoretical base of progress and the repository of immutable alterity. Achille Mbembe has argued persuasively that ‘ultimately, custom was only made specific the better to indicate the extent to which the world of the native, in its naturalness, failed to correspond with our own—that it was, in short, not part of our world, and thus could not serve

\(^{109}\) ‘Treatment of Half-Castes,’ Northern Standard (Darwin), 20 August 1940, p 2; Chinnery to Abbott, 26 August 1940, Chinnery Papers, MS 766/8/20.
as the basis for a praxis of living together in a civil society’. After all, as an early ANC leader noted in South Africa: ‘The natives had been told to develop on their own lines, but when the Europeans came they found us developing on our own lines which they then judged to be a danger to civilisation.’ Staging progressive alterity, a practice distinct from development, was structured by the immutability of race which sealed ‘natives’ into crushing objecthood.\textsuperscript{110} Margery Perham justified a segregated administration by centring preparation for a colonial independence which confirmed the mandatory exteriority of the colony; its difference and separation from the metropole. She described the colonial Administrative Service as ‘the temporary scaffolding round the growing structure of native self-government. African energies should be incorporated into the structure: to build them into the scaffolding would be to create a vested interest which would make its demolition at the appropriate time very difficult.’\textsuperscript{111} The articulation of differently racialised organs of the state, in other words, expressed and maintained the fundamental difference between British and African, white and black. White government brought progress, but it was to be categorically separated from black society.

For change represented a contradiction in indirect rule as a whole which could only be contained by irreducible racialisation. The production of apparently advancing native communities threatened an end to the difference upon which colonial rule rested. This end may have been more distant than that threatened by the nineteenth century civilising mission, but it nevertheless posed a future problem. Race was the ideologically overdetermining theory which sought its resolution. As Amitav Ghosh has suggested, ‘the “not yet” ... is in fact a “not yet forever” (which is merely a locution for “never”) and packed into the forever/never is the silenced term which makes this line of reasoning possible—“race”’.\textsuperscript{112} The contradiction can best be explored in this distinct settler colonial context. Pastoralists’ dependence on Aboriginal society had to reckon with the ideological dissonance of Aboriginal communities in the settler colonial modernity of Australia in the 1930s. A northern need for the rule of colonial difference, in other words,


collided with the national tendency towards its erasure. In framing Aboriginal society on reserves, as well as in station camps, as parts of a march to civilisation, a structural dependence was thus represented as a temporary measure. Without actually eliminating, staging this trajectory was an almost ideal representation of the logic of elimination. This manifestation illuminates the progressive element always inherent in articulations of indirect rule, but accentuated in the settler colonial formation. It was a progress which, by explicitly working through ‘native society,’ embedded racial difference within the very nature of development. A better black man was still never yet a white man.
Conclusion

Black men wandering and white men riding in a world without time where sons do not inherit, and money goes mouldy in the pocket, where ambition is wax melted in the sun, and those who sow may not reap. I write of the Northern Territory of Australia, problem child of empire, land of an ever-shadowed past and an ever-shining future, of eternal promise that never comes true.


The implementation of the Aboriginal New Deal and the development policy crafted in response to the Payne–Fletcher Report were interrupted by the outbreak of war and the consequent militarisation of the Northern Territory. Three months after arriving in Darwin, Chinnery left in the wartime evacuation and never returned. V J White, the Secretary of the Native Affairs Branch, reported in December 1945 that the infrastructure of the plan remained ‘in the embryo stage only’. But there had been few new appointments, and the substantial funding increase required never came. But the plan nevertheless had some important juridical implications. These represented a codifying continuity with the pre-1939 regime of native administration, which had been moving towards the limited recognition of Aboriginal jurisdictions in some spaces of the Territory. It is in this legal field that we find instances of the policy’s implementation, and its failure and re-invention in encounters between entangled subjects. In the messy contingency of contact, attempts to impose the ordering tendencies of the Aboriginal New Deal and make real its representations of history and progress were occasion for conflict over sovereignty, law, and survival in the Northern Territory.

This archive of northern jurisdictional politics is filled with struggles to frame an apparent frontier zone in modern settler Australia. Determinations of jurisdiction

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1 Ernestine Hill, *The Territory* (Sydney: Angus and Robertson, 1951), 1.
are important because they mean so much more, offering a window into the logic of
government. As Lauren Benton has argued, the ‘politics of legal ordering’ structured
the ‘process of “articulation”’; ordering jurisdiction, in other words, ordered and
produced the articulated colonial formation.\(^3\) Law, in other words, symbolises the
fundamental nature of the colony. But legal ordering, in this context, also discloses a
privileged view of the actual staging of the Aboriginal New Deal. Benton has
suggested that ‘[j]urisdictional lines dividing legal authorities were the focus of
struggle precisely because they signified other boundaries marking ... difference.’
Such struggles, then, reflected participants’ ‘certain knowledge that they [were] ...
struggling not just over symbolic markers but over the very structure of rule’.\(^4\) To
order laws was to produce colonial spaces and subjectivities, to stage
transformation and orderly progress. But attempts to adjudicate jurisdiction expose
the difficulty involved in transferring this staging from the imaginary idealism of
policy documents to the populated terrain of the Northern Territory.

This thesis began with a murder at the Ormiston River in 1937, and the
discussion among administrators regarding whether to try the perpetrators. Their
debate was a result of the Minister for the Interior’s declaration in 1935 that in
incidents involving Aboriginal people in the Northern Territory, no charge should be
laid ‘where tribal laws are concerned and where no white man was involved’.\(^5\) As I
noted in the introduction, the refusal to recognise Indigenous jurisdiction has
generally been considered to have been settled 100 years earlier, in the Murrell
decision in New South Wales. But Indigenous people continued, and in many cases
continue today, to adjudicate disputes according to Indigenous systems of law which
became increasingly articulated with, though in an important sense autonomous of,
settler common law.\(^6\) In this sense, it was Aboriginal people’s actions that
determined the terrain on which the settler state was formed, strategically

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\(^4\) Ibid., 2. For a series of examples of settlers’ legal decisions to either recognise a form of Aboriginal customary law, or to refuse to exercise jurisdiction in instances relating to ‘crimes’ committed among Aboriginal people, see Mark Finnane, “The Limits of Jurisdiction: Law, Governance, and Indigenous Peoples in Colonized Australia,” in *Law and Politics in British Colonial Thought: Transpositions of Empire*, ed. Shaunnagh Dorsett and Ian Hunter (Basingstoke: Palgrave Macmillan, 2010).

\(^5\) Quoted in E W P Chinnery to Government Secretary, Darwin, 16 August 1939, NAA: F3, 20/32.

\(^6\) For one account of this process in Arnhem Land, see Nancy M Williams, *Two Laws: Managing Disputes in a Contemporary Aboriginal Community* (Canberra: Australian Institute of Aboriginal Studies, 1987). These practices—which, in a settler colony bent on eradicating Indigenous political existence, must be construed as resistance—are not the subject of this thesis, though their dialectical effect on the development and nature of Australian colonialism was substantial. Rather, this thesis has studied, in part, the way Indigenous communities and their actions were apprehended by the settler state and its various institutions.
provoking local crises. Eruptions of Indigenous sovereignties challenged the stability of settler colonialism and its production of an ordered national population and space.

Cook’s response to Strehlow’s concerns regarding the Ormiston Murder reflected a frontier logic in his discomfort with the disjunction of Aboriginal people and, perhaps more importantly, tribal laws, being found out of place. He wrote suggesting that the use of spears to settle the matter indicated that ‘tribal practice’ had entered into the case, the spearings by Ngulunta and Nananana here signifying the exercise of tribal jurisdiction. The matter was, therefore, ‘a tribal one’. To this point he had agreed with Strehlow that these particular Aboriginal people lived outside white jurisdiction, at the level of subjectivity and practice if not space. But at the same time, Cook was ‘impressed by the necessity of teaching such offenders that they must not leave their tribal areas and that tribal practice cannot be pleaded for them when they migrate therefrom into white jurisdiction’. In a frontier mythology in which Aboriginal people were always somewhere else, movement into ‘white jurisdiction’ signified for settlers a troubling transgression of the proper conjunction of race and space.

At stake here was not only the degree of autonomy Aboriginal communities could assert, and be recognised to assert, but also the location of that autonomy. Strehlow recommended that Ngulunta and his wives be exiled to Tennant Creek for two years, and that Kulaia and Nananana be compelled to return immediately to Haast’s Bluff, the threat of prosecution and gaol being contingent on their absence from white jurisdictional space. Cook presented these recommendations to Abbott, who approved. This was an entirely spatial solution to the problem of intervening jurisdictions. The state’s response was not to try to adjudicate the matter but rather to deal with the problems of transgression and plurality—of spatial co-existence—by discouraging Aboriginal movement over an imagined jurisdictional frontier. The spatial solution was not unusual. In 1934, an Aboriginal man named ‘Jacky’ had, after some discussion of the propriety of ‘investigating the capital charge even though the killing may be in accordance with tribal laws’, been charged with murdering another

7 Cook to Strehlow, 9 December 1937, NAA: F3, 20/58.
8 Strehlow to Cook, 23 December 1937; Cook to Abbott, 13 January 1938, NAA: F3, 20/58. Despite this apparent decision not to prosecute, Strehlow reported that he had held Kulaia, Njulunta, Witjitji, Wantu, Munana, and six children at Jay Creek until 20 May 1938 when they were taken to Alice Springs for a manslaughter trial: ‘List of Natives who have resided at Jay Creek for the greater part of the time between 1/4/38 and 30/6/38,’ NAA: F127, 3. I have thus far been unable to find any record of this trial.
Aboriginal man named ‘Nipper’ in what was termed a ‘tribal murder’. Carrodus had from the beginning felt it ‘most appropriate’ to ‘remove the disturbing element from the district for a short period’ rather than arrest and try him.9

Settler courts would not, Justice Wells had declared in 1935, recognise ‘tribal law’. The ‘law we are administering’, rather, ‘is British law’.10 But a refusal to recognise Indigenous legalities did not necessarily mean the state would intervene in order to extinguish. In the absence of formal recognition of either Aboriginal laws in common law courts, or courts of Aboriginal law, the primary ordering option of the colonial state was merely to refuse to exercise its jurisdiction in the case of ‘tribal’ matters; the settler state could perform a withdrawal which left space for Aboriginal autonomy.11

The advent of the Aboriginal New Deal in 1939 and the ‘Murray system’ of legal pluralism consolidated this spatialised northern jurisdictional politics, and linked it in a civic schema of differentiation incorporating those classes of Aboriginal people. Soon after taking up his post, Chinnery reported that, in ‘uncontrolled areas’, it was ‘generally regarded as a matter of policy in most British colonies and especially in the Australian Territories of Papua and New Guinea, to interfere as little as possible with the native inhabitants’. Here were found ‘relatively untouched natives who live more or less permanently in remote areas’, who were ‘not under any form of permanent European control, assistance or supervision’. Jurisdiction was determined at the intersections of subjectivity—whether the subject was produced by settler or ‘tribal’ law—and space.12 For now, places like Arnhem Land were considered ‘not [to be]under any form of permanent European control, assistance, or supervision’. These were spaces where, Chinnery suggested, ‘the native inhabitants depend for internal stability on the free exercise of their own native customs’.13

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9 The accused man was acquitted by jury in Darwin in November 1934, though there was no real doubt he had killed ‘Nipper’ by spearing. J A Carrodus, Acting Administrator of the NT, to Secretary, Department of the Interior, 14 August 1934; ‘Fight With Spears. Charge of Murder. Native Found Not Guilty,’ Sydney Morning Herald, 6 November 1936, NAA: A1, 1934/8108.
11 Though it was debated throughout the 1930s, and proposed regulations were drafted and re-drafted, courts of native law were never established in the Northern Territory. In Western Australia, ‘Courts of Native Affairs’ were instituted in 1936. See Kate Auty, Black Glass: Western Australian Courts of Native Affairs 1936–54 (Fremantle: Fremantle Arts Centre Press, 2005).
12 Chinnery to Government Secretary, Darwin, 16 August 1939, NAA: F3, 20/32.
Efforts to create a space for functioning Indigenous jurisdictions rested upon the presence within that space of a functioning ‘native society’, the object of indirect rule. Organising jurisdiction in the Northern Territory was thus an effort to operationalise anthropology, to adopt and implement a Lugardian governmentality, producing a native society as object and guiding its social institutions. By the 1930s, the Northern Territory had become an appropriate terrain for this art of government. Geographically located within a white nation, but symbolically ambivalent, sovereignty remained unsettled. It was a formation where Aboriginal production and black labour were not supplements, but rather necessary constitutive elements of the production of a replacement society based on pastoral beef production. And this contribution was made legible through imagining it as customary, based in a tradition that could be mobilised and conserved, but not radically transformed.

But, as we have seen, the settler colonial reception of indirect rule was transformative. This incarnation of governmentality drew out and emphasised the progressive function that underlay Gordon’s or Lugard’s work. And it did so, we found in chapter seven, through staging progress across the Northern Territory, beginning with tribes or ‘native societies’ ruled indirectly in the reserves. These were oriented towards an ultimate move out of such spaces, on to the stations where they were imagined as articulable with pastoral production, as white managers conducted the social institutions of the tribe towards the manufacture of labouring bodies, compelled to work. And so on, to the towns and cities, to citizenship and the erasure of any memory that sovereignty had, in a very recent time, been something other than unitary and indivisible. This staging was, as I have argued, a stable representation of progress. People would not, themselves, change. Rather, the Aboriginal New Deal sought spatially to order the different subjectivities and different modes of governmentality, bringing them together in a logic of progress across time and space, performing elimination while emphasising the articulation, rather than actual erasure, of Aboriginal communities. This staging depended, then, on the solidities of ordered spaces and subjectivities. And law was a privileged technology for acting on people and bodies to stage this formation materially.

The jurisdictional codification of the Aboriginal New Deal led merely to messier determinations, indicating the difficulty of determining who fit where. The inability of the colonial state to make real the idealised distinctions of Chinnery’s
memoranda underlay an ontological anxiety regarding transgression and co-existence. Ann Laura Stoler has observed of colonial categorisations that ‘producing rules of classification was an unruly and piecemeal venture at best,’ and that there is little that was ‘hegemonic about how those taxonomies worked on the ground’.  

This repeated failure of a grammar of difference provoked further action. The Ormiston Murder case was not the only instance of disruption. Aboriginal laws and people continued to slip through, over and around the borders put up to confine them. And the ‘Murder of Jessie’ in 1940 reveals the contestation, failures, and contradictions inherent in the politics of the Aboriginal New Deal.

In August 1940, Constable Turner reported from Daly River that two Malak Malak men (‘Johnny,’ or ‘Berin,’ and ‘Benjamin,’ or ‘Char-call’) had speared and killed a ‘Brinken’ woman (‘Jessie,’ or ‘Cooter,’ or ‘Goodpapper’), badly injuring another two (‘Maggie,’ or ‘War-wool,’ and ‘Alice,’ or ‘Woody-wara’). The men claimed they had done so, Turner wrote, because the women had repeatedly walked through country that was sacred, the site of the ‘Bullroarer’ or ‘karawadte’ ceremony. Access to this country was prohibited for women and uninitiated men, a ruling the women ‘violated.’ Chinnery commissioned a report from patrol officer Bill Harney, who wrote that the Bullroarer ceremony rendered country taboo, the punishment for breach being either death or ‘ceremonial rape’ by all men of the tribe.

This was, Harney wrote, a ritual which had been introduced from the ‘Wardaman’ people in the south in recent years, suggesting to administrators its origins in the effects of white invasion. With this in mind, it was determined that Aboriginal jurisdiction ought not to be respected, not only owing to the ritual’s novelty, but also because it was considered a ‘cruel rite’: a note on the case report declared an aspiration that ‘the tribal area [would] be rid of the influence of a recent introduction the Karawadte ritual’. Benjamin and Johnny were sentenced to five

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years each for the 'murder of Jessie'. This resolution marked for Aboriginal people a move away from Indigenous, and towards settler-colonial, laws: a slow project of legal replacement. As Minister for the Interior J A Perkins had noted in 1933, quoting Hubert Murray, 'it is our law and not the law of the native that must prevail in the end'. But dwelling on this resolution does not adequately explain the ambiguity that infused the correspondence regarding whether Johnny and Benjamin should be charged with the murder. Turner’s letters betray an anxiety regarding Aboriginal immunity from law. Both the suspects, he wrote, ‘appeared [to believe] nothing would be done in the matter and proud of the matter.’ Turner worried he was being out-manipulated. Who, here, had authority?

The double (or, for ‘Jessie,’ triple) naming of each of the Aboriginal people involved in the case points to an indeterminacy that transcended metaphor and suggested an uncontained Aboriginal autonomy of identity. These were not abject natives, rather knowing and shrewdly acting sovereign Aboriginal people, who resisted the racialised solidity of incessant abjection through which settlers could comfortably relate to them. Benjamin and Johnny’s conscious mobility and manoeuvring thoroughly disturbed the settler colonial order, compromising the possibility of jurisdictional borders denoting stages on the long march, and provoking an official anxiety. They, and the many other Aboriginal people who tested the limits of settler power, provoked reconsiderations of law; their transgressions actively making the mode of government by defining the terrain of its determination. Spatial articulations of jurisdiction suggest a set of ideally ordered relations, a system of symbolic classification that maps the colonial formation. Bodies ‘out of place’, then, represented the distressing danger of contravention and disorder. As Indigenous people could, and here did, slip between spaces imagined as tribal and settler-controlled spaces, they inscribed the latter as simultaneously the former. Staging a long march onwards was rendered impossible. This jurisdictional vagueness signified a failure of subjectivation: if Aboriginal people could continue as rights-bearing subjects—able to elude all legal sanction—rather than as juridical subjects, they presented as an ungovernable mob. This form of Aboriginal mobility disrupted both the structure of jurisdiction and produced among

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16 The sentence was nevertheless reduced to account for the provocation resulting from the breach of custom: File Note, 1 October 1940, NAA: F3, 20/103.
17 J A Perkins, Memorandum for the Secretary, Department of the Interior, 16 September 1933, NAA: A432, 1933/691.
18 Turner to Superintendent of Police, Darwin, 7 August 1940; 8 August 1940, NAA: F3, 20/103.
settlers an anxiety regarding their continuing inability to establish sovereign dominion.

Constable Turner’s response was, then, an attempt to order the constrained dynamism of the Northern Territory by at the very least impressing it with the progressive logic of the Aboriginal New Deal, establishing authority by recognising Indigenous law only in bordered, differentiated spaces of indirect rule, a rule which was read importantly differently to autonomy. He evinced a profound discomfort with the extent to which any middle ground, or intersubjectivity, could be sustained, rather seeking the security of defined structures of jurisdiction, the replacement of overlapping legal pluralism by a determining settler sovereignty. An anxiously pluralistic legal expansion was an ambivalent mode of expanding the national space and time, one that was entrenched as the principal mode of expanding settler sovereignty by the outbreak of war in 1939. But as a mode of governing through staging modernity and elimination, its narration required a linear progression along spatially articulated juridical stages of civilisation. Cyclical or self-directed movement, whether in space or in subjectivity, glossed here as time, was deeply troubling; it evoked the possibility of the apparently assimilated Aboriginal person going b(l)ack, that assimilation was little more than a veneer. Indirect rule—signified here by government through traditional laws—was an early stage in the narrative of progress, the long march would move beyond.

Colonial states were always works in progress, states of becoming rather than actualised accomplishments. The difficulty individual administrators like Strehlow or Turner had in implementing policy suggests the alienated character of those policies, that they were created without reference to actual Aboriginal people. But that administrators remained wedded to these inadequate ontologies, finding them useful as juridical categories even as they failed, indicates their value beyond the practical. John Comaroff has argued that deploying the language of the law ‘held colonial states together, even at their most disarticulated, least coherent, most impotent’. Legal discourse as an expression of a political rationality further afforded colonial states ‘a means to make fact appear out of phantasm, illocutionary force out of illusion, concrete reality out of often fragile fiction, one thing out of many’.20 The transformation of the ontologies of colonial government into the language of law, in other words, created spaces for authorised action and force, delineating and

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legitimising modes of power, and creating an impression of congruence amidst conflict. Settled policy was continually questioned in practice by Aboriginal people's efforts to bring the contradictions of colonialism to confrontation, opening spaces for negotiating accommodations which could disrupt the ideologies and practices of colonialism, production, and progress.

The legal struggle was symptomatic of the only ever partial implementation of the New Deal plan as a whole. By the time elements were implemented under the directorship of Harry Giese, in the Department of Native Affairs' successor, the Welfare Branch, in the 1950s, times had changed and indirect rule was no longer the fashionable colonial policy it had once been. The development of the Northern Territory was similarly frustrated. The pastoral industry did not become profitable. More importantly, Aboriginal people never gave in to the work rhythms of station labour, thus avoiding total submission to a settler colonial time-discipline. Rather, they found ways of existing within it, continually re-inventing and articulating Aboriginal socialities with the encroaching pastoralist order. They mapped stock routes as paths through and around ceremonial sites, springs and soaks and hunting grounds, and established temporal narratives on an entirely different basis to the categories of the New Deal. We can read the continual policy adjustments required to accommodate natives who refused to be civilised, to progress, or, indeed, to submit to colonial authority, as the symptoms of Aboriginal socialities and ways of being in the world that escaped the governmentality of the settler state; as what we might term, after Foucault, counter-conduct. Its fragility, however, does not suggest that this settler colonial incarnation of indirect rule was powerless. Ambivalence and contradiction did not represent irregularities but were rather an integral part of the assimilating mission, enabling changing policies and modes of legitimation. Contingent struggles to make the idealist rationalities of government real dramatised, in Nasser Hussain's phrase, 'not a confusion but a condition'.

That these Aboriginal people, and those elsewhere, were able to survive invasion and exploitation was a tribute to their efforts in forcing limits on colonial expansion, demanding protection or segregation, or showing a resilience beyond the

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will of the state. But it does not mean that their continued presence could not serve some function for settler colonialism. Settler colonialism—indeed all colonialism—is most crucially the fabrication of a new society, a process of replacement. The requirements of replacement in the north included a native population, comprising tribes whose labour power could be exploited for the needs of pastoral development. Making a new society in the Northern Territory, in other words, was a process of transformative inclusion distinct from the contemporaneous exclusions of the south. Its distinctly settler colonial aspect was the biopolitical convergence of change and elimination, an equation which could not be pushed to such an extent in franchise colonial formations; ‘natives’ whose status was apparently rendered problematic by education or acculturation still remained native, albeit compromised. In the Northern Territory elimination was not ‘postponed’, but was performed as an effect of transformation by staging progress as a march from authenticity in the reserves to citizenship in towns. The social formation, that is, was grasped as a totality by linking the various peoples and spaces in a diachronic story of progress towards modernity.

We can read survival as Aboriginal people both as evidence of an Indigenous agency which structured the colonial social formation, and as a discursive contradiction that was not episodic but rather lies at the heart of settler colonialism. Those subjects of indirect rule in the northern reserves were to function discursively as a permanent primitive, an Other against which settlers were white and Aboriginal people outside the reserve were found lacking. At the same time, they were to progress towards citizenship, though this progress could not go so far that the subjects of this discourse could no longer model differentiation. The imposition of a civilising indirect rule in the north—imposed upon those most often called upon to model an authentic Aboriginality—would work to make of them citizens, but its failure to do so would constitute confirmation of the radical alterity of some Aboriginal people. That is, despite the imagined end of the Aboriginal New Deal in the production of (formerly) Aboriginal citizens, it simultaneously demanded a form of specifically tribal presence which was confined even as the people supposedly embodying it were encouraged to progress forwards. It instantiated a double bind in which any Aboriginal action could only be legible, in the logic of the state, as lacking.

This interpretive lack represented a distinctly settler colonial articulation of indirect rule. In this thesis, I have argued that by the interwar period, indirect rule had become an art of government. It was characterised by act of taking the tribe, or
native society, as the principal subject and object of government, and by working on it through conducting its traditional or customary institutions in order both to produce and perpetuate its existence, and to expand its productive capacity in an articulation with a colonising capitalism. The first three chapters of the thesis traced the development of this art of government in administrative practice in Fiji and Nigeria, in writing in the memoranda of Arthur Gordon and books of Frederick Lugard, and as a political rationality in both their administrative texts and in the social anthropology of Malinowski and Radcliffe-Brown. As an art of government, indirect rule could travel through explicit imitation or through ideological or intertextual inspiration. And in the interwar Northern Territory, to which chapters four and five are devoted, we have found an Australian colonial formation conducive to the implementation of a form of indirect rule, where a travelling political rationality could be both received and (re-)constituted. This was a space in which the dominant industry—pastoral beef production—was dependent upon the existence of living Indigenous societies, and which was considered by many in the south as ambivalently externalised and colonial. It was, in other words, both materially and ideologically amenable to indirect rule. And, in turning in chapters six and seven to the development of the McEwen, Elkin and Chinnery’s Aboriginal New Deal, we have found the development of a form of indirect rule that shared with Lugardian government a political rationality, but which was a categorically local practice, plotted within the settler colonial specificity of Australian, and more particularly northern Australian, history. In staging a logic of progress, a representation of change in which embodying that change was impossible, it simultaneously embedded Aboriginal society within the structure of Australian nationalism and settler colonialism and performed its erasure, drawing out the contradictory ethic of progress always present, but more often subsumed, within indirect rule.

I have argued that the Aboriginal New Deal marked an experiment in an art of native administration in the Northern Territory, seeking both to extract an economic benefit from elimination and to govern the Aboriginal people of the Territory as native societies. The Aboriginal New Deal marked Australia’s qualified adoption of the dual mandate of colonial trusteeship. It represented a shift in colonial governmentality, and corralled the contradictions of northern colonialism. Assimilation erased the difference fundamental to colonial rule, a difference that was integral to the north Australian colonial social formation but whose erasure was
in fact conducive to national settler colonialism. The resolution of this contradiction was critical to the settler colonial articulation of indirect rule as colonial governmentality, receiving from elsewhere, and transforming, an art of colonial government. Approaching Australia’s government of Indigenous people in this way locates Australia firmly within the British empire, writing against the brand of settler colonial exceptionalism that takes white men’s countries at their word. White settlers participated in, and constituted, a mode of governmentality that was a constitutive instance of the empire-wide arts of governing native peoples. The settler colony is not, in other words, entirely exceptional. Aboriginal people’s predicament was, and is, colonial. When compared to instances in British colonies in the Western Pacific and tropical Africa, the Australian incarnation illuminates the assimilationist ends always present in indirect rule, albeit ends whose attainment was always deferred. This New Deal was an attempt to reckon with the place of Aboriginal people at the basis of the northern social formation, an attempt at totalising governmentalities that could be, and certainly was, evaded. Settlement, in other words, was never yet complete.
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