

## Governing through race: setting the terms of exclusion

### Abstract

Foucault's 1976 lecture in the series published as *Society Must Be Defended* (2004) argues that the historical theme of race as a war between races in the 18<sup>th</sup> century became something different in the 19<sup>th</sup> century, namely race as a governmental technology of power, or State racism. This paper surveys public representations of 19<sup>th</sup> and early 20<sup>th</sup> century understandings of the 'Aboriginal problem' and notions of a 'dying race', and notes the way this intellectual production displays a shift from sovereign to bio-political powers.

Keywords: Australian Aborigines; power; racism; bio-politics; science

## Governing through rights: freedom and unfreedom

In the case of the Northern Territory Intervention, much of the Commonwealth

Government's rationale to managing the 'bare conditions of life' of Aboriginal peoples draws on claims to represent children's rights; alternatively, the Intervention was criticised for its 'illiberal' approach to rights (Northern Territory, 2007; Reynolds, 2010). Children's rights discourse has itself been critiqued in sociological literature for its normalising effects, and for the way it limits conceptualising of childhood. Gadda notes:

the development of childhood and children's rights discourses can be understood as the effects of power relations. Although they seem to be liberating, they are in fact a way in which to keep control over subjects, i.e. children, parents, non-Western citizens. Control in this way is no longer exercised through repression, but through the stimulation of an ideal, i.e. childhood (Gadda, 2008).

Commentaries in legal philosophy have also noted that a problem with contemporary human rights discourse is its professed universality (Rorty, 1992). Foucault similarly observed that 'it would be hypocritical or naïve to believe that the [system of rights] was made for all in the name of all...it would be more prudent to recognize that it was made for the few and that it was brought to bear on others' (Foucault, 1977:276). The problems associated with universalizing children's rights has also been commented on recently by researchers working with children in a range of non-Western settings and the manner in which, in such settings, rights discourse may actively impede appropriate solutions to the immediate problems confronted by children: '(i)ntervention by people with preconceptions of the character of a 'good childhood' in accord with which they would like to shape others' experiences can cause unintended distress and disruption (Reynolds, et al., 2006: 292).

Along similar lines, Wells (2011:15) argues that new demands for rights to ‘health, welfare and life’ produced resistance and struggles over the child’s special capabilities and vulnerabilities, and in fact superseded older conceptions of political rights. Bio-political powers produce a caveat or a gap – ‘a biological-type caesura’ (Foucault, 2004:255) – which fragments a population along what appears to be a biological domain. The production of race as an object of government is concerned with making interventions that promote a specific ‘form of life’ (Hindess, 1996). In other words, government is obliged to take consideration of race as it appears in the construction of population as a problem, requiring certain actions to secure its health, growth and prosperity. Such actions may involve authoritarian means of governing. As Dean (2002:25) explains, the liberal conception of government as arising from knowledges of civil society ‘feeds the authoritarian dimension of liberal government’:

liberal government encompasses both the constitutionally defined legal-political order and a liberal police established by a knowledge of spheres, processes and agencies outside this domain, eg. civil society, economy, population, etc. In order to understand the authoritarian potential of liberal government we need to comprehend both aspects of the liberal order (ibid).

To understand the conditions of possibility for instances of authoritarian liberalism, such as the exercise of powers to control and manage the ‘bare life’ circumstances of remote Aboriginal peoples, we consider here the relations between governing and the ‘knowledge of spheres’ in the population. This relates to a period in the post Darwinian-period in the early 20<sup>th</sup> century, a period which has been characterised as a shift away from ‘bloody frontier

battles' to more concerted attacks on Australian Indigenous cultural practices and forms of community life (Broome, 2005:185-206). The aim is to assess the contribution of this kind of intellectual production to the manner of governing Aboriginal people, including uses of authoritarian forms of power, giving particular attention to the normalising effects of the European 'developmental story' in relation to 'other races' and the production of categories of 'civilized' and 'uncivilised'. Implications of 'race science' as a governmental product can be seen in the way children were managed in manifestly authoritarian ways, particularly in the different 'racial typologies' underpinning widespread acts of child removal in this period.

#### Race science

From the early modern period, the slave trade, the subjugation and extermination of indigenous peoples, and ideologies of 'Christians versus heathens', shifted in the 19<sup>th</sup> century to notions of civilized Europeans versus uncivilized savages, particularly in conjunction with the rise of physical anthropology and evolutionary biology. As McCarthy (2009: 24) concludes, there was a continuous interplay between colonialism and racism. It is however to important to acknowledge the historical specificity of the translation of race science, and the local, practical engagement with the particular circumstances of the Australian colonial setting (Anderson, 2009). Scientific views of the superiority and inferiority of races became more prominent among the European settlers in Australia, as a rationale for 'clearing away' those referred to as 'full bloods'. Evolutionary thought and accompanying theories about biological evolution were as startling in Australia as elsewhere in the world, and the implications of evolutionary theory for social policy were widely discussed and debated (Goodwin, 1964). Often these debates focused the relative importance of economic freedoms

under liberalism: for example, conservatives took so-called Social Darwinist ideas to assemble arguments that interference by the state with the ‘natural growth processes’ of the economy could lead only to ‘stagnation and race deterioration’. ‘Radical collectivists’, on the other hand, argued that societies rather than individuals were the critical developing organisms, and that the primary responsibility of the State ‘as custodian of the community’s wisdom and power was to regulate relations between citizens and to seek with every available means the highest possibly national destiny’ (Goodwin, 1964: 415). In Goodwin’s review, ‘race deterioration’ and ‘national destiny’ referred to settler society, while the effect of evolutionary theory on Aboriginal Australia was completely ignored.

More recent attention to theories of population shows that 19<sup>th</sup> century evolutionary science accommodated a range of perspectives on the origins of Australian Aborigines and their likely destiny. There is evidence that environmentalism influenced early 19<sup>th</sup> century ethnographers’ views on the condition of Aboriginal people, indicating that their supposed lack of sophistication and civilization was due to the inadequacies of their environment. Towards the end of the century the view that Aborigines were different in their ‘natural’ capacities and were remnants of an about-to-be extinct race became more prominent (Hindess, 2001: 103). Much of the focus of scientific attention was on the origins and significance of racial differences in Indigenous people as these might affect the future of the ‘white race’ in the new settlement in Australia. In the lead-up to World War 1, many scientists were convinced that Aborigines were the remnants of an earlier invasion which had either eliminated or absorbed the first inhabitants. This provided them with the groundwork

on which to speculate about the white race in the antipodes. Anderson (2002) observes that the doctors who were drawn to Aboriginal studies were more interested in discerning racial types and tracing human genealogies than recording the 'pathophysiological mechanism' that led to Aboriginal deaths after contact with the white invader. What was largely missing from the scope of scientific interest was the effects of governance practices on the health of Aboriginal peoples, so that rising morbidity and mortality rates among these populations often served to confirm Enlightenment presuppositions about inferior, 'doomed' races and the 'developmental story' of the Europeans.

The 'developmental story' in public discourse

We pick up the story in Queensland at the turn of the century, as the Anglican church reviews its mission work and its adaptation to colonial conditions, which covered the 'heathen races' of the Western Pacific and well as the aborigines of Australia and New Zealand: 'we are sure that, as the backs die out, and our treatment of them becomes only a memory, these and similar efforts by other Churches will stand out to our vision with increasingly happy relief against the dark historic background (*The Brisbane Courier*, 3/8/1900, p.4). The missionary effort, while ultimately unsuccessful in 'saving the race', had nevertheless strengthened and ennobled the British:

It has been said that the British peoples in these Southern seas are of more consequence than all the native races put together. Be it so. The British peoples will strengthen and ennoble themselves by nothing so much as their unselfish toll for the

child races cast upon their care. The materialism which would evade the 'white man's burden' is the crassest folly (ibid).

In Western Australia, the Roth Royal Commission Report findings received considerable newspaper attention. It seemed that the 'white man's burden' now focused on two main issues - the administration of justice and the prostitution of 'native women'. The first, except for 'one unsubstantiated charge of murder by a constable', focused on the practice of 'chaining natives by the neck' when they were held in custody. Substantial monetary allowances were paid to police for prisoners' upkeep 'accounting for the large numbers of Aborigines kept in police custody for as long as possible'. Roth reported: 'with regard to long sentences passed upon native prisoners, they are not considered beneficial. The blacks are far better in their uncivilized than semi-civilised state, and are a great deal of trouble after they come out of gaol' (*The Western Mail*, 4/2/1905, p.32). In the development story, native races like Australian Aborigines were viewed as 'child races', of less consequence than the British people, and should be left in their 'uncivilized' state.

Discussion of eugenics made its appearance in newspaper commentary early in the century, insisting on the need for public awareness of science as a way of improving the human species. The *Adelaide Advertiser* (12/3/1910, p.12) spoke of 'uncivilised as well as civilised peoples' using practices to safeguard against 'racial deterioration...underlying factors in the strange social organization of the aborigines of this continent with their totemic restrictions of what passes for marriage, and are also found in operation among peoples as dissimilar and distinct as Polyneasians and American Indians'. During the 1920s, Australian newspapers reflected a range of views on race, eugenics and civilisation while at the same

time affirming the terms in which these matters would be considered. For example, race was spoken about in terms of 'blood', as Director of the Queensland Museum Herbert Longman put it in 1927: 'The long record of civilization showed a succession of dominant peoples. The virile white Northern European or Nordic race probably owed much to an infusion of blood and culture from the Mediterranean, that remarkable centre of early progress'. Citing Havelock Ellis, 'a normal child was never yet born of two feeble-minded parents' (*The Queenslander*, 28/4/1927, p.18). The naturalist E H Pulleine explained at a lantern lecture to the Women's Non-Party Association in Adelaide in 1926 that the blood grouping of Aborigines was just the same as that of the European, 'and they were much nearer to us than the Chinese or Indians...the reason for their rapid extinction was the contact of a most civilized and the least civilized races' (*The Register* (Adelaide), 5/8/1926, p.13). At the 1926 Perth congress of the Australasian Association for the Advancement of Science, F. Wood Jones claimed it was useless to try to administer Australia for the benefit of the aboriginal, as had been done in other lands 'since he was not capable of taking advantage of the civilising influences of Anglo-Saxon rule'. (*Sydney Morning Herald*, 26/8/1926, p.10):

Nevertheless there was a debt. They had doomed him to lingering and certain death, wherever they had come into prolonger contact with him. If the aboriginal had not thrived so well on religions dogmas, or on alcohol, cast-off garments, and venereal disease, as on the exercise of his own pursuits in his own hunting ground, the fault was his. He had misused blessings, or had been too low in the scale of humanity to take advantage of them (ibid).

Professor Wood's conclusions on the 'doom of the aboriginal' were based on the proposition that aboriginal man had been taught 'civilisation and Christianity' for long enough to show that

white civilisation and continued existence were incompatible where the aboriginal was concerned. One generation of contact was enough to seal his fate... It was impossible that the aboriginal would ever live as a healthy, helpful race...the only way he could be saved was to establish properly organized and properly administered reserves (ibid).

The implication of all this was that core governmental programs for improving of the productiveness of the Australian native race such as education and healthcare would be fruitless and ineffectual.

A letter writer to the *Sydney Morning Herald* (26/4/1928, p.6) pointed to current Aboriginal protests against being ejected from the La Perouse reserve ('the apex of our greed') and the attempt by a union in Port Darwin to prohibit employment of Aborigines in mines and stations ('a severe commentary on the unions and their methods'). The writer observed that Australia supported sanctuaries for birds and animals – 'we have dogs homes, horses homes, cats homes, but no homes for aborigines – none that is secure':

One is told that they are so inferior a race that they are not to be considered...And the plea that they are so inferior is but another proof of our arrogance. The Australian aborigine certainly lives and thinks on a different plane than do the white races. But that is not necessarily proof of inferiority. In their unspoiled state they have as high a

code of honour as we have, and certainly keep it more strictly than do most white people (ibid).

In a similar vein, the *Brisbane Courier* ran a story titled 'Superiority Complex and the Colour Complex' (2/1/1929, p.21) in which the author Llewellyn Lucas described an epidemic of 'idealising the dark-skinned races...either it is a fashion for a mild humanitarianism – a patting of the clever dog on the head - or it is a significant surge showing a turn in the great racial tides'. Lucas recounted the 'terrible war over the negroes' in America which had 'spilled much "white" blood':

there is perhaps no reason why the white race should maintain its supremacy, or why all the races might not in time merge, but the Australian aboriginal is surely a relic of the past, to be treated kindly and humanly, like a child, and protected from degenerate whites by law (ibid).

## Conclusion

In the space of a century of attempts to govern Aboriginal families and children, population became an important object of knowledge. Science entered the room of governing, and was required to provide an impartial assessment of 'the Aboriginal Problem' and the scope of freedom and rights of that part of the population. The interpretations were contested, but nevertheless require us to take seriously the evidence of the governing actions of science itself as a definer of normal life, normal growing up, and also a corollary, the legal determinations of normal families and the limits of their freedoms and rights. Such an interpretation adds weight to arguments about the critical role of biopolitics, as distinct from

law, in furthering or limiting children and their families' participation in decisions about their upbringing.

## References

Anderson, W. (2002) *The Cultivation of Whiteness. Science, Health and Racial Destiny in Australia*, Durham, NC, Duke University Press.

Anderson, W. (2009) 'From subjugated knowledge to conjugated subjects: science and globalisation, or postcolonial studies', *Postcolonial Studies*, 12, 4.

Broome, R. (2005) *Aboriginal Victorians. A History since 1800*, Sydney, Allen and Unwin.

Commonwealth of Australia. Stronger Futures in the Northern Territory Bill, 2012

Dean, M. (2002) 'Liberal government and authoritarianism' *Economy and society* 31, 1, 37-61.

De Mause, L., ed. (1976) *The History of Childhood*, London: Souvenir Press.

Foucault, M. (2004) *Society Must Be Defended*, London: Penguin, 2004.

Gadda, A. (2008) 'Rights, Foucault and Power: A Critical Analysis of the United Nation Convention on the Rights of the Child', *Edinburgh Working Papers in Sociology*, no.31.

Goodwin, C. (1964) 'Evolution in Australian Social Thought', *Journal of the History of Ideas*, 25, 3, 393-416.

Hawes, J. (1991) *The Children's Rights Movement: A History of Advocacy and Protection*, Boston: Twayne Publishers.

Hindess, B. (1996) 'Liberalism, socialism and democracy: variations on a governmental theme' in A. Barry, T. Osborne and N. Rose eds *Foucault and Political Reason. Liberalism, neo-liberalism and rationalities of government*,

Marshall, D. (1999) 'The construction of children as an object of international relations: The Declaration of Children's Rights and the Child Welfare Committee of League of Nations, 1900–1924', *The International Journal of Children's Rights*, 7, 103–4.

McCarthy, T. (2009) *Race, Empire, and the Idea of Human Development*, Cambridge, Cambridge University Press.

Meuwese, S., Detrick and Jansen, S. et al., eds (2007), *100 years of child protection*, Wolf Legal Publishers.

Northern Territory National Emergency Response Act (2007), at [www.austlii.edu.au/au/legis/cth/num\\_act/ntnera2007531/](http://www.austlii.edu.au/au/legis/cth/num_act/ntnera2007531/), accessed 12.7.2010.

Northern Territory (2007) Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse (Also known as the “Little Children are Sacred” report.), at <http://www.inquirysaac.nt.gov.au/>, accessed 15/7/2010.

Reynolds, H. (2010) ‘Time immemorial’, *Australian Book Review*, April 7.

Reynolds, P., Nieuwenhuys, O. and Hanson, K. (2006) ‘Refractions of Children’s Rights in Development Practice’, *Childhood*, 13

Rorty, R. (1992) ‘Oxford Amnesty lecture on Human Rights, 1992’ in Shute, S. and Hurley, S. (eds) *On Human Rights: The Oxford Amnesty Lectures, 1993*, New York: BasicBooks.

United Nations (1989) General Assembly *Resolution 25* Session 44 Convention on the Rights of the Child, Geneva: United Nations.

Wells, K. (2011) ‘The Politics of Life: governing childhood’, *Global Studies of Childhood*, 1 (1):15-25.