CHAPTER SIX

Australasia: ‘Australia for the White Man’

In 1908 the prominent Australian magazine *Bulletin* took as its masthead the phrase ‘Australia for the White Man’. It would prove a brief and pithy indication of the place that any man or woman of colour, including Aborigines, the first people of the land, would find in the newly federated Commonwealth of Australia. From the 1870s to the first decade of the twentieth century, settler governments in the Australasian colonies built on their foundation years in their treatment of Indigenous political rights in their political systems. The seven colonies – united by the Pacific region’s proximity to numerous non-European societies, and apprehensive of in particular Chinese immigration and the imperialisms of non-British European powers – contemplated federating into one nation state. There were also causes for sharp divisions among them. Colonists in Western Australia among others felt that their interests differed in many respects from the south-eastern group, by whom they feared they would be dominated in a federation. This would come to the fore, as in Canada, when the issue of a uniform national franchise arose. New Zealand settlers, given their particular history, worried in particular about loss of control of Maori affairs. But they shared with the Australian colonies the conviction that men of European origin should remain in the driver’s seat – aided by the admission of White women to the body politic.

In 1870, Earl Grey, who as secretary of state for the colonies from 1846 to 1852 had presided over the preparation of a number of Australasian constitutions, wrote in pessimistic vein to a friend then resident in New Zealand. He feared, he wrote, that the strong desire of settlers for manhood suffrage would work to the disadvantage of the colony. This rush to ‘an ultra-democratic government in which the Maoris cannot be allowed their fair share of power, will not long abstain from giving them cause for discontent’. New Zealand politicians had bought time by the temporary measure of creating dedicated Maori seats; but
they still faced the task of how to fit the Maori people into the extension of manhood suffrage to the White population. Despite the superficial liberalism of the 1867 Act, settlers wanting manhood suffrage for themselves would need to keep Maori in a marginalised situation. Queensland received manhood suffrage with its 1859 Constitution, but as a State with a large number of Indigenous people and increasing numbers of Pacific Island and Asian workers it would not be happy that these were formally included in the vote. Western Australia, late into the field in 1890 with a Constitution and responsible government, would share Queensland’s anxieties for the same reasons. These concerns shaped the eventual emergence of two White Dominions and the character of Indigenous rights within them.

‘Ultra-democratic government’ and Indigenous rights

Humanitarians greeted with enthusiasm the news of Maori inclusion in the New Zealand parliament. Maori showed deep interest in the proceedings of parliament, they reported, even in remote villages, where political matters were heatedly discussed. Similarly encouraging was that Maori representation led parents to take measures for their children’s education in English. It was time, these parents thought, that some of the bright children should be selected for college and grammar schools to qualify them for the professions, and such institutions were forthwith established. Maori were, however, far more divided than such observations suggested over the appropriate tactics and strategies in the face of colonial invasion. The colonisers were similarly split. In 1870 the secret ballot was introduced in settler constituencies, but not in the separate Maori electorates, despite mutterings that the chiefs had too much sway over their people. In 1872 the House of Representatives voted to renew the four separate Maori electorates for a further five years, but turned down a Maori member’s attempt to gain an extra seat. The governor the same year appointed two Maori to the Legislative Council, and the premier selected a Maori member for a position on the Executive, although only as an adviser. Settlers and Maori noted the changing demographic balance, as increasing numbers of immigrants arrived and subsequently had large families. Maori, by contrast, succumbed disproportionately to European diseases to which they had no prior exposure, while tragically high numbers of Maori infants aged less than twelve months died each year. Settlers’ anxieties were slightly alleviated, while Maori anxieties increased as their power lessened.

In the meantime, consideration had to be given to the Maori minority that remained a formidable force. In the late 1870s, settler politicians finally confronted the tricky question of introducing manhood
suffrage. The key issue for parliament was how to have manhood suffrage and also respect the rights of property-holders, when there were so many Maori. They were now well behind their fellows across the Tasman. Manhood suffrage would seem to make separate Maori electorates, introduced when voting for settlers was through a property qualification unnecessary; but many settlers continued to agonise over a potentially hostile bloc Maori vote if Maori were integrated into White electorates. Some also wanted to keep a plural vote for White property-holders, while preventing Maori men from similarly utilising possible multiple landholdings. All this would require careful planning if Maori were not to be enraged. Sir George Grey, former governor and now premier, introduced the Electoral Bill, which initiated a long debate in the 1878 and 1879 sessions as to whether the dual Maori vote should continue. Sir John Hall suggested abolishing the dual vote in exchange for an increase in the number of dedicated Maori seats. Another member thought, by contrast, that special representation was not in itself a good thing, as it kept the races apart. Perhaps it was inevitable for the time being, since Maori were not ready for full voting equality with the Europeans? But the object should be to amalgamate the races within the same electoral provisions, adjusting over time as more and more voted as property-holders.

In the Act passed in 1879 politicians resolved the matter by distinguishing between Maori and White voters. The Act enfranchised White adult males who had been residents for twelve months or more. The separate Maori electorates were to be continued, now indefinitely. A Maori man with a £25 freehold or on the ratepayers’ roll could vote in an ordinary electorate. Whereas White property-holders could have plural votes in any number of electorates, Maori landowners, however much land they owned, were restricted to one settler electorate. Maori political contribution to mainstream politics through separate representation was now entrenched, and the Maori vote in the White electorates was halved.

Through the 1880s, Maori politics continued most vigorously outside of the colonial parliament in Maori-only organisations, which attempted to deal directly with the British Government and the queen in whose name the Treaty of Waitangi was signed. King Tawhiao of the Waikato Confederation of Tribes continued to hold the line between Crown land and ‘King Country’ land in the central mountainous country of the North Island. He hoped for acceptance of Maori sovereignty over this district. He asked the government for a Maori Council of Chiefs to deal with land issues under the Treaty of Waitangi and Section 71 of the 1852 Constitution Act. In July 1883, the four Maori members of parliament, Wi Te Whero, Hone Mohi Tawhai, Henare...
Tomoana and Hori Kerei Taiaroa, wrote to the APS in London seeking its support in holding the King Country as their own against the settler government’s determination to open it to settlers. The secretary of the APS sent the letter on to the secretary of state, the Earl of Derby. It produced a debate in the House of Commons on the issue, during which Maori rights found many advocates; but, as usual, the British Government took the position that, under responsible government, this was a matter for the colonial parliament. As a New Zealand MP remarked, since the colonial government needed to command a majority in the House elected by the people, it ‘has been perfectly impossible for any government to retain office and seek to carry out the obligations of the Treaty of Waitangi’.10

The parallel political organisation of chiefs and peoples who formed the Kotahitanga, or Maori parliament, had its first full-scale meeting in 1892 in the Hawke’s Bay district. This group also claimed a right to separate control, under Section 71 of the 1852 Constitution. They debated land grievances, violations of rights to fisheries and other resources, and also the utility of the presence of Maori members in the White legislature. Some chiefs viewed their participation as collusion in the White authorities’ oppressive laws; others suggested that they should take the membership more seriously, and campaign to elect their own members. One like-minded chief, Hone Heke, won the northern Maori seat, but found little sympathy in parliament when he tried to press for justice for Maori.11

During the same decades, the 1870s to the 1890s, the settler governments of Queensland and Western Australia set out to eliminate the political rights of Aborigines even if for the majority of Aborigines these rights existed on paper only. Queensland, which enlarged its borders to incorporate the Torres Strait Islands in 1879, moved to disfranchise their Indigenous peoples, along with other men of colour (claiming to fear a ‘flood’ of Coloured migrants), on the grounds of race. In 1885 the Queensland Electoral Act included the clause: ‘No aboriginal native of Australia, India, China or the South Sea Islands shall be entitled to be entered on the roll except in respect of a freehold qualification.’ This was a property qualification that was seen in the Cape as a liberal measure, except that in Queensland, unlike the Cape, all White men automatically had the vote. The qualification was a prohibitive £100, making it extremely unlikely that any Aborigines could exercise the vote.12 This near-disfranchisement of Aborigines was accepted by all sides of the Queensland parliament. A few Conservatives over the ensuing years pointed to the inconsistency of those who preached ‘the natural rights of every man’ yet seemed determined ‘to deny the possession of those rights to other men because of their colour’.13 Equally
inconsistent was the labour representative who used the example of Maori women voting in New Zealand in his argument for female suffrage in Queensland, while supporting an amendment to continue the exclusion of all Australian Aborigines from the Queensland vote.\footnote{14}

But the conservatives were simply scoring rhetorical points; few, if any, were prepared to support an Aboriginal franchise. In 1895, a Queensland reformer, Charles Powers, challenged the conservatives when he declared: ‘Is there a single member who would give votes to aborigines, Japanese, Chinese, Hindoos, negroes, and South Sea Islanders? I do not think there is one.’\footnote{15} The Queensland parliament followed this in 1897 with the Aboriginals Protection and Restriction of the Sale of Opium Act, under which Aborigines could be forcibly relocated to reserves where they were to live segregated from Whites, except for managers and missionaries. Their movements, employment, wages, marriages, child-rearing, associations with other Aborigines – every detail of their existence – came under the surveillance, and were subject to the rewards and punishments, of White administrators.\footnote{16} Having removed their political rights, the colonial parliament now imposed on Aborigines a regime that denied their civil liberties.

The west eventually followed Queensland’s lead. Western Australia had received representative government belatedly, in 1870, but had to wait a further twenty years for responsible government. This was an arid colony, not conducive to farming, its potential for minerals only slowly being uncovered. Its pastoral expansion was a tragic repetition of events elsewhere: the governor found himself in the late-1880s embroiled in a debate with the Colonial Office over extenuating circumstances whereby settlers could with impunity kill Aborigines found stealing stock.\footnote{17} Self-government could not long be delayed, however, once the settler population had limped to a reasonable size. It came in 1890, with the inclusion of two significant provisions. Fearful of the settler government’s mistreatment of Aborigines, the British Government reserved to itself the control of ‘native affairs’. Second, it preserved political rights for both settler and Aboriginal men of property.\footnote{18} To vote or stand for the Legislative Assembly, men needed to have owned for a year freehold property worth at least £100, or rented a house or had lodgings at a cost of at least £10 per year.\footnote{19} In theory, once again, any Aborigine who could meet the property qualification – unlikely as that was in practice – could vote or stand for parliament. The settler population was just 48,500 in 1890, of whom 19,648 were women; the Aboriginal population, severely depleted by White occupation, was perhaps 25,000.\footnote{20} With a relatively small White population and a sizeable Indigenous population, the colony encouraged White immigration, to which the property franchise was seen to be an imped-
iment. Pressure to widen the electorate intensified when over 100,000 people, predominantly men, entered the colony in the wake of the gold strikes in Coolgardie and Kalgoorlie in 1893. Many politicians now sought to emulate the eastern states by moving to manhood suffrage.

In the sessions of 1892 and 1893, the Western Australian parliament considered manhood suffrage and, in the course of the debate, also the political rights of both Aborigines and women. Progressive politicians decried the existing property qualifications for electors, but their language showed that they were applying such principles of social justice to White men only. The representative for Geraldton, for example, declared that his respect for what we may call an Anglo-Saxon expression of public opinion – it is honest, it is true, it is manly, and it is in the interests of democracy . . . [Everyone here knows] looking through the history of the Anglo-Saxon race – that the era of democracy in the Anglo-Saxon annals describes the happiest condition of the human race.

Another speaker criticised members who supported the maintenance of plural voting.

We all wish to attract capable and honest men to this country, and they certainly cannot be induced to add to their own material gain and to the material gain of the country if they are to be deprived . . . of the rights of citizenship, and are to be placed on the same level as the Chinaman or the wandering aboriginal.

Defending the property qualification, which he saw as achievable through hard work, one member described the franchise as ‘the boundary mark set between barbarism and civilization’. The 1893 Constitution Amendment Act all but excluded Aboriginal men (along with migrant men of colour) from manhood suffrage for the Legislative Assembly, by continuing for them alone the property qualification; for this purpose, the classification ‘Aborigine’ was extended to men of mixed European–Aboriginal descent. Section 21 ran: ‘No aboriginal native of Australia, Asia, or Africa shall be entitled to be registered, except in respect of a freehold qualification.’ Section 26 declared: ‘In this Act the words “aboriginal native” shall include persons of the half-blood.’

Perhaps, with the eye of the British government still on them, the Western Australian government hesitated to remove this vestigial right for Aboriginal property holders

‘Mothers of the race’ should have the right to vote

In the Australasian colonies in the early 1890s a spirited debate on women’s political rights intersected with the debates on Indigenous
rights. With manhood suffrage in place, White women reformers had a case to promote votes for their own sex based on their rights as human beings. Each of the Australasian colonies had its group of educated middle-class women, few in number but influential, who, taking their cues from English liberalism, entered public debate on ‘the woman question’. A further grass-roots suffrage campaign emerged, originating in the – USA-inspired – World’s Women’s Christian Temperance Union, formed from an alliance of American and British temperance activists, heirs to an evangelical humanitarian tradition. The World’s WCTU sustained an energetic interventionist agenda that its ‘missionaries’ took across the world, combining temperance with an advocacy of political rights for their sex: voting in elections, even standing for political office, were both rights and responsibilities that women, representing the spirit of motherhood, should gladly assume.

Votes for women successfully passed through three Australasian colonial legislatures in the 1890s: New Zealand in 1893, South Australia in 1894; and Western Australia in 1899. The WCTU in New Zealand, inaugurated in 1885, had within two years appointed a franchise superintendent, and saw near victory in successive years from 1890. The issue would be decided by a majority vote in the two Houses, which included six Maori members: four in the House of Representatives and two who had been appointed to the Legislative Council. With organised political parties still in a nascent stage, even such a small number might prove crucial when a division in parliament was close. Through the duration of the suffrage campaign the White activists maintained a notable silence on Maori political rights. When suffrage was debated in the legislature, some Maori representatives raised doubts about enfranchising women. In 1892, Major Wahawaha, in the Legislative Council, expressed his surprise that the European men would propose such radical change, and voiced his scepticism about its value. The ‘Natives in Olden Times’ had upheld men’s dominant position in rituals and religious rites: when war-canoes were made, when men were going to war, when ornamental buildings were erected, when blessing land to be fruitful. ‘The women were not allowed to join in or interfere in these ceremonies’, he said; ‘if any women were present, they were not allowed to interfere, and it was taken as a bad omen if they did so.’ All the tasks of women were useful, but none was sacred: ‘This was the state of things when you arrived in these Islands’, he told the White men, ‘and when you came you introduced Christianity, and even then we saw that this same rule applied. No women were allowed to preach. There were no women ministers, neither did you allow them to appear in your assemblies.’ It was only in the past few years that ‘the voices of fanatical women’ had been heard in the streets of the cities.
and towns. As far as Major Wahawaha could tell, just about every law passed in parliament seemed to have some sting in it: perhaps this measure would prove burdensome for Maori women in ways they could not yet contemplate.²⁹

The doubting major had few kindred spirits. When one White parliamentarian asked whether Maori women were included in the Bill, the official reporter noted, the voices of the friends of Maori women rose in a roar.³⁰ Thus Maori women were enfranchised along with settler women, though not on equal terms: they would join Maori men in the four separate electorates.³¹ In the Maori Kotahitanga, women’s participation was confined to attending and speaking. In 1893 Maori women associated with the Maori parliament raised the issue of their right to vote and to stand for election. In May 1893 a motion was put before the Kotahitanga by Meri Mangakahia of Te Rarawa, on behalf of the women, seeking the right to vote and to stand as members. She gave as a reason for seeking these rights that there were many Maori women, widows or with disabled male relatives, who owned or managed land. Moreover, Maori men’s efforts to petition the queen about land had elicited no response – perhaps the women would be more successful. Maori women in many settlements had already constituted themselves into committees to establish guidelines for acceptable behaviour, including controls on drinking. Many of these committees merged into WCTU branches.³²

The New Zealand legislature’s example was soon followed by South Australia in 1894. There, as in New Zealand, supported by the energetic WCTU, women’s suffrage moved rapidly from its first serious mention in public debate to political reality. The Ladies’ Social Purity Society declared that it saw women’s enfranchisement to be ‘absolutely necessary to the right fulfilment of her duties as a citizen, and to her moral, social, and industrial interests . . .’³³ In South Australia women were enfranchised in 1894 and, unlike in New Zealand, received simultaneously the right to stand for political office. ‘So long as half the human race was unrepresented our boasted representative government was a hollow mockery of an ideal which it did not even approach’, said the Liberal member Dr Edward Stirling in the South Australian legislature. ‘By what right did half the community set itself up as the judge of what was the proper sphere for the other half?’³⁴ The South Australian Act, which gave women the vote in 1894, also enfranchised Aboriginal women – but this went unremarked and largely unnoticed at the time.

White women in Western Australia received the vote five years later. The possibility of the women’s vote surfaced first in the 1893 discussion of manhood suffrage. A motion to give the right to vote for the Legislative Council to property-holding single women, widows and
those women defined as feme sole, was narrowly defeated by 13 votes to 12.  

A motion to give the vote to women, on the same terms, for the Legislative Assembly set off a long debate. The Premier Sir John Forrest found it nonsensical to introduce a property qualification for women in elections to the Assembly just as the government was abolishing it for [White] men. On this occasion, and when the matter was aired again in parliament in 1899, those who discussed the merits of giving women the vote unambiguously saw these potential voters as White: the virtues or skills which they lauded in women were not those usually associated with Aboriginal women or migrant women of colour. As the editor of the West Australian wrote on 12 May 1899:

The humour of the exclusion reveals itself when it is recollected that every spendthrift, drunkard and debauchee, every creature who just stops short on this side of the asylum, is considered a fit subject for the franchise, provided he can claim to be of the male sex, while the purest, most intellectual, and most highly-educated of women, the being who manages the household, the trainer of the next generation, the person who, in all probability, keeps the home from falling to ruin, is stigmatised as less worthy of public privileges than the sot, the libertine, or the semi-idiot.

The class connotations of such pronouncements are clear. It is easier, perhaps, to overlook the grounding of such comparisons in racist distinctions. Indeed, women were promoted as the guardians not just of the family but of society itself. As the member for East Coolgardie, put it: ‘We find that in western nations, where moral force is most recognised, women are most in the ascendant, and in raising the status of women we have also raised our own.

The Constitution Amendment Act of 1899 extended the vote to ‘every person’ aged 21 years and over, who had resided in the colony and in the electorate for six months. ‘Persons’ included White women – but not Aboriginal women. The exclusion of Aborigines remained untouched, except for property-holders. In effect, this Act enfranchised Aboriginal women who were property-holders, as the 1893 Act had Aboriginal men. Once again, this acknowledgment of Aborigines’ existence was largely theoretical, given their economic plight.

A determination to sustain Australia as a White country, and a fear of people of colour, underwrote this positive attitude to the White women’s vote in a colony where the dominant group were settlers or children of settlers. An examination of Australian suffrage activism reveals a complete neglect of Aborigines’ rights. In 1897 the South Australian leader Elizabeth Nicholls, referring to the title ‘Nation Builders’ bestowed on the men of the Federal Convention, thought that the WCTU,
the representatives of the organised motherhood and sisterhood of these large territories . . . are equally entitled to the name of “Nation Builders” . . . And unless Australia is federated in the interests of women as well as men, our national life will be one-sided, inharmonious and dwarfed.

But the great power and influence which she believed leading women reformers could exert she did not relate to the civil rights of Aborigines, men or women.40

The creation of two White Dominions

The path by which Aborigines came to their position in the body politic in Australia by the beginning of the twentieth century intersects importantly with the arrangements made prior to 1901 for settler women. The existence of the women’s vote in South Australia became a complicating feature of the settlement on political rights in the federal Constitution, negotiated through the 1890s, not only on women’s but on Aboriginal rights. Indigenous issues also emerged as a complicating factor for federation, through the decision of New Zealand, despite its isolated situation and small population, to stay separate from the other Australasian colonies.

In October 1889 the NSW Premier Sir Henry Parkes promoted the desirability of the federation of the Australasian colonies in a speech he gave in the country town of Tenterfield. The British themselves had made such a suggestion on more than one occasion. Parkes now resurrected the idea at a point when enthusiasts for Empire were seriously proposing increased consultation between the mother country and settler colonies – even, perhaps, the formation of an imperial government. Bringing the Australasian colonies under a common authority, Parkes maintained, as had occurred in Canada in 1867 (and in South Africa, where it had failed disastrously, in the 1870s), would be an excellent scheme. Within the colonies, however, Parkes’s views had a mixed reception. Nevertheless, in 1890 representatives from a number of colonies gathered to discuss the possible terms of such a federation, and such meetings continued at intervals throughout the 1890s. In these deliberations a common basis for political citizenship in the new Commonwealth emerged as an particular problem, driven in the main by the uneven political status of White women. The effort to place Aboriginal men and women within a common franchise inevitably also surfaced, strengthening the fears of Queensland and Western Australia especially about both the Aboriginal and other non-White migrant right to vote.

At the Melbourne gathering to discuss federation, in 1890, the two New Zealand representatives, Sir John Hall and Captain William
Russell, respectively New Zealand colonial secretary and member of the House of Representatives, expressed little hope that New Zealand would wish to join a federation. When Parkes moved a motion that the ‘Australasian’ colonies should federate, Russell persuaded him to substitute the word ‘Australian’. Russell, with two other representatives, attended the Convention in Sydney the following year, at which it became almost certain that the New Zealanders would persist in their objections. New Zealand attended no more Federation Conventions after 1891, and few in the Australian colonies seriously courted them, although the new Constitution would eventually leave open the option of their joining at a later date. A number of concerns drove New Zealand’s coolness towards federation, not least the suspicion that its colony would become the ‘Cinderella’ of the new Commonwealth. White New Zealanders felt a long way from Sydney and Melbourne, distinctive as New Zealanders under the protection of Great Britain.

But they saw also a fundamental problem about federation: the question of the Maori people. At the 1890 meeting, Russell was at pains to describe to the other politicians the vast differences between White New Zealanders’ experiences of Indigenous people and those of Australians. The whole of New Zealand politics for years, he pointed out, ‘had hinged almost entirely on the native question. That question destroyed more governments than anything else in New Zealand. All turned upon the necessity for keeping the natives at peace, and yet obtaining enough of their lands to further colonization.’ He was happy to say that the day was past when there is any probability or possibility of another war occurring.

But one of the important questions for many years to come must be that of native administration, and were we to hand over that question to a Federal Parliament – to an elective body, mostly Australians, that cares nothing and knows nothing about native administration, and the members of which have dealt with native races in a much more summary manner than we venture to deal with ours in New Zealand – the difficulty which precluded settlement for years in the North Island might again appear. It is extremely improbable that hostilities would again break out between the natives and the white settlers, but the advance of civilization would be enormously delayed if the regulation of this question affecting New Zealand was handed over to a body of gentlemen who knew nothing whatever of the traditions of the past. Politically, it was a near impossibility. The Australian colonies slowly came together to embark on federation, but New Zealand stayed out.

The reality of the women’s vote in South Australia was a thorn in the side of the politicians pursuing federation as they established the processes for federation and negotiated the details of the Constitution. At
the Adelaide Convention in 1897, for example, delegates became quite confused as they discussed Section 128 of the Constitution. The debate centred on the majorities needed to carry a constitutional amendment in a referendum: a majority of states and a majority of the total electors of the whole country. But, it was objected, women had the vote in South Australia and nowhere else: would that not give South Australia an unfair advantage? Certain politicians from outside South Australia attempted to exclude South Australian women from the federal franchise, pending a subsequent more general review of the women’s vote across all the states. South Australia’s representatives argued that, if their political opponents did not want to include South Australian women only, then logically they could include all Australian women. But, they warned, if the women were excluded, South Australia would be likely to vote to stay out of federation altogether.43

The Convention evidently feared that South Australian women, at least, might take this revenge. As a result South Australian women, along with the newly enfranchised Western Australian women, were enfranchised under Section 41 of the federal Constitution, which declared that anyone entitled to vote in a separate state in 1901 was also enfranchised federally. It ran: ‘No adult person who has or acquires a right to vote at elections for the more numerous House of the Parliament of a State shall, while the right continues, be prevented by any law of the Commonwealth from voting at elections for either House of the Parliament or the Commonwealth.’44 Those who drafted the Constitution thus compromised by protecting women’s existing voting rights, but foreshadowing swift legislation in the new federal parliament to enfranchise women in all other states.45

In terms of racial policy, the Constitution’s stance was guarded. Most crucial for Aboriginal rights was a glaring omission: there was no declaration of human rights, which might have protected the Aboriginal minority in a country progressively dominated demographically by a White majority that had shown itself hostile to their interests.46 The Constitution identified Aborigines twice in discriminatory ways. First, it excluded Aborigines from being counted in population statistics, which meant they would not be counted for the distribution of Lower House seats. (Even the authors of the American Constitution, in 1789, counted African-American slaves as ‘three-fifths of a man’ for that purpose.). The second discriminatory clause declared that the Commonwealth would legislate on issues relating to non-European immigrants, since settlers might well need the full force of their collective public power to cope with the feared influx of Asian neighbours into a country they now imagined as rightfully White; Aborigines, however, would remain the charge of the states.
Including White women, excluding Aborigines

In 1902, Richard O'Connor, a Senator from NSW, introduced a government Bill proposing a uniform franchise for the newly federated Australian nation, as the Canadian prime minister had attempted for the Confederation in 1885. The original Bill proposed a way through state discrepancies by introducing what O'Connor described as a measure of a ‘generous nature’ – ‘the broadest possible franchise’.

It was, to all intents and purposes, a universal suffrage. As originally proposed, the Bill would have enfranchised both women and Aborigines. The women’s vote passed easily, with politicians swayed by the range of arguments that had earlier persuaded their peers in South and Western Australia.

At first many members failed to perceive that this universal franchise included Aborigines; even prominent figures in public office were unaware still that Aboriginal men formally had the vote in the southeastern states and that therefore the women would follow them in this legislation. The reaction of some members was viciously racist:

Surely it is absolutely repugnant to the greater number of people of the Commonwealth that an aboriginal man, or aboriginal lubra or gin [woman] – a horrible, degraded, dirty creature – should have the same rights, simply by virtue of being 21 years of age, that we have, after some debate today, decided to give to our wives and daughters.

thundered Senator Alexander Matheson of Western Australia. A Tasmanian member echoed him: would passing this Bill really mean that the vote would be extended to ‘the numerous gins of the black-fellow’? The Aboriginal could not be claimed to have ‘a very high intelligence . . . [and was unlikely to] cast his vote with a proper sense of the responsibility that rests upon him. And it can even less be claimed that the gins would give a vote which would be intelligible.”

Aboriginal men and women had their defenders, but they were outshouted. As in Canada, where the loudest objections to Indigenous citizenship came from the newly settled provinces of the west, it was the frontier states of Queensland and Western Australia that led the charge against the Commonwealth government’s proposed enfranchisement of Aborigines. These members decried the Bill’s ‘generous’ character with all the invective at their command. The Commonwealth government simply did not know what it was about. By enfranchising Aborigines, the Bill was endangering the frontier states: ‘It is all very well for honorable senators to be benevolently inclined towards aboriginals and coloured aliens’, complained Senator Glassey of Queensland, ‘but that policy means letting loose a large number of persons who will be able to affect our elections in Queensland in a manner that will be detrimental to the interests of that State and of the whole Commonwealth.'
wealth.\textsuperscript{50} He disputed the idea that ‘because there are not many of these people it is not worth while to quarrel about their enfranchisement’, citing the ‘far-reaching effect’ that the enfranchisement of some 70,000 Aborigines in Queensland would have. Passing the Bill, he declared, would be ‘antagonistic to the sentiments of public opinion in the State I represent’.\textsuperscript{51}

A Western Australian senator argued that the Bill ‘would be all right for Tasmania, where there are no blacks, and probably all right for such States as New South Wales or Victoria; but to give the vote to most of the aboriginals in Western Australia would be a very serious matter indeed’.\textsuperscript{52} Senator Matheson had already strongly articulated this point. ‘This matter’, he declared, ‘will materially affect Queensland, the Northern Territory of South Australia, and WA.’ He spoke of ‘real old crusty conservatives’ putting ‘every one of these savages and their gins upon the federal rolls’.\textsuperscript{53} The result, Matheson predicted, would be that ‘the entire representation of that part of the country in the Federal Parliament will be swamped by aboriginal votes’; electorates would be ‘flooded with aboriginal voters’.\textsuperscript{54} He was brutally candid about his desire not to see ‘a single coloured person’ exercising the franchise who could be excluded from it.\textsuperscript{55} His south-eastern colleagues imposed franchise disqualifications for those in receipt of charitable aid, which inevitably included many Aborigines on mission stations and reserves; surely this had ‘exactly the same effect as a property qualification’ in removing Aborigines from state electoral rolls?\textsuperscript{56} The member for Perth reported that in the northern parts of Western Australia, ‘the state of affairs is such that no democrat could for one moment tolerate the extension of the franchise to the aboriginals.’\textsuperscript{57} Owing to the difficulties of identification, he argued, ‘we should have no check on the number of times they might vote’.\textsuperscript{58}

What specific concerns did they air? For some it was the possibility of the ‘conservative vote’ in the outlying areas of Queensland and Western Australia enrolling ‘all the blackfellows and manipulating their votes at election time’.\textsuperscript{59} Nor were these fears confined just to Western Australian and Queensland politicians. John Watson, a member from NSW, agreed that in ‘the more settled districts of the eastern coasts, the matter is of little importance, because the number of aborigines is few, and they are scattered’. But Watson was anxiously concerned about the frontier states, where, he assumed, a ‘vast number of practically uncivilised blacks’ could be manipulated to ‘turn the tide at an election’. While he argued that he had no objection ‘in principle’ to an educated Aboriginal voting ‘on his own initiative’, Watson voted to ‘prevent these savages and slaves . . . in the northern and western portions of Australia, from running the electorates in the districts in which
they reside’. Similarly minded representatives included even some of the nation’s leading liberals who also revealed a racism that foresaw Aborigines as incapable of exercising the vote responsibly. Perhaps it was not surprising, given the rawness of frontier anxiety, that Senator De Largie (WA) should claim that the ‘Western Australian aboriginal is altogether a different person from the aboriginal who is known upon eastern coasts’, and that ‘it would be as sensible to give votes to the lunatics in an asylum as to the aboriginals’. But such sentiments were not restricted to politicians from the west and the north: the eminent Victorian liberal Henry Higgins argued that it was ‘utterly inappropriate to grant the franchise to the aborigines, or ask them to exercise an intelligent vote’. And another Victorian, Senator Styles, used terminology similar to that of his frontier counterparts when he expressed his distaste at the prospect of a ‘piebald ballot box’.

At first, O’Connor appeared surprised at the outrage which his Bill had provoked, as well as reluctant to legitimise his colleagues’ racial anxieties. In contrast to Matheson and others, O’Connor suggested that the number of Aborigines in Western Australia was ‘comparatively trifling’. Aborigines, he argued, were a ‘failing race’ – and where they were not failing, he added, they were becoming civilised, and thus ‘quite as well qualified to vote as are a great number of persons who already possess the franchise’. At first glance, this debate was all about numbers – could Aborigines threaten the dominance of White legislative rule? In citing a low and declining Aboriginal population, O’Connor was reminding the Senate of the pervasiveness of White colonisation. White Australia was a nation, he implied, which could afford some benevolence to its original occupants: ‘Although no one could be more staunch than I am in the maintenance of the policy of a White Australia, I think we ought to carry out that policy with a certain amount of reason, humanity and common sense.’ But perhaps the number of potential Aboriginal voters was less important than the symbolic threat of Aboriginal citizenship. That is not to overlook the specific concerns voiced by the frontier representatives. The apocalyptic nature of these predictions might suggest that these fears were somewhat over-determined. Members portrayed the mere potential of an Aboriginal vote as posing an overwhelming threat to the identity of a White Australia. This was particularly the case in Queensland and Western Australia, where the colonial frontier still operated powerfully in the settler imagination as a place of danger, risk and threat. This frontier, in the 1902 franchise debates, threatened to swamp the newly created Australian electorates, and only an extensive disqualification of the non-White vote could protect it. There was a clear shift in anxiety here, from earlier colonial imagining of the Aborigine as a murderous and vengeful subject who...
had to be conquered, to the passive Aboriginal of the dying race theory who could be manipulated by others. Nevertheless, a sense of threat and anxiety remained, as well as the desire to keep a White Australia protected from an imagined Coloured contamination.

Some, like O’Connor, were willing to make a gesture of reparation. It would be a monstrous thing, he declared, ‘an unheard of piece of savagery on our part, to treat the aboriginals whose land we were occupying in such a manner as to deprive them absolutely of any right to vote in their own country, simply on the ground of their colour, and because they were aboriginals’. Senator Playford of South Australia agreed, describing Matheson’s amendment as ‘a heartless thing to do’. With startling clarity, Playford mused that it was ‘absurd that we should say we are so frightened of the original inhabitants of this continent that we dare not allow them to vote’. And yet this was exactly what transpired. A fear of the original inhabitants of Australia, and the threat of having to grapple with a shameful history of race relations, saw the Aboriginal people denied that most potent symbol of modern citizenship – the vote.

Senator Matheson urged amendment – ‘we must take some steps to prevent any aboriginal taken at large, chosen anywhere, from acquiring the right to vote’. He succeeded in having an inserted into the Franchise Bill that effectively excluded most Australian Indigenes from the national vote. This contentious clause was deleted as the Bill made its way to the House, whereupon it was re-introduced and ultimately passed by both Houses. The Commonwealth Franchise Act of 1902 excluded Aborigines in its effect. One clause read: ‘No aboriginal native of Australia, Asia, Africa or the Islands of the Pacific, except New Zealand, shall be entitled to have his name placed on an Electoral Roll unless so entitled under section forty-one of the Constitution’. Section 41 of the Constitution enshrined federal voting rights for those who legally had the vote in the states; when women became enfranchised for state elections, in 1902 in New South Wales, 1903 in Tasmania, 1905 in Queensland and 1908 in Victoria, those rights should have been extended. Section 41 should similarly have protected the political rights of Aboriginal men in the south-eastern states, and of Aboriginal women in South Australia; but the Constitution was interpreted and bureaucratically implemented to remove them. In New Zealand, settler fears of men of colour had led to the incorporation of Maori men into the mainstream political system; hence Maori women could also be readily incorporated when the women’s vote was on the agenda. In Australia, however, settler fears led to the exclusion of men of colour from mainstream politics at the very time that women’s suffrage was on the national agenda; Aboriginal women inevitably suffered the same fate.
The aftermath

It would be wrong to focus on the differences rather than the large degree of agreement that had emerged by the turn of the century between Australia and New Zealand. In 1901, Edmund Barton, a chief architect of Australian federation and the first prime minister of the Commonwealth of Australia, spoke before the New Zealand Royal Commission on Federation, set up to consider the New Zealand decision not to join. Both sides of the Tasman were moving rapidly to shut out Asian immigrants. On the question of the character of the permissible immigrant, he said, he took it that ‘the ideas and sympathies of New Zealand and Australia are practically identical . . . our objections to alien races . . . are practically the same, and . . . we have the same desire to preserve the “European” and “white” character of the race’.71 In this the colonies – now just two separate entities, soon to be British Dominions – were in complete agreement. One of the earliest measures of the first Australian Commonwealth government was the Immigration Restriction Act of 1902 that imposed a dictation test in a European language (on a model first devised in Natal in 1897) for would-be
immigrants. A further Act sent home the South Sea Islanders whose work had made possible the development of the Queensland sugar industry. Aborigines faced a harsh future in this increasingly racist climate.

In Western Australia, soon after the near-exclusion of Aborigines from the Commonwealth electorate, the State followed Queensland's lead on 'protective' legislation. In 1904, serious allegations about the treatment and employment of Aboriginal people in the pastoral industry led to the appointment of a Royal Commission, which sat during 1904 and 1905. The Commission's report detailed physical and contractual abuses of Aboriginal employees, addressed the matter of the sexual abuse of Aboriginal women and recommended that administrative legislation be put in place to regulate the Aboriginal population. The Western Australian parliament immediately took up this last proposal, passing late in the same year An Act to Make Provision for the Better Protection and Care of the Aboriginal Inhabitants of Western Australia. The Act created an Aborigines' Department, defined who should be termed an 'Aboriginal', attempted further to regulate the employment and restricted the civil rights of Aboriginal people in a number of ways. It made the 'chief protector' the legal guardian of every Aboriginal child and children of mixed descent under 16 years of age, and allowed any Aboriginal person to be removed from or kept within the boundaries of a reserve or sent to another reserve. The 'chief protector' was empowered to take possession of the property of any Aboriginal person, to have the camps of Aborigines moved away from towns or municipalities, to prevent the supply of alcohol to Aboriginal people, and to regulate their possession of firearms, and issue certificates of exemption from the Act.72

The rights of Aboriginal women were specifically targeted, in most cases because they were the bearers of the children of mixed descent, about which the parliamentarians were anxious. They were forbidden from going within two miles of any creek or inlet used by the boats of pearlers or other sea boats between sunset and sunrise; their marriages with non-Aboriginal men were made dependent on the permission of the chief protector; and non-Aboriginal men cohabiting or travelling with Aboriginal women were presumed guilty of an offence. Perhaps the cruellest clause was that which enabled the governor to make regulations enabling any Aboriginal child to be detained at an institution, which would focus particularly on children of mixed descent.73 During the debates surrounding the Bill, a number of humanitarians protested at its rigour. Thomas Walker, a former journalist and member for Kanowna,74 objected to the way in which the Bill was being rushed through parliament:
Are honourable members without one tinge of pity for this race they are legislating for here? Have they no respect for humanity, because they are blacks? ... Have they no earthly human rights, if they have no legal rights, in Western Australia? It is from the standpoint of humanity that I desire to deal with them.\(^7\)

But his pleas went unheeded by his colleagues.

In 1905 the Queensland government legislated to remove even the slight opening for Aborigines to vote afforded by the property qualification. In 1907 the Western Australian attorney-general introduced a Bill to develop Western Australia’s electoral system. In moving the second reading, he said that it was necessary to keep to the fore the two great necessities in the case of all electoral law. The first was ‘to afford the maximum of facility to all who are entitled to the franchise to become possessed of the franchise, and the second is to include in the measure safeguards of any necessary character against those who are not entitled to the franchise being on the roll’.\(^7\) Aboriginal male and female property-holders were declared not entitled to vote. The relevant clause flatly decreed that ‘no aboriginal native of Australia, Asia, Africa, or the Islands of the Pacific, or a person of the half-blood’ could vote. It passed without discussion or debate. Now even the property qualification, something of a fiction though it may have been, was gone.\(^7\)

When Maori women were granted the vote alongside themselves, White female reformers moved with alacrity to mobilise them in their causes and strengthen their numbers and social range.\(^7\) By contrast, suffrage activists and reformers in Australia did not raise the question of Aborigines’ exclusion from rights in 1902. In 1900 the annual convention of the WCTU had set up a ‘Department of Work with Foreigners and Aborigines’, with a national convener, to give earnest encouragement to all state branches to become actively involved with these groups. This meant, in effect, that local branches initiated contacts with missions in ways supposedly kindly towards Aboriginal women as objects of charitable concern. In 1906 the national convention passed a motion which, for the first time, acknowledged human rights’ abuses, and recorded the Union’s ‘deep sorrow and regret at the deplorable condition and treatment of aboriginal women in the northwest of Western Australia’.\(^7\) Again, its answer was the promotion of more missions. Many of the evangelical activists were well intentioned, but their unshakeable belief that Aborigines’ true needs were for protection, Christianity and education undermined their critical judgement. Their awakening to the oppressive circumstances that so many Aborigines faced awaited the interwar years.\(^8\)

In the meantime many Maori were far from certain of the utility of their participation in White politics. Maori continued to witness their
land shift into White hands at an alarming rate upon which parlia-
mentary representation had scant impact. A columnist in the *Maori Record*
in 1906 referred to the supposed Maori representation in the New Zealand parliament thus:

Let me clear away this lie . . . The natives never were represented from
the time New Zealand came under the British Crown. What was far
more discreditable, there was a farce, a feeble phantom, called “Native
Representation”. From the first till now it has been government and
legislation for the Europeans, the native being used as a stalking horse,
and his representative was a convenient cover for actions done in his
name.

Maori representatives were so few that they had no potent voice in the
government of New Zealand. There never has been any such thing as
consulting the Maori or seeking their advice in the country’s govern-
ance.81

Some took hope from the appearance of a group of Maori, the so-
called ‘Young Maori Party’, educated at Christian boarding-schools,
professional men. Apirana Ngata, the first Maori university graduate,
won election for Eastern Maori in 1905. The anthropologist Peter Buck
followed him into parliament in 1909, and Maui Pomare in 1911; [all
three were knighted]. James Carroll, the first Maori to be elected to a
White seat in parliament [Gisborne, in 1893], had been an inspiration.82
They were reformists, and their path was fraught with negotiation and
compromise. It was inconceivable that the likes of these talented,
forceful and innovative Indigenous men could at that time have gained
public office in any Australian state; and very few did so in any other
settler colony. Their achievements should not be denied. But they were
very few. It was probably White New Zealanders, rather than Maori,
who took most pride in their achievements, seeing them as vindication
of their pursuit of ‘amalgamation’ of the Indigenous people. Both
Aborigines and Maori faced in the twentieth century the task of sus-
taining their cultures and asserting their rights from the position of
impoverished minorities within first world countries, the undertaking
of which trumpeted abroad their attachment to democracy, liberty and
freedom.

Notes
1 Earl Grey to Henry Sewell, 19 October 1870, quoted in A. Ward, *A Show of Justice*
3 *Colonial Intelligencer*, January (1877), p. 349.

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9 Colonial Intelligencer, November [1885], pp. 251–2.
10 Colonial Intelligencer, July [1883], p. 66.
13 Queensland Parliamentary Debates, vol. 70 [1893], p. 1014 [hereafter: QPD].
15 QPD, vol. 74 [1895], p. 1333.
16 Chesterman and Galligan, Citizens Without Rights, pp. 39ff.
17 See correspondence between the governor and the Colonial Office 1889–90, Colonial Office Papers, PRO.
18 Anna Haebich, For Their Own Good: Aborigines and Government in the Southwest of Western Australia, 1900–1940 [Nedlands: University of Western Australia Press, 1988], p. 51.
19 An Act to Confer a Constitution on Western Australia, 1890 [WA].
22 Western Australian Parliamentary Debates, vol. 4 [1893], p. 97 [hereafter: WAPD].
23 Ibid., p. 439.
30 Auckland Star, 9 August 1893, p. 2.
34 Quoted in ibid., p. 23.
35 WAPD, vol. 4 [1893], p. 148.
36 Ibid., pp. 166–7.
37 West Australian, 12 May 1899.
38 WAPD, vol. 12 [1898], p. 1205.
40 WCTU of Australasia, Minutes of the Third Triennial Convention [Brisbane: WCTU, 1897], p. 34. For the suffrage movement in South Australia, see Oldfield, Woman Suffrage in Australia.
46 Hilary Charlesworth, One Hundred Years of Solitude: Australia and Human Rights [Melbourne: History Department Monograph Series, 2001].
48 Ibid., pp. 11580–1.
49 Ibid., p. 11977.
50 Ibid., p. 11596.
51 Ibid.
52 CPD, vol. 10 [1902], p. 13003.
53 CPD, vol. 9 [1902], p. 11582.
54 Ibid.
55 Ibid., p. 11468.
56 Ibid., p. 11467.
57 Ibid., p. 11979.
58 Ibid.
59 Ibid.
60 Ibid., pp. 11975–7.
61 CPD, vol. 10 [1902], p. 13004.
62 CPD, vol. 9 [1902], p. 11977.
63 Ibid., p. 11561.
64 Ibid., p. 11584.
65 Ibid., p. 11453.
66 Ibid., p. 11584.
67 Ibid., p. 11592.
68 Ibid., p. 11467.
69 See Stretton and Finnimore, ‘Black Fellow Citizens’.
70 Oldfield, Woman Suffrage in Australia.
72 An Act to Make Provision for the Better Protection and Care of the Aboriginal Inhabitants of Western Australia, 1905 [WA].
The history of the impact of these regulations on the lives of Aboriginal women is beyond the scope of this book. See Haebich, *For Their Own Good*; McGrath, ‘Beneath the Skin’; and Christine Choo, *Mission Girls: Aboriginal Women on Catholic Missions in the Kimberley, Western Australia, 1900–1950* (Crawley: University of Western Australia Press, 2001).


*WAPD*, vol. 28 (1905) pp. 315–16.


An Act to Regulate Parliamentary Elections, 1907 [WA].


