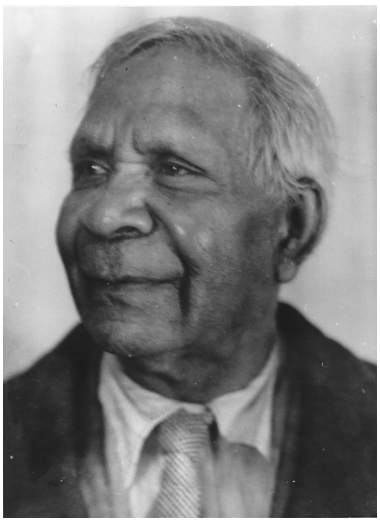
Good governance in Australia prior to Federation

David d'Lima, July 2021

Prior to Federation in 1901, people in Australia exercised God's gift of governance in three modes: Firstly, around 250 tribal groups applied Aboriginal customary law, under the supervision of elders. Secondly, the laws and customs of Britain were applied in the early colonial period, under the Crown. Thirdly, the six colonies governed themselves, almost independently, but under the Crown.

Indigenous governance



Since time immemorial, the Indigenous peoples of Australia have applied traditional customary law, under the leadership of local elders. Among the Arrente people of Central Australia, for example, adultery was punishable by spearing, within contexts supervised by the elders.

One of the most influential Indigenous people was **Uncle David Unaipon** (1872-1967) who was a leader and evangelist of the Ngarrindjeri people. Fond of saying, "Look at me and you will see what the Bible can do", he made representations to the South Australian government, seeking better conditions for Aboriginal people. He preached in Adelaide and in country towns, but was regularly refused accommodation and the police often held him. In 1929 he became Australia's first published Aboriginal author. Australia's first and second generation polymer $50 banknotes feature this quotation written by Uncle David Unaipon: "As a full-blooded member of my race I think I may claim to be the first - but I hope not the last - to produce an enduring record of our customs, beliefs and imaginings".



Europeans arriving in 1788 did not find a centralised leadership system and hence the colonists did not find a basis upon which to negotiate a settlement arrangement (following language acquisition). Neither did the colonists understand Indigenous protocols, despite regarding themselves as "guests".

Early colonial governance

British laws applied (so far as possible) to the Australian colonies, under governors who exercised quite sweeping powers. Hence, while applying British law, the enlightened Governor Arthur Phillip added a law forbidding slavery in New South Wales (though it would continue legally in Great Britain until 1833). And in 1836, Governor John Hindmarsh approved South Australia's founding document *The Proclamation*, with its highly enlightened attitude towards the Aboriginal people, who shall enjoy the same protection as the colonists and be *equally entitled to the privileges of British Subjects*.

Colonial self-governance

As the six colonies eventually developed their own constitutions and parliaments, they effectively gained self-government as follows: New South Wales (1855), Victoria (1855), Tasmania (1856), South Australia (1857), Queensland (1859) and Western Australia (1890), under the supervision of Britain. Each colonial governor, as the Crown's representative, ceased personally running each colony and instead facilitated the work of the emerging institutions.

However, the differing approach by each colony to currency and rail gauges (for example) presented difficulties of commerce, travel and defence of the continent. In response, without eliminating their individuality, the colonies agreed to cooperate to form the new nation of Australia. The goodness of distinctive groups operating within a federal structure may find biblical warrant in the diversity of ancient Israel's twelve tribes that enjoyed individuality but also cooperated together as God's people.