

Introduction: Colonial history, postcolonial theory and the 'Aboriginal problem' in colonial Victoria

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In 1835, members of the Kulin confederacy of the Woiwurrung (Wurundjeri), Boonwurrung, Wathaurung, Taungurong and Dja Dja Wurrung noted the arrival of strangers with some trepidation. The European intrusion was probably not a complete surprise; from the moment they arrived, members of the settlement parties led by John Batman and John Pascoe Fawkner thought they were watched 'warily' by people who lived on and around what would soon be (mis) named the Yarra River. Moreover, recent work by Robert Kenny suggests that the Kulin were far more knowledgeable about the white interlopers than historians previously thought, prompting a rethinking of the widely held assumption that Billibellary and his fellow Kulin negotiators were fooled by Batman into signing a treaty.² The actions of Aboriginal people in those early years of colonisation suggests that the failed 1803 settlement at Sorrento, the presence of the small-scale European outposts along the southern coast (including the Henty family in present-day Portland), and networks of information from the north provided the Kulin with important knowledge about the coming Europeans. They knew that a force was about to impinge on their lives; however, it is unlikely that either of the parties in that 1835 encounter could have predicted the pace and depth of the devastating transformation that would unfold in the coming years.

In the decades that followed, Victoria became an historically condensed example of the creative destructions of nineteenth-century British settler colonialism in which land-hungry Britons 'bred like rabbits and settled like bad weeds' to propel what James Belich describes as a 'settler revolution'.³ Whilst Victoria seems to represent a straightforward intensification of the patterns Belich identifies, there were local idiosyncrasies and possibilities produced by this

1 We would like to thank the participants in the workshop that preceded this publication, acknowledge the work of Jordy Silverstein who provided research assistance throughout the project and express our gratitude to Geoff Hunt for his careful editorial work on all the chapters.

2 Quoted in H Anderson, *Out of the Shadow: The Career of John Pascoe Fawkner*, FW Cheshire, Melbourne, 1962: 45. Robert Kenny, 'Tricks or treats? A case for Kulin knowing in Batman's treaty', *History Australia* 5(2), 2008: 38.1–38.14.

3 Dror Wahrman, 'The meaning of the nineteenth century: Reflections on James Belich's Replenishing the Earth', *Victorian Studies* 92, 2010: 91–99.

intensification and its peculiar position in the much broader history of how Britons imagined and treated Indigenous peoples. This collection ponders the strategies and practices developed by the colonisers to govern the Aboriginal people upon whose land this demographic flood unfolded. Indeed, historians have frequently asserted that the management and control of Aboriginal people in colonial Victoria was historically exceptional; the pace of settlement, the liberal temper of colonial politics and the regime of governance that emerged as a consequence all combined to make Victoria look distinctive. While it is widely acknowledged that Victoria was the first Australian colony to develop and legislate a system of 'Aboriginal Protection', what has been less well researched is how the dynamics of settler colonisation intersected with the peculiarities of the Victorian case to shape so-called 'protection' policy and its legacies.

Victoria: Exceptional or emblematic?

Even contemporary colonists noted the speed and scale of settler incursions into the south-eastern corner of the mainland in the years between 1840 and the 1860s with a mixture of pride, astonishment and trepidation.⁴ As Geoffrey Blainey notes, 'in the space of half a century ... Melbourne [grew] from a patch of grass on the river-bank to a city larger than such ancient cities of Edinburgh and Lisbon'.⁵ Moreover, this was no steady increase; initial settlement and then the mid-century gold rush produced distinct demographic bulges that each forced urgent consideration of settler obligations to Aboriginal people. Only 15 years after Batman's arrival, there were already a little over 75,000 settlers in the colony – most of which had arrived in the previous decade. By 1861, this would increase sevenfold to just under 540,000.⁶ Indeed, the speed and scale of pastoral colonisation after 1835 and the density of settlement after the gold rush nearly overwhelmed Aboriginal Victorians.

Caught up in this revolution, Aboriginal communities across what became the colony of Victoria in 1851 substantially suffered as the lethal materialities of settler land-hunger were compounded and amplified by the explosive impact of the gold rush. The impacts of these demographic floods (both human and animal) were brutal. As one early Protector remarked in 1845, nowhere else

4 See, for example, William Westgarth, *The Colony of Victoria: Its history, commerce and gold mining*, John Ferres, Melbourne, 1864. David Goodman notes that the pace of this development prompted some very anxious responses from settlers about the possibility of social disorder and disruption, in some ways, the laments about the impact of colonisation on Indigenous peoples was caught up within these fears about the 'degrading' possibilities of colonial modernity. David Goodman, *Gold Seeking: Victoria and California in the 1850s*, Allen & Unwin, St Leonards, NSW, 1994.

5 Geoffrey Blainey, *A History of Victoria*, Cambridge University Press, Melbourne, 2006: 71.

6 JC Caldwell, 'Chapter 2: Population', *Australians: Historical Statistics*, Fairfax, Syme & Weldon Associates, Broadway, 1987: 23, 2.

in the empire did 'there exist a people so helplessly situated, so degraded, so neglected, so oppressed'.⁷ Even before 1835, Aboriginal people in Victoria had been affected by European presence; many had been ravaged by disease. Smallpox epidemics in the 1790s and 1820s reduced a population that probably numbered at least 60,000 and contained at least 40 distinct language groups to somewhere between 10 and 15,000 in 1835. Further depopulation was 'massive and rapid' during those first 15 years through a combination of violence and disease; by 1850, only around 1,900 Aboriginal people were recorded as having survived.⁸

Crucially, however, the settlement of Port Phillip unfolded in the same decades as humanitarian concerns about Indigenous peoples reached their peak across the British world, largely propelled by a metropolitan evangelical paternalism that asked serious questions about what Elizabeth Elbourne termed the 'sins of the settler'.⁹ The patterns and practices of settler colonisation on the south-eastern mainland, even as they swiftly dispossessed Aboriginal people through violence, disease and depopulation, were always tempered by powerful discourses of evangelical protection. As Catherine Hall notes, the moral foundation of the British imperial mission in the 1830s was textured by powerful notions of responsibility and respectability that entailed an obligation to care for others; the moral epistemology of empire in these years unevenly hew together ideas about imperial expansion with a powerful obligation to care for the less fortunate. Indeed, in various moments and locations across the nineteenth century, the humane treatment of Indigenous peoples even became a signifier of colonial modernity rather than its critique.¹⁰

The consequences of this moral economy, though, were complex. In the settler empire, assertions of political independence and self-governance in the mid-nineteenth century were frequently articulated through a claim upon the kind of respectability Hall identifies; at the same time, though, settlers asserted their political autonomy as independent Britons in discursive contrast to the

7 James Dredge, *A plea on behalf of the aboriginal inhabitants of Victoria*, Geelong, 1856: 29–30. While it may well have appeared to observers like Dredge that the Kulin were oppressed, it is highly unlikely they saw themselves in that way. Certainly the later actions of head men, leaders and others suggests the Kulin always had a strong sense of their own autonomy and capacity. Indeed, it is worth remembering that the identification of the oppression and misery of Indigenous peoples was also a mechanism through which to assert British freedom and autonomy. It is little wonder that settlers were so fond of outraged statements about the oppressions of Aboriginal people in the 1840s, this was also the decade in which settlers were attempting to demonstrate their own capacity for freedom and self-rule. The 'discovery' of Aboriginal oppression could, in this way, demonstrate both humanitarian concern and discursively concretise settler autonomy.

8 A measured discussion of this can be found in Richard Broome, *Aboriginal Victorians: A History Since 1800*, Allen & Unwin, Sydney, 2005.

9 Elizabeth Elbourne, 'The sin of the settler: the 1835–36 Select Committee on Aborigines and debates over virtue and conquest in the early nineteenth-century British white settler empire', *Journal of Colonialism and Colonial History* 4(3), 2003.

10 Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination, 1830–1867*, Chicago University Press, Chicago, 2005: 27.

very peoples they claimed to protect and whose territory they expropriated. 'Aborigines' functioned as a powerful imaginative counterpoint for settlers to assert their status as freeborn Britons who deserved to be unshackled from the interventions of metropolitan authorities. Claiming settler self-rule became a mechanism by which Indigenous people were once again denied political and territorial sovereignty. Propelled by these local claims and their part of the wider contagion of geopolitical reconfiguration in the British world, within a generation of Batman's 'first' contact, local colonists had been granted administrative separation from New South Wales and a form of self-government that curtailed the influence of the Colonial Office on local affairs. Crucially, responsible self-government, in this case, entailed a responsibility for the governance of Indigenous peoples without the ongoing interference of London in ways that metropolitan evangelicals had worked very hard to avoid a decade before.

By 1868, settlers in Victoria had in some ways 'made good' on the promise of respectability and responsibility; the colony had developed and legislatively authorised a system of Aboriginal protection unparalleled across the settler empire. In sharp contrast to the predictions of humanitarians in Britain who feared that, unchecked by metropolitan sensibilities, colonists would descend into a state of unrepentant violence, settler autonomy in Victoria saw the development of a system of 'protection' that soon found legislative authorisation and later even provided the model for the governance of Aborigines across the Australian colonies and beyond. Indeed, settlers in Victoria – all too fond of declaring their historical exceptionalism – were soon holding up Victoria as an example of how to solve what they deemed the Aboriginal 'problem'; Victoria had become a laboratory of colonial governance.¹¹ The irony here was that the notion of 'Aboriginal protection' imaginatively expelled violence from the present and future political culture of the colony and, at the same time, instrumentalised the epistemological violence of settler dispossession in the everyday lives of Aborigines through a system of intimate regulation, control and repression.

In this volume then, the authors ask how a form of governance developed in Victoria after 1851 at the intersection of these local and global transformations. How, for example, did 'protection' take shape between seemingly metropolitan humanitarian concerns and local contestations and anxieties about settler respectability? In what ways did the wider economic texture of the settler revolution produce local political peculiarities? In what ways did local humanitarians negotiate between transforming imperial racial ideologies and local contests over land? Crucially, Aborigines in Victoria posed (and continue

¹¹ Thomas McCombie, *Free Colonisation and Trade: Three Papers, Read before the Social Science Association*, Lowe, London, 1864.

to pose) an irresolvable problem for settler society because their mere existence was (and is) a reminder of the territorial thefts of colonisation.¹² How, then did this ‘new’ colonial society develop a practice of governance that both contained this central dilemma and circumvented its potential to undermine a claim on exclusive territorial sovereignty?

In part, the inspiration for this collection (and the symposium where it originated) was produced by an emerging critical mass of scholars who are working in the wake of the postcolonial turn on the history of settler colonialism in nineteenth-century Victoria. A group of scholars – shaped in part by their intellectual proximity to the interactions between the ‘Melbourne School’ of ethnographic history¹³ and the postcolonial turn in historical writing – has begun to ponder how we might write histories of nineteenth-century Victoria that both take seriously the political and theoretical imperatives of postcolonial thought but also are attuned to the ways in which rich archival research sustains a sense of the historically idiosyncratic and provisional. It cannot be a coincidence that so much recent Australian work that takes the postcolonial turn seriously has emerged in and about Victoria. In part, the particular historical characteristics of settler colonialism in Victoria make it a rich space to consider how settlers developed specific forms of settler colonial governance; the intellectual history of Melbourne in the late twentieth century, however, must also be considered here. This collection, in some small way, functions as a testament to the important intellectual work that unfolded in Melbourne during the 1990s, when crucial postcolonial theorists like Dipesh Chakrabarty and Gayatri Spivak contributed to a robust reconsideration of colonialism and Australian scholars like Patrick Wolfe took up the challenge. The echoes of this moment, we hope, can be heard reverberating through the chapters that follow.

These echoes and legacies mean that the collection of essays differs from previous works in several key ways. The pioneering work of anthropologist Diane Barwick still provides the historiographic foundation upon which so many historians of Aboriginal Victoria build.¹⁴ Perhaps her Canadian origins produced an outsider’s orientation towards the stubborn silences and occlusions of a specific national

12 See Chris Healy, *Forgetting Aborigines*, University of New South Wales Press, Sydney, 2008.

13 On the development of the ‘Melbourne Group’, see Tom Griffiths, ‘History and the creative imagination’, *History Australia* 6(3), 2009: 74.1–74.16.

14 Diane Barwick, ‘Economic absorption without assimilation? The case of some Melbourne part-Aboriginal families’, *Oceania* 33(1), 1962: 18–23; ‘Mapping the past: an atlas of Victorian clans 1835–1904’, *Aboriginal History* 8, 1984: 100; and ‘Aborigines of Victoria’, in Ian Keen (ed.), *Being Black: Aboriginal Cultures in ‘Settled’ Australia*, *Aboriginal Studies Press*, Canberra, 1988: 27.

Diane Barwick’s legacy should not be understated, her work has been foundational to Aboriginal studies scholars, and to Aboriginal people, especially in the state of Victoria. In many ways the work that this volume undertakes, and the larger project from which it emerges, engages with and extends the work of previous anthropologists via an historiographical framework. Just as anthropologists, Barwick in particular, were interested in understanding both Indigenous and settler frames of reference and their comprehension of

historiography; her work, and the field of Aboriginal history she helped to found, refused to ignore the experiences these racialised narratives obscured, and attempted to recast the conventions of historical research to acknowledge the needs of Indigenous peoples in the present. The work of Michael Christie, Bain Attwood and Richard Broome that emerged in her wake continued the important tradition of centralising Aboriginal experiences and stories into the accounts of colonial contact and dispossession.¹⁵ While the authors in this collection extend and build on these important contributions, they also draw upon the resources of postcolonial theory to reconceptualise the colonial process itself. Where these authors were concerned with the retrieval of Aboriginal people's history and experiences (and for good reason), this collection refocuses the lens to carefully examine how settlers apprehended and attempted to control Aboriginal people.

Developments in postcolonial thinking clearly open out new ways to consider the connections between the governance of colonised peoples, the technologies and knowledges that enabled these practices, and the territorial imperatives of specific forms of colonial rule. However, the governance of Aboriginal people in colonial Victoria was always more complicated than the blunt manifestation of yet more European orientalism. As Robert Dixon writes, many of the scholars that take these insights seriously have become notorious for their 'high level of theoretical abstraction and generalisation, their abstruse psychoanalytic accounts of the formation of colonial subject and their correspondingly meagre historical evidence'.¹⁶ The theoretical potency of these meta-categories of postcolonial thought needs to be balanced against carefully formulated historical accounts of colonialism's formations and instances.

Indeed, the authors in this collection are the beneficiaries of recent scholarship theorising the specific character and complexion of settler colonialism.¹⁷ However, there is much work to be done to move beyond the discernment of cultural logics and grammars of colonialism and instead ponder how the particular territorial imperatives of settler colonialism were oriented by their historical manifestations. In a recent public forum, Tim Rowse expressed severe reservations about the reifying functionalism of settler colonial studies, noting

one another, so too do we aim to examine ways of thinking about the past as well as of the past (Russell and Boucher, *Victorian Ethnographers: Collecting and Contesting Racial Knowledge in the Settler Colonial Laboratory*, Australian Research Council Project DP110100076).

15 Michael Christie, *Aborigines in Colonial Victoria, 1835–1886*, Sydney University Press, Sydney, 1979; Richard Broome, *Aboriginal Victorians: A History Since 1800*, Allen & Unwin, Crows Nest, NSW, 2005; Bain Attwood, *The Making of the Aborigines*, Allen & Unwin, Sydney, 1989.

16 Robert Dixon, *Prosthetic Gods: Travel, Representation and Colonial Governance*, University of Queensland Press, St Lucia, 2001: 2.

17 Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview*, Palgrave MacMillan, London, 2011, and also 'Introducing Settler Colonial Studies', *Settler Colonial Studies* 1(1), 2001: 2–3; Patrick Wolfe, 'Forum essay: land, labor, and difference: Elementary structures of race', *American Historical Review* 106(3), 2001: 866–905; Patrick Wolfe, 'Settler colonialism and the elimination of the native', *Journal of Genocide Research* 8(4), 2006: 387–409.

what he considers a disturbing trend of self-referentiality in this developing field.¹⁸ Rowse's critique is not without foundation, the attempt to theorise settler colonialism has produced some abstracted historical engagements. At the same time, however, surely the answer to these queries is not dismissal, but rather a more thorough engagement with and interrogation of the past. For all the reifying possibilities that might be produced by heeding Wolfe's advice to consider settler colonialism a structure rather than a singular event, it also reminds us that the making of settler political and cultural worlds never resolved the contradictions of settler colonisation. It was in this constitutive unsettlement that a quite specific set of relations between metropolitan authorities, settler political claims, and Indigenous lives unfolded. The collection takes up the challenge to think about what Patrick Wolfe terms the 'structure' of settler colonialism whilst, at the same time, trying to realise its potential to theorise and historicise the constitutive and generative contradictions of settler colonialism rather than its relentless operation.¹⁹

In many ways, the chapters that follow might be considered examples of the kind of 'new colonial history' that Zoe Laidlaw has recently tentatively identified. For Laidlaw, 'this scholarship is concerned as much with the quotidian as the exceptional, and with individuals alongside policies and ideologies'. This work draws theoretical and methodological nourishment from the ways in which 'new imperial history' has encouraged historians to critically investigate the categories through which colonialism is manifested whilst, at the same time, carefully attending to the specific practices and actions of individuals within these world-making historical processes. For Laidlaw, this has productively recast our sense of the different classes of 'colonizers ... which can only improve future investigations of the relationships between colonizers and colonized'.²⁰ We hope that a closer engagement between the tradition of rich empirical work on Aboriginal history in colonial Victoria and the critical spaces that postcolonial thinking necessarily and productively wrenches open can contribute to the kind of critical historiographic deepening Laidlaw forsees. By considering the ways in which settler cultures and practices emerged at the intersection between increasing claims to autonomy from the metropole, empire-wide cultures of humanitarianism, and the blunt materialities of territorial expropriation with its attendant paradoxes and contradictions, perhaps both the exceptionalism and subsequent influence of the 'Victorian model' of governance can be explained.

18 Tim Rowse, 'Rethinking Indigenous Histories', Australian Historical Association Plenary Panel, 2013. <http://www.abc.net.au/radionational/programs/bigideas/rethinking-indigenous-histories/4823432>.

19 Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*, Cassell, London, 1999: 3.

20 Zoe Laidlaw, 'Breaking Britannia's bounds? Law, settlers, and space in Britain's imperial historiography', *The Historical Journal* 55, 2012: 807–830.

Contact, crisis and transformation

Who, then, were the Kulin people that Batman and Fawkner ‘discovered’ in the area around Port Phillip Bay? The land south of the Murray River that became known as the Port Phillip Colony and then later Victoria was and remains the home to nearly 40 different language groups and clans, whose ancestors first began occupying the region over 40,000 years ago.²¹ The Kulin were the groups that occupied south-central Victoria. They are made up of the Woiwurrung (Wurundjeri), Boonwurrung, Wathaurung, Taungurong and Dja Dja Wurrung with mutually intelligible languages that share up to 80 per cent of their terminology. It was the Kulin who would have the closest contact with Europeans in the years between 1835 and 1851, particularly through the agencies of the Port Phillip Protectorate that took shape in the mid-1840s.

Across what became the colony of Victoria, the picture was a little more diverse. These Aboriginal groups were comprised of various clans with their own belief systems, governance and cultural protocols. Each group was associated with their specific territory or country, and while boundaries were politically and culturally important, these were also porous and local protocols managed the movement of people across and between them. These patterns of identification and identity were a complex mosaic of cultural forms related and overlapping, yet also independent and coherent. Although economically similar (all were hunter-gatherers) these were diverse groups with their own linguistic and cultural specificities. The hubris of settler colonial knowledge meant that only much later in the nineteenth century did settlers realise the cultural and political diversity that the category ‘Aborigine’ had made invisible.

The south-east of Australia is one of the most fertile and resource-rich zones on the Australian continent. It is therefore likely that it was the most densely populated in the pre-contact period. The Kulin and their neighbours to the west lived in large semi-sedentary groups, adjusting their locations as seasonal foods were available. To the west we know, for example, that the Gunditjmarra lived

21 Archaeologists estimate that south-eastern Australia has been occupied for at least 50,000 years. Aboriginal people often reject this and simply state that they have ‘always been here’. For Victoria, the oldest occupation dates to between 30 and 32,000 years ago. Geoff Hewitt and Jim Allen, ‘Site disturbance and archaeological integrity: The case of Bend Road, an open site in Melbourne spanning pre-Last Glacial Maximum Pleistocene to late Holocene periods’, *Australian Archaeology* 70, 2010: 1–16. Similar dates were identified by Richards and others, with a possibility of occupation dating back to 40,000 years ago. Thomas Richards, Christina Pavlides, Keryn Walshe, Harry Webber and Rochelle Johnson, ‘Box Gully: new evidence for Aboriginal occupation of Australia south of the Murray River prior to the last glacial maximum’, *Archaeology in Oceania* 42, 2007: 1–11. However, the earliest conclusive dates for human activity in the south-east comes from just north of Victoria in the Willandra lakes region where researchers confidently assert at least 50,000 years. Kathryn E Fitzsimmons, Nicola Stern, Colin V Murray-Wallace, ‘Depositional history and archaeology of the central Lake Mungo lunette, Willandra Lakes, southeast Australia’, *Journal of Archaeological Science* 41, 2014: 349–364.

in villages and practised 'eel farming'.²² The Kulin and their neighbours had a complex social structure that most European observers failed to recognise. It is unsurprising that both the men that signed the 'treaty' and those that later agitated on behalf of, and spoke up for, 'their people' were all headmen or leaders, who among the Kulin nations were called *ngurungaeta*.

Although the establishment and settlement of Melbourne is often perceived as the first contact between the Kulin people and Europeans, it clearly was not. Very early contact with outsiders in the first decades of the nineteenth century had already ushered in a time of great transition and indeed crises for the Kulin nations. It is highly likely that from the last years of the eighteenth century the Kulin and other south-eastern coastal Aboriginal groups knew of Europeans via maritime visitors, particularly sealers and off-shore whalers. Cryptic clues can be found in early exploration charts. Matthew Flinders and George Bass surveyed the Australian coastline in 1798 in their boat the *Tom Thumb*. Bass annotated his chart with the term 'Sealers Cove' at Wilson's Promontory, indicating sealers were semi-permanent visitors to the region, harvesting the rich seal grounds of the south-eastern Australian coast. In a later voyage, Matthew Flinders noted in his journal for 1 May 1802 that he and two of his crew met with three unnamed Wathaurung balug men west of the stony outcrops known as the You Yangs. According to Flinders, these men were familiar with outsiders as three friendly companions approached his party 'without hesitation' and offered to trade their weapons for tobacco and European goods with a familiarity that suggests this type of engagement had already become routinised. Together with Flinders and his men they shared a meal. Flinders observed a bag of rice in one of their huts, which he took to be evidence of earlier trade with white travellers.²³ Later that year, French naval officer Nicholas Baudin, commander of the *Géographe* and *Naturaliste*, estimated that in excess of 200 sealers were working among the Bass Strait Islands and further north.²⁴

Knowledge about the presence of Europeans was unlikely to be limited to coastal communities. Traditional trade networks meandered from the Port Phillip region across the Murray River into New South Wales, westward into South Australia and beyond. Due to cultural and linguistic differences there appears to have

22 Harry Lourandos, 'Swamp managers of southwestern Victoria', in DJ Mulvaney and JP White (eds), *Australians to 1788*, Fairfax, Syme & Weldon, Sydney, 1987: 292–307; see also Harry Lourandos, *Continent of Hunter-Gatherers: New Perspectives in Australian Prehistory*, Cambridge University Press, Cambridge, 1997; Ian J McNiven and Damein Bell, 'Fishers and farmers: historicising the Gunditjmara freshwater fishery, western Victoria', *La Trobe Journal* 85, 2010: 83–105.

23 Matthew Flinders, *A Voyage to Terra Australis*, 2 vols, G and W Nicol, London, 1978 [1814]: 20. See also Lynette Russell, *Roving Mariners: Australian Aboriginal Whalers and Sealers in the Southern Oceans, 1790–1870*, SUNY, New York, 2012.

24 Nicholas Baudin, *The journal of post Captain Nicolas Baudin, Commander-in-Chief of the corvettes Géographe and Naturaliste, assigned by order of the government to a voyage of discovery* [trans. Christine Cornell], Libraries Board of South Australia, Adelaide, 1985 [1754–1803]. See also NJB Plomley, *The Baudin Expedition and the Tasmanian Aborigines*, 1802, Blubber Head Press, Hobart, 1983.

been less contact with the Kurnai people of the Gippsland region although there is still much work to be done about the experience of contact and dispossession amongst the Kurnai. To the north, as settlement was 'expanding', concomitant dispossession of Aboriginal land most likely created territorial pressure on the neighbouring groups to the south. Decades before the reverberations of Batman's encounter in Port Phillip travelled northward, echoes were already being felt south of the Murray from the penal colony in New South Wales and its increasingly large pastoral tentacles. The Kulin people would almost certainly have been aware of this via their traditional communications systems (and related trade routes). As Robert Kenny puts it, 'this was not the kind of news that would not travel', and indeed it did.²⁵

In 1803, the Kulin witnessed the majesty of British colonisation first hand as a dismal attempt was made to settle at Sullivan's Bay near the modern township of Sorrento. The former Judge-Advocate of New South Wales, Colonel David Collins, landed from Van Diemen's Land with over 300 male convicts and free settlers, including 40 women, 38 children and a group of marine guards. The settlement was extremely short-lived, its failure assured by the lack of fresh water and timber, and the difficulties in planting and raising crops. Interactions with Kulin peoples were varied, and while the Wathaurung across on the Bellarine Peninsula were considered 'difficult', the relations with the Boonwurrung appear to have been mostly peaceful.

As others have implied, we need to consider the Kulin's response to newcomers in the mid-1830s in light of these earlier contacts. It is highly likely that the Kulin were well acquainted with Europeans and what they brought with them: goods, materials and the less appealing consequences of contact. The most destructive of the latter was, of course, what Judy Campbell describes as the 'invisible invader': disease, especially smallpox.²⁶ It is difficult to ascertain the precise demographic impact of this invisible threat, however, recent work suggests previous understandings have significantly underplayed both the Aboriginal population in the late eighteenth century and the subsequent impact of disease upon it.²⁷

Even before the 1830s these groups were exposed to two smallpox epidemics that unfolded sometime around 1788–89 and 1829. The *ngurungaeta* and other leaders would have been desperately challenged as they witnessed high levels of unpredictable deaths. Early explorers and later observers noted that the first

25 Robert Kenny, 'Tricks or Treats': 38.7.

26 Judy Campbell, *Invisible Invaders: Smallpox and Other Diseases in Aboriginal Australia 1780–1880*, Melbourne University Press, Melbourne, 2002: 10, 39–50.

27 Len Smith, Janet McCalman, Ian Anderson, Sandra Smith, Joanne Evans, Gavan McCarthy, and Jane Beer, 'Fractional identities: the political arithmetic of Aboriginal Victorians', *Journal of Interdisciplinary History*, xxxviii(4), 2008: 533–551.

wave of the disease reduced the population by half. Pioneer-settler and astute observer Peter Beveridge noted how, in the 1840s, the legacies of that first late eighteenth-century epidemic could still be seen:

All the very old aborigines in the colony show very distinct traces of small pox, and in speaking of the scourge which has so indelibly left the marks of its foul presence they say that it came with the waters, that is, it followed down the rivers in the early flood season (about July or August), laying its death clutch on every tribe in its progress until the whole country became perfectly decimated by the fell scourge.

During the earlier stages of its ravages, the natives gave proper sepulchre to its victims. At last however, the death rate assumed such immense proportions, and the panic grew so great, that burying the bodies was no longer attempted, the survivors who were strong enough merely moved their camps daily, leaving the sick behind to die unattended, and the dead to fester in the sun, or as food for the wild dogs and carrion birds, which fattened to their hearts content thereon.²⁸

Despite these crises, in those decades after 1835, Aboriginal people across south-eastern Australia mounted various attempts to resist the invaders. Ultimately, as Michael Christie notes, the settlers had to 'take the land by force' because resistance inevitably followed the expanding boundaries of the pastoral frontier.²⁹ As settlers took possession of much of Victoria, a pattern of sporadic violence and conflict unfolded in which Aboriginal people usually focused their resistance on livestock but suffered severe retributions at the hands of frustrated settlers as a consequence. By the mid-1840s, however, most of this violence was confined to the Western Districts and Gippsland.³⁰ Aboriginal people soon realised that survival would require a complete transformation of their everyday existence and this became even more apparent as the gold rushes unfolded. These were, as Broome drily suggests, 'wild-times' in which Aboriginal people struggled to find a sure footing.³¹

Less than two decades after Batman and his companions arrived in Melbourne the official Aboriginal population was recorded as fewer than 2,000.³² It is difficult to comprehend the grief and exhaustion that must have reverberated through Aboriginal communities in these early decades; those who managed to survive had witnessed the death of the majority of their kin and needed to quickly develop ways to carve out an existence within a speedily transforming

28 Peter Beveridge, 'The Aborigines and Small Pox', *The Argus*, 27 January 1877: 5.

29 Michael Christie, *Aborigines in Colonial Victoria*: 59.

30 On these zones of violence on the Western Districts see Jan Critchett, *A 'Distant Field of Murder': Western District Frontiers, 1834–1848*, Melbourne University Press, Carlton, 1990.

31 Critchett, *A 'Distant Field of Murder'*: 84.

32 In 1853 1,907 Aboriginal people were recorded for the region. Smith et al., 'Fractional identities': 539.

settler colonial social, cultural and economic system. The subsequent arrival of hundreds of thousands of gold prospectors and vast numbers of pastoralists meant access to traditional hunting and gathering lands was quickly curtailed. Violence and disease continued to exact a high mortality and with relatively few births the Indigenous population dramatically declined. The scale of depopulation and the inevitable social and cultural crises it must have produced must be remembered when we consider the ways in which settlers could exert so much control over Aboriginal lives so soon after 'first settlement'.

However, a year after the arrival of Batman and Fawkner, a different kind of force began to make its impact felt upon Australian shores; the politically uneasy influence of humanitarians would be felt by settlers and Aborigines alike. The attempt to temper the violent edges of colonisation across the empire was given its most concrete expression in the House of Commons *Report from the Select Committee on Aborigines (British Settlements)*. The 1837 report, greeted with disdain and outrage by settlers in other colonies, made forceful arguments for the humanitarian management of the impact of British settlement because the 'wild times' of Port Phillip were a common story.

In part because formal settlement in Port Phillip unfolded at the same time as this apogee of humanitarian intervention across the empire, protectors were sent to the fledgling colony to act as some kind of buffer between the territorial hunger of settlers and the Indigenous population struggling to remake their worlds in such a short space of time. The Colonial Office appointed George Augustus Robinson to lead the Port Phillip Protectorate with four Assistant Protectors to act in the interests of Aboriginal people in colonial courts and assist Aboriginal communities in adjusting to colonial society.³³ Robinson and his fellow protectors hoped the distribution of rations would encourage them to settle in one place.³⁴ Thus also began the first attempts at ethnographic study as Robinson and the others began to consider the precise racial 'character' of their charges.³⁵ Their ethnographic interests and expertise, however, did not seem to arm them with the means to achieve their ambitions. Massively under-resourced and faced with declining budgets from 1843, by about 1846 it was clear the Protectorate was going to fail.

In the years after the decline of the Protectorate, missionaries began to make their impact felt in Victoria. Unity of Brethren missionaries from the Moravian Church (a Protestant denomination) arrived from Germany and established a

33 Although officially referred to as Assistant Protectors (of the Aborigines), William Thomas, Edward Parker, James Dredge and Charles Wightman Sievwright are often simply referred to as Protectors. These four were managed and supervised by the Chief Protector of the Aborigines George Augustus Robinson.

34 See Christie, *Aborigines in Colonial Victoria*: 106.

35 Close connection between ethnographic imagination and colonial governance would remain strong for the next six decades.

mission at Lake Boga in 1851. Local Anglicans followed suit with a mission at Yelta on the Murray in 1855. Both Lake Boga and Yelta were failures, but after returning to Germany, the Boga missionaries returned and began again with the Ebenezer mission in the Wimmera in 1859. That same year, the Victorian Legislative Council directed a select committee to inquire into the conditions of Aboriginal people; the report painted a damning picture of hardship and despair. The solution, its chair Thomas McCombie suggested, would be a system of reserves that formalised what was already developing through ad-hoc missionary intervention and the under-resourced legacies of the first efforts at 'protection'. The Victorian legislature agreed, providing the means for the instantiation of the Central Board for the Protection of Aborigines to both manage the Aboriginal population and begin the work of setting aside lands for reserves and missions. The Kulin had, in fact, engaged in a campaign for land with the remaining protector William Thomas since 1850 and met with various colonial administrators in the late 1850s and early 1860s, but the Board provided a crucial bureaucratic nexus through which surveyors could be engaged, missionaries found and gazettings produced.³⁶

The 1860s thus witnessed the ravaged Aboriginal communities in Victoria becoming subject to ever more close management in a system of reserves and missions, this formalised the mechanisms of governance that would mediate the settler colonial encounter for the next century in Victoria. By 1863, the Board collected reports from seven different reserves and managed the distribution of rations at a further 23 depots across the colonies. Five of the missions were run by missionaries paid for by specific churches and the other two were government controlled. By the early 1860s, the survivors of the 'culture of terror' that Barry Morris suggests always accompanied frontier expansion became subject to a local practice of governance that had evolved at a meeting point between settler self-interest, ad-hoc colonial bureaucracy and missionary intervention.³⁷

The Board thus formalised perhaps the most coherent framework for the governance of Aboriginal people in the Australian colonies; it also began to produce the kinds of archives of governance with which students of colonialism are so familiar. Aboriginal people were increasingly surveilled and monitored after 1860 and, by 1868, Victorian parliamentarians approved this system with legislation that was, according to some historians, 'simply another agent of dispossession'.³⁸ This system forcefully moved Aboriginal people onto the missions and reserves and, as a consequence, both further smoothed settler access to Indigenous space and took intimate control over Aboriginal lives. The legislation empowered the Board, and through it the missionaries and station

36 This point made by Richard Broome, *Aboriginal Victorians*: 186.

37 Barry Morris, 'Frontier colonialism as a culture of terror', *Journal of Australian Studies*, 1992: 72–87.

38 Smith et al., 'Fractional identities': 551.

managers, to regulate where Aboriginal people lived, their mode and location of employment, their contractual relationships with settlers and, in a haunting prediction of the horrors of the stolen generations, gave these 'protectors' the 'care [and] custody of [all] Aboriginal children' in Victoria. So too, the development of this framework for governance and its associated (but uneven) bureaucracy supported (if not produced) an endless ethnographic chatter about Aboriginal people in colonial public life. It is no coincidence that colonial Victoria became a hotbed of the kinds of ethnographic enquiry that Jane Lydon investigates; as colonial administrators struggled to figure out how to manage the Aboriginal problem, a variety of self-proclaimed ethnographic experts promised to provide answers in a language of race.³⁹

Less than two decades later, and after a series of controversies over the management of the reserves in the 1880s, parliament passed legislation that only further (mis)managed the racial arithmetic of the colony. So-called 'half-castes' were expelled from the mission and reserve system in an attempt to weaken the rumblings of political protest in the reserves by once again rearranging Aboriginal communities. The *Aborigines Protection Act 1886* (Vic), the 'Half-Caste Act', moved a group of people previously characterised as Aboriginal into a borderline category that seemed to infer a future in which they could be absorbed in the white community. As Katherine Ellinghaus shows, this kind of thinking would have a tremendous impact on the lives of Aboriginal peoples; station managers and missionaries exerted increasing control over the marriages of Aboriginal people in ways that attempted to enact this racial disappearance.⁴⁰ The authors of the Act clearly imagined a colonial future without Aboriginal people, and empowered the Board to control Aboriginal lives in ways that would manufacture this settler fantasy.

From the 1860s, then, the governance of Aboriginal people on the mission and reserve system provided a new mechanism for the settler state to take possession of Aboriginal people as well as their territory. Missionaries and station managers had tremendous power and usually understood themselves to be engaged in a mission to transform their charges through a project of intimate reform. As Bain Attwood notes, these institutions were designed to remake Aboriginal people through careful management and control. As a consequence, the 'seeds of oppression came to lie within Aborigines as well as without; making the task of liberating themselves even more herculean'.⁴¹ Life on the missions and reserves, however, was much more complicated than the legislative and bureaucratic framework upon which it rested. The politics of personality always remade

39 Jane Lydon, *Eye Contact: Photographing Indigenous Australians*, Duke University Press, Durham, 2005.

40 Katherine Ellinghaus, 'Regulating Koori marriages: the 1886 Victorian Aborigines Protection Act', *Journal of Australian Studies* 67, 2001: 22–29.

41 Bain Attwood, *Making of the Aborigines*, 31.

these projects of governance, and the specific religious inflections of particular missions reworked these regimes of progressive governance. As Peter Sherlock remarks, ‘missionaries did not always act in the interests of the imperial power in whose colonies they laboured’ and we are only just beginning to unpick how the histories of specific missions inflected the practices of colonial governance in this period.⁴²

The mission and reserve system also nourished important possibilities of resistance amongst Aboriginal communities. Armed with increasing knowledge of the colonial system, Aboriginal people rebelled in a variety of ways, ranging from potent collective protests about the management of reserves to ‘eloquent’ individual campaigns to reconnect with family members who were separated by the vagaries of the reserve system.⁴³ Moreover, recent painstaking work by demographers and historians suggests that the reserve system also provided the best possibility of Aboriginal survival in this period. Whilst the Board only assumed control over about half the Aboriginal population in Victoria in 1868, the population on the reserves remained fairly steady. Most contemporary Aboriginal Victorians trace their heritage to this original group, suggesting that those living outside the reserve system found it very difficult to physically or culturally survive in a colonial system that made access to their traditional resources ever more difficult.⁴⁴

The attempts to recast colonial governance by its subjects faced an uphill battle that was shaped by more than demography alone. Aboriginal lives in colonial Victoria were inevitably and consistently governed by an imperative over which they had little control – insatiable settler hunger for the land. Even as the system of protection smoothed settler access to territory (and also attempted to contain a morally troubling population), land-hungry settlers began to covet the reserves that offered such miniscule compensation to the dispossessed. As the 1886 Act legislatively reduced the number people defined as Aboriginal, it consequently reduced the population on the reserves, satisfying the land-hungry settlers who neighboured the apparently ‘troublesome’ Coranderrk Aboriginal Station and had been coveting this land for over a decade. The

42 Peter Sherlock, ‘Missions, colonialism and the politics of agency’, in *Evangelists of Empire? Missionaries in Colonial History*, Amanda Barry, Joanna Cruickshank, Andrew Brown-May and Patricia Grimshaw (eds), eScholarship Research Centre in collaboration with the Schools of Historical Studies, Melbourne, 2008: 14.

43 ‘Eloquent’ from Joanna Cruickshank, ‘“A most lowering thing for a lady”: aspiring to respectable whiteness on Ramahyuck Mission’, in Jane Carey and Claire McLisky (eds) *Creating White Australia*, Sydney University Press, Sydney, 2008: 95.

44 Important work by Penelope Edmonds traces how hard colonial authorities worked to manage Aboriginal people in the streets of Melbourne, *Urbanizing Frontiers: Indigenous Peoples and settlers in 19th-century Pacific Rim Cities*, UBC Press, Vancouver, 2010. However, we should also be suspicious about assuming that Aboriginal people could not survive outside the reserve system – though it is highly likely that this strategy of survival may have come at the cost of continued recognition as Aboriginal by colonial authorities and that ties to existing communities may have been lost. See Richard Broome, ‘Aboriginal workers on southeastern frontiers’, *Australian Historical Studies* 26(103), 1994: 202–220.

Act was, in some ways, a bureaucratic manoeuvre that provided a powerful justification to reduce the Kulin's meagre territory even further. This moment of blunt administrative reconfiguration reminds us how, texturing this history of governance, the knowledge upon which it depended, the practices through which it was enacted, and even the personalities that attempted to resist and recast it, was a seemingly structural territorial imperative that was far less distinctive than this local history might make it seem. Indeed, the specific form of colonisation that was unfolding here and the mechanisms of governance that were shaped by it, has a much wider history. It is to these much broader historical forces – and the ways in which postcolonial thinking has helped us to theorise their operation – that we now turn.

Settler colonialism, race and the governance of colonised peoples

The question of territory and land, it should be clear, was a bluntly organising principle for the interactions between settlers and Indigenous peoples in Victoria. As Denoon noted many decades ago, this was an encounter in which Britons sought to expropriate the ground under Aborigines' feet rather than to transform the local population into a productive labour force or trade with their existing economies for imperial benefit. Indeed, settler cultures, as Lynette Russell has elsewhere argued, often constructed narratives and developed policies based on the notion that settlers were taking possession of unoccupied or virgin territories – how else could such wholesale occupations be justified?⁴⁵ As Fiona Bateman and Lionel Pilkington describe, the 'discourse of settler colonialism describes how, fortified by modernizing narratives and ideology, a population from the metropole moves to occupy a territory and fashion a new society in a space conceptualised as vacant and free'.⁴⁶ The settler practice of renaming Indigenous landscapes violently reveals the extent of these imperialist delusions of political and cultural vacancy.⁴⁷ So too, legal cultures emerged from the late eighteenth century that upheld the rights of settlers to take control over the land and convert it to alienable private property; as Julie Evans notes, this usually involved an usurpation, if not outright denial, of Indigenous sovereignty.⁴⁸ It is little wonder, then, that Wolfe's discernment

45 Lynette Russell, 'Introduction', in Lynette Russell (ed.), *Colonial Frontiers: Indigenous-European Encounters in Settler Societies*, Manchester University Press, Manchester, 2001: 1–10.

46 Fiona Bateman and Lionel Pilkington, 'Introduction', in Fiona Bateman and Lionel Pilkington (eds), *Studies in Settler Colonialism: Politics, Identity and Culture*, Palgrave Macmillan, London, 2011: 2.

47 On the ambivalence and complexity of place names see Samuel Furphy, 'Aboriginal house names and settler Australian identity', *Journal of Australian Studies* 72, 2002: 59–68.

48 See Julie Evans, 'The formation of privilege and exclusion in settler states: Land, law, political rights and Indigenous peoples in nineteenth-century Western Australia and Natal', in Marcia Langton (ed.), *Honour*

of a 'logic of elimination' at the heart of the settler enterprise has become a powerful organising trope amongst students of settler colonialism; territorial hunger had little space for Indigenous peoples, and, more disturbingly, their mere survival functioned as a form of resistance to the settler enterprise that required psychological, cultural and legal suppression.

Settler cultures, then, had to work hard to make colonialism look both coherent and legitimate – in fact, like anything other than brute force. The maintenance of these settler entitlements (and the denial of Indigenous sovereignties) inevitably involved what Scott Lauria Morgenson terms a series of intellectual 'ruses' to make them look coherent.⁴⁹ These ruses could take a variety of forms – the most obvious being the notion of the 'dying race' that so powerfully fantasised about the inevitable disappearance of the Aboriginal problem whilst also justifying specific practices of governance that would enact it.⁵⁰ Moreover, Indigenous peoples across the settler world could always function as a constant reminder of the great territorial theft at the heart of this project. Writing from a North American perspective, Philip Deloria and Renee Bergland thus argue that settler encroachments into Indigenous territories inevitably dramatised the possibility of their own illegitimacy.⁵¹ The importance, then, of Indigenous peoples to the imaginative lives of settlers should be no surprise. They were both a signifier of territorial belonging and dangerously imperilled the possibility that settlers could inhabit this position of legitimacy. Not only were Indigenous peoples, a 'major problem to be solved' in settler cultural and political life, they also occupied a particularly volatile discursive and psychic position in the settler imaginary.⁵²

Ideas about and the treatment of Indigenous peoples were inevitably shaped by these imperatives and contradictions. Because settlers came to stay, Indigenous peoples had to be incorporated within settler regimes of sovereignty; not least because any competing claim on political autonomy could be an unmanageable reminder of the illegitimacy of settler colonialism. In an Australian context,

among Nations: Treaties and Agreements with Indigenous People, Melbourne University Press, Carlton, 2004.

49 Scott Lauria Morgenson, *Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization*, University of Minnesota Press, Minneapolis, 2011: 17.

50 Russell McGregor, *Imagined Destinies: Aboriginal Australians and the Doomed Race Theory*, Melbourne University Press, Melbourne, 1997.

51 Renee Bergland, *The National Uncanny: Indian Ghosts and American Subjects*, University Press of New England, Hanover, 2000; Philip Deloria, *Indians in Unexpected Places*, University Press of Kansas, Lawrence, 2006.

52 'Problem to be solved' from Bateman and Pilkington, 'Introduction': 12. On the Australian Broadcasting Commission's topical television program Q&A, 9 June 2014, Rosalie Kunoth-Monks, Aboriginal elder and former actor, eloquently demonstrated that for many settler Australians there remains a perception that Aboriginal people continue to be a problem (to be solved): 'I have a culture, I am a cultured person ... I am not something that fell out of the sky for the pleasure of somebody putting another culture into this cultured being.' Referring to the documentary work of John Pilger she noted, that there was: 'an ongoing denial of me ... Don't try and suppress me, and don't call me a problem, I am not the problem.'

the possibility that Indigenous peoples might not be incorporated within the colonial polity was dismissed in settler jurisprudence in the early nineteenth century.⁵³ On the other hand, this incorporation was usually tempered by legal exceptions. Indigenous peoples frequently found themselves restricted to specific territories, subject to specific laws, and denied the rights of their apparent fellow subjects. As Morgan Brigg suggests, Aboriginal people in Australia have long been 'designated and governed as an excluded-inclusion in [the settler] political community' because complete incorporation was both legally mandated and psychically impossible.⁵⁴ The political problem of the 'Aborigine' could only be completely resolved by their elimination. Whilst the 'logic of elimination' that Wolfe identifies was rarely enacted by frontier homicide alone, the legal and political restrictions that tempered such a violent expression of settlerism also generated creative mechanisms to 'demographically erode' a politically unsettling Indigenous constituency including:

territorial removal and/or confinement, the imposition of regimes of private property ... discourses of miscegenation, Native citizenship, child abduction, total institutional surveillance ... intensive educational programmes, religious conversion and related assimilationist interventions.⁵⁵

Moreover, as Evans, Grimshaw, Phillips and Swain reveal, the uneven distribution of political rights to Indigenous peoples in British settler polities in the nineteenth century always aided and upheld the economic and political imperatives of British settlement.⁵⁶ Racially specific exclusions to the rights of subjecthood, restrictions on enfranchisement, confinement to specific territories, uneven applications of legislation through practices of policing, and the application of racially oriented (but formally unspecified) vagrancy laws were all deployed to limit the rights and capacities of Indigenous peoples across the British settler world.⁵⁷ Ideas about race, unsurprisingly, became a crucial mechanism to justify these legal exceptions as 'race restore[d] the inequality that the extension of citizenship [or in the British case, subjecthood] had theoretically abolished'. The explosion of racialising discourses and practices that always accompanied settler colonialism were inevitable products of a regime desperately managing its own contradictions. These ideas, however, were produced through and by colonialism's operation rather than preceding

53 Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788–1836*, Harvard University Press, Harvard, 2010.

54 Morgan Brigg, 'Biopolitics meets terrapolitics: political ontologies and governance in settler-colonial Australia', *Australian Journal of Political Science* 42(3), 2007: 404.

55 Patrick Wolfe, 'Race and the trace of history', in Fiona Bateman and Lionel Pilkington (eds), *Studies in Settler Colonialism*, Palgrave Macmillan, London, 2011: 272.

56 Julie Evans et al., *Equal Subjects, Unequal Rights: Indigenous Peoples in British Settler Societies*, Manchester University Press, Manchester, 2003: 2.

57 See Edmonds, *Urbanizing Frontiers*.

it – race was and is, to return to Wolfe, ‘colonialism speaking’ (continuously, it should be noted).⁵⁸ Whilst postcolonial scholars have long noted the fabrication of racial categories as a mechanism of colonial rule, the specific imperatives of these colonialisms always oriented their meaning and vocabularies.⁵⁹

Underlying structures, the cultural constitution of meaning, the actions of the colonial state, and the management of specific populations are the kinds of processes that find their analytic fulcrum in a theorisation of governance, a term with increasing visibility in colonial studies in recent decades. According to Julia Emberley, governance can be understood as the practices that ‘manage, regulate and govern’ colonised peoples in ways that secure the colonial political order.⁶⁰ There are, of course, glimmers of Michel Foucault in this turn. Whilst not all scholars of colonial governance would necessarily orient themselves in relation to a narrow Foucauldianism, the rise of ‘governance’ as an analytic frame has occurred alongside (and has been nurtured by) the rediscovery of Foucault’s notion of governmentality in a variety of fields. Mitchell Dean argues that by the mid-1990s, it seemed a term whose time had arrived because studies of governmentality ask:

how we govern and how we are governed, and with the relation between the government of ourselves, the government of others, and the government of the state.⁶¹

In the classic Foucauldian turn, however, the very population to be governed is produced by these practices rather than simply being acted upon by them; acknowledging the ways in which the category ‘Aboriginal Victorians’ flattened (and flattens) out the complex practices of identification amongst and between the Kulin and their neighbours is a powerful reminder of the connections between knowledge, governance and the dispossessing imperatives of settler colonialism. Putting this another way, the possibility of regulating and managing Aboriginal people was produced by the constitution of a category to perceive them.⁶² The ethnographic activity that flourished in the colonies was necessarily entangled within these procedures of governance. The relentless commissions of enquiry, reports and commissions upon which so many colonial historians now depend are thus not only evidence of the ways Aboriginal people were governed, but the part of the cultural work that made Aboriginal people governable subjects in the first place.

58 Patrick Wolfe, ‘Race and the trace of history’: 275.

59 Sherene Razack, ‘When place becomes race’, in Sherene Razack (ed.), *Race, Space and the Law*, Between the Lines, Toronto, 2002: 4.

60 Julia V Emberley, ‘The Bourgeois family, Aboriginal women, and colonial governance in Canada: a study in feminist historical and cultural materialism’, *Signs* 27(1), Autumn 2001: 61.

61 Mitchell Dean, *Governmentality: Power and Rule in Modern Society*, Sage, London, 1999: 3.

62 A similar point to that made by Bain Attwood in *The Making of the Aborigines*.

Importantly, the notion of governance implies that the state is not the only, or perhaps not even the most important, historical (f)actor at play in the management of colonial lives. As Sebastian Conrad and Marion Strange suggest, governance has evolved into a key concept in colonial studies because the term is

used to refer to processes and structures of regulation and rule that ... are not exclusively based on hierarchically organized government action, but instead involve ... modes of action by private, semiprivate, and public actors.⁶³

Unlike Foucault's notion of governmentality – or at least in the ways it has been used in political science – investigating colonial governance (as distinct from the colonial state and its always imperfect machinery) has opened out the possibility of considering the ways in which colonised peoples were variously 'managed' in accordance with the imperatives of colonial rule in a variety of ways and how a broader cultural mentality granted these variegated actions a contemporaneous consonance.

This is particularly relevant in colonial contexts like Victoria in the nineteenth century; the machinery of the state was often playing 'catch up' to try and contain the development of settlement, and the mechanisms of governance were always limited by the willingness of the settler polity to fund them. The readiness of missionaries to perform the work of colonial governance, then, found ample support with the colonial political elite; so too, the governance of Aboriginal people in colonial Victoria outside the mission system relied on a network of Aboriginal Protectors who sometimes performed these duties alongside a variety of other colonial offices.

The settlers shaping the governance of Aboriginal people, then, were not faceless examples of a disciplined and disinterested colonial bureaucracy (which is so often inferred by studies of colonial governance that take their cues from Foucault), they were interested individuals who brought personal and institutional agendas into an imperfectly defined and sometimes contradictory political field. Indeed, they were closely and intimately entangled with Aboriginal people. These were the 'tense and tender ties', to take Ann Laura Stoler's phrase, that were both the sites through which the governance of colonised peoples unfolded, and the sites of anxiety about their possible disruptions.⁶⁴

63 Sebastian Conrad and Marion Strange, 'Governance and colonial rule', in Thomas Risse (ed.), *Governance Without a State: Policies and Politics in Areas of Limited Statehood*, Columbia University Press, New York, 2011: 41.

64 Ann Laura Stoler, 'Tense and tender ties: The politics of comparison in North American history and (post)colonial studies', *Journal of American History* 88(3), 2001: 829–865.

Indeed, the notion of governance allows us to consider how shaky and imperfect the management of Indigenous populations could often be. As Andrew Sharp notes, studies of the transposition of British government to its colonies has often focused on an

array of impersonal and abstract instruments – sovereignty, the rule of law, natural rights – not least because such instruments can have quite concrete effects in establishing the terms of intelligibility ... for the exercise of colonial rule.

But as Sharp argues, we also need to carefully consider the ways in which colonial governance relied on a much wider set of practices for its operation. The concerns and politics of individuals always shaped these histories. Nowhere is this more visible than in the ways specific religious cultures reoriented and sometimes completely reworked specific colonial imperatives.⁶⁵ Aboriginal people – whilst subject to British jurisdiction after 1836 – were caught within an ‘increasingly complex field of social governance’ that managed their lives according to a variety of political and social imperatives. Protection policies – and the colonial spaces they instantiated – produced zones of exception for the governance of Aboriginal peoples; Aboriginal people were simultaneously subject to legislative regimes that granted the colonial state additional ‘powers’ over their lives and devolved the enactment of this power to missionaries whose cultural connections to the colonial enterprise were ambivalent at best.⁶⁶

Centralising the question of governance, and the ways in which its changing formations attempted to legitimate settler colonialism and, ironically, could never quite manage to resolve its contradictions, offers the chance to both more carefully historicise the ‘structures’ to which Denoon and Wolfe drew our attention and, perhaps, reconfigure how we might deploy them as both method and historical explanation. Indeed, in some ways the work in this collection suggests that it might be time to reconfigure how we understand and read the structure to which Denoon and Wolfe drew our attention so powerfully. Writing in the mid-1990s, Denoon reflected that neither ‘marxist [n]or orthodox scholarship’ seemed able to offer ‘satisfying explanations’ for the specific formations and relations of settler colonialism. Indeed, he even suggested that his own work had been a ‘flawed response’ to that challenge.⁶⁷ Denoon

65 Andrew Sharp, ‘Samuel Marsden’s civility: The transposition of Anglican civil authority to Australasia’, in Shaunnagh Dorsett and Ian Hunter (eds), *Law and Politics in British Colonial Thought: Transpositions of Empire*, Palgrave Macmillan, London, 2010.

66 Mark Finnane, ‘The limits of jurisdiction’, in Shaunnagh Dorsett and Ian Hunter (eds), *Law and Politics in British Colonial Thought: Transpositions of Empire*, Palgrave Macmillan, London, 2010.

67 Donald Denoon, ‘An accidental historian’, *The Journal of Pacific Studies* 20, 1996: 209–212.

and Wolfe, even as their work might – in some readings – suggest a kind of structural determinism, still force historians to try and account for the ways in which settlerism produced specific ways of being and thinking.⁶⁸

More recently, Lisa Ford has argued for a return to ‘empiricism’ as an attempt to ‘deal more honestly’ with the governance of Indigenous people. For Ford, we need to reject the notion ‘that settler states were ever total institutions and that settler colonialism is a structure bent inexorably on dispossession, subordination, erasure or extinction’.⁶⁹ For Ford, then, the choice that historians face is between ‘structures’ and ‘empirical’ idiosyncrasies. What might happen, though, if we recognise that the terms under which Aboriginal people were rendered empirically visible were artefacts of the colonial encounter itself whilst, at the same time, we acknowledge these discursive fabrications could never quite manage to smooth out the contradictions that inhered within settler colonialism. The structures about which Ford and others now express reservations do not have to be read for the ways in which they did or did not ‘achieve their “aims”’. Rather, we could acknowledge that the terms under which settler governance would be imagined, fabricated and instrumentalised were contradictory from the start, and, in these contradictions might have even been historically generative.

A new colonial history of Victoria

The contributors in this collection and the preceding symposium were asked to consider three key registers of governance. These were broadly described as ‘Cultures of Knowledge and Ethnography’; ‘Bureaucratic and Legislative Frameworks’; and, ‘Governing the Everyday’.⁷⁰ Thinking about the relationships between and across these ‘registers’, we hoped, might throw open useful questions about the relationship between ideas and practice, metropole and colony, settler and Indigenous.

In the discussion that closed the symposium, the question of Indigenous agency unsurprisingly emerged as a key political and psychological knot. After all,

68 Wolfe’s interventions, moreover, need to be read against and within the context of late twentieth-century Australian politics – these were powerful and influential interventions into an historiographic landscape that sought an easy integration of Aborigines into the Australian political settlement. Wolfe reminded scholars to pay attention to the terms under which such an incorporation was offered and the long history of the ways in which these discursive terms were constituted by settler colonialism rather than offering a chance to resolve it.

69 Lisa Ford, ‘Locating indigenous self-determination in the margins of settler sovereignty: An introduction’, in Lisa Ford and Tim Rowse (eds), *Between Indigenous and Settler Governance*, Routledge, Oxon, 2013: 1–11.

70 These foci emerged out of a larger project being undertaken by Russell and Boucher examining the development of anthropological thought within Victoria in the period 1835–1915. As this project developed, the intersection between understandings of race and the governance and control of Aboriginal people became a core concern.

if we are – in different ways – committed to a broadly postcolonial approach (politically and theoretically), surely the retrieval of Aboriginal voices from the nineteenth century is a crucial project; importantly, contributors in this collection display a keen awareness of the ways in which the ‘categories’ of nineteenth-century colonial governance referred to and became people, with lives and experiences that deserve recognition. Perhaps, though, there is a careful distinction to be drawn between the political credibility of our studies in the present and the historical arguments we make about the past. Aboriginal people in the nineteenth century were struggling to survive, let alone reconstitute the ideals and practices of governance that were reshaping their lives. ‘Discovering’ Aboriginal agency in the constitution of colonial governance across its variegated registers after 1851 could severely underplay the almost unbearable discursive and material weight Aboriginal people had to bear in the nineteenth century simply to exist; these historical subjects were withstanding enough without asking them to retrospectively sustain politically blaming stories of agency and resistance to smooth the consciences of academic historians. Our political commitments, perhaps, should shape the kinds of questions we ask rather than the answers we find. Considering the form and impact these answers have in the present might be a more productive use of our analytic energies. For this reason, this collection includes important discussions of the dilemmas and possibilities of re-presenting these histories in our settler colonial present. It would underplay the weight of these forces, though, to suggest that Aborigines in Victoria were the central agents in development of practices of governance that settlers developed to contain them.

While the volume is organised chronologically those three initial themes thread throughout the narrative. Contributors Rachel Standfield and Jane Lydon explore the cultures of knowledge. Standfield’s chapter is concerned with the ethnographic observations of William Thomas, Protector and later Guardian of Aborigines from 1839 through to the 1860s. Focusing on Thomas’s contribution to the classic Victorian ethnographic compendium *The Aborigines of Victoria*,⁷¹ she convincingly traces knowledge networks and considers how anthropological knowledge served as a handmaiden to colonial governance. Jane Lydon via the work of the cosmopolitan intellectual Italian Enrico Giglioli considers the role that visualisation and photography in particular had on the discourses of authenticity and the development of the *Aborigines Protection Act 1886* (Vic).

Several chapters are concerned with legislation and bureaucracy and the emergence of new governance practices and how these were shaped by local and wider racial cultures. Leigh Boucher considers the role of humanitarianism in

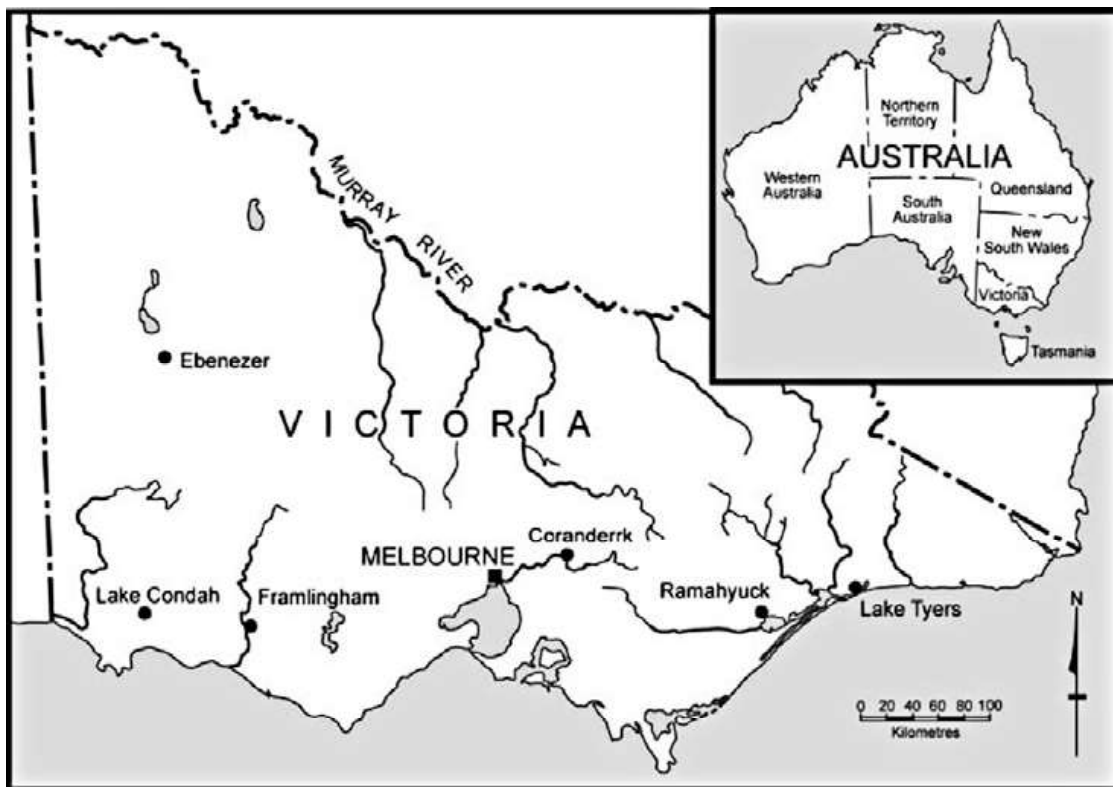
71 Robert Brough Smyth, *The Aborigines of Victoria: with notes relating to the habits of the natives of other parts of Australia and Tasmania compiled from various sources for the Government of Victoria*, John Ferres, Government Printer, Melbourne, 1878.

the period between 1851 and 1869 to contextualise and historicise the *Aborigines Protection Act 1869* (Vic) as a moment that attempted to reconcile the seemingly contradictory inheritances of evangelical concern and liberal governance. By contrast, Samuel Furphy traces the complex relationships that were key to the functioning of the Board for the Protection of Aborigines in the period after the 1869 Act and up to the emergence of the second Act in 1886. As Furphy shows, there was an intimacy and expediency to the structure of the Board in which the personal remade the political.

Three chapters are concerned with governing the everyday. The first is Lynette Russell's chapter which examines the economic relationships that Kulin people had with European society, primarily in the early colonial period. Melbourne was, she argues, an econoscape that the Kulin manipulated and negotiated in ways that were often misunderstood by the settler colonialists. In the chapter by Claire McLisky (with Russell and Boucher) the management of mission life in the period between the two Acts is examined in detail. In contrast to previous studies, this chapter moves beyond single mission sites and attempts a comparative analysis. Rather than suggesting that the missions offered sanctuary and 'home', Aboriginal people were keenly aware that they had few rights with regard to residence and freedom of movement. The chapter by Patricia Grimshaw and Joanna Cruickshank return to a single mission site – Ramahyuck in Gippsland. Considering a later period, 1890–1910, these authors examine the role of gender, in particular the women missionaries, and how this affected authority and power as it played out in the late nineteenth century.

The final two chapters open up the discussion to consider the impact of the Victorian 'case'. Ann Curthoys and Jessie Mitchell consider the exceptionalism of Victoria's models of governance and compare it to other settler colonial locations. These authors argue that Victoria was indeed distinctive and the governance models were widely influential. In part the distinctiveness emerged as a consequence of the rapid demographic shifts mentioned above. This was married to the development of a deeply urbane and metropolitan culture of the mid-nineteenth century (facilitated by the enormous wealth of the gold rush). In the contribution by Jennifer Balint, Julie Evans, Nesam McMillan, Giordano Nanni and Melodie Reynolds-Diarra we move into the contemporary ramification of this kind of historical research. They discuss how the verbatim theatre production *Coranderrk: We Will Show the Country* and the project from which this emerged might be an exemplar of both Aboriginal community engagement and partnership research. This chapter perhaps most importantly demonstrates that these debates are not mere dry history but for contemporary Aboriginal communities these represent tangible links between the past and the present.

This volume of essays presents a complex picture of settler colonial governance in nineteenth-century Victoria; it might well be called an unsettled history as, despite the colonial fantasy of pacification, protection and settlement the picture that emerges here is filled with idiosyncrasies, contradictions and inconsistencies. While the contributors innovatively theorise and historicise settler colonialism and the governance of Aboriginal people, they do so with careful consideration of previous work. Threaded throughout the collection the 'logic of elimination' jostles with the historical specificity of Victorian Aboriginal history, revealing a complex mosaic of historical phenomena that ripple far beyond the colonial boundaries of the Port Phillip district. Future work will, no doubt, extend this even further, however, we are confident that the papers that follow are timely interventions into a regional history that has broader implications for studies of settler colonialism.



Kara Rasmanis' 'Aboriginal Missions and Reserves in Victoria', printed in Jane Lydon and Alan Burns, 'Memories of the past, visions of the future: Changing views of Ebenezer Mission, Victoria, Australia'.

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