THESIS SUBMISSION DATE: 20 June 2016

Untold Suffering? Motherhood and the Stolen Generations

Anne Maree Payne

Doctor of Philosophy

2016

[Production note: Some interviewee names have been pseudonymised. For further information please contact the Oral History and Folklore Branch at the National Library of Australia for enquiries regarding these interviews.]

Certificate of original authorship

I certify that the work in this thesis has not previously been submitted for a degree nor has it been submitted as part of requirements for a degree except as fully acknowledged within the text.

I also certify that the thesis has been written by me. Any help that I have received in my research work and the preparation of the thesis itself has been acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

Signature of Student:

Date:

This research is supported by an Australian Government Research Training Program Scholarship.

Acknowledgements

I gratefully acknowledge that undertaking this research on a full-time basis was made possible by my receipt of an Australian Postgraduate Award, funded by the Federal Department of Education and Training.

I would like to acknowledge and thank a number of people who met with me to discuss my proposed research and provided invaluable suggestions and feedback, including those from within UTS: Aunty Joan Tranter, Dr Sonya Pierce, Dr Heidi Norman, A/Prof Terri Libesman, Professor Michael McDaniel, Professor Juanita Sherwood, Dr Marivic Wyndham, Dr Kyungja Jung and Dr Christina Ho; and externally Dr Chris Evans, Ms Mary Edwards, Professor Peter Read and Dr Belinda Russon. Thanks also to a number of academic staff at UTS who provided feedback at various stages through the University's doctoral assessment processes, particularly A/Prof Nina Burridge.

Several people agreed to be formally interviewed by me for this thesis, involving a number of hours of their time plus additional time spent reading and correcting transcripts, and I wish to extend a huge thanks to two research participants who preferred to remain anonymous, as well as to Professor Peter Read and Ms Lily Arthur. I would also like to express my sincere appreciation and thanks to all the people whose interviews in the NLA archive I have drawn upon, for granting me permission to quote from their interview transcripts in my thesis.

My thanks to staff in the Oral History and Folklore Branch of the National Library of Australia for their advice about accessing the *Bringing Them Home Oral History Collection* and for their efforts in obtaining consents for me to quote from NLA interviews in this thesis. The staff of the Petherick Reading Room at the NLA were also unfailingly helpful and accommodating during a number of long days spent accessing the collection.

My supervisor, Professor Heather Goodall, has been an inspiration to me for many years and it was wonderful to have the opportunity to work closely with her. Her wisdom, expertise, flexibility and kindness have been greatly appreciated.

My husband Kevin Sumption has been an immense source of encouragement and support, and always believed in me more than I did in myself; and my children Harry and Alice kept me grounded in the real world and were a constant reminder to me of why my research was important.

For my Mum.

Table of Contents

Certificate of original authorship i

Acknowledgements ii

List of tables vi

Abstract vii

Introduction 1

What does it mean to be a mother? 4

Why mothers? 5

Motherhood and human rights 6

Background to the Stolen Generations 8

Structure of this thesis 11

Chapter 1: 'Contested terrain': Motherhood in the academic literature 13

Motherhood and feminism 13

Colonising motherhood: the impact of white maternalism 14

Motherhood as oppression 16

'Maternal thinking'? 17

Motherhood and race 19

Critiques of 'white' feminism 20

Theories of intersectionality 21

Motherhood as resistance 22

'Keepers of the family': motherhood in Aboriginal women's autobiographical narratives 26

'Shattered Bonds': black motherhood and contemporary child removals 29

Motherhood and human rights 31

Is the right to mother recognised in international human rights law? 31

Motherhood and human rights violations 35

'Conceived with love': the right to an identity 39

Parallels with forced adoptions 42

Motherhood and genocide 45

The genocide finding of the BTH Inquiry 49

Motherhood and silence 50

'From voice comes hope'?: silence within human rights processes 51

Indigenous people and silence 57

Louder than words? Memory, trauma and silence 58

Motherhood and the Stolen Generations 62

Conclusion 66

Chapter 2: Methodology 69

'Contamination papers': issues around 'official' records 71

Oral history and the Stolen Generations 73

Oral history and human rights testimony 75

The role of the Stolen Generations narrative 78

Interviewee agency 80

Research Methods 81

Research Questions 83

'European eyes': white researchers undertaking research on Indigenous issues 84

Ethical issues 87

Community engagement 89

Reciprocity 93

Research participants 94

Mothers who experienced removal of their children. 95

Research participants who were removed as children ... *98*
Research participants who were involved in the child removal process ... *106*
Research participants who worked in community organisations providing services / support to the Stolen Generations ... *106*
Other research participants ... *106*
Other sources ... 107
Legislative and policy analysis ... *109*
Analysis of my research material ... 109
Citing from the transcripts ... 109
A note on terminology ... 110
Conclusion ... 112

Chapter 3: Stolen Motherhood?: structural barriers to Aboriginal mothering in the Stolen Generations era ... 115
Legislative analysis ... 116
Overview of state and federal laws ... *117*
'The child of any Aborigine': the impact of 'protection' legislation on Indigenous parental rights ... *121*
Guardianship status ... *122*
Lack of judicial review ... *125*
Other impacts of protection legislation on Aboriginal parents ... *128*
The gendered impact of protection legislation ... *130*
Limitations on Aboriginal mothers' access to social security ... 130
Maternity payments ... *133*
Child endowment ... *136*
Pensions ... *138*
Rationing out welfare ... *140*
'Strange anomalies': the impact of 'racial classification' systems on access to social security ... *141*
Stolen Mothers – the impact of the requirement to work on Aboriginal mothers ... 143
State surveillance of and intervention in Aboriginal families ... 147
Removal due to mission policy ... *148*
Conclusion ... 151

Chapter 4: No common ground: perceptions of mothering in the Stolen Generations era ... 153
Reasons for Aboriginal child removal: divergent perspectives ... 154
Death or illness of a parent or parents ... *159*
Removal because of 'half-caste' status ... *161*
'Barbaric' mothers? The issue of infanticide ... *168*
Aboriginal girls at risk of sexual abuse / pregnancy ... *172*
The 'terrible yardstick': perceptions of neglect ... *173*
Abandonment or voluntary relinquishment of children ... *182*
The vexed issue of 'consent' ... *185*
The concept of 'forcible removal' ... *191*
Removal for education ... *194*
The impact of parents' divorce / separation ... *201*
Removal to mission dormitories ... *201*
The impact of parental work commitments ... *202*
Removal for reasons unknown ... *202*
'Without too much suffering': white opinions about Aboriginal mothers ... 202
Culture and mothering ... 206
Attitudes towards white adoptive and foster mothers and white carers ... 213
Conclusion ... 215

Chapter 5: Untold suffering? Factors inhibiting mothers' reporting of human rights violations 217
The *Bringing Them Home* Inquiry: defining mothers out? 217
Definitional limitations 220
'Opening wounds': participating in the Bringing Them Home Inquiry 223
'Keeping mum': motherhood and silence 232
'Having no voice': constraints on speaking about sexual assault 232
Plumbing the great dark depths: Daisy Corunna's story 235
Silence within families 241
Suffering in silence 242
Sheeting home the blame 245
The impact of shame and self-blame 251
Silence and 'sorry business' 253
Navigating complex family relationships 256
Silence as a form of resistance 258
Conclusion 260

Chapter 6: Beyond silence: Aboriginal mothers' experiences of child removal in the Stolen Generations era 262
Reasons for child removal: perspectives of Aboriginal mothers 263
'Choiceless choices'?: the experiences of Aboriginal mothers in the Stolen Generations era 266
Searching for 'blameless victims'? 273
Speaking Out 276
'Too many tears': the autobiography of Heather Vicenti 277
Being heard: the importance of public recognition 284
'The sympathy of bitter experience': does 'speaking out' contribute to healing? 287
Conclusion 290

Findings and conclusions 292
Feminism, race and motherhood 292
Motherhood and human rights 293
The legacy of the Stolen Generations on Aboriginal mothers 295
'Sorry means you don't do it again': the impact on contemporary removals 296
Untold suffering: motherhood, silence and human rights processes 297
What are the circumstances that enable mothers to speak? 298
Healing the past 300

Appendices 302
Appendix 1: The UN Human Rights Framework – an overview of rights relating to motherhood 302
Appendix 2: Tables summarising research participants 310
Appendix 3: Aboriginal 'protection' legislation clauses impacting on Aboriginal parents 320
Appendix 4: Who can claim the status of being "stolen"? 334
Aboriginal perspectives 334
White perspectives 336

List of Research Participants 342
Interviewees, National Library of Australia *Bringing Them Home* Oral History Project 342
Interviewees, UTS 348

Legislation consulted 350
Commonwealth 350
State and Territory 350
Australian Capital Territory 350

New South Wales *350*
Northern Territory *350*
Queensland *350*
South Australia *350*
Victoria *350*
Western Australia *351*

References **352**

List of tables

Table 1: Overview of research participants.....311
Table 2: Research participants: mothers who experienced child removal.....312
Table 3: State profiles, female research participants removed as children.....314
Table 4: State profiles, male research participants removed as children.....314
Table 5: Where research participants were removed to, by state, decade of removal and sex.....315
Table 6: Parental status of removed children at time of removal.....318
Table 7: Racial identification of parents of removed children.....318
Table 8: Research participants' perception of the primary reason for their removal, by state and gender.....319
Figure 1: Research participants removed as children, by decade of removal.....101
Figure 2: Research participants removed as children, by decade of removal and gender.....102
Figure 3: Perceptions of the principal reasons for child removal, Aboriginal and white research participants.....155
Figure 4: Aboriginal mothers' perceptions of the principal reason for their child/children's removal.....264

Abstract

The removal of Aboriginal and Torres Strait Islander children from their families gained national attention in Australia following the publication of the *Bringing Them Home* Report by the Human Rights and Equal Opportunity Commission. Notably absent from this Report, however, were first hand accounts of the experiences of Indigenous parents, and in particular mothers, who were frequently the primary carers or sole parents of removed Indigenous children. Drawing primarily on interviews held in the *Bringing Them Home* Oral History Collection of the National Library of Australia, my research considers the impact of women's status as mothers on their likelihood of reporting their experiences of human rights violations, through in-depth consideration of the mothers of the Stolen Generations.

While some of the findings of the *BTH* Inquiry have been contested, there was widespread consensus in the community in the wake of the Inquiry that the removals constituted a violation of the rights of Indigenous children, who had suffered considerable harms as a result of their removal. However, the issue of whether the removal of these children was also a violation of the rights of their parents has not been a major focus. The Inquiry noted the lack of testimony by Indigenous parents, attributing it to the impact of trauma and the unwillingness of surviving parents to speak about their experiences due to their overwhelming sense of guilt and despair; a submission by Link-Up NSW commented on Aboriginal mothers being "unwilling and unable to speak about the immense pain, grief and anguish that losing their children had caused them" (HREOC 1997, p. 212).

Viewing motherhood as a key site of the intersection of gender, race and state policy, my research identifies some of the significant structural disadvantages facing Aboriginal mothers in the Stolen Generations era, including legal inequalities in guardianship status and other parental rights, discrimination in their access to social security benefits, and the impact of state intervention and surveillance. My research highlights the differing perspectives on the reasons for the removal of Indigenous children held by Aboriginal mothers, those who were removed as children, and people involved in the removal process. A number of key factors emerge from my research that contribute to our understanding of Aboriginal mothers' ongoing silence throughout the Inquiry process and beyond, and that have wider implications for the identification and investigation of violations of the human rights of mothers.