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A Moving Female Frontier: Aboriginal Exemption and Domestic Service in Queensland, 1897–1914

KATHERINE ELLINGHAUS & JUDI WICKES

Inspired by new histories of Indigenous mobility that emphasise how movement was an important feature of Aboriginal and Torres Strait Islander experience, this article examines how mobility enables us to better understand the legal status of exemption. It shows the way non-Indigenous families seized on exemption in Queensland between 1897 and 1914 as a way to maintain control over the movement of the women and girls who worked for them as domestic servants. It also examines how those women and girls negotiated, refused and embraced the policy of exemption and used it to gain freedom to move around Queensland, driven by their family connections, ambitions and cultural and community ties. These two different uses of exemption show that even though the 1897 Aboriginals Protection and Restriction of the Sale of Opium Act made the movement of Indigenous people fraught, Aboriginal and Torres Strait Islander people continued their efforts to be mobile.

In 1900, the Northern Protector of Aborigines in Queensland, Walter E. Roth, noted a particular set of applications made to the Office of the Chief Protector involving young girls. They were, he wrote in his Annual Report, 'received from employers for … certificates of exemption … It is noteworthy that these exemptions have invariably been made on behalf of little girls'.[1] Queensland was just one of the Australian states and territories where the government offered 'exemption' to some Aboriginal and Torres Strait Islander people during the twentieth century. An exemption certificate enabled a person to be released from the 'protection' legislation which, in various iterations, controlled the lives of Indigenous people in every colony, state and territory in Australia from the late nineteenth century to the 1960s. These Acts defined Aboriginal and Torres Strait Island identities in European racial terminology steeped in biological racism, said where they should live, whom they could marry and who was guardian of their children. They also curtailed their movement and imposed countless other

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[1] Annual Report of the Northern Protector of Aboriginals for 1900 (Queensland), 1, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/63423.pdf (accessed 11 September 2019).

restrictions on their human rights. Queensland (1897), Western Australia (1905), the Northern Territory (1936), South Australia (1939) and New South Wales (1943) included clauses in their protection legislation which allowed government administrators to 'exempt' individual Indigenous people who were judged not to need the same level of paternalistic control as others.

The freedom offered by exemption was tempered by the requirement that exempted people were forced to live apart from family, friends and community who were not exempt. Exemption certificates could be revoked, which meant that exempted people continued to be under the surveillance of Chief Protectors and Protection/Welfare Boards. So, beyond the bald details of the policy itself are many stories of what scholars Judi Wickes, Lucinda Aberdeen and Kella Robinson have called 'the lived experience' of exemption. Through the life stories of Wickes and Robinson, these scholars have argued for the importance of acknowledging the emotions felt by people who applied: the hurt caused by the racism that they faced afterwards despite their 'equality'; the extent to which ties to culture and community were cut; the pain of the loss of language, storylines, land, customs; and what it actually felt like to have to apply to be a 'citizen' in your own country.[2] Exemption was a poisoned chalice that had a transgenerational impact on families and communities that is only just beginning to be recognised today. It is also a part of Australian history which has received, to date, only brief attention from scholars.[3] Judi Wickes' work on exemption in Queensland, done alone and in collaboration with others, is the only research to date to have made a comprehensive study of exemption in any region.[4]

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[2] Lucinda Aberdeen, Kella Robinson and Judi Wickes, '"Playing the Game": A Comparative Case Study of Aboriginal Exemption in Queensland and New South Wales', in *Rethinking and Researching Twentieth Century Aboriginal Exemption Policies*, eds Lucinda Aberdeen and Jennifer Jones (under consideration, Aboriginal Studies Press).

[3] Several historians mention exemption in studies which focus more broadly on the history of government policies in a time or region. For example, Heather Goodall discusses exemption in New South Wales in her important work, *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770–1972* (Sydney: Allen & Unwin in association with Black Books, 1996), 107, 267, 318; Russell McGregor addresses it in his studies of the meaning of assimilation in 'Avoiding "Aborigines": Paul Hasluck and the Northern Territory *Welfare Ordinance*, 1953', *Australian Journal of Politics and History* 51, no. 4 (2005): 513–29, and in 'Nation and Assimilation: Continuity and Discontinuity in Aboriginal Affairs in the 1950s', in *Modern Frontier: Aspects of the 1950s in Australia's Northern Territory*, eds Julie T. Wells, Mickey Dewar and Suzanne Parry (Darwin: Charles Darwin University Press, 2005), 17–31. Richard Broome mentions it briefly in *Aboriginal Australians: A History since 1788* (Sydney: Allen & Unwin, 2010), 209–10. Darlene Johnson discusses exemption in 'Ab/originality: Playing and Passing versus Assimilation', *The Olive Pink Society Bulletin* 5 no. 2 (1993): 19–21.

[4] Wickes' work is a unique combination of archival research, personal experience and family history. See Judith Anne Wickes, 'Study of the "Lived Experience" of Citizenship amongst Exempted Aboriginal People in Regional Queensland, with a Focus on the South Burnett Region' (MA thesis, University of the Sunshine Coast, 2010); Judi Wickes and Lucinda Aberdeen, 'The Diaries of Daisy Smith: The Experience of Citizenship for an Exempted Family in Mid-Twentieth Century Queensland', *Australian Journal of Politics and History* 63, no. 1 (2017): 62–77; Judi Wickes and Marnee Shay, 'Aboriginal Identity in Education Settings: Privileging Our Stories as a Way of Deconstructing the Past and Re-Imagining the Future', *Australian Educational Researcher* 44 (2017): 107–22; Judi Wickes, '"Never Really Heard of It": The Certificate of Exemption and Lost Identity', in *Indigenous Biography and Autobiography*, eds Peter Read, Frances Peters-Little and Anna Haebich (Canberra: Aboriginal Studies Press, 2008), 73–91; and Aberdeen *et al*., '"Playing the Game"'.

This article had its beginnings in Wickes' archival research, and in her many conversations with co-author, Katherine Ellinghaus, who is working on a national history of exemption policies. We have different perspectives derived from our cultural and professional backgrounds: Ellinghaus is an academic historian with no personal connection to the topic, while Wickes is a respected community Elder, retired social worker, historian and educator whose grandfather, Roy Smith, held an exemption certificate in Queensland in 1926. These different subject positions directly shaped our respective approaches to the topic of exemption. Judi Wickes came to this research through her work as a Stolen Generation Counsellor. Clients would ask 'who are you, where do you come from and who's your family?' She could not answer those questions and so returned to university in search of answers. Her grandfather's certificate of exemption, which was amongst his belongings when he passed, formed the basis of her quest to explore her family's history. Ellinghaus, as a non-Indigenous academic, simply chose the topic after seeing records relating to exemption in the New South Wales State Archives in the early 2000s. She was immediately struck by the stories in these files of people 'applying' to have basic human rights and being judged on the intimate details of their lives. Supported by Australian Research Council funding, she commenced a national study of exemption. As this project developed, and through the generosity of Wickes and others whose families have exemption in their history, Ellinghaus has begun to understand how her lack of personal connection to the policy has limited her understanding of its ongoing, transgenerational effects. The topic has also led her to question the extractive and distant model of research that non-Indigenous historians once engaged in, and to appreciate the importance of asking Aboriginal or Torres Strait Islander stakeholders if that approach is either desired, helpful or appropriate.[5]

In this article, we use the example of the exempted girls and women in Queensland noted by Roth in his 1900 Annual Report to show how exemption could be both a means of control and an opportunity for people to move across and through the invisible and visible boundaries imposed by the Queensland government on Aboriginal and Torres Strait Islander people. First, we examine how some settler families used exemption as a means to avoid government surveillance of the young girls and women living in their houses. We then examine how Aboriginal and Torres Strait Islander women and girls applied for exemption themselves in order to obtain the freedom to move as they wished. Together, these two very different uses of exemption in Queensland between 1897 and 1914 show that a key impact of the Aboriginals Protection and Restriction of the Sale of Opium Act (1897) was to monitor and regulate the movement of

[5] For more on past practices and the beginning of efforts to move beyond them, see Barry Judd and Katherine Ellinghaus, 'F.W. Albrecht, Assimilation Policy and the Lutheran Experiment in Aboriginal Education, 1950s–1960s', in *Questioning Indigenous-Settler Relations: Interdisciplinary Perspectives*, eds Sarah Maddison and Sana Nakata (New York: Springer, 2019), 55–68. For a history of these debates in the Australian historical profession, see Bain Attwood, 'The Founding of *Aboriginal* History and the Forming of Aboriginal History', *Aboriginal History* 36 (2012): 119–71.

Indigenous people. The article concludes with a conversation between the authors that explores in more detail the themes of subject position, emotion and the writing of the history of exemption.

The concept of mobility is useful in unpicking the way exemption impacted on the 'lived experience' of those who held the status and, more broadly, highlights how central the control of Indigenous movement was to settler governments in the twentieth century. While being exempt from protection legislation meant various things to Aboriginal and Torres Strait Islander people, depending on what controls were imposed on them by their state's protection legislation, the movement of Indigenous people was central to the workings of the policy. Exemption allowed people to live beyond reserves and missions but it also curtailed their movement back to places where their families and communities resided: people often needed permission from Protectors to visit their former communities and that permission was often withheld. Also, exemption sometimes made successful applicants eligible for social security payments and it gave them greater freedom to choose employment, giving a version of what we might call social mobility.

Recent scholarship on Indigenous mobility has recognised how Aboriginal and Torres Strait Islander people have always been engaged in travel for diplomatic, economic and cultural reasons.[6] Scholars have also focused on settler efforts to limit or control people's movement, including the journeys of individual activists, movement for labour and education, the flow of ideas and people that informed Aboriginal activism (such as John Maynard's important work), and the networks and counter-networks created and enjoyed by Indigenous and Islander peoples (such as Tracey Banivanua Mar's ground-breaking research on Australia and the Pacific).[7] A focus on mobility can offer new insights into

[6] See in particular Shino Konishi, 'Crossing Boundaries: Tracing Indigenous Mobility and Territory in the Exploration of South-Eastern Australia', in *Indigenous Mobilities: Across and Beyond the Antipodes*, ed. Rachel Standfield (Canberra: ANU Press, 2018), 35, but also all the other chapters in this collection.

[7] For recent work that focuses on Indigenous mobility, as well as that cited above and below, see Tracey Banivanua Mar, *Decolonisation and the Pacific: Indigenous Globalisation and the Ends of Empire* (Cambridge: Cambridge University Press, 2016); Tracey Banivanua Mar and Nadia Rhook, 'Counternetworks of Empires: Reading Unexpected People in Unexpected Places', *Journal of Colonialism and Colonial History* 19, no. 2 (2018), doi:10.1353/cch.2018.0009; Antoinette Burton and Tony Ballantyne, eds, *Moving Subjects: Gender, Mobility and Intimacy in an Age of Global Empire* (Urbana: University of Illinois Press, 2009); Jane Carey and Jane Lydon, eds, *Indigenous Networks: Mobility, Connections and Exchange* (New York: Routledge, 2014); Jane Carey, '"A Walk for Our Race": Colonial Modernity, Indigenous Mobility and the Origins of the Young Māori Party', *History Australia* 15, no. 3 (2018): 430–57; Kate Fullagar, *The Savage Visit: New World People and Popular Imperial Culture in Britain, 1710–1795* (Berkeley: University of California Press, 2012); Deirdre Howard-Wagner and Ben Kelly, 'Containing Aboriginal Mobility in the Northern Territory: From "Protectionism" to "Interventionism"', *Law Text Culture* 15 (2011): 102–34; Shino Konishi and Leah Lui-Chivizhe, 'Working for the Railways: Torres Strait Islander Labour and Mobility in the 1960s', *Journal of Australian Studies* 38, no. 4 (2014): 445–56; Beth Marsden, '"The System of Compulsory Education Is Failing": Assimilation, Mobility and Aboriginal Students in Victorian State Schools, 1961–1968', *History of Education Review* 47, no. 2 (2018): 143–54; Cecilia Morgan, *Travellers through Empire: Indigenous Voyages from Early Canada* (Montreal: McGill-Queen's University Press, 2017); Amanda Nettelbeck, 'Interracial Intimacy, Indigenous Mobility and the Limits of Legal Regulation in Two Late

diverse subjects from across the nineteenth and twentieth centuries – from the meetings of Indigenous travellers in port cities to the housing and education policies of postwar Australia.

The history of exemption suggests the importance of paying attention to scale when examining Indigenous mobilities.[8] Exemption highlights the enormous social and political significance of short geographical distances and small settler colonial spaces to the history of assimilation – it could, for example, allow access to prohibited areas of towns and cities and to hotel bars. We cannot begin to understand the implications of exemption without appreciating that twentieth-century Australia was made up of intricately and racially divided spaces: places, streets; shops and businesses where Indigenous people could and could not go; places where they were expected to be seen; and places where they were unquestionably absent or silent in the background. Colonial grids and structures overlaid Aboriginal and Torres Strait Islander spatial understandings of Country, and there were also inexpressible distances between family members separated by policies of assimilation and protection.[9] The freedom of movement that exemption offered came with continued government monitoring: when performing these movements exempt people often had to carry their certificate with them and in some places lists of names were kept at police stations and even in shops and hotels. Surviving exemption certificates are often creased, folded and stained – the result of being carried on the body of the holder every day for many years. At the same time, exemption allowed people more freedom to move of their own volition. It was avoided by or unavailable to many people. It was also seized upon by some who used the policy to negotiate, manipulate, resist and avoid the efforts of the government to restrict their lives.

Applications for exemption are sensitive, personal and are mostly given a 'restricted' status by State Records Offices. As Kathy Frankland, the Manager of Community and Personal Histories at the Department of Aboriginal and Torres Strait Islander Partnerships in Queensland state government noted, files such as these 'often contain a "cradle to grave" account of a person's life'. They contain information that 'is often highly sensitive' and feature 'derogatory and racist statements largely written by government officials and

Settler Colonial Societies', *Law and History Review* 4 (2017): 103–24; Fiona Paisley, *The Lone Protestor: A.M. Fernando in Australia and Europe* (Canberra: Aboriginal Studies Press, 2012); John Maynard, *Fight for Liberty and Freedom: The Origins of Australian Aboriginal Activism* (Canberra: Aboriginal Studies Press, 2007); Lynette Russell, *Roving Mariners: Australian Aboriginal Sealers and Whalers in the Southern Oceans, 1790–1870* (New York: State University of New York Press, 2012); Standfield, *Indigenous Mobilities*; and Coll Thrush, *Indigenous London: Native Travelers at the Heart of Empire* (New Haven: Yale University Press, 2016).

[8] Katherine Ellinghaus and Sianan Healy, 'Micromobility, Space, and Indigenous Housing Schemes in Australia after World War Two', *Transfers* 8, no. 2 (2018): 44–66.

[9] Penny Edmonds and Tracey Banivanua Mar, 'Introduction: Making Space in Settler Colonies', in *Making Settler Colonial Space: Perspectives on Race, Place and Identity*, eds Penny Edmonds and Tracey Banivanua Mar (New York: Palgrave Macmillan, 2010), 1–24. See also Katherine Ellinghaus and Leonie Stevens, 'Mind the Gap: Micro-mobility, Counter Networks and Everyday Resistance in the Northern Territory in 1951', *Journal of Colonialism and Colonial History* 19, no. 2 (2018).

employers'.[10] These records are the product of extreme government surveillance.[11] Because of access conditions they are most often used by family history researchers, as demonstrated by Jackie Huggins, Rita Huggins and Lillian Holt's reproduction of Rita Huggins' file in *Auntie Rita*, published in 1994.[12] In this article we utilise personal files which are beyond the State Record Office of Queensland's 100-year access rule. We also use other series on open access: the Chief Protector's Inwards Correspondence Registers; the Home Secretary correspondence files; police files; and the Exemption Register which includes basic information about names and dates and sometimes other information. While our access has been sanctioned by the Queensland State Record Office, this information is still sensitive and intimate, so we have redacted identifying details.[13] We acknowledge that in some of the individual stories we relate this may not be enough to ensure identities are protected.

Exemption in Queensland

Queensland was the first colony/state to include an exemption clause in its protection legislation which, when it was enacted in 1897, was seen as modern and innovative.[14] Based on the reports of Archibald Meston, a journalist, 'explorer' and later Protector of Aboriginals in Southern Queensland, the Act divided the

[10] Kathy Frankland, 'Treading a Fine Line: Managing Access to Sensitive Records and Writing Ethnohistories', paper given at the 'Innovation in Native Title Anthropology' Conference, Centre for Native Title Anthropology, Queens College, University of Melbourne, Australia, 8–9 February 2018, 4.

[11] '[T]he Department, even after granting freedom, as far as practicable, keeps an unobtrusive eye upon them, ready if necessary to help or even resume control'. J.W. Bleakley, Aboriginal Department – Information contained in Report for the Year ended 31st December, 1924, 6, http://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/64144.pdf (accessed 11 September 2019).

[12] Jackie Huggins, Rita Huggins and Lillian Holt, *Auntie Rita* (Canberra: Aboriginal Studies Press, 1994), 44, 48–50.

[13] Readers who have a family history of exemption who would like to contact Katherine Ellinghaus about the possibility of there being information about their relatives in archives should do so via www.aboriginalexemption.com.au. This article comes from one small part of the research done for Ellinghaus' ARC Discovery Project 'The Burden of Freedom? Aboriginal Exemption Policies in Australia'. The project has accessed thousands of files from archives in New South Wales, the Northern Territory, Queensland, South Australia and Western Australia. Ellinghaus may be able to direct people towards information about their family members and would be happy to do so.

[14] As Tim Rowse has argued, 'Queensland was seen as the exemplary state in the period between Federation and World War II, not because it was the first state to legislate protection … but because its *Aboriginals Protection and Restriction of the Sale of Opium Act* of 1897 was the foundation of a large, comprehensive system, incorporating missions and led by "experts"': Tim Rowse, *Indigenous and Other Australians since 1901* (Sydney: NewSouth Publishing, 2017), 97. Rowse also asks scholars to pay attention to the ways in which 'the North' was distinctive: it 'was different: in its more demanding geographies, in its more limited opportunities for private and public investment, in its sparser and more ethnically mixed population, and in that it was the territory, well into the 20th century, either of pastoral runs extended over extant Indigenous polities or of Indigenous polities beyond the zone of colonial enterprise' (Rowse, 8).

Indigenous population into two groups: those who needed protection via incarceration on reserves and mission stations and those who were needed to labour for settlers.[15] The 1897 Act gave Protectors the power to exempt Aboriginal people who were 'lawfully employed', women who were married to non-Aboriginal men, and people who already had permits to be absent.[16] Exemption also specifically targeted people of mixed descent. Clause 33 gave the Minister the power to issue a certificate to any 'half-castes' who in his opinion ought not to be subject to the provisions of the Act. In 1939 the legislation was amended to extend this opportunity to all Aboriginal and Torres Strait Islander people in the state.[17] Exemption was barely acknowledged as the legislation was debated in both houses of parliament.[18] In the Legislative Council the Secretary for Agriculture mentioned it in passing, describing the Act as a whole as a way of dividing the Indigenous population of the state into two groups – those who were to stay put and be protected 'by establishing reserves to which they can be sent, where they can be sure of getting food, where they will be looked after', and those 'who have shown that they are capable of taking care of themselves'.[19] The latter, we presume, were the envisioned recipients of exemption certificates.

A person wishing to obtain a certificate of exemption in Queensland would ask the local Protector or someone else to write on his or her behalf to the Chief Protector or write to him directly. In the period examined in this article, the Chief Protectors were Walter E. Roth/Archibald Meston (1897–1903), Roth (1904–05), Richard B. Howard (1906–12) and J.W. Bleakley (1913–39; Director of Native Affairs 1939–42). Applicants would include letters of reference testifying to good character. The Chief Protector would also seek advice from local government agents, most often police officers. Exemption was awarded to those who led moral lives and were thrifty with their money, and not to those who drank too much liquor and who 'habitually associated with', including being married to, other Aboriginal or Torres Strait Islander people. Between 1902 (when the first certificate was awarded) and 1912, exemption numbers were low, ranging between one and sixteen certificates granted in any one year. In 1913 twenty-seven certificates were issued and from this period onwards, except for a break in 1935 and 1936, numbers stayed relatively high, peaking in 1956 when 286 certificates were awarded in a single year. According to the Chief Protector's annual reports, between 1902 and 1914 fifty-five exemptions were awarded to women and sixty-nine to men. The rough gender parity in this early period ended once

[15] Archibald Meston, 'Report on the Aboriginals of Queensland', 1896, 5, https://aiatsis.gov.au/sites/default/files/catalogue_resources/92163.pdf (accessed 11 September 2019).
[16] Queensland Parliamentary Debates, Legislative Council, 7 December 1897, 1887.
[17] Aboriginals Protection and Restriction of Sale of Opium Bill (Queensland), 1897, Clause 33, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/54692.pdf (accessed 11 September 2019), and An Act to Consolidate and Amend the Law Relating to the Preservation and Protection of Aboriginals, and for other purposes (Queensland), 1939, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/54685.pdf (accessed 11 September 2019).
[18] Queensland Parliamentary Debates, Legislative Council, 7 December 1897, 1911.
[19] Ibid., 1887.

John William Bleakley became Chief Protector in 1913. Under his reign, which is not discussed in this article, many more applications were rejected and more men were exempted than women.[20] Raw numbers of exemptions were greater only because many more people applied.[21] This article focuses on the period between 1897 and 1914, before Bleakley put his own particular stamp on Aboriginal Affairs in Queensland, and when the policy of exemption was new, vaguely-worded and untested. It explores the strategic use of exemption by two disparate groups: employers of young female servants and some of the servants themselves.

Exemption as a loophole

Something that the Queensland government had not anticipated in this early period was that, almost as soon as it went into operation, a significant number of applications would come from the employers of female domestic servants. White employers claimed that female servants lived in their houses almost as 'members of the family', were 'equal to whites' and should therefore not be under the Act. These children, mostly girls, had been moved from their families and communities, or the missions or institutions in which they had grown up, to be domestic servants elsewhere. As Tim Rowse notes, 'these unofficially adopted children did domestic work, thus meeting two needs of colonial households: to ease domestic drudgery and to do good'.[22] Their 'employers' had reared some of these children from babyhood – or so they claimed. One married woman from Herberton applied for exemption for '[Grace] a half caste whom she reared and who is nine years of age'.[23] The white wife of a saw miller had reared another young woman 'since she was a baby 12 months old' and she should be awarded exemption 'as she is more like a white girl she had a good education and is well accomplished'.[24]

Victoria Haskins has characterised this common, Australia-wide practice as a 'moving female frontier – one in which Aboriginal women made mobile by colonization were themselves active historical agents'.[25] Domestic service was the principal field of employment for Aboriginal females in Queensland during the

[20] These statistics have been collated from the Annual Reports of the Chief Protector of Aboriginals (Queensland) which are available here: https://aiatsis.gov.au/collections/collections-online/digitised-collections/remove-and-protect/queensland (accessed 11 September 2019).

[21] According to Wickes' research, between 1908 and 1967/8, a total of 4,092 certificates of exemption were issued in Queensland. There were 2,520 certificates issued to men, and 1,570 issued to women, as well as 1,165 children who were included on their mother's certificate. The ages of applicants varied from the very young (nine months, in 1908) to the very old (eighty-eight years in 1958). Wickes, '"Never Really Heard of It"', 77.

[22] Rowse, 254.

[23] Progressive 1913/1182, A/58996 Exemptions 1911–13, CPA Inwards Correspondence Registers, Queensland State Records Office [hereafter QSRO].

[24] Protector of Aboriginals, Cairns Police District to Chief Protector of Aboriginals, 4 May 1926, A/43143 Police Station, Mount Molloy, Letterbook, 1 December 1925–31 January 1927, QSRO.

[25] Victoria Haskins, 'From the Centre to the City: Modernity, Mobility and Mixed-Descent Aboriginal Domestic Workers from Central Australia', *Women's History Review* 18, no. 1 (2009): 157.

late nineteenth and early twentieth centuries.[26] These servants were often very young. According to Shirleene Robinson, in 1920 more than a third of the 524 female Aboriginal domestic servants in service in the state in that year were under the age of eighteen.[27] Robinson's research has also found a number of cases where toddlers of two or three years of age were listed as employed as domestic servants in government records.[28] Thus, as Barry Higman reminds us, the 'problem of defining who is a servant or domestic worker … is fraught with ambiguities and contradictions'.[29] For Aboriginal and Torres Strait Islander women and children, the line between captive, employee, family member, sexual partner and victim of sexual abuse was often blurred, and is difficult to pick apart using only archival sources. In the early twentieth century Queensland already had a long history of cross-cultural sexual encounters between white men and Aboriginal women and girls.[30] Queensland's shameful history of stolen wages is yet to be reconciled.[31] For the historian, even choosing the

[26] For more on Indigenous women and girls working as domestic servants in Queensland, see in particular Jackie Huggins' ground-breaking work. Huggins reports that the 'standard procedure' was that a reserve superintendent would send a 'trooper or native policeman into the homes of young women and instruct parents to have their children ready for the morning train to an unknown destination'. Jackie Huggins, 'White Aprons, Black Hands: Aboriginal Domestic Servants in Queensland', in *Aboriginal Workers*, eds Ann McGrath and Kay Saunders with Jackie Huggins (Sydney: Australian Society for the Study of Labour History, 1995), 188. Aileen Moreton-Robinson and Shirleene Robinson have shown that domestic servitude was a form of assimilation: Aileen Moreton-Robinson, *Talkin' Up to the White Woman: Aboriginal Women and Feminism* (Brisbane: University of Queensland Press, 2000), 11; Shirleene Robinson, '"Always a Good Demand": Aboriginal Child Domestic Servants in Nineteenth- and Early Twentieth-Century Australia', in *Colonization and Domestic Service: Historical and Contemporary Perspectives*, eds Victoria K. Haskins and Claire Lowrie (New York: Routledge, 2015), 97. See also Francesca Bartlett, 'Clean, White Girls: Assimilation and Women's Work', in *Unmasking Whiteness: Race Relations and Reconciliation*, ed. Belinda McKay (Brisbane: Queensland Studies Centre for Public Culture and Ideas, Griffith University, 1999), 52–67; Joanna Besley, '"Speaking to, with and about": Cherbourg Women's Memory of Domestic Work as Activist Counter-Memory', *Continuum: Journal of Media & Cultural Studies* 30, no. 3 (2016): 316–25; Huggins; Shirleene Robinson, '"We Do Not Want One Who Is Too Old": Aboriginal Child Domestic Servants in Late 19th and Early 20th Century Queensland', *Aboriginal History* 27 (2003): 162–82; and Joanne Scott and Raymond Evans, 'The Moulding of Menials: The Making of the Aboriginal Female Domestic Servant in Early Twentieth Century Queensland', *Hecate* 22, no. 1 (1996): 139–57.

[27] 'Returns of Aboriginal and Half-Caste Females in Employment in 1920', A/58912, Queensland State Archives, quoted in Robinson, '"We Do Not Want One Who Is Too Old"', 162, 164.

[28] Robinson '"We Do Not Want One Who Is Too Old"', 164.

[29] B.W. Higman, 'An Historical Perspective: Colonial Continuities in the Global Geography of Domestic Service', in Haskins and Lowrie, *Colonization and Domestic Service*, 26.

[30] Victoria Haskins, 'A Troublesome Gin Like Annie: Masculinity, Race and Intimate Violence in Federation-Era North Queensland', *Law & History* 125 (2017): 128. See Raymond Evans, Kay Saunders and Kathryn Cronin, *Race Relations in Colonial Queensland: A History of Exclusion, Exploitation and Extermination* (Brisbane: University of Queensland Press, 1993); and Ann McGrath, *Illicit Love: Interracial Sex and Marriage in the United States and Australia* (Lincoln: University of Nebraska Press, 2016). As Haskins also reminds us, 'laws around interracial intimacy, ostensibly designed to "protect" Indigenous women from sexual exploitation and abuse and to "civilise" the frontier, were ultimately used to control Indigenous women who were struggling to negotiate their own way in the world, at the expense of their rights and autonomy to their own persons': Haskins, 'A Troublesome Gin', 150.

[31] On the history of stolen wages in Queensland, see Rosalind Kidd, 'Aboriginal Workers, Aboriginal Poverty', in *Indigenous Participation in Australian Economies II: Historical Engagements and Current*

terms with which to refer to the people in these files is problematic. Were they employers, slave owners or parents? Were they captives, servants or daughters?

Was [Ruby], who according to her employer was about ten years of age, a servant or an adopted child? Her employer claimed that her 'mother died some years ago & the father … recently asked me to take her over and educate her, which I am doing'. The local Protector described Mrs Henry teaching [Ruby] alongside her own children and treating her 'like one of her own'. [Ruby], however, slept 'in the same room as my lady help'.[32] Was '[Grace]' a captive, stolen child, member of the family or a servant? [Grace]'s white mistress applied for exemption on her behalf in 1913, writing that [Grace] had been

> born in my house and I had her mother from infancy also. The mother is now dead. [Grace] has attended school since she was 4 years of age, & is a very intelligent child for her age. She has never associated in any way with aboriginals [*sic*]. She received the same treatment as my own children and is well cared for.

This woman saw exemption as a way of, as she put it, making '[Grace] mine', something she herself had initiated when she sent [Grace]'s mother ('deaf & dumb') away to Yarrabah after she had worked for her for over sixteen years, leaving [Grace] behind.[33] Was [Grace]'s mother from Yarrabah perhaps one of the 969 recorded removals to the mission before 1972?[34] Did Ernest Gribble 'recruit' her and then send her out to work as a servant? Did she come from Gunggardji country and did she have family at Yarrabah? Was she banished, willing to go or something in between? The records tell us only so much that can be trusted. We only know that [Grace]'s mother died at Yarrabah and her mistress's claim that 'I have always considered "[Grace]" my adopted daughter for I have nursed and dressed her since the hour she was born'. As Chelsea Bond has recently reminded us, there is a long history in this country of white women stealing Aboriginal children.[35] And as Moreton-Robinson's research has shown, 'Indigenous women's perceptions of the white missus are that she was [neither] a sister, [nor] a mother'.[36]

Enterprises, eds Natasha Fijn, Ian Keen, Christopher Lloyd and Michael Pickering (Canberra: ANU Press, 2012), 171–80; Rosalind Kidd, *Hard Labour, Stolen Wages: National Report on Stolen Wages* (Sydney: Australians for Native Title and Reconciliation, 2007); Rosalind Kidd, *Trustees on Trial: Recovering the Stolen Wages* (Canberra: Aboriginal Studies Press, 2006); and Rosalind Kidd, *Black Lives, Government Lies* (Sydney: UNSW Press, 2000).

[32] Jean Henry to Hon. Secretary, 19 November 1914, Protector Creedy to Chief Protector, 23 December 1914, Item 336329, Exemptions 1914, QSRO.

[33] Jean Henry to Hon. Secretary, 19 November 1914, Item 336329, Exemption 1914, QSRO.

[34] Queensland Government website, 'Yarrabah', www.qld.gov.au/atsi/cultural-awareness-heritage-arts/community-histories/community-histories-u-y/community-histories-yarrabah (accessed 11 September 2019).

[35] Chelsea Bond, 'A White Woman Took My Baby', 21 March 2018, https://indigenousx.com.au/chelsea-bond-a-white-woman-took-my-baby/#.XBB2Uy1L2fc (accessed 11 September 2019).

[36] Moreton-Robinson, 24.

While it is unlikely that Aboriginal women and children employed as domestic servants were ever *treated* as one of the family (despite the ubiquity of these claims in exemption applications from this period), some settler men were open about the fact that the children living with their family were in fact family members.[37] The mothers of these children are not mentioned in the files. [Richard] was a white man applying for exemption for his '"half-caste" children'.[38] [Joe] applied for exemption for his 'half-caste niece'.[39] Another white man wrote to ask 'That his daughter … half caste be exempt from the provisions of the A.P. Act'.[40] The 1908 Annual Report noted that four young girls were granted exemption 'as their father a white man was well able and desirous of providing for their welfare'. The report also mentioned another child who was exempted on the wish of her dead settler father's relatives, who had 'provided' for her.[41]

While it is almost impossible to define who was an Indigenous domestic servant in Queensland during this period, what these archives do show is that settlers seized on exemption during this period as a way of evading state scrutiny. For employers, the 1897 Act's efforts to 'protect' Aboriginal and Torres Strait Islander people meant increased government surveillance. Employers saw exemption as a way of legitimating their exploitative relationships with the children and young women living in their houses and of moving Aboriginal and Torres Strait Islander girls about the state unhampered. The person applying on behalf of [Lola] claimed that her position with a white man was by 'Arrangement a very fair one'. The following year it was noted that [Lola] was pregnant and residing in a Church of England Rescue Home.[42] Another woman's application was made to avert a case of 'harbouring' pending against her employer ('harbouring' Aboriginal women was made illegal by the 1897 Act; an exemption certificate would exonerate the man from the charge).[43] Another woman was passed from one brother to another when the latter took over Glen Eira station, and said she 'had a share in the property'. The man had 'no permit or authority to have her on his premises, but his brother had her for some years'.[44]

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[37] Moreton-Robinson shows how the 'dehumanised position of Indigenous women is exemplified repeatedly in the narratives' she examined. Moreton-Robinson, 22. See also Robinson, '"We Do Not Want One Who Is Too Old"', 173.

[38] Progressive 1908/1602, A/58994, Exemptions 1907–09, CPA Inwards Correspondence Registers, QSRO.

[39] Progressive 1908/2118, A/58994, Exemptions 1907–09, CPA Inwards Correspondence Registers, QSRO.

[40] Progressive 1913/679, Progressive 1913/943, A/58996, Exemptions 1911–13, CPA Inwards Correspondence Registers, QSRO.

[41] Annual Report of the Chief Protector of Aboriginals (Queensland), 1908, 15, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/63627.pdf (accessed 11 September 2019).

[42] Progressive 1907/2278, Progressive 1908/2293, and Progressive 1908/2423, A/58994 Exemptions 1907–1909, CPA Inwards Correspondence Registers, QSRO.

[43] 'Approving withdrawal of case of harbouring against G. Phillip, pending report for exemption by [name redacted]'. Progressive 1911/82, A/58995 Exemptions 1909–1911, CPA Inwards Correspondence Registers, QSRO.

[44] Item 336328, Exemptions 1913, QSRO.

In some applications the duplicity of employers was even obvious to the government. [Mary]'s 1914 application was initiated by a letter which she herself purportedly wrote asking for exemption so she could stay with her employers. When the local Protector investigated, they were told that the letter had actually been written by one of the employer's daughters and copied by [Mary]. 'I also fail to see', the Protector wrote,

> how [the employer] can be … interested in her future welfare. I also fail to see how he can claim to have reared this person considering she is over 18 years of age and that she was only about 5 years in his employ, which employment only terminated at the end of last year.[45]

In many cases it was planned movement – for a holiday or a shift of living arrangements – that prompted employers to make the application. The woman who wanted to use exemption to make '[Grace] mine' did so because she was planning to move elsewhere and wanted to take [Grace] with her.[46] One woman applied in her own hand on the advice of her employer, who realised that unless she proved she was born in New South Wales she would come under the Act, which meant her movements around Queensland were restricted, inconveniencing the family she worked for.[47] The strategic use of the policy of exemption by settler employers enabled them to control the mobility of Indigenous people in their households and use it to their own advantage.

Walter E. Roth saw the use of exemption by employers as problematic. After noting the worrying tendency of employers to apply for exemption on behalf of their young female servants in his 1900 Annual Report, Roth went on to argue that exemption certificates

> should be issued only to those [girls] old enough mentally able to appreciate them … Supposing for one moment that a certificate were given to such a child before; she would be denied the protection which the Act affords, and, not being able to look after her own interests, her condition would be nothing else than one of slavery.[48]

Rosalind Kidd argues that

> Roth had been horrified at the rush of applications from whites claiming Aboriginal girls had been 'brought up as one of the family' and were therefore exempt from official controls. Many girls, he reported, were worked without wages and [were] evicted 'when they get into trouble'.[49]

In Roth's Annual Report for 1904 he again noted that,

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[45] Item 336329, Exemptions 1914, QSRO.
[46] Item 336328, Exemptions 1913, QSRO.
[47] Item 336329, Exemptions 1914, QSRO.
[48] Annual Report of the Northern Protector of Aboriginals for 1900 (Queensland), 1, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/63423.pdf (accessed 11 September 2019).
[49] Rosalind Kidd, *The Way We Civilise: Aboriginal Affairs – the Untold Story* (Brisbane: University of Queensland Press, 1997), 50–1.

> It would be as well to point out here that by the Act of 1897, certain children who happened to be in employment at the time of its passing were exempted from its provisions. The result of such exemption was that so many abuses came to the knowledge of the authorities that the Act of 1901 was so framed as to include all children (half-caste or full-blood) up to sixteen years of age.[50]

Thus, the efforts of the employers of Indigenous domestic servants discussed in the first half of this article led directly to legislative change, couched in the language of protection but with the devastating effect of bringing more children under the control of the Act. One of the consequences of this amended legal category was the thousands of children removed from their families across the twentieth century.

A moving female frontier

When he wrote about the phenomenon of employers applying for exemption on behalf of their servants, Roth saw these girls as powerless, oppressed by virtue of their ethnicity, gender and youth. But there is another side to this story. Moreton-Robinson points to numerous examples of overt acts of resistance described in the life-writings of Indigenous women including '[s]tealing, lying, making use of white property, mimicking and outright wilfulness, escape and sometimes violence'.[51] We might add exemption to this list with caution. Exemption contained within it the promise of future equality – the negative impacts of separation from family and continuing surveillance can be seen easily with hindsight, but may not have been evident at the time, or it was a price people were willing to pay, or a choice they felt they had to make. This is a good example of Lynette Russell's 'attenuated agency': which asks us to neither assume that Indigenous people were 'unfettered agents, nor that their interactions with colonial systems rendered them powerless'.[52]

Exemption for some was the 'least worst' option. Many people fought to keep their certificates, viewing them as a symbol of social equality and citizenship, or just the chance to live and work where they pleased. Many applicants applied in their own hand, writing letters that indicated their desire for the status. In

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[50] Annual Report of the Northern Protector of Aboriginals for the Year 1904, 3, http://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/63513.pdf (accessed 11 September 2019); and An Act to Amend the Aboriginals Protection and Restriction of Sale of Opium Act, 1897 (Queensland 1901), clause 2, http://classic.austlii.edu.au/au/legis/qld/hist_act/aparosooa19012evn1648/ (accessed 11 September 2019).

[51] Moreton-Robinson, 29. Victoria Haskins and Claire Lowrie make a similar point about the broader category of domestic servants, arguing that we need to recognise 'domestic workers past and present as human beings with the capacity to shape their own lives and the ability to make whatever efforts possible, on their own terms as far as possible, to realise that potential': Victoria K. Haskins and Claire Lowrie, 'Agency Representation and Subalternity: Some Concluding Thoughts', in Haskins and Lowrie, *Colonization and Domestic Service*, 350.

[52] Russell, 12–13, quoted in Rachel Standfield, 'Moving Across, Looking Beyond', in Standfield, *Indigenous Mobilities*, 3.

1916 one woman successfully employed the local solicitor to run her application.[53] Marnie Kennedy, a Kalkadoon woman who was granted exemption in Queensland in the 1930s, wrote in her autobiography that,

> Being free was like giving us something we never had before. We were told we could go anywhere and do anything we liked provided it was within the law. We were able to handle our own money and leave any job we did not like.[54]

Jackie Huggins has shown that having exemption had a significant positive effect on the experiences of female domestic servants working in Queensland: '[e]xempted women were privy to a far greater freedom of movement and received proper wages … Parents or contacts usually knew the people the girls would be working for and did not fear any harsh treatment'.[55] Rita Huggins applied for exemption 'when I felt I was able to take care of myself … I had known some of my friends had done it, so I got game myself'. After filling out a 'nosey and insulting' form, Huggins was 'free to leave and travel wherever I wanted to go'.[56] Shino Konishi and Leah Lui-Chivizhe have shown how John Culear Kennell Snr, a Torres Strait Islander man, could seek work on the mainland thanks to his exemption, which enabled a long and successful career on the railways.[57] Judi Wickes also notes a 'common thread of "freedom"' in the descriptions of exemption by the Queensland Aboriginal people she spoke to.[58]

Why might the ability to move about freely matter enough to prompt people to engage with the exemption system in Queensland during this period? One answer might be that mobility allowed individuals to fulfil their cultural responsibilities and traditions. Sarah Prout Quicke and Charmaine Green have described how 'practices of regular movement, and its accommodation, were an enduring feature of healthy pre-colonial Indigenous cultural norms and rhythms'.[59] In her study of the life-writings of Indigenous women, Moreton-Robinson notes that the women's very bodies link them 'to people, country, spirits, herstory and the future, and [are] a positive site of value and affirmation as well as a site of resistance'. The ability to decide where their body resides, allowing it to travel, and allowing that body contact with 'Kin, extended family and community', is important to Aboriginal and Torres Strait Islander women, Moreton-Robinson says, 'because they are where social memory becomes activated through shared experiences, knowledges and remembering'.[60] Without the ability to travel, the 'reciprocity, obligation, shared experiences, coexistence, cooperation and social

[53] Progressive 255/1916, Exemptions 1916, CPA Inwards Correspondence Registers, QSRO.
[54] Marnie Kennedy, *Born a Half-Caste* (Canberra: Australian Institute of Aboriginal Studies, 1985), 25.
[55] Huggins, 189.
[56] Huggins *et al*., 43–4.
[57] Konishi and Lui-Chivizhe, 450–1.
[58] Wickes, 'Study of the "Lived Experience" of Citizenship', 68.
[59] Sarah Prout Quicke and Charmaine Green, '"Mobile (Nomadic) Cultures" and the Politics of Mobility: Insights from Indigenous Australia', *Transactions of the Institute of British Geography* 43, no. 4 (2018): 654.
[60] Moreton-Robinson, 15.

memory' that define Indigenous cultural domains and relationality could not be experienced properly.[61] Nor could the responsibility for Country in Aboriginal and Torres Strait Islander terms be fulfilled.[62]

Another reason to apply was that exempted people should technically have been able to access the wages that were withheld from them when they were employed under work permits. Many of these files contain requests for sums of money as well as requests for exemption. Some applicants knew that exemption should mean access to earnings held 'in trust' and a number of applications stated this as the reason for wanting exemption. One woman wanted exemption because, her employer reported, she 'has now been brought under the Aboriginal Protection Act, and she feels it a great hardship having to give up half her wages'.[63] One man's application stated: 'He has a large family & needs all his earnings to support them. He does not associate with Aboriginals'.[64] Another described the applicant as 'well behaved and intelligent. His father wishes him to be exempt, as all his savings are needed to help support the family'.[65] A third, in the applicant's own hand, stated that she needed exemption because, 'It takes all my wages to keep my family'.[66] Some recipients of exemption received their Bank Books along with the exemption papers.[67]

However, it was often the case that the Protector withheld funds or gave lesser sums than those requested. This practice was couched in paternalistic language. When [Doreen]'s employer requested leave to take her to Brisbane for two months for a family holiday, and asked for twenty pounds of [Doreen]'s earnings, the Chief Protector allowed only half that sum, writing to the local Protector:

> If as you say [Doreen]'s employer is paying her expenses, then [Doreen] could hardly spend such a sum as £20 in that time without wasting it. I think it would be advisable to allow her ten pounds and if she really requires it, she could apply at this office and draw a few pounds more.[68]

In 1934, an amendment to the 1897 Act legitimated this practice of withholding wages by allowing the Minister to make exemption subject to conditions 'as he shall think fit, including a condition that all money or property [be] held in trust'.[69] Rita Huggins recounted how the 'superintendent would "look after" our money in departmental bank accounts and would regulate our withdrawals.

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[61] Ibid., 16.
[62] Ysola Best and Alex Barlow, *Kombumerri: Saltwater People* (Melbourne: Heinemann Library, 1997), 43.
[63] [Name redacted] to Chief Protector, 16 May 1914, and Chief Protector to W.H. Bell, 8 August 1914, Item 336329, Exemptions 1914, QSRO.
[64] Progressive 1145/1916, Exemptions 1916, CPA Inwards Correspondence Registers, QSRO.
[65] Progressive 1149/1916, Exemptions 1916, CPA Inwards Correspondence Registers, QSRO.
[66] Progressive 2242/1916, Exemptions 1916, CPA Inwards Correspondence Registers, QSRO.
[67] [Name redacted] to Mr Bleakley, 6 October 1914, Item 336329, Exemption 1914, QSRO.
[68] W. Marnane to Inspector of Aboriginals, Herberton, 6 June 1909, and Chief Protector to Inspector of Aboriginals, Herberton, 1 July 1909, Item 336328, Exemptions 1913, QSRO.
[69] An Act to Amend the Aboriginals Protection and Restriction of the Sale of Opium Acts in Certain Particulars (Queensland 1934), clause 24, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/54697.pdf (accessed 11 September 2019).

I would be able to keep only two shillings pocket money from my weekly ten shillings pay'. In one case from 1947 recounted by Huggins, 'Agnes Williams received a cheque with her exemption … for nine pound and five pence. That was all there was after ten years domestic service'.[70]

Exemption could also mean mobility. When her employer pressured [Faith] to apply for exemption, she resisted, telling the local police inspector that she did not wish to be taken away from the district where she worked, as her father and mother lived nearby. But when she was forced to apply and exemption was awarded, she soon left her position and went to live with her aunt – perhaps realising she was now in control of her own movement.[71] This was not a unique occurrence. In his 1910 report, Roth noted that,

> in some cases the employers, apparently with the idea of evading the Department's supervision either made the application or prompted the girl to do so; and it is worth noting that, on the only occasion last year in which such an application so made was successful, the girl packed up and left within twenty-four hours of receiving her certificate.[72]

Michael Aird has included exemption as just one of many 'tactics of survival' engaged in by Aboriginal and Torres Strait Islander women in Queensland, alongside contributing to the European economy system and conforming to European norms. He details the stories of two women, Emma Somerset and Nell Cameron, who each obtained an exemption certificate as part of taking control of the trajectory of their career as a domestic servant. Somerset did so just before she married, and Cameron used exemption to secure employment as a domestic servant with non-Aboriginal relatives.[73]

One file is worth quoting at length as an example of how exemption formed one of many strategies used by women to control their lives. [Evelyn] worked as a domestic servant in the Hillarney district and was a courageous advocate on her own behalf. She saw exemption as a means to control her own destiny. She could read and write and put those skills to good use. In May 1909 she complained to the Department that the local female Protector, Mrs Whipman, would not give her a holiday to see her parents, even though she had been assigned to a new position. In December her new employer complained to Whipman about her 'sulky temper': 'I came and asked her to be quick and she said don't you snap my head off and told me she would please herself what she did'. In March 1910 [Evelyn] refused to go on holiday with that employer, so that 'we lost one day of [our] holiday through her'. In April she refused to sign her employment agreement until she was granted 'at least five weeks holidays'. She was variously described as 'wilful' and 'clever about her work'. In March 1911, [Evelyn] wrote to her

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[70] Huggins *et al.*, 39.
[71] Item 336328, Exemptions 1913, QSRO.
[72] Annual Report of the Chief Protector of Queensland for the year 1910, 15, https://aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/63720.pdf (accessed 11 September 2019).
[73] Michael Aird, 'Tactics of Survival: Images of Aboriginal Women and Domestic Service', in Haskins and Lowrie, *Colonization and Domestic Service*, 182–90.

previous employer to ask that she return to her: 'I know I would have a good home with you', she wrote, and added,

> Mrs Evan [sic] I want to tell you that I would like to get out of the Act do you think you could see about getting me out … I know several girls that got out of their act their Masters went to see the Home Secretary about them.

The Evans' duly complied; Mr Evans wrote an obsequious letter to the local member of the Legislative Assembly, describing [Evelyn's] conduct as 'exemplary' (even though his wife had previously complained about her). The local female Protector was not impressed:

> [e]vidently her real wish is to return to Jimbour where she has always wanted to go. When allowed to visit there for a holiday she always has to be compelled to return to duty. The girls [*sic*] disposition is naturally wilful, discontented, rebellious and obstinate.

Her application for exemption was refused.[74] Evelyn's actions are a beautiful example of what Tracey Banivanua Mar has called 'imperial literacy'; the ability to navigate colonial powers through not just reading and writing but knowledge transmitted through counter-networks of resistance – in this case a network of servants whom [Evelyn] had heard about, or spoken to, whose masters had assisted them to get exemption.[75]

Exemption and mobility

The history of exemption thus encompasses movement as coercion and painful separation, and movement as resistance, escape, power and negotiation. How to write history of a policy that encompasses distances measured not just in kilometres, but in identity and emotion, is an enormous challenge. This article has told only a tiny part of the history of exemption, attempting to pay equal attention to all of these aspects of distance. Exemption was a means by which the government and employers could control the movement of Aboriginal and Torres Strait Islander people in Queensland. Some white families used exemption to avert state scrutiny of the status of Aboriginal women and girls living in their households. Exemption allowed white families to move Aboriginal women away from their families permanently or temporarily. Exemption could also offer a way for other white families to hide the fact that they had stolen Aboriginal and Torres Strait Islander children. If we tell only stories of exemption as a means of control, however, we cannot make sense of the participation of individual Aboriginal and Torres Strait Islander people, who wrote letters in their own hands, prompted applications to be made on their behalf, and learned the

[74] Item 336327, Exemptions 1911, QSRO.

[75] Banivanua Mar, *Decolonisation*, 51–62; Tracey Banivanua Mar, 'Imperial Literacy and Indigenous Rights: Tracing Transoceanic Circuits of a Modern Discourse', *Aboriginal History* 37 (2013): 1–28; Tracey Banivanua Mar, 'Shadowing Imperial Networks: Indigenous Mobility and Australia's Pacific Past', *Australian Historical Studies* 46, no. 3 (2015): 340–55.

details of the policy and how it was administered and used it to their own ends. They did this to fulfil their own ambitions or obligations to their community. The exemption applications made in Queensland between 1897 and 1914 are only a small part of the geographically diverse and almost century-long history of exemption policies which still impact on families today. They show how integral the control of Aboriginal and Torres Strait Islander mobility was to the enforced assimilation policies pursued by settler governments in twentieth-century Australia. More broadly, exemption lays bare the empty promise of freedom made by white Australia in twentieth-century discourses of assimilation and protection.

Concluding conversation

Judi: When I first read this draft, it made me feel really sad. I was thinking, someone else was taking MY work and running with it. The certificate of exemption was something I had worked on for over fifteen years and it was like my baby. How dare someone else write about exemptions? With tears running down my face, I had to take hold of myself and realise that it has been many years since I first began this journey and my work has been widely published since then. It is now out in the public arena where others have cited my research. I came to the conclusion then it was time to let my 'baby' walk its own journey and come out from the shadows of the Stolen Generation.

Kat: When Judi rang to tell me that the draft had upset her, I (of course) felt terrible for upsetting my friend. I also listened and relearned a lesson I thought I had already understood about the importance of meaningful and ongoing consultation. Even though Judi and I talk and text all the time, the draft was still a shock to her. Even though she knew I was doing the project and writing about exemption, that did not mean that the words did not have the power to hurt. As she said to me on the phone: Kat, you cannot forget the continuing emotional impact of the past. I'm so fortunate and honoured to be able to research exemption with Judi's advice and honesty to guide me. I hope that through her I will continue to gain, as much as is possible, an understanding of the way cruel policies such as exemption, even though they are no longer administered, continue to impact on people's lived experience. I hope to bring those lessons to change the way I research and write history. Thank you, Judi, for helping me understand these things.

Judi: I feel so honoured that my work on the certificate of exemption is now being used in so many different ways – by authors in their storylines, for example Joy Rhoades' and Tony Birch's novels, both released this year, and by academics including postgraduate students.[76] In addition, government reports are using my research and I have a YouTube talk on the subject which has

[76] Joy Rhoades, *The Burnt Country* (Melbourne: Penguin, 2019); and Tony Birch, *The White Girl* (Brisbane: University of Queensland Press, 2019).

been viewed over a thousand times.[77] Queensland's 1897 Act and its thirty-three clauses have been stripped down to expose the total control and restriction that consecutive governments used to dictate the lives of Aboriginal and Torres Strait Islander people across this vast continent. It is time for all Australians to know about exemptions and how they took away the identity of those Australian Indigenous people.

ORCID

Katherine Ellinghaus http://orcid.org/0000-0002-8968-8168

Katherine Ellinghaus
La Trobe University
Email: K.Ellinghaus@latrobe.edu.au

Judi Wickes
University of the Sunshine Coast
Email: jwickes@usc.edu.au

[77] 'Freedom: A Certificate of Exemption Story', digital story from the State Library of Queensland's exhibition 'Freedom Then, Freedom Now', https://vimeo.com/215767167 (accessed 10 August 2019).