

Native (Citizenship Rights) Act 1944, Western Australia

1944 – 1971

URL: https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a6831.html

Details

The Natives (Citizenship Rights) Act 1944 (023 of 1944 (8 & 9 Geo. VI No. 23)) had the full title 'An act to provide for the acquisition of full rights of citizenship by aborigine natives'. This law made it possible for Aboriginal people to make an application to a magistrate for citizenship, as long as they met a range of conditions. Once citizenship was granted, the person was no longer considered a 'native or aborigine'. As the 'Collaborating for Indigenous Rights' website states: 'it was impossible to be both an Australian citizen and an Aboriginal person'. The Act was repealed by the Natives (Citizenship Rights) Act Repeal Act 1971.

Under the Natives (Citizenship Rights) Act 1944, in order to be judged a 'fit and proper person to obtain a certificate of Citizenship', the applicant had to provide a statutory declaration that he or she had 'dissolved tribal and native association' for a period of at least two years. In effect, a person making an application under the Act had to make a choice between citizenship and their extended family and culture. The law stated that the person could maintain contact with their own children, parents and siblings, but had to demonstrate that he or she had 'adopted the manner and habits of civilised life'.

Before granting citizenship, the magistrate also had to be satisfied that the person was 'of industrious habits, and of good behaviour and reputation', free from a range of diseases, be able to speak and understand English, and be 'reasonably capable of managing his own affairs'.

Section 7 of the act provided that citizenship, once granted, could be revoked by a magistrate if he was satisfied that the person was 'not adopting the manner and habits of civilised life'; had been convicted of an offence under the Native Administration Act 1905-1941 or of habitual drunkenness; or had contracted 'leprosy, syphilis, granuloma or yaws'.

The 'Collaborating for Indigenous Rights' website describes this 1944 Act, and similar legislation in other Australian jurisdictions, as the 'dog collar' acts.

In order to escape the restrictions of these state laws, people who were defined as Aboriginal had to apply for an exemption. Many referred to these laws as the 'dog collar act' or 'the dog act' as people felt they were being pushed and pulled as if they were a dog on a lead. Those who applied for exemption often lost credibility in the eyes of their friends and family. They were seen to be ingratiating themselves with the authorities who made unreasonable demands, such as refraining from socialising with kin. Once exempted, a person was often no longer considered to be 'an Aborigine' – it was impossible to be both an Australian citizen and an Aboriginal person.

More info

Chronology

- **Native (Citizenship Rights) Act 1944, Western Australia (1944 – 1971)**
 - Native (Citizenship Rights) Act Repeal Act 1971, Western Australia (1971 - current)

Related Entries

Related Concepts

- [Aboriginal Protection in Western Australia \(c. 1832 - c. 1972\)](#)

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