

STOLEN GENERATION AND THEIR STOLEN RIGHTS: A STUDY OF THE MYTH OF PROTECTION IN COLONIAL AUSTRALIA

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Abstract

Australia which is very much known to the world for its sports, Kangaroos and beautiful scenic beauty has a colonial past that is beyond reconciliation. The present day multicultural Australia which is home to people of various ethnicities had a colonial past where its true inhabitants for centuries, aborigines, were once denied all rights to life, property and even self-determination. The colonial policies not only engineered the mass displacement and genocidal extinction of its indigenous population but also created a race of people who were the nowhere people. These mixed-race aborigines, with both white and aboriginal lineage, also called the stolen generation, formed the worst victims of colonial game of political play. They were not only denied aboriginal upbringing but also denied rightful place in the mainstream white societies. These hybrid children were forced to dwell in the in-between space that was neither the white spaces nor the aboriginal. The paper studies the role of the colonial policies, specifically the protection policies, that not only led to the formation of the stolen generation but carried out their continued oppression of aboriginal people in their day to day life. The paper utilizes the narratives written by stolen generation aborigines to trace the genocidal nature of the policies and the continued impact in the subsequent post-referendum period as well.

Keywords: aborigines, protection policies, multicultural, human rights, genocide

The focal point of the conference being human trafficking/ slavery and violation of indigenous rights, this paper takes the opportunity to establish connection between these two forms of gross human rights violation-slavery and human trafficking. For the purpose of in-depth analysis, in this paper, slavery is seen in its oldest as well as in its current manifestations and is linked with the lives of stolen generation who form the core interest of this paper. Slavery in its ancient form is an act of physically chaining human beings but the modern day slavery operates through invisible chains of obligation and sense of imposed inferiority complex. When the older form of slavery put hardship on the physical being of the person enslaved, the modern forms of slavery intended to enslave the physical as well as the emotional and psychological aspects of the

being. The forceful inscription of inferiority helps in easy acceptance of the enslaved position whose only obligation is to serve the superior. In Australia aboriginal slavery was prominent till the late twentieth century where race was considered the parameter for human superiority and inferiority. Broadly speaking, what does slavery mean? A Marxist point of view would proclaim slavery as the conversion of human being into an entity or a commodity. In this system an economic value is attached to the human commodity and they are bought, sold, indentured without paying them anything or paying little remuneration. Assumed racial superiority in Australia gave the Europeans the inherent right to enslave anyone who had a darker skin than themselves. Historical readings proclaim the presence of aboriginal slavery in various forms and manifestations. A very prevalent form of slavery is a system of eliciting debt from a human being in exchange for the services extracted from him/her, where he or she is mortgaged as a product or a valuable piece of ornament. Another form of slavery, that can be prolonged for indefinite time duration and can be passed on from one generation to another is where the children had to carry forward the slavery to pay off the debts of their parents. In colonial Australia where slavery got passed on from one generation to another, there was hardly any debt that bound the aborigines to work for the white masters. They were 'owned, bought and sold' which had no debt connection rather they were forced/ abducted in many cases.

The traditional form of slavery also known as chattel slavery puts human being into slavery as soon as they are born. They are 'bought, sold and owned' by masters who claim their services and the slave stays in a position where he/she cannot break the arrangement. Aborigines in Australia were forced into slavery as soon as they turned a few years old and sometimes as soon as they were born. Chattel slavery is unlawful in the present societies but that does not mean slavery is not practiced in the modern societies. This system of slavery was very prevalent in Australia even in mid twentieth century. Late nineteenth and early twentieth century witnessed the worst forms of human rights violations through the practice of several forms of slavery.

The Universal Declaration of Human Rights in its fourth article states that "no one shall be held in slavery or servitude; slavery and servitude shall be prohibited in all its forms"(Article 4, *The Universal declaration of Human Rights*). The article 2 emphasizes "everyone has the right to life, liberty and security of person" and is emphasized by article no 5 "that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". In Australia there was clear violation of these three articles as aborigines were forcefully moved from their families. Their right to life was denied, they were forced into employment where they were subjected to various kinds of inhuman treatments. Slavery in any form takes away the autonomy of the individual for self-regulation. Human trafficking exists in many forms, and in this form where everyone involved is exploited, women and children were bought and sold for the purpose of sexual exploitation.

Although forced labor is not very new it had been a practice in the history of many countries. Forced labor, even though unlawful is practiced on a large scale. Forced labor of any sort had been strongly detested by the Charter of the International Human Rights. What if I say that forced labor was once legal or rather legally organized. Yes, European colonization brought about the organized and legal functioning of systematic forced human trafficking or human slavery in the nineteenth and twentieth century. While the United Nations was organizing and putting up international dimension for the protections of human dignity as human beings, the colonial processes were chaining human beings into invisible chains of forced slavery.

Keeping in mind the time limit I would like to limit the observation of forced human slavery in the colonial context of Australia which forced the indigenous people into ruthless human slavery.

This came across as an issue of gross violation of International Human Rights charter whose chief focus was the dignity of human treatment owing to the base fact of humanity in humans. According to article 2 of the same declaration, “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty”.(Article 2, *Universal Declaration of Human Rights*).

Human rights and slavery are oxymoronic in their operational structures in the society. While the motive of forced slavery is to enslave the freedom of human dignity and denial of humanity to human beings, human rights commission’s foundational motivation is to re-establish and ‘reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in rights of men and women...’(Levin, vii).

According to statistics there are about 300 million indigenous people throughout the world. The International Committee to protect their rights is the International Labour Organization Convention No 169 which states that ‘no State or social group has the right to deny the identity of Indigenous peoples, and places responsibility on the States for ensuring , with the participation of Indigenous people, their rights and integrity’. The Committee on the Elimination of Racial discrimination (CERD) taking into account the gross violation of Article 27 of International Covenant on Civil and Political rights, ‘prohibits discrimination on the basis of ethnic, religious or linguistic status’. The rights of indigenous people include the ‘rights to self-determination, to control their land and resources, to speak their own languages etc.

In Australia the violation of human rights was a product of the racial discriminatory attitude of the colonizers towards the colonized. It is rooted in the already discussed inferior-superior dynamics established between the colonizer and the colonized. The implications of which can be seen in the imposition of the first ever law of *terra nullius* that declined the very existence and ownership of indigenous population on Australian soils. This law claimed that ‘ the land which had not come into possession yet automatically comes under the colonial rule and becomes its property, thereby denying the thousands of years of Australian inhabitation and possession of Australian land.

The successful imposition of the *terra nullius* act led to the imposition of many more such acts that kept continuing the dispossession and denial of indigenous claims of ancestry and rights in their own land thereby not only violating human rights of indigenous people but also by perpetuating racial discrimination in its all pervasive and genocidal forms. The most heinous of all the acts on the colonial land was the Aborigines Protection act that directly affected the lives of aborigines. The worst manifestation of racial discrimination and the direct victims of this predicament were the mixed race aborigines called stolen generation who formed the source of colonial economic expansion. This led to mass removal leading to genocidal aboriginal exploitation.

The Stolen generations are symptomatic of the *contact zone hybridity* that took place due to the continued physical and social interaction between these two racially divergent groups, the white colonizers and the black indigenous populations. Stolen generation in Australia were the racially hybrid children born due to the miscegenation between the white colonizers and the black natives. These children due to their mixed racial heritage were darker than most of the whites and the same time fairer than most of the natives.

They were part of both the races and were equally desired by both. They were wanted by the whites as they were needed to constitute the lowest rung forced into slavery in the white people houses as bonded laborers. They formed the class of unpaid laborers who were apprenticed legally but the remuneration depended solely on the generosity of the white master. Legal apprenticeship or legal slavery promised no career or opportunities for the indentured laborer who was paid nothing in return of his or her services.

The White Australian policy of the eighteenth and nineteenth centuries aimed at a completely white nation with no trace of black blood in it. This massive project thrived on the assumption that natives are a dying race due to their high mortality rate, so they won't survive anyway to be part of what they wanted as White Australia in the late nineteenth and early twentieth century. The only threat to this dream was the mixed race population, the stolen generation, who were neither white nor black and were expected to live longer than the natives. These mixed-race Aborigines posed a threat to the impending dream. Hence, the white government found a permanent solution to erase this race as well. They wanted this race to be assimilated into the white community, assuming that the white blood in them will make it easier for them to adapt into the white society, and by mixing them with the whites their blackness can be 'wiped out' in three to four generations as observed by A.O.Neville, the Chief Protector of Aborigines in the early twentieth century.

This assumption was carried forward in the form of a massive project of mass removal of mixed-race aboriginal children from their aboriginal families into government run orphanages called Homes. These mixed-race children were removed sometimes with consent of their parents and sometimes with the exertion of coercion in the pretext of providing them education and better living conditions than their bush focused native living conditions. The proceedings were carried out legally with the involvement of the written-official document from the Chief Protector of the Aborigines and the Aborigines Protection Board. This does not come as a surprise when I say slavery had a legal documentation. These children who were removed from their families never returned. They were termed as Stolen generation by historian Peter Read in his 21 page pamphlet titled *The Stolen Generation: The Removal of Aboriginal Children in New South Wales 1883 to 1969*.

The removal of these children was politically validated by the fact that these children were neglected by their aboriginal parents and deserved a better life which could be provided to them in the 'Homes' only. The removal of these children and their enforcement into slavery was rampant during 1909 to 1960's.

According to the statements made by the chief Protector of Western Australia A. O. Neville and the Chief Protector of Northern Australia Cecil Cook, "the biological absorption of half caste was very much a necessity as it threatened the white population". For them this was the only way to deal with the emerging half-caste problem. All the aboriginal children below the age of eighteen years were official wards of the government and could be removed under the condition of 'neglect' from their parents. The Aborigines Protection Act served as the tool of carrying out this massive project of removing and enslaving thereby breaking all their ties with aboriginal communities. The Aborigines Protection Act 1905 denied any rights of the parents over their Aboriginal children. Hence, children were removed and parents had no say in the removal of their children. Further, Clause No 11 of the *Aborigines Protection Act, 1909* emphasized that any aboriginal children of mixed race could be removed from his/her family and set out for apprenticeship under any master for which the wages would be collected by the institution.

According to this act none of the half-caste Aborigines had any say in getting apprenticed by the Aborigines Board. Slavery was coded as apprenticeship; they seemed to generate employment for the aborigines thereby creating better future and career opportunities for the aborigines. They could be apprenticed any moment they were found neglected, of course the conditions and criteria of neglect was decided by the Aborigines Board. In most of the cases the reasons of neglect were made up to remove the children. It was all done legally in the name of welfare of the child.

Many half-caste children used to run away due to the harsh treatment of their employers and absconding was punishable under the Act of 1905. This Act also confirmed that the child was liable for punishment if he/she was found not following the regulations made under this act. The most contradictory element in this act is that child labor is legalized and mockingly referred as an act beneficial to the child. The act claims that it thinks for the benefit of the child in the same way as a father will do for his child.

Stolen generation children were mostly children picked up from missions. Most of the Aboriginal half-caste children from the mission were employed as soon as they turned fourteen. Rita Huggins in her autobiography *Auntie Rita* describes her feelings of being removed from her family, “we were like spare parts for cars, things to be used when needed, replaced when necessary”(Huggins,36). Half-caste aboriginal girls were mostly apprenticed as domestic helps to white households. Rita Huggins was given the job of a nanny to look after the children in a white household. She states, “we were always given the children to look after, bath them, change and wash nappies, but were not allowed to discipline them in any way”(Huggins, 37).

Once these children were apprenticed they were expected to behave as adults. Slavery was overpowering and responsible for leaving them destitute. Rita Huggins was full of remorse for all the Aboriginal children as well as for herself whose childhood and innocence was snatched away from them. “White folks had the God-given right that we would work for them and the experience of years spent in that servitude took away a lot of our childhood and adolescence: playing, knocking around with kids of our own age. We were made to act like grown-ups and to have responsibilities before our time. Child slave labor in many ways”(Huggins, 38).

Aboriginal children were further not allowed to keep any contact with their families or other Aborigines working with them. Most of the Aborigines were not allowed any holidays either. The Aborigines protection Act 1905 clearly stated that every apprenticed child was liable to leave or absence from work “for not less than fourteen days, if the agreement is for a term of three months and not less than thirty days, if the agreement of the term is exceeding six months”. But in many cases the leave criteria was not followed. Aborigines were not even allowed to attend the funeral of family members and relatives. Rita Huggins friend Agnes Williams was not even allowed to attend the funeral of her mother.

Apprenticed working mothers were not allowed to take their children with them. They had to leave their children in the government dormitories and go for work. They had to pay even from their earnings towards the upkeep of their children in the dormitories. The only time they could meet their children was during Christmas holiday or other holidays.

Aborigines were employed under proper rules and regulations to extract services from them but the only thing that didn't happen according to the rules was the payment of the wages. Most of the Aborigines never received any wages other than food and clothing and those who received it, got it very low. This is the violation of human rights charter which emphasizes that in case of employment the aborigines should be paid the same remuneration as the other

employees, but it was found that white servants led better lives than all the black ones. Food was always meager and was never enough for a growing up teen. Margaret Tucker in her autobiography *If Everyone Cared* mentions how she was denied milk for breakfast as the milk was falling short for the white family. She remembers wearing hessian bags for clothes while apprenticed to a white family. The mistress of the family had once made her to wear her husbands' old pants. She had to roam barefoot all the times. The only time she was given a boot to wear was when her parents had come to visit her. The aborigines could not spend on their own for food and clothing as they never received any wages.

The wages which they deserved in most cases were withheld with the Aborigines Protection department whose job was to pay a just amount to the aborigines in return of their services which never happened. "Alice was paid five shilling per week in Mr. Larson's house and additional pocket money by Mrs. Larson. While at Mrs. Campbell she used to get two shillings a week. The pocket money she used to receive needs special mention because most of the Aborigines never get pocket-money however hardworking and honest they might be"(Nannup,93).

Many a time the meager wages given to the half-caste Aborigines were cut down as punishment. They were made to pay for breaking things or for talking back. Ruth Hegarthy's mistress in her narrative *Is That You, Ruthie?* used to make her pay for the tickets of the pictures as the punishment for talking back. Hegarthy could not have refused as it was the rule that wherever her mistress wanted her she had to follow her wherever she went. Very soon Hegarthy had no money to pay for necessary things like toiletries and notepads for writing letters. The mistress even never bought any clothes for Hegarthy for which she used to receive coupons from the Native Affairs Department.

The employers always believed in showing outsiders that they are being nice to their servants and pretended being good in front of others. When Margaret Tucker's parents in her autobiography *If Everyone Cared* gave her some money to keep, her mistress said that she has enough of everything. She even takes away the money given to Tucker by her brother-in-law who wanted to reward her for the services given by her. Aborigines were not allowed to keep any money with them which could give them any sense of freedom or worth. That is the reason many aborigines don't even know the value of money.

Most of the Aborigines sought approval and acceptance from their white employers which hardly came their way. At the mission and the dormitories Aborigines always craved freedom from that life. They thought the life of an employee will give them economic as well as social independence, but in most cases that did not happen. Tom Corbett describes in his narrative *No Option No Choice! The Moore River Experience*, how he was lucky to be employed with Miss James who treated him well for his work and was neither racist nor prejudiced. But many aborigines were never treated properly. They were only black servants who had to carry out the orders of their white masters. Anytime they failed to satisfy the master, the report was sent to the Aborigines Department. Reports were being sent for talking back, trying to meet other aborigines and many more. Even though at work place these Aborigines were not well treated they could not complain to anyone. The Native Welfare department never bothered to investigate the conditions under which the Aborigines might be surviving with their white masters. Again it was a matter of shame recounting the torture one went through at the white masters place. When the apprenticed Aborigines returned to the missions for holidays, they mostly hid their emotions and pretended as everything was all right and they are treated well. "One of the rules of being a

dormitory girl was that you never complained loud, you accept your fate in silence”(Hegarthy,103).

Slavery was indoctrinated into aboriginal lives which they had to accept without any questions. Slavery in Australia was legal and mandatory, especially, for all mixed-race aborigines. All the mixed-race Aborigines were bound by the contract and then there were apprentice details which were never discussed with the concerned Aborigines. They were generally apprenticed for either six months or twelve months depending upon the services required by the white families.

They were not allowed to leave in between the contract. Anyone who broke the contract was brought back to the dormitory and some were sent to Palm Island as punishment. Some were punished by sending them to stay in little girls dorm.

The nature of work assigned to Aborigines was designed in such a way that they never had any free time for themselves. The day generally started early for them before sunrise and continued till late night. The jobs provided to the aborigines were in no way designed for the welfare of the half-caste children as it was claimed by the Aborigines Protection Act. They were no doubt separated from their families, losing their friends in the dormitory. They were given responsibilities which were too severe for the young fourteen years kids. The apprenticeship which would today come under the category of child labor as it denied the right to education and a carefree life under the guidance of one’s parents. The upbringing they received never prepared them to face the challenges of the world nor did prepare them to be self-reliant .In addition to all that they were not paid wages which could have helped them to achieve freedom and worth of the work elicited from them. They were worst fed and given old and discarded clothes to wear. The jobs were in no way self-fulfilling and demeaned the status of the Aborigines even further. The protection Act with its faulty clauses had made sure that aborigines in no way are provided with conditions that could help them get educated and find themselves jobs worthy of their talents. The European apprenticeship acts with their clauses conspired and worked in coalition to keep half-caste aborigines in the positions of slave forever. For numerous decades they enslaved aborigines and denied the basic dignity of life which they deserved.

Works Cited:

- Berg, Rosemary van den. *No Option No Choice: The Moore River Experience*. Broome: Magabala Books,1994. Print.
- Hegarthy, Ruth. *Is that You, Ruthie?* St. Lucia: University of Queensland Press,1999. Print.
- Huggins, Rita and Jackie Huggins. *Auntie Rita*.3rd ed. Canberra: Aboriginal Studies Press,1996. Print.
- Human Rights and Equal Opportunity Commission, *Bringing Them Home*,170–171. Print.
- Levin, Leah. *Human Rights: Questions and Answers*. Unesco Pub, 2009. Print.
- Nannup, Alice, Lauren Marsh and Stephen Kinnane. *When the Pelican Laughed*. Western Australia: Freemantle Arts Centre, 1992. Print.
- Read, Peter. *The Stolen Generation: The Removal of Aboriginal Children in New South Wales 1883 to 1969*. Web. 22nd Dec 2012.
- Tucker, Margaret. *If Everyone Cared: Autobiography of Margaret Tucker*. 3rd ed. Ure Smith: Grosvenor Books,1977. Print.
- United Nations. *United Nations Declaration of Rights of Indigenous People*. 2008. Web.16th March 2014.
- Ward, Glensyse. *Wandering Girl*. Victoria: Magabala Books, 1987. Print.