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Abstract

The Port Phillip Aboriginal Protectorate was established in 1838 on the instructions of the Colonial Office in London as an attempt to place colonisation in the newly settled Port Phillip district – now the state of Victoria – on a humanitarian footing. The Protectorate was established on the recommendation of the British House of Commons Aborigines Committee, which published the report of its investigation into the treatment of Indigenous people within the British Empire in 1837 (British House of Commons 1837).

‘The vacillating manners and sentiments of these people’: Mobility, Civilisation and Dispossession in the Work of William Thomas with the Port Phillip Aboriginal Protectorate

Rachel Standfield

The Port Phillip Aboriginal Protectorate was established in 1838 on the instructions of the Colonial Office in London as an attempt to place colonisation in the newly settled Port Phillip district — now the state of Victoria — on a humanitarian footing. The Protectorate was established on the recommendation of the British House of Commons Aborigines Committee, which published the report of its investigation into the treatment of Indigenous people within the British Empire in 1837 (British House of Commons 1837). The report has been described by the historical geographer Alan Lester as ‘the definitive humanitarian analysis of the evils of settler-led colonialism and of unreconstructed colonial government’ (Lester 2002: 110). Protectorates, implemented in Victoria and also in New Zealand from 1840, operated as a system for managing relations with Indigenous peoples in their respective colonial territories. Chief Protectors and Assistant or Sub-Protectors were hired to shield Indigenous populations from the encroachment of white settlers, and to provide colonial authorities and the metropolitan government with information about the state of Indigenous societies. This was to prove a short-lived policy, with the dissolution of the Port Phillip Protectorate in 1849.

William Thomas, one of the four Assistant Protectors appointed to work in the Port Phillip Protectorate, arrived from London in 1839 to

take up his post in the Western Port district. Thomas would continue in this role until the abolition of the Protectorate and was subsequently employed in a new role as a Guardian of Aboriginal people. Thomas's extensive journals documenting his employment among Aboriginal people offer rich insight into the dynamics of colonisation and resistance in a particular setting. By the time Thomas arrived settlement had begun in the Port Phillip district in 1835 and was expanding rapidly. He was assigned to the Western Port District in the area of the Mornington Peninsula and also worked within Melbourne. His region was the country of the Boonwurrung and Woiwurrung peoples — two distinctive language groups of the Kulin nation (Presland 2010 explores the culture and lives of Kulin peoples). Thomas's jurisdiction also extended to Gippsland, the country of Kurnai people, though he spent little time in the area.

In this paper I examine processes of dispossession in the Protectorate through the lens of Thomas's journals and explore the various ways that Aboriginal mobility was regulated through the actions of Protectors, colonial officials and individual settlers. I also utilise his journals for insights into the central role that mobility played for the Boonwurrung and Woiwurrung peoples and the strength of their resistance against colonial attempts to regulate their movement. To situate this study within a broader colonial context I first examine representations of indigenous mobility in literature from other colonial sites such as North America and South Africa. I then explore the traces of Aboriginal perspectives on mobility that Thomas captured in his journals, and document Aboriginal resistance to colonial efforts to either encourage or circumscribe movement through country. Finally, I consider both the importance of mobility to Thomas's own role as Protector and the contribution of the perceived resistance of Protectors to travel to the view of the Protectorate as a 'failure'.

Mobility and Dispossession in International Humanitarian Contexts

The expectations of Thomas's role and his effectiveness within it were shaped by both an international discourse of humanitarianism and Australian settler discourse of Aboriginal mobility. International humanitarian discourse drew on experiences in colonial sites around the world to shape perspectives of indigenous mobility and the role that 'settling' played in encouraging 'civilisation' among indigenous peoples. In Australia, Aboriginal mobility was central to colonial views of Aboriginal people as without sovereignty over land. Massey urges scholars to take account of these 'multiple trajectories' when exploring histories of colonial space (Massey 2005: 63). Importantly, she advocates a view of colonial sites as 'meeting up places' and not merely the 'surface that the coloniser, as the only active agent, crosses to find the soon-to-be colonised simply "there"' (9-12). Such an approach insists that Aboriginal people be recognised as having their own agency — agency which also would shape Thomas's role as Protector. Indeed, Port Phillip had already been recognised as a 'meeting place' when, in 1835, a Treaty was negotiated between the Port Phillip Association and Kulin *ngurungaeta*, or clan heads. These men included the most influential Kulin leader Billibellary, a Woiwurrung man and head of the Wurundjeri-willam clan, with whom Thomas would develop a close working relationship (Kenny 2008, Attwood 2009, Broome 2005, Christiansen and Ellender 2001).

Historians interrogating the making of space in imperial and colonial situations have also considered how space-making operated as a tool of colonial rule. In Ballantyne and Burton's *Moving Subjects*, they conclude that:

Empire was a *self-consciously* spatializing project, with colonizers attempting both to impose their own topographies on conquered space and — to the extent they were aware of or interested in local apprehensions of space on the ground — to unmake pre-existing maps of native communities or refashion them to suit their own political, economic, and military ends (Ballantyne and Burton 2009: 2).

In Australia, Aboriginal mobility became central to the project of 'conquering space'. Colonisation was justified on the grounds that Aboriginal people supposedly lacked property rights and sovereignty over their country. During the initial stages of colonisation this conclusion was supported by a complex discourse which included notions of a lack of population density and defensive capacity (Standfield 2009). The notion that Aboriginal people were 'wanderers', and that a mobile lifestyle precluded rights to land, was vital to the representation of Aboriginal people by the 1830s as without property rights.

Patrick Wolfe describes in vivid terms the way Indigenous mobility was viewed in Australian colonial discourse. Aboriginal people were seen to be nomadic 'not in the pastoral, biblical sense but as people who merely prowled about the landscape in search of sustenance, garnering at will like so many wild animals' (2002: para 8). Attwood (2009) has described how the link between mobility and a lack of recognition of Aboriginal sovereignty informed the colonial government's refusal to recognise the treaty negotiated in Port Phillip and increasingly became enshrined in Australian law throughout the 1830s (2009: 82). The case of *Macdonald v Levy* (1833) included the judgment of Justice William Burton which:

effectively argued that the colony must have been regarded as an uninhabited country since it was never conquered or ceded, and that this had to be the case because the indigenous peoples were 'wandering tribes' who lived 'without certain habitations and without laws' (Attwood 2009: 79).

Similar views on mobility were expressed in evidence to the Aborigines Committee which shaped the establishment of the Protectorate. William Yate, a missionary with experience in both Australia and New Zealand, suggested to the Committee that 'our taking possession of the country' was justified given the limited ways that Aboriginal people made use of it, 'merely lying down upon the land' (British House of Commons 1837: 202). Charles Broughton, Archdeacon of Sydney, had told the Committee that Aboriginal mobility was impacting on attempts to 'civilise' them. He stated

that 'the want of fixed attention is the greatest obstacle we have to contend with, the impossibility of inducing them to settle in one place, or to attend to one subject' (British House of Commons 1837: 16). The Committee pressed the Archdeacon on this point, asking 'we clearly understand that you ascribe their present barbarism not to any unconquerable dullness of intellect, but merely to their love of erratic liberty?', to which Broughton replied, 'I am perfectly of that opinion' (16).

This representation of Aboriginal landuse denied the complex social system that affirmed connection to country and social relations through movement. Far from 'wandering' or being 'erratic', Aboriginal people were engaged in organised patterns of movement through their country. As Paul Carter (1987) has outlined, mobility was the very basis of how Aboriginal people made space: an Aboriginal person 'did not travel for the sake of seeing new countries, but in order to continue to inhabit his own' (Carter 1987: 336). Carter also concluded that 'it was the Aborigines' spatial command of the country which presented the greatest threat to white interests' (335-336).

It was not only in Australia, however, that indigenous mobility constituted a concern for colonial authorities. Evidence presented to the Aborigines Committee displays the importance of mobility to imperial and colonial spaces more generally. Evidence to the Committee from South Africa also discussed confrontations with mobile peoples. The colonial 'landrost' Andreas Stockenstrom concluded that San people must remain outside the bounds of the British colony because, wherever Europeans went 'the game must disappear', and 'the population of the northern half of the territory must always be a nomade (sic) population'. Colonial attention, he argued, had to shift towards protection and concentration: 'We must try to improve them as best we can, and try to concentrate them in particular spots; give them instruction, and protect those tracts in which they hunt. I do not see any other mode to be adopted' (British House of Commons 1837: 184). Evidence from other sites also suggested that 'settling' a nomadic people offered substantial rewards for both indigenous peoples and colonists. A

number of examples were provided of missionary success in North America where Native American people were convinced to give up their mobile lifestyles. A letter from the Chippewa Chief Kankewaquonaby, also known by the English name of Peter Jones, was presented to the Aborigines Committee:

Immediately on their conversion ... [the people] have applied to the governor and missionaries for assistance to enable them to settle down in villages. ... The change for the better has not only extended in their hearts, views and feelings, but also in their personal appearance, and in their domestic and social condition. Formerly they were in a wandering state, living in wigwams, and depending on the chase for their subsistence (British House of Commons 1837: 529).

The Reverend John Beecham, Secretary of the Wesleyan Missionary Society, saw multiple benefits from 'Christian instruction and social improvement' among indigenous populations around the globe. Such work would be 'fair remuneration' for the land that indigenous peoples had lost, but also had benefits for colonisers. Indigenous populations 'will not need so great an extent of territory as they do now in their uncultivated and roving state; a much narrower compass of land will then be sufficient for their comfortable support' (British House of Commons 1837: 529).

In the wake of this evidence to the Aborigines Committee about the need for, and the results of, 'settling' indigenous peoples, Lord Glenelg's instructions to the Port Phillip Protectorate subsequently focused closely on persuading Aboriginal people to curb their mobility. The first of the points from Glenelg instructed Protectors to 'attach himself as closely and constantly as possible to the Aboriginal tribes' of his District, 'attending them if practicable in their movement from one place to another, until they can be induced to assume more settled habits of life' (Glenelg 1838: 6). The methods by which the Protectors were to attempt to regulate Aboriginal mobility were also set out by Glenelg. Protectors were to use persuasion rather than coercion, and to convince Aboriginal people to relinquish their mobile lifestyles through the strength of the relationships they had developed with local Indigenous people in the sites where they worked. They were

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to 'endeavour to conciliate their respect and confidence, and to make them feel that he is their Friend' (Glenelg 1838: 7). Nowhere was there mention of coercion, of using legal mechanisms, policing or the military to force Aboriginal people to assume these 'more settled habits of life'.

Not all colonists in Port Phillip, however, were interested in the development of relationships with Indigenous people. Protectors thus operated as an important voice for humanitarian interests and tried to offer a different model of colonialism within Port Phillip (Holst 2008, Mitchell 2008). They operated in conflict with many settlers in Port Phillip, and the system was eventually undone at least partly by vociferous settler protest (Lester and Dussart 2008). As Ryan has written, drawing on the work of Mitchell, colonisation in Port Phillip embodied the 'colliding expectations' of 'two groups of colonisers' (Ryan 2010: 262; Mitchell 2009). Ryan's recent work has reassessed the level of violence in Port Phillip and the frequency of massacres against Aboriginal people, using Protectorate records as a valuable source (Ryan 2010). While Protectors may have known about the use of violence by settlers to acquire Aboriginal land, a lack of resources and the legal convention of refusing to allow Aboriginal evidence meant that Protectors were often powerless to intervene (Cannon 1983: 575). Protectors also came into conflict with colonial officials, whose duty it was to support settler interests as well as manage the Protectorate. Cannon suggests that Chief Protector Robinson's determination to expand his department and fit within the structure of colonial government was at the expense of assisting Aboriginal people (1983: 575). Cannon concludes that the 'establishment of the Protectorate, it seems, meant that the hard pressed civil authorities were enabled almost entirely to wash their hands of native affairs', except when settler interests were threatened (576). Lester's work on the Aborigines Committee supports this conclusion, showing that an unintended consequence of this process was a 'moral discourse' that settlers, colonial officials and traders could subsequently employ to justify their actions (2002: 117).

While these histories may lead us to conclude that the Protectors

were completely ineffectual, scholarship examining sedentarisation in other colonial situations alerts us to the complexity of humanitarian intervention and the role played by humanitarians in encouraging indigenous cultural change. This historiography opens a space to question the impact of philanthropic intervention into indigenous communities. Wolfe's important work on Australia, the United States and Brazil outlines the underlying 'logic of elimination' applied to Aboriginal people and Native Americans. He identifies a second phase of colonial activity (the 'carceral phase'), that followed an initial period characterised by 'homicide, introduced disease, starvation and sexual abuse' (Wolfe 2002: pars 13, 14). Wolfe argues that while the second phase was framed in 'philanthropic rhetoric', it nevertheless 'maintained the logic of elimination in that it vacated Aboriginal territory and rendered it available for pastoral settlement' (par 14). Writing of later reserve-making in British Columbia, Harris (2002) acknowledges the diversity of colonial actors but argues that 'most whites' assumed indigenous people should be 'assimilated into what they considered civilised society', disagreeing only over 'how this should be done and at what pace' (xxiii-xxiv). Lester and Dussart remind us to take due account, in histories of the Protectorate, of 'the assault of indigenous cultures that humanitarians themselves encouraged' (Lester and Dussart 2008: 206).

This is not to suggest that such philanthropic projects were implemented without resistance from indigenous peoples. In his evidence to the Aborigines Committee, the Bishop of Australia Archdeacon Broughton suggested that while he thought Aboriginal mobility the major impediment to their civilisation, he did not think that mobility could be curtailed, at least among Aboriginal adults. Broughton stated his belief that 'any attempt to lure them permanently into a civilized life would be utterly ineffectual' (British House of Commons 1837: 16). Such a statement seems to take seriously the possibility, and indeed the fact, of Aboriginal resistance against the future imagined for the British. This resistance can be seen in the tenacity with which Woiwurrung and Boonwurrung continued to practise their seasonal and cultural mobility despite Thomas's efforts to

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regulate them. In the face of such resistance colonial officials chose to use increasingly violent means of regulation against Aboriginal people. Thomas's journals display everyday acts of both negotiation and defiance against his attempts to regulate Aboriginal mobility.

Expectations of Aboriginal resistance did not seem to be reflected in the initial plans for the Protectorate articulated by the man appointed Chief Protector, George Augustus Robinson. Robinson, as Ellis has suggested, was 'full of confidence ... [and stated] ... that he expected no great difficulty in civilising the New Hollanders' (Rae-Ellis 1996: 160). Robinson was seen as an 'expert' in relations with Aboriginal people after effecting the removal of Aboriginal people to Flinders Island in the aftermath of the Black War in Tasmania (Attwood 2009: 34-6). He was appointed to his position as Chief Protector by Glenelg on the strength of this intervention, but threatened to decline the post unless he could bring the Tasmanian Aboriginal community from Flinders Island with him. Robinson believed that these people might form a model community for Victorian Aboriginal people: he would establish the 'same system' as operated at Flinders Island, and 'the comfort' witnessed would be a means of 'inducing' Victorian Aboriginal people to 'adopt a similar mode of life, in which case additional establishments might be formed under the assistant protectors' (Rae-Ellis 1996: 160). Crucially for an analysis of mobility in this colonial space, Robinson suggested the settlement would be created 'on the banks of some river, some short distance from Melbourne' (160). Aboriginal people were expected to relocate to sites chosen by Protectors and model British versions of 'settled' communities, self-sufficient through 'the Blacks' keeping 'their sheep and livestock' (160). Keeping Aboriginal people out of Melbourne would become a preoccupation of the Protectors and colonial officials in Port Phillip.

Aboriginal Mobility in Thomas's Journals

When Thomas arrived to take up his role as Protector, he discovered that there was little 'movement from one place to another' in the way that Glenelg had imagined there would be, at least in his early months

in Port Phillip. The Aboriginal people he came to work with spent much time in the developing white settlement of Melbourne. From the beginning of his appointment, Melbourne operated as a site of Aboriginal focus and attraction, particularly for the peoples of Thomas's district. He wrote in July 1839 that 'My Blacks were originally of that Tribe that belonged to Port Phillip and were continually paying a visit to Melbourne' (Thomas ML214.1: f. 58). Historians analysing this early colonial period have seen Melbourne as both a site of traditional activity and of new interest for local language groups. Clark and Heydon trace sites in Melbourne with particular traditional significance. St Kilda, for example, was Boonwurrung country, and the area around the Maribyrnong River was Woiwurrung (2001: 8-9). Broome identifies Melbourne as a 'traditional Kulin meeting place' and also highlights the growing importance of Melbourne as a site to access the objects and experiences of colonial culture and food (Broome 2005: 15). Throughout this early colonial period the various Kulin peoples regularly gathered in Melbourne (Fels 2001: ch 3) in order to continue the social organisation they had pursued for centuries. Kulin people were 'settling' at times, but in the wrong place, and their active resistance to patterns of movement desired by white officials was a source of frustration for Protectors and colonial officials. Officials subsequently responded with more coercive regulatory regimes to ensure that Aboriginal people either stayed or moved according to officials' wishes.

Aboriginal people might not have travelled according to Thomas's expectations, but neither did Thomas. His mobility was also contested and became a point of struggle between himself and Chief Protector Robinson. On the latter's orders, Thomas was detained in the settlement to work as Robinson's Secretary, past the time when other Protectors proceeded to their allotted districts. By October 1839 Thomas's journals display increasing frustration at his lack of mobility:

the Chief Protector ... stated that I must not leave as his Honor was expected to be in the Encampment in a day or two — this makes the 3rd time that my goods etc have been packed up and as often orders rescinded. If this is the way the Protectorate is going to be conducted I fear little good will be done (Thomas ML214.1: f. 107).

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Thomas followed a group of about 160 Aboriginal people to the area of Arthur's Seat in his Western Port district and was then forced to tell them that he was required to return to Melbourne. He recorded their response: 'The Blacks very dissatisfied and say "big one lie you tell Blackfellow to come to you and then you no stop". I felt the truth of this remark and felt sure that such duplicity would not succeed but disgust these savages but orders must be obeyed' (112).

Thomas was expecting Aboriginal people to stay permanently at his new settlement but he was to be sorely disappointed. In late October, as Thomas was devising plans for Aboriginal manufacture to encourage Aboriginal industry and 'settlement', an Aboriginal messenger arrived 'with a report that all Blackfellows come to Melbourne which creates some excitement'. The next day almost all the people left for Melbourne despite his obvious disapproval: 'I was much vexed and showed it, to comfort me they left lots of spears ... saying "they must go but would soon return"' (115). Thomas remained at his station with his family and five Aboriginal people and decided to turn his attention to his small group, but he was again ordered to return to Melbourne. There he was greeted by the Chief Protector, 'who was much displeased and said "did I think Government was going to give me 250 £ per annum to look after 60 or 70 blacks"' (166). Robinson's words underlined that Thomas's own mobility was central to the plan of the Protectorate.

Thomas's Aboriginal charges remained in Melbourne for approximately three months and their refusal to stay away from Melbourne saw a change in the approach of colonial authorities. The Superintendent of the Port Phillip settlement, Charles La Trobe, directed Robinson on 20 December 1839 to ensure Aboriginal people were moved from Melbourne (Clark 2001: 24). Thomas subsequently wrote, in a letter to Robinson, that the Aboriginal people in the camps on the south banks of the Yarra were of no threat to white people. La Trobe's directive to Robinson, however, signalled that their presence would no longer be tolerated (Thomas 3 January 1840 VPRS 11 P0007 No. 293).

Thomas's correspondence with Robinson, immediately following

this directive, displays his lack of control over Aboriginal mobility and the way that mobility could be represented as a measure of morality and character. Thomas had informed Robinson that he ‘expected the whole of the encampment to be cleared’ on 2 January but discovered that the people had not moved. Forced to explain why he could not break up the encampment, he wrote to Robinson, ‘however contradictory latterly my communications may have appeared, they have been faithful reports of the best information I could glean and will show at once the vacillating manners and sentiments of these people’ (Thomas 7 January 1840 Letter to George Augustus Robinson VPRS 11 No. 292). Thomas’s words echoed the earlier sentiments expressed by Charles Broughton to the Buxton Committee that Aboriginal people lacked ‘fixed attention’. Thomas justified his inability to carry out orders not via recourse to Aboriginal resistance, nor his developing understanding of the meaning of mobility to Boonwurrung and Woiwurrung people, but by their supposed untrustworthy nature.

When asked by Robinson to outline how much ‘control’ he had over Aboriginal people, Thomas answered that the people ‘identify me as their guardian and have shewn the greatest anxiety for the safety of my person. But I have no control as yet over them in their manners and customs’ (Thomas 7 January 1840 Letter to George Augustus Robinson VPRS 11 No. 297). Thomas provided his own analysis of his problems controlling his charges, noting that he could not guarantee

that the Aborigines will remain at a fixed station, I have experienced too much of their Vacillating dispositions to enter into any Guarantee of the kind, tho’ at the same time it is devoutly to be wished ... My conjecture that the men might be employed in Public works was in order to break them of their Mendicity ... I was most anxious to accomplish [their removal], finding them break their promise time after time respecting their departure (Thomas 7 January 1840 Letter to George Augustus Robinson VPRS 11 No. 297).

Returning to Arthurs Seat after Aboriginal people had come to their own decision to leave Melbourne, Thomas began to gain greater experience of the nature and complexity of Aboriginal movement. In

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February 1840 he reported the movement of all the people, in different groups based on gender. The men left for an initiation ceremony (Thomas ML214.2: f. 67; Fels: 65-73) and Thomas stayed with the women who, within a few days, informed him that they needed to move onto another place with more eels and possums. Being unable to curtail their movement, Thomas travelled with the women, finding that their mobility did indeed generate more food. He reported that they procured kangaroos, and 'Eels and Gum in abundance' and that the following day they 'fared still better' (Thomas ML214.2: f.64). He also witnessed the ceremonial life of the women, writing 'to our very great surprise they take us not more than a Mile along the same Brook and Encamp... had a corrobory at night' (Thomas ML214.2: f. 67). At this point in his journal Thomas made a comment which he would repeat in his first report as a Protector: 'I find by experience,' he wrote, 'that their wandering is as much from necessity as choice' (Thomas ML214.2: f. 62).

On his travels with Boonwurrung women Thomas also witnessed the contest between Aboriginal and white forms of land use. He saw the women set fire to the country to flush out kangaroos and possums, and in response he 'scolded them'. He also reported the anger of settlers directed at the women, and the women's response: 'Mr R_ very angry and wishes Blacks gone ... the Blacks urge as a plea, that they always have done it for to turn out opossums and wombats etc' (Thomas ML214.2: f. 69). As he attempted to do with almost all aspects of Aboriginal life, Thomas intervened in the hope of remaking this aspect of culture. He ensured that 'every one left the encampment without a fire stick', forbidding the lighting of fires 'which they promised me if they did I would know it' (Thomas ML214.2: f. 70). It is important here that the women did not promise to stop, but simply promised to inform him when they were going to set fires. This appears to be a feature of Aboriginal reaction to Thomas's attempts to regulate their mobility. The people were generally prepared to explain their actions but not to stop them. Mobility and relations to country were not features of Aboriginal life that would be easily given up.

Having registered the anger of settlers at the women lighting fires, Thomas was to discover more settler hostility towards Aboriginal people travelling the region. The men returned from the ceremony in March 1840 but soon departed again, Thomas moving with them as they travelled through the Dandenong area, both on and off the road. Just as Thomas was contemplating Dandenong as a 'beautiful and convenient place' for an Aboriginal station, he noted the hostility of one white settler to the group camping on his squatting run. 'We were very unwelcome guests at Dandenong,' he wrote, 'I sent two men to enquire whether we might not remain, the answer was I pay my license and if the tent is not struck I will come and knock it down' (Thomas ML214.2: f. 75).

Thomas thus recorded changing Aboriginal patterns of movement that were not a function of his attempts to intervene into cultural life but rather shaped by the fact of white settlement itself. Aboriginal movement was being shaped and regulated by white farming on their country. This is an issue that Byrne (2010) confronts as he explores the effects of overlaying the colonial cadastral grid, or system of private property ownership, onto the existing Indigenous system in Australia. Byrne is prompted to ask 'how, in a practical-spatial sense, do you live in a landscape that no longer belongs to you? On what basis do you continue to exist inside the grid of your own dispossession?' (111). Byrne shows the way Aboriginal patterns of movement — outside of the boundaries of the European cadastral grid, either on or alongside rivers, beside roads, or across fences — operated to subvert the system of European property rights. Such movements created a space for Aboriginal life in the 'holes' in the European system. In Thomas's journal we see the beginnings of this process for Boonwurrung people.

Thomas's experiences travelling with Boonwurrung people were reflected in the first of his regular reports on his work as Protector, written for his employers in Melbourne, Sydney and London. This report provides insight into the way Thomas responded to Aboriginal mobility and his perceptions about the impact that Aboriginal movement would and should have on his role as Protector. In it he

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displayed a developing understanding of the ways in which Aboriginal mobility worked in practice, and the relationship between Aboriginal government and mobile lifestyles:

Their Government is a kind of Patriarchal, when they go in large bodies 2 or 3 seniors direct their movement from Encampment to Encampment, giving instructions the over night or early in the morning the directions each is to take and where to Encamp the evening night, thus they proceed from day to day totally regardless of sickness, death, birth etc. (Thomas 29 February 1840 VPRS 4467 No. 66: 13).

Thomas also began to display an understanding of the significance of country for Aboriginal people, writing 'Wherever one is born that is his or her country' (13). This recognition, however, did not change his support for, or adherence to, the policy of curbing Aboriginal mobility. This, he suggested, was inevitable because of increasing white settlement in his District:

I am of the opinion that these people, might be persuaded by kind treatment to locate, at least many of them. They are at present wanderers in a District of no great extent fast filling up with settlers. ... Hence the necessity of an early provision being made for these people, an Asylum and Refuge ... from the inevitable crisis (14).

Thomas's report also suggested, however, that Aboriginal people should be provided with an area of land for a settlement, so that they would have no 'excuse' for their mobile lifestyles. He urged the establishment of a station, to support Indigenous people and allow occasional hunting, as a way of 'meeting them half way in their erratic habits, at all events, were an Asylum once established for them they would be left without an Excuse, and as a Nation the British character exonerated' (15).

The move towards pressing for 'settlement' started to increase in the following months. Thomas's journals recorded La Trobe's increasing willingness to use the police and military to remove Aboriginal people from Melbourne. In April 1840, as another large group of Aboriginal people had gathered in Melbourne and had moved to stay on the 'town

side of [the] Yarra' River, Thomas included in his journal a response to La Trobe's insistence that Aboriginal people be moved out of Melbourne: 'his Honor is a strange man he thinks that the Blacks can be led about as a pack of Children' (Thomas ML214.2 CY732: f. 461).

Thomas did manage to remove people for a short time following La Trobe's directive but on the return of a group of about 80 Aboriginal people in late April, La Trobe took a more coercive approach to keep Aboriginal people out of Melbourne, ordering Thomas to break up the encampment with the support of the Mounted Police. His subsequent record displays the way that Aboriginal fear and uncertainty about the role of the police or military helped support both La Trobe's and Thomas's ends: 'A villain tells the Natives that the Soldiers will come in the night and shoot them all. While I assure them they must go in the morning, at the same time convince them that their fears are groundless and that I will protect them from all danger'. Thomas was thus able to position himself as 'protecting' Aboriginal people because of the increasing use of coercive tactics by colonial authorities. His position as a 'friend' of Aboriginal people was bolstered by the willingness of colonial authorities to force Aboriginal movement away from white settlement in Melbourne. This approach from La Trobe was effective: 'At day break I press the subject and find a willing compliance. Write to His Honor and Captain Russell begging that the police may not come stating distress of the encampment last night' (Thomas ML214.2 CY732: f. 473).

In the wake of this incident La Trobe promised Thomas that he would establish a permanent settlement for both his groups of Aboriginal people (Thomas ML214.2 CY732: f. 474). Thomas was then directed by Robinson to 'collect' the Boonwurrung and bring them to meet with the Woiwurrung 'in order to form the whole into one body and fix upon a permanent station' (Thomas 7 November 1840 VPRS 4467 No. 67: 17-18). The Woiwurrung people suggested going to Melbourne instead. Thomas refused, and in response both Aboriginal groups left, but returned after two days having been driven out of Melbourne by the Mounted Police. It was only then that Thomas was

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able to work with Robinson and draw clan heads into a negotiation, through which the site at Narre Narre Warren was chosen. Thomas was then taken to be shown the site on 1 September, accompanied by 'five Blacks deputed by a Conference of the Two Tribes' (19).

Thomas's efforts to establish the station at Narre Narre Warren happened at the same time increasing numbers of white settlers moved into the Western Port district. Thomas reported how the increasing density of white settlement excluded Aboriginal peoples from important resource sites, for example, Thomas wrote about Bolin, 'here the Blacks made halt for Eel fishing. Since the last migratory visit to this place a Village had sprung up on the north banks of the Yarra. They always remained here on account of the quantity of eels in the great swamp Bolin and others in the neighbourhood' (Thomas 24 June 1841 VPRS 4467 No. 69: 2). In the course of a year Aboriginal people had been excluded from vital resource sites, and Thomas lamented the way that settlement had impacted on the Aboriginal community: 'I could not but feel for the poor Blacks they had till this visit had an undisturbed range amongst the Lagoons and supplied themselves amply for a month or five weeks, now one side of the Yarra is for ever closed to them' (2).

Amidst Thomas's attempts to regulate Aboriginal mobility, increasing settler ownership of land also placed tighter constraints as they began to occupy important food sites like Bolin. Thomas fielded complaints about Aboriginal people 'catching eels in allotments disposed of'. Another 'more serious' complaint related to the alleged theft of potatoes by Aboriginal people who, as it turned out, had been 'gleaning' or gathering from fields already harvested. While Thomas considered 'most of the settlers are kind enough to let the poor Blacks into their Potatoe fields', the complaint is indicative of how Indigenous people were becoming reliant on settler 'kindness' for access to their own resource sites (Thomas 24 June 1841 VPRS 4467 No. 69: 2). As Byrne has suggested 'the cadastral grid worked, indirectly, to train Aboriginal bodies to function within the geometry of the new economic order' (2010: 109). In this respect white settlers also impinged on Aboriginal mobility as the allocation of land to them brought with

it the power to not only exclude Aboriginal people from country, but also to restrict Aboriginal cultural and economic life.

While Aboriginal people were being excluded from their country and Thomas was trying to 'settle' them permanently, La Trobe used the mounted police to exclude Aboriginal people from the developing settlement of Melbourne. The pinnacle of this use of coercion might well be the Lettsom incident of 1840, which was a moment of very heavy-handed military action (Broome 2005, Christiansen and Ellender 2001, Christie 1979). Ostensibly, Lettsom's raid was retaliation for frontier violence on the edge of settlement, but the arrests took place in Melbourne. Major Lettsom had been sent by Governor Gipps to punish Aboriginal attacks against settlers on the frontiers of white settlement at Ovens River, and to take hostages if the attackers could not be found. He continued 150 miles south to Melbourne when he was unable to find any Aboriginal people to apprehend (George Gipps 3 February 1841 MLA1224). Lettsom then pursued Aboriginal people deemed as 'troublemakers', directing Thomas to give up particular Aboriginal people of his district. The Mounted Police made two raids on Aboriginal people camped in the vicinity of Melbourne, the first with Thomas present. On 1 October 1840 Mounted Police rode through the Yarra camp driving a group of men, women and children across the river who scrambled up trees to safety. Thomas was then instructed by Robinson to investigate a Kurnai attack on the settler Jamieson's station (Thomas 1 March 1841 VPRS 4467 No. 68; Thomas ML214, CY732, f. 512; Fels 2011: 117). His own mobility forced by his employers, Thomas was unable to protect Aboriginal people from military action, or at least to act as witness to these attempts to dictate Aboriginal movement. While Thomas was removed from the situation, La Trobe sanctioned an action against Aboriginal people meeting for a large Kulin clan gathering in Melbourne. La Trobe permitted the use of force only as a last resort, suggesting Lettsom 'overawe' the Aboriginal people without shedding blood (Crawford 1966: 108). A second attack in Melbourne on 10 October saw Lettsom capture at least 200 Aboriginal people who were arrested, marched to jail at gun and bayonet point, and held in custody overnight. Estimates vary, but Presland (2010) suggests

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300 people were captured (104). Two Aboriginal men were killed in this raid. While most people were subsequently freed, 30 people were detained for more than a month.

In the aftermath of the attack, New South Wales Governor Gipps signalled a change to the operation of the Protectorate, and a firm commitment to the notion of Aboriginal 'settlement'. Writing to London, Gipps noted that the Protectorate would focus clearly on a model of permanent stations — a far cry from the earlier goal of Protectors 'itinerating' with Aboriginal people. Permanent stations, he hoped, would educate children and act as 'places of refuge to the natives'. Gipps also suggested that this new 'still more missionary character to the duties of the Protectors' was necessary not only because of the need to settle Aboriginal people, but also because of the personal circumstances of the Protectors themselves. The Protectors, he surmised, were unsuited for their role with Aboriginal people, stating that they were 'inactive' because 'they are all encumbered ... with large families, and seem to have come to Australia with the expectation of establishing missionary stations, rather than of itinerating with and amongst the tribes' (Gipps 3 February 1841 MLA1224: 264-5). Gipps believed that 'young men unencumbered with families are the best suited' for the purpose of 'checking the atrocities' that happened when land was first settled (267-9). As Lester and Dussart have suggested, Protectors embodied a particular sort of metropolitan discourse of gender which was based around 'benevolent paternalistic, philanthropic and pedagogic masculinity' (Lester and Dussart 2009: 64). Gipps' criticism suggests that mobility was utilised as a key discourse in the 'failure' of both the Protectorate system and the idea that metropolitan versions of masculinity had little place in Australian frontier conditions.

The Regulation of Mobility and Aboriginal Resistance

In the immediate aftermath of the Lettsom attack, Aboriginal people did express a desire to use Thomas's station as a place of refuge, but did not see this as incompatible with maintaining their mobility: 'We go bush first, and then when all gone wild soldiers, come Nere Nere

Warren and no more come to Port Phillip' (Thomas ML214.2 CY732: f. 511). Even in the face of military intervention, Aboriginal people continued to practise their mobile lifestyles by 'going bush', resisting colonial attempts at 'settlement' even in the face of considerable risk. The frustration of this seemed eventually to weigh on Thomas for, in September 1842, he suggested a quite comprehensive plan to curtail Aboriginal mobility. He called for a system of regulation based on coercion as well as persuasion — and one that would criminalise both Aboriginal movement and settler employment of Aboriginal people — in an attempt to force settlement at the Narre Narre Warren station. In his report of September 1842 he suggested a one year trial of a plan with three elements: the issuing of rations at his station; fines for white settlers who employed Aboriginal people without the consent of Protectors; and the use of vagrancy laws to remove Aboriginal people from Melbourne (Thomas ML214.2 CY732: f. 584; see also Crawford 1966: 131). By 1842, after almost four years in the colony, Thomas had realised that Aboriginal movement was not something easily or permanently curtailed. He continually refused, however, to recognise or allow the centrality of movement to the cultural, economic and social life of the Aboriginal people among whom he lived.

Thomas's place for increasing regulation of Aboriginal movement might be seen as evidence of the 'failure' of a humanitarian approach, showing his inability to 'protect' Aboriginal communities without the resort to coercive measures. His preferred approach eventually mirrored that of colonial authorities, and was based on the use of police and the military. The need for such a comprehensive plan is itself recognition of the strength of Aboriginal resistance. The local spaces of Port Phillip were meeting up places, where Aboriginal people struggled to maintain their own cultures and lifestyles in encounters with colonists — be they humanitarian, colonial authorities, or individual settlers — on the ground. The maintenance of mobility can then be seen as an important act of cultural resistance by the Boonwurrung and Woiwurrung people. While increasingly curtailed and criminalised, they persisted in the choice of mobility as manifestation of their connection to country.

References

- Attwood B 2009 *Possession: Batman's Treaty and the Matter of History* Miegunyah Press Melbourne
- Ballantyne T and A Burton 2009 Introduction in Ballantyne and Burton 2009: 1-28
- Ballantyne T and A Burton eds 2009 *Moving Subjects: Mobility, Intimacy and Gender in a Global Age of Empire* University of Illinois Press Urbana
- Banivanua Mar T and P Edmonds eds 2010 *Making Settler Colonial Space: Perspectives on Race, Place and Identity* Palgrave Macmillan Houndsmill Basingstock and Hampshire New York
- Barry A, Cruickshank J, Brown-May A and P Grimshaw eds 2008 *Evangelists of Empire?: Missionaries in Colonial History* University of Melbourne eScholarship Research Centre Melbourne
- British House of Commons 1837 *Report from the Select Committee on Aborigines (British Settlements) with the Minutes of Evidence, Appendix and Index* House of Commons London
- Broome R 2005 *Aboriginal Victorians: A History Since 1800* Allen and Unwin Crows Nest
- Byrne D 2010 'Nervous Landscapes: Race and Space in Australia' in Banivanua Mar and Edmonds 2010: 103-28
- Cannon M 1983 *Aborigines and Protectors, 1835-39 Historical Records of Victoria Foundation Series Volume 2b* Victorian Government Printing Office Melbourne
- Carter P 1987 *The Road to Botany Bay: An essay in Spatial History* Faber and Faber London and Boston
- Christiansen P and I Ellender 2001 *People of the Merri Merri: The Wurundjeri in Colonial Days* Merri Creek Management Committee East Brunswick
- Christie M 1979 *Aborigines in Colonial Victoria 1835-86* Sydney University Press Sydney
- Clark I D and T Heydon 2001 *A Bend in the Yarra: A History of the Merri Creek Protectorate Station and Merri Creek Aboriginal School 1841-1851* Aboriginal Studies Press Canberra

- Clark I D 2005 'You have all this place, no good have children ... Derrimut: Traitor, Saviour or a Man of his People?' *Journal of the Royal Australian Historical Society* 91/2: 107-32
- Crawford I 1966 'William Thomas and the Port Phillip Protectorate, 1838-1849' Unpublished Masters thesis University of Melbourne Melbourne
- Fels M 2011 *'I Succeeded Once': The Aboriginal Protectorate on the Mornington Peninsula, 1839-1840* Aboriginal History Monograph 22 ANU ePress Canberra
- Gipps G 3 February 1841 Despatch No 354 to Lord John Russell Mitchell Library Microfilm A1224
- Glenelg C 1838 Despatch to George Gipps outlining appointment of Protectors Victorian Public Record Office 4409/P Unit 1 available at: http://www.prov.vic.gov.au/nativepolice/images/documents/04409_000001_001_001.html
- Harris C 2002 *Making Native Space: Colonialism, Resistance and Reserves in British Columbia* UBC Press Vancouver Toronto
- Holst H 2008 'Save the people: ES Parker at the Loddon Aboriginal Station' *Aboriginal History* 32: 109-27
- Kenny R 2008 'Trick or Treats: A Case for Kulin Knowing in Batman's Treaty' *History Australia* 5/2: 38.1-38.14
- La Trobe C 3 February 1841 Attachment B in George Gipps to Lord John Russell Despatch Number 354 Mitchell Library microfilm A1224
- Lester A 2002 *Imperial Networks : Creating Identities in Nineteenth-century South Africa and Britain* Routledge London and New York
- Lester A and F Dussart 2008 'Trajectories of protection: Protectorates of Aborigines in Early Nineteenth Century Australia and Aotearoa New Zealand' *New Zealand Geographer* 64: 205-20
- 2009 'Masculinity, Race, and Family in the Colonies: Protecting Aborigines in the Early Nineteenth Century' *Gender, Place and Culture* 16/1: 63-75
- Massey D 2005 *For Space* Sage London and Thousand Oaks California
- Mitchell J 2008 "'The Nucleus of Civilization": Gender, Race and Childhood in Australian Missionary Families, 1825-1850' in Barry et al 2008: 103-14
- 2009 "'The Galling Yoke of Slavery": Race and Separation in Colonial Port Phillip' *Journal of Australian Studies* 33/2: 125-37

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- Presland G 2010 *First People: The Eastern Kulin of Melbourne, Port Phillip and Central Victoria* Museum Victoria Publishing Melbourne
- Rae-Ellis V 1996 *Black Robinson: Protector of Aborigines* Melbourne University Press Carlton
- Reed L 2004 'Rethinking William Thomas, "Friend" of the Aborigines' *Aboriginal History* 28: 87-99
- Ryan L 2010 'Settler Massacres on the Port Phillip Frontier, 1836-1851' *Journal of Australian Studies* 34/3: 257-73
- Standfield R 2009 'Violence and the Intimacy of Imperial Ethnography: The *Endeavour* in the Pacific' in Ballantyne et al 2009: 31-48
- Stanner, W 1969 *After the Dreaming* Australian Broadcasting Commission Sydney
- Thomas W 1840-1841 Periodical Reports on the Operation of the Protectorate Victorian Public Record Office VPRS 4467 Number 66-69
- Thomas W 1840 Letters to George Augustus Robinson Victorian Public Record Office VPRS 11 P0007
- Thomas W 1838-1843 Journals and papers, Mitchell Library manuscript 214.1 and 214.2
- Wolfe P 2001 'Land, Labor and Difference: Elementary Structures of Race' *The American Historical Review* 106/3