'WHITE WELFARE: BLACK ENTITLEMENT'

THE SOCIAL SECURITY ACCESS CONTROVERSY, 1939-59

William DeMaria

The basic trouble with the aborigines today is that they have lost their pride of race and will to exist . . . We are now trying to train the aborigines in North Queensland to live in villages instead of tribes.

So said the Premier of Queensland, E.M. Hanlon, at the 1946 Premiers' Conference.¹ It is a telling statement because wittingly or unwittingly the Premier summed up an official attitude to Aboriginal Australians that has characterised 'black-white' relationships since the convict days. This attitude, with its misguided and often punitive benevolence, its wanton cultural ignorance and its confident, if not dogmatic, paternalism, explains much about what is referred to in these pages as the social security access controversy.

It is the intention of this paper to examine this controversy, particularly as it developed in the period 1939 to 1959. It is acknowledged that this dispute over access to the then available social services was part of a much more complicated and longer running reaction to various government policies that either locked Aborigines out altogether from benefiting from various services, or made the determination of their eligibility so bureaucratically onerous and complicated that often the same exclusion was effected.

While many facets of the black-white relationship have been more thoroughly investigated in recent years, the role of social security in that relationship is virtually unanalysed. This point becomes clear when one consults standard authorities on welfare history such as Kewley, Mendelsohn, and Jones.² These books express little or no interest in Aboriginal welfare policy. At other times when statements have been made and opinions expressed in the literature, the reader has been weighed down with a gloss on the facts. For instance, in *Outcasts in White Australia*, Charles Rowley refers to the child endowment as a 'turning point' for the part-Aboriginal family living off government reserves.³ In another place he says:

[Child endowment] had already gone far to revolutionise the conditions of the Aborigines. With an exploding population, it meant that, where previously there was no certain cushion against family starvation, now, so long as there were children, no one would starve.⁴

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1 Transcript of 1946 Premiers' Conference, CRS A431 47/1999. (All CRS and CP references are to material held in the Australian Archives, Canberra.)

2 Kewley 1974; Mendelsohn 1979; Jones 1980.

3 Rowley 1971:38.

4 Rowley 1971:395.

Rowley gives no assistance to the reader interested in how this assessment of child endowment was arrived at. Suffice it to say that his view conflicts with the interpretations in this paper.

It is important at the outset to place the access controversy within a context of public issues and government policies that prevailed before and in the period under review. When this is done we are drawn to the conclusion that Aboriginal welfare with respect to Commonwealth benefits was politically non-viable.

The first attempt to give Aborigines access to Commonwealth pensions failed in 1908. In that year the Federal Parliament, in passing the inaugural *Invalid and Old-age Pensions Act*, refused, by 17 to 15, an amendment that would have granted pension rights to 'Asiatics and natives of Australia, New Zealand, Africa and the Pacific Islands'.⁵ This refusal was interpreted as consistent with the White Australia Policy, although in 1926 pension rights were given to Indians from British India.⁶ The White Australia Policy figured significantly in the debate around the original *Invalid and Old-age Pensions Act*. Appendix I details the platform of the Australian Labor Party in 1908. The first objective of this platform read: 'The cultivation of an Australian sentiment based upon the maintenance of racial purity . . .'. From this date until 1959 frequent attempts were made to induce successive Federal Governments to grant pension rights to Aborigines. These attempts foundered in part because of the entrenched racism within the Australian community.

The two decades under review saw the issue of access move very slowly as two Menzies governments, one Curtin government and one Chifley government stayed preoccupied with such issues as the war effort, taxation and industrial development. However, an examination of the way Aborigines were seen with respect to social security gives us a window on the way the purpose of welfare has been synchronised to the purpose of industrialism.

The date range here used is convenient for two reasons. First, the choice of 1939 as a start year for the analysis was made through an interest in the influence of the war and the post-war reconstruction ethos on Aboriginal welfare, and coincides with the span used in a larger study on welfare politics in the war and post-war period currently being undertaken by the author. Second, and more importantly, 1959 is a significant date, as the Menzies government claimed that in that year much of the tension in the access controversy was abated with the passing of the *Social Services Act* 1959. I shall deal with this claim immediately by referring to the 1959 policy change and then the analysis of the controversy will proceed from 1939.

Aboriginal Entitlement and the Social Services Act 1959.

Under the terms of this Act restrictions on Aboriginal eligibility for the old age and invalid pensions, widows pensions, unemployment and sickness benefits, maternity allowance and child endowment were removed. Aborigines, other than those who were nomadic and 'primitive', became eligible on the same basis as other members of the community.⁷

⁵ P.W. Nettle to Secretary of the Treasury, 3 March 1941, CP184/1, Item B4 Part 1. I could find no record of the debate on this amendment in *Hansard*.

⁶ *ibid.*

⁷ *Social Services Act* 1959 (No.57 of 1959). Assented to on 30 September 1959 and commenced on 2 February 1960.

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In presenting this Bill to the House of Representatives on 3 September 1959, the Minister for Social Services, H.S. Robertson, referred to those sections dealing with Aboriginal entitlement in these terms:

I come now to the provisions relating to the Aboriginal natives of Australia, and no provision in this Bill could give me greater personal satisfaction. This is an occasion of great historical importance both nationally and internationally. For more than fifty years successive Commonwealth governments have been called upon to defend – or to remove – the traditional discrimination levelled against the aboriginal natives of our country who, for a variety of reasons associated with the native welfare laws of the States, were unable to qualify for social service benefits in the normal way. . . . the effect of the legislation I now bring down to the House is to sweep away the provisions that place restrictions on aboriginal natives in qualifying for social service benefits, except where they are nomadic or primitive. I do not think I need to develop to honourable members the practicality, if not the undesirability, of attempting to pay social service benefits to natives who cannot be identified and who have no fixed location.⁸

The Minister went on to talk about the 'considerable difficulties' that were overcome in developing this new entitlement policy. Here he was referring to opposition amongst some of the States (see below).

The Minister also made reference to another source of opposition – various organised charitable and pastoralist lobbies that believed the schedule of social security payments was excessive and/or that gross misspending would occur. In this matter he said:

Where the Department of Social Services is satisfied that a native's social development is such that he can with advantage handle the pension himself, then the payment will be made to him direct. In other cases some or all of the pension payable in respect of the native will be paid to the mission, to a State or other authority, or to some other person for the welfare of the native.⁹

Social Security as a Form of Cultural Destruction.

This link between Aboriginal lifestyle and social security entitlement is a crucial one. It is a central proposition of this paper that the *way* State welfare¹⁰ was related to Aborigines provides us with deep insights into its general purpose of social control. Evidence that social security was culturally destructive to Aborigines will also be presented. In February 1942, in evidence before the Joint Committee on Social Security, F.I. Bray, the Commissioner for Native Affairs for Western Australia, made his point that it was regrettable that Aborigines were leaving State reserves and missions for camps in order to qualify for various social security benefits. His argument was based on the increased use-value of Aborigines to industry, once they were detribalised. On this Bray said:

⁸ *Commonwealth Parliamentary Debates (CPD)*, 1959:930.

⁹ *CPD* 1959:930.

¹⁰ The phrase 'state welfare', rather than the more conventional 'welfare state', is preferred throughout because it is more consistent with the thrust of the article, which is to focus on the *state* aspects of welfare rather than the more spurious *welfare* aspects of the State. For more on this see DeMaria 1984.

Western Australia needs more settlements for natives. As the natives are becoming more de-tribalised from day to day, we must look to the education and training of native children in common sense ways to take their places in our industries. Little good is possible when native children live with their parents. It is better to separate them and take them into dormitories, otherwise the children acquire all the vices and disabilities, including indolence, of their parents . . . It is also vital that the existing camping system, which is a curse of the south-west, should be abolished.

Bray went on to add the chilling statement: 'merging is their inevitable fate'.¹¹

Similar sentiments were expressed by John McEwen, an aspiring leader of the Australian Country Party at the time. Addressing a triennial conference of the Church of England's Men's Society on the subject 'The Future of the Aboriginal', he expressed regret that some Aborigines ('near whites') were being driven back to ancient ways after having progressed satisfactorily towards integration in the Western culture. He expressed hope that the new Commonwealth Department for Native Affairs would influence this situation.¹²

In the period under review, moves to have Aborigines recognised as *bona fide* claimants on the State were resisted by Federal Labor and Coalition Governments alike. These moves arose in part because of the way social security was politically promoted during the war years. This promotion often exaggerated State welfare to the point where it was seen as part of the promised land, a corner-stone of the new society that was to emerge after the cessation of hostilities. Given the enormous social pressures generated by this promotion it is little wonder that some Aboriginal groups (either directly or through the mediation of churches and pro-Aboriginal lobbies) saw their rightful place in the post-war 'dream scheme'. They, like much of the indoctrinated European population, shared the inflated expectations of what government should or could do after the war in establishing a social security garden of paradise.

This pressure from Aboriginal and pro-Aboriginal groups was met by an official wall of resistance that had been built up since the early days of Federation. The concept of welfare rights, so important to the social reformers from the 1970s onwards, was not part of serious political dialogue in the earlier period and hence of little value to the Aborigines. Rather than social security being seen as a right (subject to the usual tests), potential welfare beneficiaries were regarded as non-eligible until they themselves proved to the Department of Social Services¹³ that certain strict eligibility criteria were met. Often the mustering of evidence by the claimant was crippled because of the anti-welfare prejudices built into the system of decision making by the Department. The phrase 'anti-welfare prejudices' is used because operating out of sight, at a level below the orderly bureaucratic processing of claims,

¹¹ F.I. Bray's evidence to Joint Committee on Social Security, 11 February 1942, CP 71/8, Bundle 1.

¹² *The Age*, 23 November 1939:10.

¹³ The Department of Social Services was established on 26 April 1939 but it did not function fully as a separate department until April 1941, when the administration of the *Invalid and Old-age Pensions Act* and the *Maternity Act* was taken over from the Department of the Treasury. The effect of 33 years of Treasury-administered social security on the ethos and structuring of welfare benefits in the war and post-war period is a story waiting to be told. For one perspective on this issue see DeMaria 1985.

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was a view of welfare as a form of social reward for a life-style that reflected the dominant and prevailing values. Aborigines and the non-Aboriginal poor both became victims of this view.

With respect to the Aborigines, not only did they need to satisfy the statutory requirements such as age (for the age pension) and permanent incapacity (for the invalid pension), they also had to make their life-style (and by extension their Aboriginal culture) available for assessment. They had to demonstrate to the Department of Social Services that there were no cultural impediments to the proper expenditure of these 'cash benefits'.

In rural areas police were used as agents of the Department for this purpose. For example, in late 1939 in response to a Ministerial inquiry from Prime Minister Menzies in the matter of a rejected invalid pension claim by Mrs Elsie Bugg, the Acting Commissioner of Pensions, T.A. Maguire, said:

The papers relating to this case show that a claim for invalid pension by Mrs. Bugg was rejected by the Deputy Commissioner of Pensions, Sydney, in February last on the ground that claimant was an aboriginal native of Australia. The evidence with the papers indicates that full enquiries were instituted by the police in 1921 and again in 1924 as to the claimant's descent and it was definitely established that she is a three-quarter caste aborigine.¹⁴

Through the requirement for 'correct' lifestyle, a wedge was driven into the Aboriginal community. Some urbanised Aborigines, in their quest for assimilation and the fruits of assimilation (social security), disowned their tribal brothers and sisters.

The Early Campaign.

The Australian Aborigines' League, with William Cooper¹⁵ as its honorary secretary and Doug Nicholls¹⁶ as its honorary treasurer, wrote to Prime Minister Menzies in late 1939 complaining of discrimination against 'cultured aboriginals' and asking for the immediate introduction of enabling legislation that would legitimate Aboriginal social security claims. Cooper did not ask this of Menzies for all Aborigines:

We are not unreasonable and do not ask that community services be given to all natives for we well know that many are not able to understand these matters and as little able to benefit from them.¹⁷

A similar point of view was expressed to the Government by the Aborigines Progressive Association. They described their Association as an 'organisation of intelligent and educated aborigines . . . who have paid taxes, worked and lived all their lives as decent people in the

¹⁴ T.A. Maguire to R.G. Menzies, 15 November 1939, CRS A461 N382/1/1.

¹⁵ In 1932 William Cooper left Cumerogunga for Melbourne, where he started the Australian Aborigines' League. Clark says it was the first organisation of its type in Australia because it was composed entirely of Aborigines. Its aim was to fight for recognition and social justice. Clark 1972:88, 91.

¹⁶ Pastor Sir Douglas Ralph Nicholls, K.C.V.O., O.B.E. (M.B.E.), K.St.J. Aboriginal activist, footballer, athlete and minister in the Church of Christ. First Aboriginal Governor of a state (South Australia), December 1976-April 1977. A controversial appointment, he retired through ill health. Director of the Aboriginal Advancement League, 1969-74. He once said that his M.B.E. stood for 'more black than ever'. See Martin 1962:6.

¹⁷ William Cooper to R.G. Manzies, 8 September 1939, CP 71/13, Bundle 1.

White [sic] community . . .¹⁸

In another letter, from the Aborigines' Progressive Association, the President, William Ferguson, said:

We do not ask that wild aborigines should be made citizens, but we do expect that we educated aborigines should be treated as fellow Australians, and given the same political rights and social services as our white fellow Australians.¹⁹

Another argument used at the time to further the claims of certain Aborigines was in terms of compensation for services rendered to king and country. In the letter from the Australian Aborigines' League cited above William Cooper explained to Menzies that he wrote 'not merely as an aboriginal but as a war pensioner of the last war who gave a son for the Empire, one of the many coloured men whose blood mingled with that of their white comrades as they died in the cause of liberty'.²⁰

These arguments eventually found favour with the government. It appeared that social security was the reward for the diligence with which some Aborigines mimicked the white ways.

Social Security Rights and Voting Rights

The campaign for access to the social security provisions was often combined with the case for Aboriginal enfranchisement and merged under the title 'citizenship rights'.

In May 1939 Senator Foll, the Minister for the Interior, presented a submission to Cabinet entitled 'Citizen Rights for Aborigines' because he felt that this particular aspect of Aboriginal policy 'was not fully appreciated by Cabinet'.²¹ He reminded Cabinet that in the previous February, when the matter had first come to Cabinet, a policy of bestowing citizenship rights on European-oriented Aborigines residing in the Northern Territory had been endorsed by Prime Minister Lyons. Foll understood citizenship rights to include access to the old-age and invalid pensions and maternity allowances. Since these were Federal matters he was of the opinion that the standard which the Commonwealth Government proposed to adopt for Territorian Aborigines to qualify for the franchise should be adopted by the State Government with respect to their franchise policies.

Senator Foll then presented the qualification scheme worked out by E.W.P. Chinnery, the Commonwealth Adviser on Native Affairs. There were four separate steps:

1. The Aboriginal should be capable of exercising the 'privileges and of fulfilling the obligation of citizenship'.
2. He should be of 'proved good character', vouched for by a responsible European.
3. He should be capable of earning his own living and living 'in the manner of a European'.
4. Finally, he should have the capacity for education.

Foll finalised his submission with the statement:

It was considered that for some considerable time the number of aboriginals who would be entitled to citizenship rights would be very small, probably not more than ten or twelve for the whole of Australia.

¹⁸ W.F. Ferguson (President, Aborigines' Progressive Association) to A. Muir (Premier of New South Wales) 11 March 1940, CP 71/13, Bundle 1.

¹⁹ W. Ferguson to Prime Minister Menzies, 10 February 1940, CP 71/13, Bundle 1.

²⁰ Cooper to Menzies, *ibid*.

²¹ Cabinet Submission dated 4 May 1939, CRS A461 N382/1/1.

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On 23 June 1939 Foll's Submission was referred to a Cabinet Sub-Committee that was established through the prompting of the then Minister for the Interior, McEwen. The Committee consisted of Senator Foll,²² Sir Frederick Stewart,²³ Sir Henry Gullett²⁴ and William Morris Hughes.²⁵ It was to explore the issue of citizenship rights for Aborigines. Although there is no clear evidence that the committee ever met,²⁶ there is evidence that the existence of the committee was used to dissipate pro-Aboriginal lobbying during the early years of the war.²⁷

By early 1940 Sir Frederick Stewart was starting to reconsider his personal view of the access issue as a result of a constant stream of letters from people like George Fitzpatrick²⁸ and organisations such as the Committee for Aboriginal Citizenship. In response to a letter from this committee he wrote to the Acting Commissioner of Pensions in April 1940 and said:

there seems to be difficulty in contesting the claim for maternity allowance and old age pensions in respect of aborigines who are living the complete European life, particularly in the face of recent enlistment of aboriginal youths and also bearing in mind that American negroes and semi-coloured Europeans qualify for both these social services.²⁹

Stewart went on to ask the Acting Commissioner to give some thought to the practicality of a more open access policy to Aborigines who, in the opinion of the Minister, were living in such a way that they could correctly apply for and use the pensions and maternity allowances.

The Acting Commissioner for Pensions, T.A. Maguire, responded to this direction by first reiterating the current policy which was that full-blood Aborigines were specifically debarred by law from receiving the old age or invalid pensions or maternity allowance. In cases

²² Hatti Spencer Foll, Senator 1917-47, Minister for Repatriation and War Service Homes 1937-38, Minister for Repatriation and Health 1938-39, and for the Interior 1939-41.

²³ Sir Fredrick Stewart, M.H.R. for Parramatta 1931-46, Minister for Commerce 1932-34, Parliamentary Under-Secretary for Employment 1934-36, first Minister for Health and for Social Services 1939-41, philanthropist and successful businessman (transport).

²⁴ Sir Henry Gullett, M.H.R. for Henty 1925-40, Minister for External Affairs and for Information 1939-40. Died in aircraft crash, Canberra.

²⁵ Former Prime Minister Hughes was M.H.R. for West Sydney 1901-17, Bendigo 1917-22, North Sydney 1922-49, Bradfield 1949-52, leader of A.L.P. 1915-1916, of National Party 1916-23, of U.A.P. 1941-43.

²⁶ Information from file note headed 'Pensions and Maternity Allowances for Australian Aborigines', 24 April 1940, CP 71/13, Bundle 1.

²⁷ George Fitzpatrick to Sir Frederick Stewart, 20 March 1940, CP 71/13, Bundle 1.

²⁸ George Fitzpatrick to Sir Frederick Stewart, *ibid*.

²⁹ Sir Frederick Stewart to T.A. Maguire, 20 April 1940. CP 71/13, Bundle 1. The last point in this letter is referred to in Hall 1980:86-7. In his article on Aborigines in the army in World War II he talks about the encounters between black American servicemen stationed in the north (e.g. in late 1942 3,500 black soldiers were based at Mt Isa) and Aborigines in the Australian Army. Hall says these encounters revealed a closer social relationship than existed between Aborigines and 'white' soldiers. His explanation of this is that they shared a 'common experience of racist discrimination'. The Aborigines were able to see that despite the prejudice suffered by blacks in America they had greater access to social security.

of mixed descent, advice from the Commonwealth Attorney-General's Department that a person in whom Aboriginal blood predominates, (i.e. more than 50 per cent) must be regarded as an Aboriginal within the meaning of the *Invalid and Old-age Pensions Act* and the *Maternity Allowance Act*, was closely followed. In those cases where Aboriginal blood did not predominate and where that person was living on a State reserve, pastoral station or mission, then he or she was also specifically debarred from the relevant social security provision.

In 1939 the only Aborigines who could qualify for the invalid or old age pension or maternity allowance (after they had satisfied the usual non-racist provisions in the statutes) were people with less than 50 per cent Aboriginal blood living off stations, missions or reserves, in a European life-style. Needless to say the Treasurer was not faced with the spectre of a large welfare expenditure!

Maguire then went on to share his thoughts about how the access policy could be modified for this small minority of Aborigines:

Pensioner rights could scarcely be granted to persons to whom Commonwealth electoral rights are denied . . . The question of extending pension benefits to these people therefore involves the question of the grant of the Commonwealth franchise . . . In other words eligibility for the Commonwealth franchise should be a prerequisite for Commonwealth pensions and maternity allowance benefits.³⁰

Maguire's point is well taken. However, he was constructing a shade for the Minister to deflect critical glare from the government's Aboriginal social security policy. Now the argument could run that the only thing standing in the way of granting social security to detribalised Aborigines was the absence of Federal enfranchisement. Maguire had given the government an impeccable stalling strategy. On Maguire's memo Sir Frederick Stewart wrote: 'Hold for present'.

Social Security Surveillance of Aboriginal Mothers: The Case of Betty Sandy.

Of the small number of Aborigines who were able to qualify for welfare payments, the group that came under keenest scrutiny was that of Aboriginal mothers in receipt of child endowment.

The *Child Endowment Act* was introduced on 1 July 1941. Section 22(1) of that Act made the following provision:

Where the Commissioner [of pensions] . . . is satisfied that, having regard to the age, infirmity, ill-health, insanity or improvidence *or other reasonable cause* of disqualification of a person . . . to whom an indowment is granted . . . it is expedient that the endowment [be paid] to any other person, the Commissioner . . . may authorise the . . . payment to that person [emphasis added] .

Regulation 16 under the same Act said:

- (1) Where the Deputy Commissioner is satisfied that it is necessary, in order to ensure the proper application of endowment granted to an aboriginal native of Australia, that the endowment should be paid to a person approved by the Deputy Commissioner.

³⁰ T.A. Maguire to Sir Frederick Stewart, 29 April 1940, CP71/13, Bundle 1.

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- (2) Where endowments are granted in respect of Aboriginal children living in a reserve, settlement or mission supervised by a Protector of Aborigines the endowment may, subject to the approval of the Commissioner, be applied to the general maintenance, training and advancement of the children residing on that reserve, settlement or mission.

The new Department of Social Services found itself in a state of unreadiness because it was unprepared for the processing of Aboriginal claims under that Act. It was deeply suspicious about the capacity of Aboriginal mothers to spend the endowment in the statutory way and moved quickly to build a surveillance mechanism into the payment procedure.

Betty Sandy was the first Aboriginal mother to claim under the *Child Endowment Act* and be assessed as requiring supervision with her endowment. Through the existence of this claim (and the knowledge that there were more to come) the Department started negotiating with various State authorities in order to secure their co-operation in establishing a payment monitoring system.

Betty Sandy came from Jolimont in Western Australia. She was an 'eligible half-caste' under the *Child Endowment Act* but a 'native' under the Western Australian *Native Administration Act*. The Deputy Commissioner of Pensions in Perth, A. Afflick, sought guidance from the Commissioner of Pensions in this case. In his letter he commented:

Where, as in the case of Betty Sandy, the claim is received through the Department of Native Affairs, a report [recommending payment supervision] is forwarded with the claim. The State Department is willing to undertake supervision in those cases where the applicants live in government settlements.³¹

The problem for the Department arose in securing suitable supervision of Aboriginal mothers not living on State reserves. The Western Australian Police Department complained that it was not in favour of adding this supervision to its duties. On this Afflick commented:

It would certainly be in the interests of this Department to secure the co operation of the Police even if [they] have to be paid for such co-operation.³²

One month later Afflick was again writing to his superior reiterating that the Department of Native Affairs was not prepared to carry out the supervision. He drew attention to the fact that the Acting Premier had entered the deadlock situation with the suggestions that postmasters carry out the surveillance.³³ Afflick personally disagreed with the merits of this suggestion and again pressured the Commissioner to consider the use of police.

Afflick had to wait seventeen months before Canberra moved on his request to straighten up the surveillance situation in Western Australia. In February 1943 the Director-General of the Department of Social Service, F.H. Rowe,³⁴ briefed the Prime Minister, John Curtin, in respect to a communique Curtin sent to the Premier of Western Australia.³⁵ The briefing

³¹ A. Afflick to T.A. Maguire, 14 August 1941, CRS A855 B423.

³² Afflick to Maguire, *ibid*.

³³ Afflick to Maguire, 15 September 1941, CRS A855 B423.

³⁴ F.H. Rowe, born October 1895. Joined Repatriation Commission on return from World War I, Deputy Commissioner for Queensland for 12 years, Chief War Pensions Officer for the Commonwealth 1933-35, Deputy Chairman Repatriation Commission 1935-41, First Director-General, Department of Social Services 1941-58.

³⁵ F.H. Rowe to Secretary, Prime Minister's Department, 26 February 1943, CRS A855 B423.

memorandum stated:

It has been brought to notice that in some instances Child Endowment payable in your State to Aboriginal natives of Australia is not being expended by the recipients to the best advantage, and certainly not for the maintenance, training and advancement of the children which of course was the intention of the legislation.

The memorandum then specifically requested that Western Australian police be used for this purpose. It went on to point to the 'satisfactory system' in New South Wales and Queensland whereby child endowment for Aborigines was paid to the 'authorities controlling Aborigines'.³⁶ These amounts were credited to personal accounts of a trust fund. Aborigines, under supervision, were issued with orders on shopkeepers and such were debited to these accounts.

At about the same time the Treasurer, Ben Chifley, received a submission from the Graziers' Federation Council of Australia. The Council, relying on s.22 and Regulation 16 of the Act (mentioned above), also brought up this issue of Aborigines misappropriating their endowment. 'Money to them is meaningless,' they argued. The submission went on:

It is feared that if the child endowment is made to Aboriginal parents, they would in many cases be quickly relieved of their money by the activities of the 'more civilised type of native' who travels about living on the indulgence of station natives, and who are already a source of worry to many employers.³⁷

This point introduces a stark contradiction. On the one hand, as we have seen, it was only the 'more civilised type of native' who got social security. At this same time, he was regarded as a con-man, a sort of welfare gigolo. Perhaps he mimicked some white ways a little too closely!

The graziers' lobby asked Chifley to amend the new *Child Endowment Act* so that station owners could receive the endowment for the children of their Aboriginal farm hands. In their submission they said:

There are many stations in the north of Western Australia, in the Northern Territory and Northern Queensland where children are maintained solely by the owners of the properties without assistance of any kind from either State or Commonwealth authorities.³⁸

Chifley denied their request, but this did little to resist the community attitude that Aborigines were not to be seen as part of the deserving poor. Rather, they were seen as part of the pool of pastoral labour, once their cultural 'impediment' was overcome. This position is clearly articulated in Bray's evidence to the Joint Committee (mentioned above). In talking about the way syphilis was spreading through the Aboriginal communities in Western Australia, he called for greater health expenditure. 'For the sake of the pastoral industry,' he said, 'we must preserve the supply of native labour'.³⁹

³⁶ In New South Wales this authority was the Aborigines' Protection Board of which the Commissioner of Police was the Chairman. See Bray's evidence to the Joint Committee on Social Security, 11 February 1942, CP 71/8, Bundle 1.

³⁷ J.W. Allen (Secretary, Graziers' Federal Council of Australia) to Treasurer, 12 December 1941, CRS A571 411460, Part 2.

³⁸ *ibid.*

³⁹ F.I. Bray's evidence, *ibid.*

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Pressure from the States.

At a meeting of the full Cabinet held on 24 March 1942, a memorandum from the Minister for Social Services, E. Holloway, was considered and approved. Among other things, a decision was made to grant social security payments to Aborigines if they were issued with State Exemption Certificates.⁴⁰ This development was expected to cost £20,000 in 1942.⁴¹

By 1943 some of the States added to the complexity of the access controversy through submissions to the Federal Government on the question of social security payments to Aborigines living on State reserves or missions.

The States with the larger Aboriginal populations, Western Australia (26,116), Queensland (15,428) and New South Wales (10,616), could see that if they did not reverse the existing Commonwealth policy about this then they would find themselves with a high and electorally unpopular welfare expenditure.⁴²

<i>State</i>	<i>Invalid and Age pensions</i>	<i>Widows' pensions</i>	<i>Child endowment</i>	<i>Maternity allowances</i>	<i>Unemployment and sickness benefits</i>	<i>Total</i>
	£	£	£	£	£	£
New South Wales	10,710	4,160	30,000	4,560	500	49,930
Victoria	—	—	—	—	—	—
Queensland	2,030	—	—	5,300	900	—
T.S.I.	7,000	10,000	75,000	1,000	—	101,230
South Australia	9,800	310	32,250	1,000	100	43,460
Western Australia						
Inv. Pension	9,800	—	—	—	—	9,800
Age Pension	89,140	25,240	88,160	11,200	1,500	215,240
Tasmania	—	—	—	—	—	—
TOTAL	128,480	39,710	225,410	23,060	3,000	419,660

Source: Figures provided by F.H. Rowe, Director-General, Department of Social Services, to the Conference of Departmental Representatives on Aboriginal Welfare, 10 December 1947, CRS A431 49/176.

⁴⁰ Mavis Clark in her biography of Doug Nicholls gives Arthur P. Burdeu much of the credit for this development. Like Nicholls and William Cooper, Burdeu belonged to the Church of Christ in Melbourne. Clark refers to him as 'a lone voice' during the 1920s and 1930s for Aboriginal reform. Burdeu worked for Victorian Railways and was President of the Federation of Salaried Officers of Railway Commissioners (Clark 1965:88). He was for a time General Secretary of the Aborigines' Uplift Society which was based in Melbourne and President of the Australian Aborigines' League. In a letter to Prime Minister Menzies in 1941, seeking access to pensions for non-tribal Aborigines, he referred to himself as the 'acknowledged leader of the natives', CRS A461, Item N 382/1/1.

⁴¹ Confidential memorandum from Secretary to the Cabinet to Secretary, Department of Social Services, 25 March 1942, CRS 2700 XM Item, Vol.1.

⁴² As the table shows, in 1947 just over half of the total Commonwealth expenditure on cash benefits for Aborigines was in Western Australia. On a benefit basis, child endowment accounted for 54 per cent of all such expenditure.

The policy dispute between the Commonwealth and these States ostensibly was concerned with exemption certificates. Covertly it was concerned with what level of government should control the Aborigines.

Commonwealth benefits were available to Aborigines on reserves if the relevant State authorities issued certificates exempting Aborigines from such authority. Certificates were issued in those instances where the State Government felt the Aborigine was progressing satisfactorily with his 'Europeanisation'. However, the States argued that there were many Aborigines living on reserves, under the authority of State legislation, who could not qualify for exemption but who should nevertheless have their social security eligibility recognised.

The Premier of Queensland, Frank Cooper, argued this way in his government's submission in 1943. He said there were 305 Aborigines on reserves and missions who could qualify for social security if the Federal Government reversed its policy of requiring exemption certificates. Cooper emphasised that it was not in the best interests of the Aborigines to remove themselves from these reserves and missions.

His argument was based on an official view of reserves and missions. They were seen to protect the Aborigines in much the same way the Serengeti National Park protects endangered wildlife from the predacious environment.⁴³

Playford, the Premier of South Australia, echoed this view in his representation to the Prime Minister a year later:

Having regard to the obligation recently imposed on Aborigines irrespective of the degree of aboriginal blood, to pay income tax, the Aborigines' Protection Board is of the opinion that all Aborigines, certified by the Board to be living under conditions comparable to the European way of life, [and living on reserves or missions] should be eligible to receive full social benefits.⁴⁴

New South Wales also submitted much the same argument.⁴⁵ The issue came to a head at the 1947 Premiers' Conference. The following is an extract from the heated debate:

Mr. Evatt⁴⁶

I do not know whether it is accidental or deliberate that this item [on Aboriginal welfare] is the last to appear on our agenda; but the Aborigines have been relegated to the last place in Australia for very many years . . . As you are aware Mr. Chifley that invalid, old age and widows' pensions are not paid to Aborigines who are . . . on . . . stations or reserves?

Mr. Chifley

That is a qualification.

Mr. Evatt

It is a qualification which results in some of these old Aborigines leaving the stations in order to get the pension and these live under the most shameful conditions . . . the maternity allowance is not payable to Aboriginal mothers.

⁴³ F. Cooper to J. Curtin, 7 May 1943, CRS A461 N 382/1/1.

⁴⁴ T. Playford to J. Curtin, 19 October 1944, CRS A461 N 382/1/1.

⁴⁵ Acting Premier to Chifley, 23 August 1945, CRS A461 N 382/1/1.

⁴⁶ Hon. Clive Raleigh Evatt, M.L.A. for Hurstville (N.S.W.) since 1939. Minister holding various portfolios, 1941-54. Younger brother of H.V. Evatt.

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- Senator McKenna⁴⁷ That is incorrect.
- Mr. Evatt . . . In what respect . . . ?
- Senator McKenna . . . whether an Aboriginal mother resides on a reserve or not, so long as the State gives a certificate of exemption that she is eligible to receive a maternity allowance. The matter is entirely in the hands of the States.
- Mr. Chifley . . . if the State gives an Aborigine a certificate to mix in the ordinary life of the community, that Aborigine is entitled to Commonwealth social service benefits.
- Mr. Evatt Suppose that it is in the Aborigine's interests to be kept in a reserve where he is sheltered and provided with food, clothing and other amenities. Because of that the Commonwealth will not pay him an old age or invalid pension. We consider that to be wrong.
- Senator McKenna We understand that you will not give a certificate of exemption to anybody who resides on an Aboriginal station. Therefore the States deprive such persons of the right to Commonwealth benefits.

Evatt then put the following motion:

That the Conference proposed to be established on the motion of Western Australia consider the advisability of extending Commonwealth social services benefits to Aborigines irrespective of whether they reside on a station or not.⁴⁸

This motion was defeated on the votes of the Commonwealth, and Victoria and Tasmania — the States with the smallest Aboriginal populations.

However, a similar motion was passed the following year at the high-level Conference of Commonwealth and State Aboriginal Welfare Authorities. The discussion was initiated by W.R. Penhall, the secretary of the South Australian Aborigines' Protection Board. The motion, seconded by Professor Elkin (vice chairman, Aborigines' Welfare Board, New South Wales) read:

This conference is of the opinion that full benefits under the Social Services Consolidation Act . . . should be available to all Aborigines, except full-blood Aborigines living under primitive or nomadic conditions and that Commonwealth legislation should be amended accordingly.⁴⁹

The issue remained a point of dispute between the Commonwealth and the States until the 1959 legislation.

The above account, all too briefly, has traced the controversy surrounding the way welfare benefits were given to the Aboriginal community. In so doing it has explored the private side of public welfare, the way it acted as a vector for nothing less than cultural destruction. Masquerading as an unproblematical phenomenon embracing care, beneficence and security, it was in fact a cultural 'Check-point Charlie'. Through social security, Aborigines were processed from a people who were central in a marginal culture to a group who became

⁴⁷ Hon. Nicholas Edward McKenna, Senator for Tasmania since 1944. Minister of Health and Social Services 1946-49.

⁴⁸ Transcript of 1947 Premiers' Conference, CRS A431 49/176.

⁴⁹ 'Notes on Conference of Commonwealth and State Aboriginal Welfare Authorities', 3 February 1948, CRS A431 49/176.

marginal in a central culture. On the basis of the material presented in this paper, only eugenics logic can explain these procedures. The 'black' culture was the antithesis of wartime and post-war capitalism. These differences were viewed negatively. The Aboriginal culture was in need of racial improvement. Social security provided cash inducements to the Aborigine who was forced to orient himself or herself in the 'white' direction. The trade off for the Aboriginal culture was profound.

APPENDIX I

Extract from *Parliamentary Debates on Invalid and Old-age Pensions Act 1908*

Mr. Kelly Yes. Let us have the objective [of the Australian Labor Party].

Mr. Thomas Very well. The objective reads —

- A. The cultivation of an Australian sentiment, based upon the maintenance of racial purity and the development in Australia of an enlightened and self-reliant community.
- B. The securing of the full results of their industry to all producers by the collective ownership of monopolies and the extension of the industrial and economic functions of the States and municipalities.

The fighting platform is as follows:

- 1. Maintenance of a white Australia.
- 2. Nationalization of monopolies.
- 3. Old-age pensions.
- 4. Tariff referendum.
- 5. Progressive tax on unimproved land values.
- 6. Restriction of public borrowing.
- 7. Navigation laws.
- 8. Citizen defence force.
- 9. Arbitration Act amendment.

The general platform includes —

- 1. Maintenance of a white Australia.
- 2. Nationalization of monopolies — if necessary, amendment of Constitution to provide for same.
- 3. Old-age pensions.
- 4. Referendum of Commonwealth electors on the Tariff question when the report of the Tariff Commission has been completed; the Party to give legislative effect to the decision of the referendum vote.
- 5. Progressive tax on unimproved land values.
- 6. Restriction of public borrowing.
- 7. Navigation laws, to provide — (a) for the protection of Australian shipping against unfair competition; (b) registration of all vessels engaged in the coastal trade; (c) the efficient manning of vessels; (d) the proper supply of life saving and other equipment; (e) the regulation of hours and conditions of work; (f) proper accommodation for passengers and seamen; (g) proper loading gear and inspection of same; (h) compulsory insurance of crews by ship-owners against accident or death.
- 8. Citizen defence forces and Australian-owned navy.

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9. Amendment of Commonwealth Arbitration Act to provide for preference of unionists and exclusion of the legal profession.
10. Commonwealth bank of deposit and issue and life and fire insurance department, the management of each to be free from political influence.
11. Uniform industrial legislation; amendment of constitution to provide for same.
12. Civil equality of men and women.

Source: *Commonwealth Parliamentary Debates* vol.XLIV, March 1908:9348-9359.

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