to hell. It was the way they came across. Not only that, but when you'd go to the religious study groups you'd sit there like a dummy and they'd tell you everything, what was what, what was expected of you. There was no interaction, you couldn't express your own opinions, feelings. Yet you'd go along to the white one, you know, everyone's there bringing out there own thoughts, their own feelings. It's not only that... it's a welfare system as well. So whether they stayed Lutherans because of the Christian beliefs or whether they stay Lutherans because of their welfare handouts, you know, it's not for me to say or even to judge but you do notice these things.

A NOTE ON THE "ABORIGINES ACT"

Robert Foster

An important theme in Neva's talk is the influence of the Aborigines Act 1934-39 on the lives of Aboriginal people of South Australia. Given its importance we thought it would be instructive to spell out some of the provisions in the Act to which Neva refers in her talk.

For much of the 19th century there was very little legislation specifically directed at the Aboriginal population of the state; as Faye Gale (1972:59) put it, "the official policy at the time of colonisation was, in the main, one of benevolent laissez faire toward Aborigines."

By the turn of the century however, the perceived failure of this attitude culminated in the passing of the Aborigines Act of 1911, "the effect of which was to set Aborigines apart as a separate group in the community and, in contrast to the earlier attitudes of laissez faire, to legislate for them in a rigid and paternalistic way" (Gale 1972:91).

Heading the newly created Aboriginals Department was a Chief Protector who had wide ranging powers. He was the "legal guardian of every aboriginal and half-caste child, not withstanding that any such child has a parent or other relative living, until such child attains the age of twenty-one years" (sec. 10:1). He had the power to move any Aboriginal person onto a reserve or 'Aboriginal institution'. Furthermore:

Any aboriginal or half-caste who refuses to be so removed, or resists such removal, or who refuses to remain within or attempts to depart from any reserve or institution to which he has been so removed, or within which he is being kept as aforesaid, shall be guilty of an offence under the Act. (sec.17:3)
The exceptions to this provision were: those people judged to be lawfully employed; holders of a 'permit to be absent'; a women lawfully married to a non-Aboriginal man; or those "for whom, in the opinion of the Chief Protector, satisfactory provision is otherwise made" (sec. 19). The Act also imposed strict limitations on people's access to Aboriginal reserves or institutions.

The Act also gave the Protector a wide range of powers over Aboriginal people who lived off reserves:

...a Protector may order and cause any aboriginals or half-castes who are camped, or are about to camp, within or near any municipality, town, or township, to remove their camp or proposed camp to such distance from such municipality, town or township as he directs. (sec. 31:1)

The following section of the Act also gave authority to Justices or police officers to order any Aborigine "found loitering in any municipality, town or township" to leave (sec. 32:1). The Governor also was given the power to declare certain towns off-limits to all Aborigines not lawfully employed (sec. 33:1).

The final provision of the 1911 Act, to which attention should be drawn, is Section 34, under the heading Female Aboriginals in Male Attire:

If any female aboriginal or female half-caste is found dressed in male attire and in the company of any male person other than an aboriginal or half-caste, she and the person in whose company she is so found shall be guilty of an offence against the Act. (sec. 34)

This somewhat bizarre provision was intended to protect Aboriginal women, especially in the more remote areas of the state, from exploitation by unscrupulous white men. Anyone found guilty of contravening any section of the Act was liable to a fine of up to £50 or as much as six months imprisonment, with or without hard labour (sec. 45).

The 1911 Act witnessed the laissez faire, assimilationist approach, established at the very foundation of the colony, turned on its head and replaced by an intrusive, segregationist and paternalistic policy.

In 1934 the existing Acts pertaining to Aborigines, namely the Aborigines Act of 1911 and the Aborigines (Training of Children) of 1923, were consolidated into one. In 1939 a number of amendments were added which further strengthened the segregationist and paternalistic tenor of the legislation. In the first instance, the definition of an Aborigine was extended to include all persons "descended from the original inhabitants of Australia" (sec. 4(b)). An Aborigines Protection Board was set up, taking over much of the power previously exercised by the Chief Protector.

Perhaps the most resented part of the Act was Section 11a which reads, in its entirety:

In any case where the board is of the opinion that any aborigine by reason of his character and standard of intelligence and development should be exempted from the provisions of this Act, the board may, by notice in writing, declare that the aborigine shall cease to be an aborigine for the purposes of the Act. Any such declaration may be made by the board whether or not an application is made by the person to whom the declaration refers.

This section of the Act was a direct consequence of the broadening of the existing definition of an "aboriginal person". The extension of the definition brought many people, previously unaffected by the Aborigines Act of 1911, under the control of the new Act. The restrictions on contact between non-Aboriginal men and Aboriginal women, contained in the 1911 Act, were extended with an amendment to Section 34 which made it an offence for any non-Aboriginal male to associate with an Aboriginal female.

This Act, with amendments, remained in force until it was superseded by the more liberal Aboriginal Affairs Act of 1962.
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REMINISCENCES OF EARLY DAYS

G.G. Hackett

Hackett wrote these reminiscences in 1915 for the Narrung Alpha. This unique magazine, compiled by the residents of the Narrung area in South Australia's lower Murray River region, was usually hand-written and only one copy was produced for each issue. This was circulated amongst interested families with the following plea for it not to sit on one family's shelf for too long:

I am the Alpha and I make this stipulation: that members won't retard my proper circulation; I must visit member's homes throughout the coming year. Now please don't shelve me - pay attention - then my path is clear.

Leta Padman, author of several books on the history of the Narrung area, kindly allowed us to use this paper, taken from one of several Narrung Alpha's that she has been able to trace. She recently produced a contemporary version of the original Alpha, entitled Narrung Alpha: Old Tales and New. It is still available in some book shops and makes interesting reading.

Hackett's reminiscences contain a version of the 'Mafia Incident'. It is interesting to compare it with an Aboriginal version of the story written by Leta Cameron-Bonney and published in last year's Journal. Hackett's comments about the local Aboriginal people provide an important insight into European attitudes towards the Aborigines.

In the transcription of the reminiscence we have retained all original spellings, capitalisation and grammar.

Steve Harman