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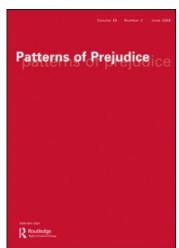
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Tasmania¹

RAPHAËL LEMKIN

edited by Ann Curthoys

Background

Tasmania was discovered in 1642 by a Dutch sea captain named Abel Janzen. Tasman who named the country Van Diemen's land in honor of the daughter of the Governor of Java. It was not until late in the nineteenth century that the island became known as Tasmania.

In his journal Captain Tasman describes the natives as a peaceable if shy race, and his dealings with them were on the whole friendly.² They were³ of negroid stock with black skins and fuzzy hair.

The island was visited in the succeeding years by many navigators of different races, including Marion du Fresne and Captain Cook, and according to all their accounts the natives showed no great hostility and generally welcomed the travelers after their first fear and timidity had been overcome.

The real history of Tasmania as an English colony begins in 1803 with the establishment of Risdon, on the Derwent River by Captain Collins. This settlement was largely composed of convicts who, in the words of James Bonwick, 'having been indifferent about the virtues when with their

- 1 [Raphaël Lemkin Papers, Manuscript and Archives Division, The New York Public Library, Astor, Lenox and Tilden Foundations. I am grateful to the NYPL for permission to publish this original typescript, which is transcribed here as faithfully as is practicable. Underlined words are here given in italics and double quotation marks have been altered to single quotation marks, as per the journal's house style. The original is for the most part a fair copy but there are occasional cancellations and revisions, both typed and added later by hand. Only those revisions that can be construed as substantive are given here in footnotes. Obvious typographical errors and spelling mistakes have been silently corrected. Editorial interventions are given in square brackets. If Lemkin typed quoted material as a separate paragraph, it is set here as a displayed quotation; if he included it within a paragraph, his typescript has been followed. Lemkin's own footnotes have been cited *not* as they appear in the typescript but in the journal's house style, and are numbered consecutively throughout the text (rather than beginning with '1' on each page as in the typescript). All additional material in the footnotes is in square brackets.]
- 2 [Tasman did not actually see or meet any Aboriginal people during his time in Tasmania. His comments were based on what he thought they might be like.]
- 3 [Lemkin originally wrote 'They are of negroid stock . . .' but, later, revised it by hand to 'They were of negroid stock'.]

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countrymen at home, were not likely to be more courteous and conscientious in dealing with savages abroad.'4

The aboriginal population of Tasmania at that time was estimated at between 5000 and 7000.

Captain Collins received the following instructions from Lord Hobart, Secretary for the Colonies: 'You are to endeavour, by every means in your power, to open an intercourse with the Natives and to conciliate their goodwill, enjoining all parties under your government to live in amity and kindness with them; and if any person shall exercise any acts of violence against them, or shall wantonly give them any interruption in the exercise of their several occupations, you are to cause such offender to be brought to punishment according to the degree of the offense.'

At Risdon, early in 1804 occurred the unfortunate event which began the 'Black War' leading to the extermination of the Tasmanian aborigines in less than half a century.

A large group of Aborigines including women and children appeared on the heights above the town. They were not armed, carrying with them only waddies⁵ and driving before them a large number of kangaroos, so they were apparently preparing to hold a corrobory. The officer in command of Risdon ordered the soldiers with him to fire upon the hunters, and numbers were killed. One of the settlers who was present asserted that the officer was drunk and that before this event there had been nothing but good feeling between the whites and the blacks.

Edward White, who was hoeing at the time, stated before the Aborigines Committee which investigated the attack, that he saw about three hundred natives with a flock of kangaroos between them: 'They looked at me with all their eyes. I went down to the creek, and reported them to some soldiers, and then went back to my work. The natives did not threaten me. I was not afraid of them.... The natives did not attack the soldiers. They could not have molested them. The firing commenced about eleven o'clock. There were many of the Natives slaughtered and wounded. I don't know how many. . . . This was three or four months after we landed. They never came so close again afterwards....⁷

The attitude of the natives changed after the attack upon them and soon after began their attacks upon the settlers, which grew in frequency and ferocity. Mr. W. C. Wentworth, a colonial barrister and statesman, wrote in 1823: 'Their deep-rooted animosity, however, did not arise so much from the ferocious nature of these savages, as from the inconsiderate and unpardonable attacks of our countrymen, shortly after the foundation of the settlement

⁴ James Bonwick, The Last of the Tasmanians; or, The Black War of Van Diemen's Land (London: Sampson Low 1870), 30.

^{5 [}Waddies: man-made tools for hunting small animals and birds.]

^{6 [}Corrobory: ceremony, usually now 'corroboree'.]

⁷ Bonwick, Last of the Tasmanians, 34.

on the river Derwent. At first the Natives evinced the most friendly disposition toward the newcomers; and would, probably, have been actuated by the same amicable feelings to this day, had not the military officer entrusted with the command directed a discharge of grape and cannister-shot to be made among a large body, who were approaching, as he imagined, with hostile designs; but as it has since been believed with much greater probability, merely from motives of curiosity and friendship. The havoc occasioned among them by this murderous discharge was dreadful, and since then all communication with them has ceased; and the spirit of animosity and revenge which this unmerited and atrocious act of barbarity engendered, has been fostered and aggravated to the highest pitch by the incessant encounters that have subsequently taken place between them and the whites.'8

The authorities attempted to protect the settlers but at the same time understood the cause of the native violence and wished to spare the aborigines from the cruel treatment of the whites. For this purpose the following Government Order was issued on January 29, 1810: 'There being great reason to fear that William Russell and George Gelley will be added to the number of unfortunate men who have been put to death by the Natives, in revenge for the murders and abominable cruelties which have been practiced upon them by the white people, the Lieutenant-Governor, aware of the evil consequences that must result to the settlement, if such cruelties are continued, and abhorring the conduct of those miscreants who perpetrate them, hereby declares that any person whomsoever who shall offer violence to a native, or who shall in cool blood murder, or cause any of them to be murdered, shall, on proof being made of the same, be dealt with and proceeded against as if such violence had been offered, or murder committed on, a civilized person.'9

The deadly feud between settlers and natives continued to rage, the whites perpetrating acts of great injustice on the natives, stealing their women and children, and murdering their men, while the natives retaliated by burning the houses of settlers in remote places and murdering entire families.

Colonel Arthur, the new Governor of Tasmania, on June 23, 1824, published a Proclamation on behalf of the natives which was full of justice and benevolence, but useless for all practical purposes: 'The Natives of this Island being under the protection of the same laws, which protect the Settlers, any Violation of those Laws, on the Persons or Property of Natives, shall be visited with the same Punishment as though committed on the Person and Property of any other.'

⁸ Ibid.

^{9 [}Lemkin's footnote was 'Muster Book of 1810 &c.', which was quoted in Bonwick, Last of the Tasmanians, 40.]

Finally two years later, when settlers were killed almost daily and the life of no white man in the bush was safe, the following Government Notice appeared in the Gazette of Nov. 29, 1826:

The series of outrages which have of late been perpetrated by the Aborigines of the Colony, and the wanton barbarity in which they have indulged by the commission of murder, in return for the kindness, in numerous instances, shown to them by the Settlers and their Servants, have occasioned the greatest pain to the Lieut. Governor, and called for His most anxious Consideration of the Means to be applied for preventing the Repetition of these treacherous and sanguinary Acts.

His Excellency has uniformly been anxious to inculcate a spirit of Forbearance toward the Aborigines, in the hope that confidence and cordiality might subsist, and be conducive to their Improvement and the security of the Colonists; but it is with extreme regret that He perceives a result so contrary to His hope and expectation.

An impression, however, still remains that these savages are stimulated to acts of Atrocity by one or more Leaders, who from their previous Intercourse with Europeans may have acquired sufficient intelligence to draw them into Crime and Danger. The capture of these Individuals, therefore, becomes an Object of the first Importance, and to this Point the Lieut-. Governor would particularly direct the Attention of those who may be called to Aid the Civil Power in the Execution of the justifiable measures to which they may have recourse: and His Excellency deems it necessary to promulgate, for general Information, but especially for the guidance of the Magistrates, Constables, and Military:—

- 1. If it shall be apparent that there is a Determination on the Part of one or more of the Native Tribes to attack, rob, or murder the white Inhabitants generally, any Persons may arm, and joining themselves to the military, drive them by force to a safe distance, treating them as open enemies.
- 2. If they are found actually attempting to commit a felony they may be resisted by any Persons in like manner.
- 3. When they appear assembled in unusual Numbers, or with unusual Arms, or although neither be unusual, if they evidently indicate such Intention of employing Force as is calculated to excite Fear, for the purpose of doing any Harm, short of Felony, to the Persons of Property of any one, they may be treated as Rioters, and resisted, if they persist in their attempt. . . .
- 4. When a Felony has been committed, any Person who witnesses it may immediately raise his Neighbours and pursue the Felons, and the Pursuers may justify the Use of all such Means as a Constable might use. If they overtake the Parties, they should bid, or otherwise signify to them, to surrender; if they resist, or attempt to resist, the Persons Pursuing may use such Force as is necessary: and if the Pursued fly, and cannot otherwise be taken, the Pursuers then may use similar means....¹⁰

^{10 [}Quoted in Bonwick, Last of the Tasmanians, 73-5. Lemkin did not provide a footnote for this quotation.]

This Government Notice, advising the settlers to attack the natives, was the beginning of the Great Black War.

It was suggested that the aborigines be isolated to certain areas of Tasmania where they would be removed enough from the white settlers as to be no menace to them and would also be protected from attacks by them. Colonel Arthur explained why this suggestion was impracticable: 'My intention was to have given up one district to the Natives, but such a spirit of dissension exists among the tribes themselves, that it cannot possibly be accomplished.' He also felt that it was 'painful and distressing to banish the Natives from their private haunts.'¹¹

In spite of the difficulties, however, it was felt that isolation was the only remedy¹² and the Demarkation order was proclaimed on April 15, 1828, ordering that the Natives be prevented from entering the settled districts—the central and eastern portions—and confining them to the Western area which consisted of swamps, vast mountains, dreary morasses, and almost lifeless solitudes, practically devoid of game.¹³

This proclamation brought no results whatever, the uncivilized aborigines on the whole never hearing of the pronouncement, and disregarding it if they did. They continued to roam all over the territory and murder and pillage on both sides continued unabated. Another proclamation was then issued on November 1, 1828, prefaced by the false announcement that 'every practicable measure has been resorted to for the purpose of removing the aborigines from the settled districts of the colony; and for the putting a stop to the repetition of such atrocities,' and declaring Martial Law for all but certain stipulated areas, to be reserved for the Blacks.

This was followed by the Order offering five pounds for the capture of an adult native, and two pounds for that of a child. Capture parties were organized to bring in the natives but many more were killed than were captured alive.

Whether because of the activities of settlers engaged in hunting the natives or for other reasons the situation became more peaceful and for a time few outrages were committed. The Governor felt greatly encouraged and produced Government Notice 160, on August 19, 1830:

It is with much satisfaction that the Lieut. Governor is at length enabled to announce that a less hostile disposition toward the European inhabitants has been manifested by some of the Aboriginal Natives of this island....

As it is the most anxious desire of the Government that the good understanding which has thus happily commenced, should be fostered and encouraged by every possible means, His Excellency earnestly requests, that all settlers and others will

¹¹ Bonwick, Last of the Tasmanians, 77-8.

^{12 [}Lemkin originally wrote '... it was felt that perhaps isolation was the only remedy', but later deleted 'perhaps' by hand.]

¹³ Bonwick, Last of the Tasmanians, 77-8.

strictly enjoin their servants cautiously to abstain from acts of aggression against these benighted beings, and that they will themselves personally endeavour to conciliate them, wherever it may be practicable; and whenever the Aborigines appear without evincing a hostile feeling, that no attempt should be made either to capture or to restrain them; but, on the contrary, after being fed and kindly treated, that they should be suffered to depart whenever they may desire it.

The colony, which but a short time before had been urged to capture the blacks and offered rewards for so doing, was astonished. Some thought the Governor weak of purpose while other [sic] believed he was trying to put the Aborigines off their guard so as to lure them into some net he was preparing.

The settlers replied in an address from the Clyde District stating that they 'altogether despaired' of eventual friendly relations with the hostile savages who regarded them as intruders, and requesting more Government assistance and the removal of the tax on dogs, which were essential to the very life of farmers in remote sections who depended on the bark of their dogs to warn them if natives were come to attack.

The Proclamation of October 1, 1830 sealed the fate of the natives. A new and harsher Martial Law was proclaimed and it was directed that the natives be hunted down by concerted action and driven forth from all their places of refuge on the island.

Governor Arthur established what was known as the 'The Line' composed of military units placed in certain centres of settled districts, to be reinforced by volunteers among the settlers. These units were all to make 'one great and engrossing pursuit', sweeping the island from north to south, 'with the view of converging on the Oyster Bay and Big River tribes, and driving them into the cul de sac of Tasman's Peninsula.'14 On October 7, 1830, about 3000 men took to the field and the Line advanced to the south. The Neck was gained, and every precaution was taken to prevent the blacks from slipping through the line. The Line stretched for a distance of thirty miles with a space of 45 yards between the men. The Neck was crossed and the Peninsula entered and the search for the blacks, believed to have been driven before the Line, was begun but not a single black was there. One black only had been captured in the long march down the peninsula, the sole prize gained at the cost of 30,000 pounds.

The army was dismissed with the Government Order No. 13, on November 26, 1830.

After the failure of the Line the blacks made increasingly violent attacks on the settlers. Parties of military and civilians scoured the bush and by the end of 1832, 236 had been captured but many had been killed. The sufferings of the natives were severe, children and old people dying of fatigue and hunger.

¹⁴ James Backhouse Walker, Early Tasmania: Papers Read before the Royal Society of Tasmania during the Years 1888 to 1899 (Hobart: J. Vail 1902), 234.

When the first natives were captured it was decided that they be removed from Tasmania and settled on some nearby island. George Austus [sic] Robinson¹⁵ was appointed to the position advertised in the Gazette of March 1829:

In furtherance of the Lieutenant Governor's anxious desire to ameliorate the condition of the aboriginal inhabitants of this territory, His Excellency will allow a salary of 50 pounds per annum together with rations, to a steady man of good character, that can be well recommended, who will take an interest in effecting an intercourse with this unfortunate race, to reside on Bruni Island taking charge of the provisions supplied for the use of the Natives at that place.¹⁶

Bruni Island was generally unfit for cultivation and had little vegetation. Its rocky coast was exposed to the southern ocean and sudden storms. The natives were given rations of bread and potatoes, but these were poor in quality and deficient in quantity. The natives grew ill and homesick and longed for the free hunting of the mainland and many escaped.

Meanwhile war continued on Tasmania. Robinson, with the support of the Aborigines' Protection Society Committee proposed to go unarmed into the wilderness and persuade the aboriginal tribes to surrender peaceably. With the aid of native women he was extremely successful and finished his work in 1833, having brought in 159 natives in four years.

By the end of 1830 some 56 natives had been captured and it became necessary to remove them to a place of safety where they would be under the care of the Government, and powerless to molest the settlers further. The settlement on Bruni Island had proved unsatisfactory and the natives were placed temporarily on Swan Island in Bass Strait. It had little in its favour, as its water was brackish, the soil was barren, and it was only a mile and a half long. The Bishop of Tasmania described it in 1854 as 'little more than a succession of sand-heaps, covered here and there with tussock and stunted shrubs.'

The natives were soon removed to Gun Carriage, or Vansittart Island, which was equally unsatisfactory, being almost devoid of game and 'the unfortunate creatures, having no motive for exercise . . . used to sit day after day on the beach, casting tearful glances across the stormy sea towards the mountains of their native land.'

This Island too was abandoned and the final choice rested on Great Island, afterwards called Flinders Island, which for 15 years was the home of the miserable remnant of the native tribes of Tasmania, and for the majority of them it became their grave.

^{15 [}Lemkin is referring to George Augustus Robinson.]

^{16 [}Quoted in Bonwick, *Last of the Tasmanians*, 212. Lemkin did not provide a footnote for this quotation.]

The terrible mortality of the natives on Flinders Island finally aroused the interest of their friends in Hobart Town. The remaining blacks longed to return to their own country but although there were only twelve Tasmanian men left alive in 1847, the white settlers feared a renewal of native attacks if they returned. However in October forty four aborigines, 12 men, 22 women, and 10 children were removed to Oyster Cove. Some of the children were half castes; six were placed in the Orphan School where they died.

The condition of the natives was no better on the mainland than it had been on Flinders Island; many sickened and died, and the rest lost heart and fell into a state of apathy.

The last male aborigine, William Lanne, died on March 5, 1869. The Hobart Town Mercury of March 5 contains this notice of his death:

He had an unfortunate propensity for beer and rum, and was seldom sober when on shore.... died from a severe attack of English cholera... His body was removed to the Colonial Hospital on Wednesday night, March 3d, where it awaits burial, and tomorrow the grave will close over the last male aboriginal of Tasmania.

Truganina, the last aboriginal woman to survive, died in 1877.¹⁷ In 1899 Mr. Jas. Barnard read a paper before the Royal Society of Tasmania asserting that a Mrs. Fanny Cochrane Smith, an old resident at Irishtown, near Port Cygnet, was a pure blood Tasmanian aborigine, but investigation proved with a fair amount of certainty that she was a half-caste. 18

Intent to destroy—who is guilty

Government or individuals?

The Government policy in Tasmania was one of benevolence toward the aborigines. From the earliest days of settlement, Government proclamations were issued ordering kind and lenient treatment of natives, threatening penalties for unjust actions and cruelty, and the declaring the right of the natives to the same treatment as the whites. Unfortunately the Government was unable to cope with the situation created by the very character of the white people overrunning the land.

Tasmania was settled as a penal colony and the riffraff of Britain, convicted criminals and felons, were sent by the thousands to the island. Many convicts escaped and took to the bush where they attacked the natives without mercy, killing them out of savage cruelty, or to the sea where they

^{17 [}The correct date is 1876.]

¹⁸ H. Ling Roth, 'Is Mrs F. C. Smith a "last living Aboriginal of Tasmania"?', Journal of the Anthropological Institute of Great Britain and Ireland, vol. 27, 1898, 451–4 (451).

preyed on the coastal tribes, stealing their women and selling their young men and children into slavery.

Had the Government devised some plan at the time of colonization for establishing the aborigines in one part of Tasmania and protecting them from the attacks of the whites, the race might have been spared, but with all the good will in the world, once open warfare between black and white had begun, the Government was powerless to persuade them to live in peaceful proximity and was forced to resort to the drastic measures which led to the eventual extermination of the race.

The *Derwent Star* wrote in 1810: 'The Natives, who have been rendered desperate by the cruelties they have experienced from our people, have now begun to distress us by attacking our cattle.'

This led to severe retaliations on the part of the settlers. Jorge Jorgenson, the Dane, wrote in his Autobiography in 1830 that he 'saw traces in numerous places ... where (natives) had been wantonly shot by spiteful and vindictive stock-keepers,' and the editor of a Wellington paper wrote 'We have ourselves heard "old hands" declare to the common practice of shooting them to supply food for dogs.' 19

Captain Stokes declared: 'Such is the perversion of feeling among the colonists, that they cannot conceive that anyone can sympathize with the black race as their fellow-men.'²⁰

On Dec. 1, 1826, the *Colonial Times* counselled the Government to send the natives to Kings Island: 'We make no pompous display of philanthropy; we say unequivocally "self-defence is the first law of nature." The Government must remove the Natives; if not, they will be hunted down like wild beasts and destroyed.'

Mr. Chief Justice Pedder declared this an unchristian attempt to destroy the whole race, as the natives would die once they were taken from their ancient haunts. This prophecy proved to be true but the Government felt there was no alternative.

The Governor in a speech declared 'It is undeniable that they (the natives) were lamentably neglected in the early colonization of the country and have been treated with cruelty and oppression by the stock keepers, and other convicts in the interior, and by the sealers on the coast; and from the want of due discernment, their vengeance has been indiscriminately wreaked upon the unoffending settlers of the present time. This fact continues to disarm us of every particle of resentment.'

The settlers on outlying farms lived in constant danger of attack and daily reports of massacred families and burned farms reached the authorities. What good to place the blame on the cruelty of the whites when innocent farmers were suffering along with the rest? The Governor had no choice and issued his orders to capture all natives for deportation. The situation had got

¹⁹ Bonwick, Last of the Tasmanians, 58. 20 Ibid., 59.

completely out of hand, and although the roving bands ostensibly went out to bring the natives in alive, many more were killed than captured.

The few poor remnants of the Tasmanian race were eventually lodged on an island in the Straits and placed under the benevolent care of Mr. Robinson, who did everything in his power to see to their material and spiritual welfare, often in the face of great odds, as the authorities were often remiss in sending him supplies and the colony suffered at times from malnutrition.

Despite the tender ministrations of Mr. Robinson, in the space of a few years most of the natives succumbed to disease, and apathy. Mr. Robinson was activated by the highest and most charitable motives and often gave of his own small income to help his charges, but unfortunately he possessed little understanding of the nature of the aborigines.

The Committee of the Aborigines Society reported in 1839 that they regretted that 'from the first a system had not been applied more suitable to the habits of a roving people, instead of the highly artificial one (referred to in one of Mr. Robinson's reports).'

Mr. Robinson had no conception of the impossibility of suddenly uprooting an uncivilized nomadic people and forcing upon them the ways of civilization. He managed to give them the outward semblance of civilization but in so doing destroyed their interest in life and their zest for living. They became cleaner in their personal habits, learned to read and write, attended church and sang psalms, but their spirit was gone. The days stretched endlessly before them, days in which to perform the tasks laid out for them by their captors, and to dream of the past when they had been free to roam through the forests of Tasmania and hunt at will.

With the will to live destroyed, the natives succumbed rapidly to disease and vice and within a few decades the entire race was wiped out. The blame for this destruction of a race lies on the cruelty and lack of understanding of human beings, on the cruelty of the selfish, grasping settlers and convicts who attacked and aroused the spirit of revenge of the originally peaceable natives, and on the lack of understanding of the men who in the end strove to protect them and make them conform to the standard of an alien civilization, and killed them with misguided kindness.

Prostitution and treatment of women

Tasmania was settled as a convict colony and many of the convicts escaped and took to the bush where they became known as bushrangers. Many of them joined together in groups as outlaws and became a threat to black and white alike. They were the natural foes of the Aborigines, from innate cruelty and also from fear that the Aborigines would divulge their hiding places.

One of the bushrangers called Leon, and his companions, when in a merry mood, bound captured natives to trees and used them as targets for rifle practice. An ex-bushranger confessed to Mr. Bonwick that he would 'as leave shoot them as so many sparrows.'²¹

One bushranger boasted about his cleverness in killing the natives, declaring that he would lay down his musket to induce the blacks to come toward him, but that on their approach he would fire at them from his retreat, pulling the trigger with his toes. The Bushranger Dunn carried off native women to his lair, and cruelly abused them. Mr. Melville, in his sketch of Tasmania recounts that 'The Bushranger Carrots killed a black fellow, and seized his gin; then cutting off the man's head, the brute fastened it round the wife's neck, and drove the weeping victim to his den.'²²

It was not only the bushrangers, outlaws and convicts, from whom one could expect brutality, but the settlers as well who perpetrated great acts of cruelty on the women. Unfortunately there was a great preponderance of men in Tasmania and native women became the natural objects of their lust. Settlers often enticed the women away from their tribes with offers of food and adornments, bought them from their husbands for liquor or tobacco, or stole them. Their ill-treatment of the women was so abominable that the native men retaliated by killing them. Mr. Backhouse wrote that the settlers 'were of such a character, as to remove any wonder at the determination of these injured people to try to drive from their land a race of men, among whom were persons guilty of such deeds.'²³

It was not alone that these unfortunates were the victims of their lust, but the objects of their barbarity. If perchance a woman was decoyed to the shepherd's hut, no gentleness of usage was employed to win her regard, and secure her stay; threatening language, the lash, and the chain were the harsher expedients of his savage love. A story is told by Dr. Ross: 'We met one of Mr. Lord's men sitting on the stump of a tree, nearly starved to death. He told us that three days before a black woman whom he had caught, and had chained to a log with a bullock-chain, and whom he had dressed with a fine linen shirt (the only one he had), in hopes, as he said, to tame her, had contrived somehow to slip the chain from her leg, and ran away, shirt and all.'...

We hear of another who, having caught an unhappy girl, sought to relieve her fears, or subdue her sulks, as it was termed, by first giving her a morning's flogging with a bullock-whip, and then fastening her to a tree near his hut until he returned in the evening.²⁴

- 21 Ibid., 61.
- 22 Ibid.

²³ James Backhouse, Extracts from the Letters of James Backhouse, Now Engaged in a Religious Visit to Van Diemen's Land, and New South Wales, Accompanied by George Washington Walker (London: Harvey and Darton 1838–41). [Lemkin's note cites Backhouse, which he misdates 1878, but the passage is quoted in Bonwick, Last of the Tasmanians, 61.]

²⁴ Bonwick, Last of the Tasmanians, 60.

Mr. Shoobridge, a Tasmanian colonist, related that two white men were out shooting birds. 'Some natives seeing them approach hastily fled. A woman, far advanced in pregnancy, unable to run with the rest, climbed up a tree, and broke down the branches around her for concealment. But she had been observed by the sportsmen. One of these proposed to shoot her, but the other objected. The first, however, dropped behind, and fired at the unfortunate creature. A fearful scream was heard, and then a new-born infant fell out of the tree.²⁵

Mr. Bonwick states that a man boasted to him that he had thrown an old woman upon the fire and burnt her to death, and one convict assured him that he liked to kill a black fellow better than smoke his pipe; adding 'and I am a rare one at that too.'

The sealers

The sealers were run-away convicts, of the same class as the bush-rangers but living their lawless lives on the sea, catching the seals which abounded in the neighbourhood of Van Diemen's Land, and preying on the settlers and natives alike. They captured many natives whom they sold in other lands as slaves.

A Mr. Windsor Earle declared that 'runaway convicts from Van Diemen's Land, who resided on an island near the coast ... were in the habit of visiting the mainland for the purpose of carrying off the native women, and of shooting the men who endeavoured to defend them.'26

The unfortunate natives when trying to escape from the bushmen in the interior often fell into the hands of the sealers on the coast, and the acts of violence committed by the natives were often incited by the cruelty of the sealers. Major Lockyer, who was sent to establish a convict settlement at King George's Sound in 1827, wrote:

It is but too certain that they were driven to it by acts of cruelty committed on them by some gang or gangs of sealers, who have lately visited this place. The fact of these miscreants having left four Natives on Michaelmas Island, who must have inevitably perished if they had not been taken off the boat sent by the Amity, that brought them to this harbour, when one of them exhibited three deep scars on his neck and back that had been inflicted by some sharp instrument, sufficiently proves that they have suffered injuries from white men; and it is not to be wondered at that they should, as people in a state of nature, seek revenge.

The aboriginal women kept by the sealers lived like slaves and were forced to perform the hardest labor. Some sealers boasted of shooting their

²⁵ Ibid., 65.

²⁶ Ibid., 288, 289.

women. 'A poor creature was being beaten when, by struggling, she released herself from her tormentor, and fled. The fellow coolly took up his gun and shot her. Being afterwards asked why he beat her in the first instance, he simply replied: "Because she wouldn't clean the mutton-birds.""²⁷

According to Mr. Robinson, a man named Harrington stole a dozen women whom he put on different islands to work for him. If he found they had not accomplished enough in his absence he would tie them to trees for twenty four hours in succession, flogging them from time to time. He also asserted that he had been known to kill them in cold blood when they were too stubborn.

Captain Stokes, in his autobiography, tells of a sealer who 'confessed that he kept the poor creature (a native woman) chained up like a wild beast, and whenever he wanted her to do anything, applied a burning stick, a firebrand from the hearth, to her skin.'

Lieutenant Darling assured the Governor that native women 'instead of being in any degree civilized or enlightened by the sealers, rather became corrupted and depraved. They were made to dance naked, and encouraged in many of their savage propensities.' In an official letter dated May 20, 1832, from Flinders Island, he wrote: 'There are several women here who have lived with them (sealers) for years, and yet there is not one, though I have frequently questioned them upon the subject who wishes to go back again. On the contrary, they express abhorrence at the thought, and have frequently told me that the sealers are in the habit of beating them severely, and otherwise ill-treating them.'

George Washington Walker, the Quaker, who visited Van Diemen's Land in the company of James Backhouse, recorded the following in his Journal: 'We cannot regard the situation of the aboriginal females... as differing materially from slavery. The object of these men in retaining the women, most of whom, it is asserted, were originally stolen, is obviously from the gratification of their lust, and for the sake of the labour they can exact from them.'²⁸

At Mr. Walker's request a native woman, who was called Boatswain by the sealers, described by words and gestures how the women were beaten: 'She then made signs of being stripped, stretched her hands up against the wall, in the attitude of a prisoner tied up to be flogged, making at the same time a doleful cry, and personating a flagellator in the exercise of his duty. After this she described a different scene. She represented a person striking another over the backs and legs, and then herself as sinking down on the ground, while she repeatedly exclaimed, in a piteous tone, "Oh, I will clean the mutton-birds better," until at last her voice seemed to fail through exhaustion. She said the men beat them with great sticks. When asked if

²⁷ Ibid., 298.

²⁸ Journal of George Washington Walker. [This passage is quoted in Bonwick, Last of the Tasmanians, 304.]

certain men beat their women, she excepted four, the woman of one of whom was weakly, and would have died if he had beaten her. On her observing of one of the men that "he beat his woman," it was remarked with surprise that she had an infant. To this she replied, "Yes, he beat her when the child was in her." 29

Decline in birth rate and child mortality

After the settlement of Tasmania by the British a rapid decline began in the birth rate of the aborigines. The natives led a precarious existence, driven away from the hunting lands of their people, often engaged in inter-tribal warfare, and harassed by the settlers.

Many of the women were stolen by bushrangers, sealers, convicts, and settlers, and contracted venereal diseases from them. Although many of these women did produce half-caste children, a great number became worn out by excesses and were unable to reproduce.

Half-caste children seldom lived long in the tribe. The women often got rid of them by abortion before birth or destroyed them as soon as they were born. If for some reason she spared the life of her child it was generally killed by some male relative. In later years when the birth rate had dropped alarmingly the half-caste children were sometimes allowed to live to the age of puberty but seldom longer.

The Government made an attempt to save the half-castes by granting land to their reputed parents, subject to the life of the child in some cases, and in others dependent upon the marriage of the mother to the child's father, but members of the tribe frequently lured such children away and murdered them.

Mr. G. A. Murray, Police Magistrate on the river Murrumbidgee was officially informed that eleven half-caste boys had been decoyed, murdered, and afterwards their bodies consumed to ashes in separate fires. He rode to the spot, saw the remains of the fires, and in raking about the ashes, discovered fragments of human bones. In his evidence he averred that, though female half-castes were sometimes permitted to live, the males were invariably destroyed in his district. Even the former were tolerated only as ministering to the lustful appetites of the tribe, and an additional means of obtaining supplies from lascivious white men.30

During the movements of the Line and the activities of the Roving parties, attempting to capture the natives for transportation to Flinders Island, many children died of cold and starvation. The fleeing natives were afraid to light

²⁹ Ibid.

³⁰ Bonwick, Last of the Tasmanians, 311.

fires which would reveal their hiding places and so were unable to cook their food or warm themselves.

The soldiers and settlers felt no more compunction about killing infants and children than about killing native men, and many a child was bayoneted or thrown into a fire, or had its brains dashed out on the rocks when falling into the hands of an attacking party.

When all the natives were finally captured and deported to the Straits, their children, with a few exceptions, were placed in the Orphan School, near Hobart Town. This school had been established for the care and education of the neglected and orphan children of convicts and housed hundreds of children up to the age of fourteen. The native children grew sickly and depressed in this environment, and died in great numbers.

Very few children were produced on Flinders Island and mortality was very high among them.

Stealing of children

In the early days of Tasmanian settlement the colonists frequently stole native children, whom they kept in a state of semi-slavery and used as laborers on their farms or stock ranges.

The first chaplain in Tasmania entertained many natives at his home, sometimes as many as twenty at a time, and was on extremely friendly relations with them. After 1814 the numbers diminished and finally none came at all. He was told by the natives that they would not go to town again because bad men stole their picaninnies.³¹

On June 26, 1813, the following Government Proclamation was issued: 'The resentment of these poor uncultivated beings has been just provoked by a most barbarous and inhuman mode of proceeding acted toward them, viz. the robbing of their children... Let any man put his hand to his heart and ask which is the savage—the white man who robs the parent of his children, or the black man who boldly steps forward to resent the injury, and recover his stolen offspring; the conclusion, alas! is too obvious.' The end of the proclamation promises punishment for all offenders.

Unfortunately this proclamation failed to put an end to the practice and we hear of another mass kidnapping which occurred in 1814. A number of natives who were accustomed to visit the Camp at Hobart Town were invited to a feast where they were regaled with rationed flour. During the festivities their children were enticed away and stolen. The kidnappers were deaf to the pleas of the natives for the return of their children, whereupon

³¹ R. W. Giblin, *The Early History of Tasmania*, vol. 2 (1804–28) (Melbourne: Melbourne University Press 1939), 162.

the natives left Hobart Town in rage and sorrow and no aborigines appeared in the town again for several years.³²

Colonel Sorell, issued a Government order on March 13, 1819, pointing out the blame of the white people for the attacks of natives, in which he refers to the stealing of children as follow [sic]: 'From information received by his Honor the Lieutenant-Governor, there seems reason to apprehend that outrages have been recently perpetrated against some of the Native people in the remote country adjoining the River Plenty, though the result of the enquiries instituted upon these reports has not established the facts alleged, further than that two native children have remained in the hands of a person resident above the falls:-Upon this subject, which the Lieutenant Governor considers of the highest importance, as well to humanity as to the peace and security of the settlement, His Honor cannot omit addressing the settlers.... The impressions received from earlier injuries are kept up by the occasional outrages of miscreants whose scene of crime is so remote as to render detection difficult, and who sometimes wantonly set fire to and kill the men, and at others pursue the women for the purpose of compelling them to abandon their children....' He then ordered that in the future magistrates and district constables are to take a census of all native children brought into the district, and discover under what conditions the children have been obtained. No children were to be retained without the permission of their parents unless it could be proved that they had been found in a state to require shelter and protection. The proclamation ends 'All native youths and children who shall be known to be with any of the settlers or stock-keepers unless so accounted for, will be removed to Hobart Town, where they will be supported and instructed at the Charge and under the direction of the government.'33

Cruelties of soldiers and settlers

The retaliatory measures of the settlers and soldiers were harsh and cruel. A single murder committed by a native often resulted in the slaughter of his whole tribe by the aroused whites. A Tasmanian Magistrate gave an account of the death of a shepherd near the Macquarie River. As soon as his death was discovered a company of soldiers went in pursuit of the supposed murderers. Falling in with a tribe around their night fires, in a gully at the back of the river, they shot indiscriminately at the group and killed a great number. An eye-witness of a similar night attack described it thus: 'One man was shot, he sprang up, turned round like a whipping top, and fell dead. The party then went up to the

³² Bonwick, Last of the Tasmanians, 59.

³³ Giblin, Early History of Tasmania, Appendix A.

fires and found a great number of waddies and spears, and an infant sprawled on the ground, which one of the party pitched into the fire. $^{\prime 34}$

A party of Richmond police passing though the bush in 1827 were stoned by natives from a hill. The police fired and charged them with bayonets. Mr. G. A. Robinson continues: a 'party of military and constables got a number of Natives between two perpendicular rocks, on a sort of shelf, and killed seventy of them, dragging the women and children from the crevices of the rocks and dashing out their brains.' 35

There were repeated cases reported of stock-keepers and shepherds emasculating the males of tribes when they stole their women.

At one time seventeen natives were shot at one time in cold blood. They had been bathing on a hot day in a deep pool of a river when they were suddenly surprised by a party of armed colonists who had secured the passes. Not a single native escaped with his life.

During the rounding up of natives under what was known as the 'Five Pounds' Proclamation' large parties of military and civilians scoured the bush, and according to Mr. Carr, the manager of the Van Diemen's Land Agricultural Company: 'The Proclamation as usual will enjoin the sparing of the defenceless, and that the people are not to be killed, but taken alive, and the way in which it will be acted upon will be by killing nine for one taken.' Mr. Carr was proven right in his forecast and a ruthless slaughter of natives took place. At one time a corporal with a party of the 40th atrociously massacred a large number of men, women, and children, upon whose campfires they came suddenly.³⁶

Soon after the settlement of Flinders Island, a rebellion broke out among the natives and the Sergeant in command, with the assistance of the sealers, seized fifteen of the men whom he put upon a granite rock in the ocean, without food, water, or wood. They were rescued by Captain Bateman who found them in an almost dying state, having been exposed to the storms for five days without food or shelter. The natives declared that they had been carried off so that the soldiers would not be interrupted in their criminal intercourse with the women.³⁷

Legal status

The civil position of the Aborigines is thus pointed out by Judge Willis: 'As a British subject, he is presumed to know the laws, for the infraction of which he is held accountable, and he is shut out from the advantage

³⁴ Bonwick, Last of the Tasmanians, 62.

³⁵ Ibid., 64.

³⁶ Ibid., 184.

³⁷ Ibid., 248.

of its protection when brought to the test of responsibility. As a British subject, he is entitled to be tried by his peers. Who are the peers of the Black man?'

Mr. Robinson felt the need of a code suited to the aborigines and in 1843 asserted that 'the destruction of the aboriginal native has been accelerated from the known fact of his being incapacitated to give evidence in our courts of law. I have frequently had to deplore when appealed to by the Aborigines for justice in cases of aggression committed on them by white men, or by those of their own race, my inability to do so in consequence of their legal incapacity to give evidence.'38

An attempt was made to judge the natives according to their own code of ethics and several blacks known to be murderers of parties in Van Diemen's Land, were not tried for their crimes when captured and were instead removed to Flinders Island. It was felt, although not declared, that the crime was not murder in our accepted sense of the word. Unfortunately this lenient view-point was not often accepted and the natives were frequently punished for crimes which they did not consider as such, although white men were acquitted of far worse crimes, as in the case of three white men who were charged with shooting three native women and child at Port Fairy and afterwards burning their bodies. Although all the evidence pointed to their guilt these men were exonerated.

In May 1836 two aborigines, Jack and Dick, charged with committing a murder on the evidence of convict stock-keepers who were thought by some to have been the guilty ones, were tried in Hobart Town. The aborigines were found guilty and hung. The Reverend Mr. West described their execution, writing that they were launched into eternity, 'there, to discover whether a warfare in defending their soil from the spoilers, and their females and children from outrage and destruction, were or were not crimes in the estimation of the Almighty Creator of all men.'

Liquor

Liquor was one of the evils introduced to the Tasmanian natives by the whites. Like most natives the Tasmanian aborigines became easily addicted to its use and it was frequently used by the whites to buy native women from their men.

As early as November 7, 1818 there was a Government order against giving the natives 'Bull' or spirits, 'whereby the said Natives have become riotous and offensive by their fighting in the streets, and committing wanton barbarities on each other.'

Mr. G. Robertson, the leader of a roving party, says of them: 'You must not judge of their capability by what you have seen of these who have been

caught and trained to rum-drinking, smoking, and swearing among the most abandoned of our prisoner population.'39

Liquor continued to undermine the morals and health of the natives after their banishment to Flinders Island. Their high mortality rate on the island was partly due to their physical condition induced by drinking the liquor supplied them illicitly by the soldiers. When finally in 1847, forty four aborigines were returned to Oyster Cove on the mainland, many died and the survivors lived in miserable conditions. When drink was brought secretly to the camp they often got drunk and traded their belongings to obtain liquor.

One native, Mathinna, who had been brought up at Government House, enjoying the privileges and education of a daughter of the family, was returned to the native camp when Sir John Franklin returned to England. One night she was missing from Oyster Cove, and was found the next morning in the river into which she had fallen and drowned while drunk.

Disease

Many natives died of the white men's diseases. A great many deaths may be laid to the door of the civilizing process which clothed these people of the outdoors who had grown hardy and strong living a life in the open and were suddenly deprived of their physical exercise, and made to live in houses. In their native state, the aborigines had gone practically naked, covering their bodies with grease off which the water ran easily in the rainy spells. When clothed the natives became soaking wet in rainstorms and often stayed in their wet clothing until it dried, catching colds and frequently succumbing to pulmonary diseases.

Of their rapid mortality when under the immediate observation of the protector at Bruny, Flinders, and Hunter's Islands ... it may not be improper to add that at the last-named asylum, sickness was sometimes induced by the neglect of the Government, which persisted for some months in supplying them with salt provisions (in spite of the repeated and strenuous remonstrances of Robinson), which they hated the very name of, and only ate from necessity, but to which they were too long restricted.... the consequence of restricting the natives to salt provisions was to bring on scorbutic complaints, which terminated fatally in some instances.40

³⁹ Ibid., 347.

⁴⁰ J. E. Calder, 'Some account of the wars, extirpation, and habits etc. of the native tribes of Tasmania', Journal of the Anthropological Institute of Great Britain and Ireland, vol. 3, 1874, 7–29.

The mortality, which is frequently mentioned elsewhere in this paper, was extremely high. Mr. Robinson wrote in 1861: 'The most serious drawback to the success of the establishment was the great mortality among them, which has continued to so lamentable extent [sic], that at the present time there are but a small remnant living. Had the poor creatures survived to have become a numerous people, I am convinced that they would have formed a contented and useful community.'41

Natives in captivity

The whole history of the Tasmanian aborigines after their capture and virtual imprisonment on various islands is a tragic one of mismanagement and misunderstanding. The islands chosen were generally barren and inhospitable, and those selected in the first instances were too small and had a poor and inadequate supply of water. Used to woods and forests the natives were surrounded by nothing but pounding surf.

The settlement on Bruni island was a miserable failure. The rations given the poor blacks persuaded to live at the Station consisted of biscuits made from the refuse of the flour bins and a few potatoes a day. Robinson shared his own rations with the sickening natives and requested better provisions and a small amount of tobacco to solace the natives who had learned smoking from the whites. The tobacco was prohibited as a luxury. Sickness increased and many deaths occurred.

The avowed intention in placing the natives on the island was to civilize them but on Bruni they were in close proximity to some of the worst characters of the colony. The women were frequently cruelly assaulted by convict woodcutters and enticed away to the lodgings of the whalers where they contracted diseases and created dissension in the camp.

It was eventually conceded that the island was too small and the colony was moved to Van Sittart or Gun Carriage Island. Here the Government provided such inadequate rations that the whole colony would have died of starvation if a sealer's boat loaded with potatoes had not sheltered there in a storm and given some of its cargo to the hungry natives.

The final choice of a resting place for the homeless Tasmanians was Flinders Island, which is forty miles long and from twelve to eighteen broad. It has no rivers but is covered with vast morasses, and over-run with scrub and thickets. The interior is a waste land of rock, sand and swamp and there are no forests such as the natives were used to in their original homeland. The island is assailed by cold penetrating winds and drenched with frequent rains. Many natives contracted consumption and rheumatism to which they succumbed.

Inter-tribal quarrels occurred and chaos reigned. New shipments of natives were constantly being sent from the mainland as they were rounded up in the bush and captured by roving parties, and the supplies were inadequate. The natives brought in toward the last were in a pitiable condition. 'At one place on the west coast where sixteen were collected, their appearance was so wretched as to resemble ourang-outangs rather than human beings. One poor old man had had his eyes shot out by some *Christian* pursuer.'⁴²

Most of the children captured were placed in the Orphan School, near Hobart Town where their numbers dwindled rapidly.

Conditions on the island were so bad that eventually a rebellion broke out, with the one good result that the Governor sent a suitable officer to rule there in 1832. He found the conditions terrible, and reported that although apparently adequate supplies had been sent to the settlement these had been pilfered by the soldiers. Under this officer, Lieutenant Darling, the civilizing process, which eventually succeeded in bringing about their deaths, began for the natives.

Mr. Robinson was appointed to take charge of Flinders Island and took command in 1835, continuing the civilizing process begun by Lieut. Darling.

Unfortunately the more civilized the blacks became the more they grew to depend on their protectors and the less they were to exert themselves. They became good and listless, and lacked the energy to hunt, looking to their keepers for their food.

A colonial writer of the period commented on the system in 1836: 'The commandant has an establishment of thirty-two convicts to wait on the Aborigines, and supply the deficiency of their own labour, and is rewarded by a great deal of reading, writing, singing, rehearsal of the Catechism, tailoring, submission, attachment, decorum, tranquility—everything, in a word, which gratifies superficial examination; and he persuades himself that he is eminently successful with them, but they have no free agency, are mere children at school, and they cannot escape from their prison. They cannot subsist at a distance from it; they must not break its rules; it must be a place of extensive *ennui* to them: as moral agents now, they are lower than when they were savages, and they die, I fear, the faster for this kindness. The Commandant imputes the mortality among them to the situation and climate, and wishes to transport them to the south coast of New Holland; but in six months, I am persuaded, they would be on this place happy savages in the Bush.'⁴³

The last years on Flinders Island is [sic] a story of death. By 1835 the number of aborigines had been reduced to 100. Surgeon Allen officially reported on Sept. 20, 1837: 'On my arrival I found one-fourth of the Natives on the sick list, and since then more than one-half have been ill. Dr. Story

⁴² Ibid., 232.

⁴³ Ibid., 256.

was of the opinion that "the deaths at Flinders Island and the attempt at civilizing the Natives were consequent on each other [sic no closing quotation mark].

The natives, consisting of twelve men, twenty-two women and ten children, were finally returned to Oyster Cove on the mainland in October 1847. For a time the settlement prospered but at the end of 1854 there remained of the original forty four, only three men, eleven women, and two boys at the station.

Mr. Bonwick visited the camp at Oyster Cove in 1859 and described the sad spectacle which met his eyes. The buildings were in ruins and swarming with fleas, and the roofs were full of holes and leaked in the rains, the windows were broken and the doors would not close. The furniture was gone, and the few bedclothes were filthy and torn. The few remaining natives sold everything they could in order to get money for liquor, the only solace remaining to them.

The authorities began the civilizing process and then at the end left the aborigines, lifeless and dispirited, without even the solace of civilized ways. The moral condition of the station was described by a half-caste woman: 'We had souls in Flinders, but we have none here. There we were looked after, and the bad Whites were kept from annoying us. Here we are thrown upon the scum of society. They have brought us among the off-scouring of the earth (convict population). Here are bad of all sorts. We should be a great deal better if some one would read and pray to us. We are tempted to drink, and all bad practices, but there is neither reading nor prayer. While they give us food for the body, they might give us food for the soul. They might think of the remnant of us poor creatures, and make us happy. Nobody cares for us.'44

The end of the Tasmanians came in 1877⁴⁵ with the death of Truganina, an aboriginal woman. Civilization had done its work well and in seventy four years had wiped out a race consisting of several thousands of human beings.

Reactions of public opinion⁴⁶

The settlers of Tasmania felt on the whole completely justified in their treatment of the aborigines but the Tasmanian press and public figures both in Tasmania and in England were horrified at the unfairness and cruelty practiced in the vanquished country.

- 44 Ibid., 277.
- 45 [Actually 1876.]
- 46 [There are two versions of this section. One has been constructed by cutting and pasting and is, therefore, taken to be the version representing Lemkin's later intentions. This is the text reproduced here; differences from the first, presumably earlier, version are given in footnotes.]

Mr. Howitt's report of the Colonization Commissions in 1840 to the House of Commons contains the following: 'We have actually turned out the inhabitants of Van Diemen's Land because we saw that it was a "goodly heritage," and have comfortably sate down in it ourselves; and the best justification that we can set up is, that if we did not pass one general sentence of transportation upon them, we must burn them up with our liquid fire, poison them with the diseases with which our vices and gluttony have covered us, thick as the quills on a porcupine, or knock them down with our bullets, or the axes of our woodcutters.'

In 1813 Governor Davey was so strongly incensed over the treatment of the natives that he wrote: 'That he could not have believed that British subjects would have so ignominiously stained the honour of their country and themselves, as to have acted in the manner they did toward the Aborigines.'

In an early proclamation Governor Sorell condemns the whites as follows: 'Cruelties have been perpetrated upon the Aborigines repugnant to humanity, and disgraceful to the British character; whilst few attempts can be traced on the part of the colonist, to conciliate the Natives, or to make them sensible that peace and forbearance were the objects desired.'

Mr. Melville, horrified by the treatment of the natives wrote: 'In this riot of wildness, favourable in its very existence to the display of our worst attributes, or to the concealment of our better ones; how have they been treated? Worse than dogs, or even beasts of prey; hunted from place to place; shot; their families torn from them. The mother snatched from her children, to become the victim of the lust and cruelty of their civilized Christian neighbours!⁴⁷

Dr. Nixon (afterwards Bishop of Tasmania) declared: 'There are many such cases (cruelty to the blacks) on record, which make us blush for humanity when we read them, and forbid us to wonder that the maddened savage's indiscriminate fury should not only have refused to recognise the distinction between friend and foe, but have taught him to regard each white man as an intruding enemy who must be got rid of at any cost.'⁴⁸

Herman Merivale, Professor of Political Economy at Oxford, 1837–1841, and afterwards Permanent Under-Secretary of State for the Colonies, 1847–1859, in one of his lectures stated:

I shall not detain you over the wretched details of the ferocity and treachery which have marked the conduct of civilized men, too often of civilized governments, in their relations with savages, either in past times, or during the present age, rich

^{47 [}Lemkin's note was 'Henry Melville—Australasia and Immigration, London 1857' but he was probably citing Henry Melville, *Australasia and Prison Discipline* (London: Charles Cox 1851).]

⁴⁸ Francis Russell Nixon, *The Cruise of the Beacon: A Narrative of a Visit to the Islands in Bass's Straits* (London: Bell and Daldy 1857).

almost beyond precedent in such enormities. They have been of late the subject of much attention and of much indignant commentary. You may study them in the accounts of travellers and missionaries, in the reports of our own legislature, in the language of philanthropic orators and writers. You will there read of ... the nation of Van Diemen's Land reduced to a few families by long maltreatment, and those few transported, six years ago, to a small island in the vicinity, almost as a measure of precaution, to save them from the settlers who shot them down in the woods, or laid poisoned food within their reach. . . . The history of the European settlements in America, Africa, and Australia, presents everywhere the same general feature: a wide and sweeping destruction of native races by the uncontrolled violence of individuals and colonial authorities, followed by tardy attempts on the part of government to repair the acknowledged crime.⁴⁹

The Hobart Town Times criticized the Government for issuing paternal proclamations but making very little effort to punish the crimes committed against the aborigines: 'They have been murdered in cold blood. They have been shot in the woods, and hunted down as beasts of prey. Their women have been contaminated, and then had their throats cut, or been shot, by the British residents, who would fain call themselves civilized people. The Government, too, by the common hangman, sacrificed the lives of such of the Aborigines as in retaliation destroyed their wholesale murderers, and the Government, to its shame be it recorded, in no one instance, on no single occasion, ever punished, or threatened to punish, the acknowledged murderers of the aboriginal inhabitants.' (Hobart Town Times, April, 1836)⁵⁰

The Rev. Mr. West wrote: 'The wounded were brained, the infant cast into the flames; the musket was driven into the quivering flesh; and the social fire, around which the Natives gathered to slumber, became, before morning their funeral pile.'51

Sir G. Murray wrote: 'The great decrease which has of late years taken place in the amount of the aboriginal population, render it not unreasonable to apprehend that the whole race of these people may, at no distant

- 49 Herman Merivale, Lectures on Colonization and Colonies, Delivered before the University of Oxford in 1839, 1840, and 1841 (London: Longman, Orme, Brown, Green and Longmans 1841), Lecture 18. [Both versions of this section are identical to this point. The next two paragraphs do not appear in the earlier version, which has instead the following paragraph: 'In a report to the Aborigines Committee, Sir John Franklin, the Governor of Van Dieman's Land and My Lord Glenelg, strongly recommended ... "That any asylum should be given to them (the natives) at Port Philip, on the coast of New Holland, the expense of their maintenance to be paid by Van Dieman's Land. But even this miserable boon, my Lord, has been refused them, on the ground of their not being sufficiently civilized and Christianized yet....[sic no closing quotation mark]'.]
- 50 [The correct title of the paper is *Colonial Times*.]
- 51 John West, The History of Tasmania, 2 vols (Launceston: Henry Dowling 1852).

period, become extinct. But with whatever feelings such an event may be looked forward to by those of the settlers who have been sufferers by the collisions which have taken place, it is impossible not to contemplate such a result of our occupation of the island as one very difficult to be reconciled with feelings of humanity, or even with principles of justice and sound policy; and the adoption of any line of conduct, having for its avowed or secret object the extinction of the native race, could not fail to leave an indelible stain upon the British Government.⁵²

The establishment of the 'Black Line' for the purpose of driving the natives to the point of the peninsula for capture was scathingly commented upon by the Sydney Australian of October, 1830: 'We call the present warfare against a handful of poor, naked, despicable savages, a HUMBUG in every sense of the word. Every man in the island is in motion, from the Governor downwards to the meanest convict. The mercer dons his helmet, and deserts his counter, to measure the dimensions of the butchers' beef, or the longitude of his own tapes with his broadsword. The farmer's scythe and reaping-hook are transmuted to the coat of mail and bayonet. The blacksmith, from forging shoes for the settler's nag, now forges the chain to enslave, and whets the instruments of death! These are against savages whose territory in point of fact this very armed host has usurped!! Savages who have been straitened in their means of subsistence by that very usurpation!!.! Savages who knew not the language, nor the meditations of their foes, save from the indiscriminate slaughter of their own people.'53

The reaction to banishment to Flinders Island was very strong. The following was reported at the Aborigines' protection Society: 'Van-Diemen's Land has hitherto been reported as a British colony, from which its Aboriginal population had been swept off, a remnant being transported to Flinders Island, where an almost unprecedented rate of mortality has prevailed.

Within a few months, seven natives have been drawn out of a place of concealment and security in Van-Diemen's Land, where they must have regarded themselves as the Reliquias Christianorum et immitis Britanni, and have been conveyed, untried, perhaps without accusation, to Flinders Island; which, until some convulsion of nature shall have recalled it to the depths of the ocean, must remain to be the mausoleum of the Tasmanian race.⁵⁴

- 52 Despatch from Sir George Murray, Secretary of State for the Colonies, to Governor Arthur, 5 November 1830; Copies of All Correspondence between Lieutenant-Governor Arthur and His Majesty's Secretary of State for the Colonies, British Parliamentary Papers, 1831 (259), XIX, 56.
- 53 [This paragraph, in the earlier version, did not sit here but followed the final paragraph (beginning 'The Penny Cyclopaedia ...'); it was, in other words, the last paragraph of the essay.]
- 54 Report of the Sixth Annual Meeting of Aborigines' Protection Society, 22 May 1843.

The civilizing process practiced at Flinders Island came in for a lot of criticism. The *Melbourne Argus* wrote in a leading article:

Look at the means had recourse to in the case of the remnant of the Aboriginals of Tasmania! They were beguiled to the number of some hundreds from their native haunts, and transferred to an island in Bass's Straits, where a system of restraint and plodding methodised daily pursuits was imposed upon them, which would be perfectly unbearable to our own people, and has terminated in those savages pining away, and dying en masse. They were, in the most literal sense, 'civilized off the face of the earth' by that process of vegetable existence' [sic no opening quotation mark] which the European finds too irksome to subscribe to himself, but which he thinks quite good enough to be the preliminary step for introducing and reconciling the wild denizen of the woods to the new condition proffered to him-proffered in so uncongenial, or rather absolutely revolting, a manner that it is impossible of acceptance.55

The Penny Cyclopaedia also criticizes the civilization of Flinders Island as follows: 'It would be tedious to detail the features of the "civilizing" system pursued there. It is sufficient to mention that every habit and amusement peculiar to the Aborigines has been discouraged; the cumbrous and uncongenial forms and incidents of advanced civilization have been enforced in everyday life; the native language has been as much as possible suppressed; native names have been made to yield to those of the Caesars, the Hannibals, and the Scipios; a disposition to indulge in the pleasures of the chase has been recorded as a delinquency; and the verbal repetition of the Commandments and the Catechism is alleged as the evidence of religious progress, and a confutation of all disbelief as to the capacity of uncivilized races to appreciate the doctrines of Christianity.'56

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55 Bonwick, Last of the Tasmanians, 351.
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⁵⁶ Ibid.

^{57 [}See note 31.]

^{58 [}See note 14.]

^{59 [}See note 4. Bonwick was Lemkin's principal source.]

Aboriginal Tribes Report, London, 1837⁶⁰ Letters, James Backhouse, Harvey and Darton, London, 1888 [sic]⁶¹ History of Tasmania, James Fenton, MacMillan & Co., London, 1884⁶² Anthropological Institute of Great Britain and Ireland, Vols. III and 27.⁶³

^{60 [}Report from the Select Committee on Aborigines (British Settlements); With the Minutes of Evidence, Appendix and Index, *British Parliamentary Papers*, 1837 (425), VII.]

^{61 [}See note 23.]

^{62 [}James Fenton, A History of Tasmania from Its Discovery in 1642 to the Present Time (Hobart: J. Walch 1884). No publication of this text by Macmillan has been traced.]

^{63 [}See notes 18 and 40.]