

The Stolen Generation – An overview

The history for Aboriginal and Torres Strait Islander people since first contact with Europeans has been one of killings and of dispossession from their lands at the hands of white settlers, these actions were sanctioned by officials of the colonial government, through to the various legislations that were directed specifically at Aboriginal and Torres Strait Islander people.

The physical suffering and dispossession at the hands of settlers is self evident, but the cultural genocide through the loss of identity and traditional culture as well as language and spirituality was just as destructive. A major aspect of this destruction of Aboriginal and Torres Strait Islander culture was the systematic removal of children from their families and communities, by the police and government officials, to be placed into government or religious run institutions. In some cases the children were adopted out to European families, thus being completely removed from their families, and from their communities and cultural identity.

Early European Exploration

The long debated motive for the British colonisation of Australia has revolved around England's need to resolve their problems with overcrowded prisons. In May 1787 what was to become known as our "First Fleet" led by Commander Arthur Phillip with approximately 700 convicts, plus soldiers and officers, left England. In late January 1778 the First Fleet arrived in Botany Bay. Unable to find a permanent water supply Phillip took the fleet north to Port Jackson (Sydney Harbour) and on January 26th 1788 the British flag was raised and the convict colony of Sydney was declared.

Despite years of struggles the settlement continued to increase in size by the arrival of new convicts, and the soldiers and officers needed to guard them, also arriving with the convicts were "free men" looking to make a successful life for themselves and their families. With these new arrivals fresh lands were needed for the growing colony with explorers heading in all direction, closely followed by the squatters and ex-convicts, who having served their sentences, were often given land.

During this time of expansion convicts ships continued to arrive in Sydney, so in 1823 John Oxley was sent north by boat to find the site for a new penal out-post. Oxley found and named the Brisbane River in Moreton Bay, and in September 1824 he returned with soldiers and convicts, and a settlement was established at Redcliffe. It was moved to a site on the banks of the Brisbane River in May 1825 and in August 1826 Brisbane was formally declared a Penal Settlement.

A major part of the exploration west of Brisbane can be attributed to Allan Cunningham who had accompanied John Oxley to Moreton Bay and helped survey the Brisbane River. Leaving Brisbane, Cunningham returned to Sydney where he was asked by Governor Darling to explore the lands north of the Liverpool Plains. Departing the Hunter River valley in April 1827, in June he found vast treks of excellent land to the north, which he named the Darling Downs in honour of the colony's 7th Governor. The following year he returned to Brisbane and found a way from Brisbane to the Darling Downs through what is today known as Cunningham's Gap.

When free settlement was declared in 1842 most of the exploration and surveys around and west of Brisbane had been completed. Following soon after the early explorers were squatters and settlers hoping to build a new life for themselves and their families on the Darling Downs and the Lower Burnett.

History

The history of Australia begins well before the arrival of the First Fleet in 1788. Recent archaeological discoveries reveal a long history of Aboriginal and Torres Strait Islander presence of at least 40,000 years and undoubtedly much more, maybe as much as 100,000 years. The Aboriginal population at the time of first contact with Europeans was estimated at approximately 300,000 nationwide.

The Colonial Government through their use of “terra nullius” (land belonging to no-one) demonstrated a clear denial of an Aboriginal presence and was an early indicator of the importance in which Australia’s Indigenous people were to be held.

Interaction between Australia’s Indigenous population and Europeans has been one of constant conflict beginning with the devastating effects of colonisation where many Aboriginal and Torres Strait Islander people were killed, either to make way for settlements and farms or by diseases such as influenza and smallpox. Those that were not killed were disposed of their lands and forced to move into the territories of neighbouring language and clan groups, only to have to move again with the further expansion of settlers, or would become “fringe dwellers” on the edges of European society.

By the mid 1800’s many of the small groups that still lived on the edges of towns were perceived as an eyesore and a blight on the white community, and were removed to religious and government controlled missions and reserves, an action that was a forerunner for the systematic removal of Indigenous children from their families and communities and what became commonly known as the Stolen Generation.

From 1883 to the early 1970’s an estimated 100,000 Aboriginal and Torres Strait Islander children were forcibly taken from their families.

The Stolen Generation - Research

Aboriginal and Torres Strait Islander people have been the most researched, and legislated group of people in Australia, if not the world. This often abusive and intrusive research has failed to effectively produce results. Aboriginal and Torres Strait Islander people are frequently being treated as mere objects to be exploited without any respect, protection or remuneration with little benefit to Indigenous communities.

This research has if anything led, to a devaluing of Aboriginal and Torres Strait Islander culture and the development of biased and detrimental legislative policies. Research historically has underpinned the oppression of Aboriginal and Torres Strait Islander peoples. An example, The Aboriginal Protection and Restriction of the Sale of opium act (QLD) of 1897 Act was presented at the time as a humane piece of legislation designed to benefit the indigenous population, the reality was that there

was very little protection for Aboriginal and Torres Strait Islander people, while there appeared to be no restriction on the sale of opium.

The Stolen Generation - Legislation

The Protection Era

In 1894 the Queensland Government commissioned Archibald Meston to travel extensively throughout North Queensland to:

- investigate the condition of the Aboriginal people
- prepare a report outlining their condition and
- make recommendations for the improvement of their lifestyle.

As part of his expedition, Meston visited Missions and food distribution centres that had been set up predominantly by church organisations.

Meston tabled his report titled “Queensland Aboriginals: proposed system for their improvement and preservation” to the Colonial Secretary of Queensland, Horace Tozer. In his report Meston made comments:

- on the general well being of the Aborigines
- the misuse of the Aboriginal blanket distribution system and
- the damaging effects of the opium trade on the Aboriginal people

This report was to become the catalyst for the Aboriginal Protection and Restriction of the Sale of Opium act (QLD) 1897.

As a result of this Act Queensland was apportioned into Districts where missions/reserves were set up within these districts with non-Aboriginal people being appointed as District Protectors and Mission Superintendents and they were accorded the powers to carry out the duties prescribed under the Act. It allowed:

- non-Aboriginal people to legally impose strict controls over the lives of Aboriginal and Torres Strait Islander families, and
- administrative matters to be dealt with by Regulations, which did not require the direct consent of Government.

As a result of policies associated with the Act, Aboriginal people no longer had legal control over any aspect of their lives. The District Protectors and Mission Superintendents made decisions on:

- where and how Aboriginal people were to live
- where Aboriginal people were to work
- when Aboriginal people could practice their cultural ceremonies
- who Aboriginal people could marry

The 1934 Amendments

In 1934 the Aboriginal Protection and Restriction of Sale of Opium Act Amendment

Act 1897-1934 was implemented and major new policies were introduced with the Protector being given even more control over the lives of the Aboriginal people. The Protector:

- had to witness and approve any will made by an Aboriginal person to make it valid
- retained control of all monies and properties belonging to any "half-castes" even after they had been given an exemption from the Act
- could at any time terminate any written agreement in relation to Aboriginal employment

The Aboriginal Welfare Fund was introduced where Aboriginal and "half-caste" employees now provided "contributions" to a fund which was to be used for their "general welfare and relief" whether on a mission/reserve or elsewhere, e.g. costs associated with medical treatment.

In an endeavour to control the "half-caste" population, it became a punishable offence for a non-Aboriginal man and an Aboriginal woman to have sexual relations.

The 1939 Aboriginal's Preservation and Protection Act

In 1939 the Aboriginal Protection and Restriction of the Sale of Opium Act, 1897-1934 was repealed and the Aboriginal's Preservation and Protection Act was introduced. The Director of Native Affairs, now called Chief Protector of Aborigines became the legal guardian of all Aboriginal people under the age of 18.

The harsh policies of the 1897 Act and its 1934 amendments remained in force, and additional policies that gave even wider ranging powers to the Protector and Superintendents of Missions/Reserves included.

- Aborigines' wages were paid to the Protector.
- Aborigines had to obtain permission from the Protector whenever they wished to spend their money.
- Trust funds were set up to control the savings of the Aborigines, estates of deceased and missing Aborigines and unclaimed money belonging to Aboriginal people.

These trust funds were managed by the Protector and/or Superintendent. Under the trust fund system the earnings of the Aboriginal employees were deposited directly into a bank account, controlled by the Protector, and then they had to request "pocket money".

Under Aboriginal's Preservation and Protection Act other powers given The Protector included:

- the power to manage the property of Aborigines i.e. take possession of, retain, sell or dispose of any property of an Aboriginal, whether real or personal, subject to the approval of the Minister
- his permission for any marriage by an Aboriginal woman

- the authority to move Aboriginal fringe camps, if in his opinion the camps were being set up to near to townships or any place that Aboriginal people should not be permitted to have access to.

Assimilation Era

The Queensland Government officially adopted the Commonwealth policy of assimilation in 1957 although proposals had been discussed at a national level in 1937 with most of the states claiming to have implemented such a policy. The assimilation policies were based on the belief that Aboriginal people would adapt to the economic and cultural values of white Australia. This was to be accomplished by equipping them with predominantly domestic or manual labour skills and being trained in the European way of living.

The assimilation policy also changed the centre of attention from the child to the entire family although the number of Indigenous children who were being taken from their communities and their families did not lessen.

While the assimilation policy offered the same rights and privileges for Aboriginal and Torres Strait Islander people as for other Australians, the reality was that the policy required Indigenous people to stop being culturally unique. It also created the impression that they were not in fact part of Australia, but that they were somebody who needed to be accepted (assimilated) into the country. It was also highly conditional upon Indigenous people accepting the same responsibilities, observing the same customs and being influenced by the same beliefs as white Australians.

In communities across Australia houses were built specifically for Aboriginal and Torres Strait Islander people beside neighbours who, for the most part, did not wish to be so closely connected with Indigenous people, setting up an environment that made it almost impossible for assimilation to be successful.

In 1961 at the Native Welfare Conference, assimilation was defined as:

All Aborigines and part-Aborigines are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian Community, enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians.

In 1965 the wording was modified slightly to:

All persons of Aboriginal descent will choose to attain a similar manner and standard of living to that of other Australians and live as members of a single Australian Community, enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians.

By the late 1960's, the policy of assimilation was increasingly being questioned, mainly because it failed to provide for the economic development of Aboriginal and Torres Strait Islander people.

Self Determination Era

At the Blacktown Civic Centre, 13th November 1972 Gough Whitlam, leader of the Commonwealth Labor Party gave a speech in the lead-up to the December 1972 Federal election to undertake a policy of Aboriginal self-determination. The speech contained other commitments including:

- a stand alone Department of Aboriginal Affairs
- an Aboriginal land fund with funding for ten years, and
- comprehensive legal aid for court cases involving Aboriginal people.

In the three years from 1972 to 1974, with Gough Whitlam as Prime Minister, Commonwealth spending on Aboriginal issues soared by 500%, mainly on what could be called practical reconciliation (health, employment, housing and education), but which might more accurately be called basic human rights.

The 1970s, under the spirit of self determination saw the re-emergence of Aboriginal people taking control of their own political agenda and the establishment of various indigenous consultative and advisory groups:

- 1973 National Aboriginal Consultative Committee (NACC)
- 1977 National Aboriginal Conference (NAC)
- 1977 Council for Aboriginal Development (CAD)

There were also major changes to the Aborigines' Welfare Fund relating to the establishment of Aboriginal Councils to allow Indigenous peoples a greater say in their own affairs.

Self-Management and Self-Employment Era

In Queensland in 1978, the term "self-determination" gave way to "self-management" with the introduction of the Aboriginal and Torres Strait Islander (Queensland Reserves and Communities Self Management) Act 1978.