

**“the people will kill, destroy, and if possible, exterminate
every black in the island”: a case study of massacre in
Tasmania’s Black War, 1826-1828**

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Abstract

Violence has long been an explanatory framework for the Tasmanian Black War. Over the last decade the focus has been violence over the long duree or violence in relation to the question of genocide. However, more recently Lyndall Ryan has begun to map the relationship between massacres and the population decline of Tasmanian Aborigines. Using French historical sociologist, Jacques Semelin's typology of massacre, Ryan's seminal case study of the Meander River region in 2008 found that the second phase of the war experienced the highest number of massacres and Aboriginal deaths. She drew the important conclusion that Governor Arthur established an infrastructure whereby settler massacres could be carried out and called for more work to be done on this phase of the war. While Ryan emphasises official discourses as an important component of this infrastructure there is room for further investigation.

Utilising Semelin's theorisation of massacre for the period 1826-1828, this thesis traces the development of official and unofficial discourses of violence to demonstrate why there was a turn to massacre within the settler population of Van Diemen's Land. Encompassing both the legal and social dynamics of the settler colony, the study seeks to map out the pathways that enabled military personnel, police magistrates and stock-keepers to take part in the indiscriminate killing of Aborigines. Finally, I will apply Semelin's five-point typology to examine two instances of settler massacres on the Oyster Bay tribe. Situated within a distinct geographical and social context, I will investigate the motivations and methods of these violent episodes to further our understanding of massacre in its Vandemonian context.

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This work has not been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by any other person except where due reference is made in the thesis itself.

(Signed) R. Spinks

Date: 8/12/18

Introduction

It was, indeed a mournful spectacle: the last Tasmanian quitting the shores of his ancestor! Forty years before, the first settler had erected his encampment! A change so rapid in the relations of a people to the soil, will scarcely find a parallel in this world's history.¹

Setting the scene

Prior to the 1820s, the British settlement of Van Diemen's Land was a penal colony that gravitated around the towns of Hobart and Launceston. In the hope of expanding the colony, Governor Sorell began to grant tracts of land and assign convict labour to free settlers who emigrated from Britain.² In 1823 alone, 170,000 acres of land were granted to settlers in the grass plains and river valleys of the interior – “the largest alienation of land in a single year in the entire history of Tasmania”, according to Lyndall Ryan.³ Between 1817-1830 Van Diemen's Land experienced a period of ‘explosive settlement’⁴, whereby the colonial population increased from 2,000 to 23,500. Importantly, it was not just the arrival of emigrants that spurred on the development of the settler colony under the tenure of Sorrell and Governor Arthur. Over the course of the 1820s, the sheep population in Van Diemen's Land swelled from 180,000 to 680,000. Similarly, the number of cattle on the island was believed to be over 100,000 by 1829.⁵ The topography of the island also played a significant

¹ John West quoted in Henry Reynolds, *A History of Tasmania* (Port Melbourne, Victoria: Cambridge University Press, 2012), 48.

² By 1823, one convict was being assigned for every 100 acres granted to free settlers. See Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England* (Cambridge: Cambridge University Press, 1992), 9; Max Hartwell, *The Economic Development of Van Diemen's Land 1820-1850* (Carlton, Victoria: Melbourne University Press, 1954), 35-6.

³ Lyndall Ryan, *Tasmanian Aborigines: A history since 1803* (Crows Nest: Allen & Unwin, 2012), 74.

⁴ For an insightful analysis of this idea within the broader settler revolution, see James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo-world, 1783-1929*. Oxford: Oxford University Press, 2009.

⁵ Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, 59, 67.

role in the distribution of newcomers throughout the eastern corridor (See Map 1)⁶, and the reduction of space for the indigenous and non-indigenous population to co-exist. Consequently, the scale of people and grazing animals entering the Settled Districts between 1817-1824 disrupted the traditional economy of the Tasmanian Aborigines and was the catalyst to inter-racial violence in the period of study.



Map 1 The Settled Districts of Van Diemen's Land
Sidney Hall, 1828, National Library of Australia, Canberra.

⁶ Hartwell, *The Economic Development of Van Diemen's Land 1820-1850*, 61.

This thesis, like many other contributions to Black War scholarship, is in response to broader questions of colonial violence and the role of Governor Arthur in precipitating the near destruction of the Tasmanian Aborigines.⁷ In particular, Lyndall Ryan's case study of the Meander River region in 2008, has provided the impetus for this project.⁸ In a pioneering study, Ryan adopted French historical sociologist Jacques Semelin's typology of massacre to determine incidences of massacre throughout the Black War, and to examine a series of violent episodes against the Pallittorre in June 1827. Ryan's findings had broad implications for our understanding of the violent conflict: first, the second phase of the war (November 1826 – November 1828) recorded the highest number of Aboriginal deaths and massacres. Based on the archival record, Ryan found that "more than 208 Aborigines ... were killed in 19 incidents, in 12 of which six or more were killed".⁹ Second, over the course of an 18-day killing spree, the settlers of the Western Tiers killed more than 100 Pallittorre in a concerted strategy to remove the threat of dual occupation in the region.¹⁰ In light of this, Ryan declared that the second phase of the war has been "under-utilized" by historians and motioned towards the potential of further research into the conduct of war in another region of the Settled Districts.

⁷ S. Breen, 'Human agency, historical inevitably and moral culpability: rewriting black – white history in the wake of Native Title,' *Aboriginal History* 20 (1996): 108-132; Shayne Breen, *Contested Places Tasmania's Northern Districts from Ancient Times to 1900*. Hobart: Centre for Tasmanian Historical Studies, 2001; Robert Manne, *Whitewash: On Keith Windschuttle's Fabrication of Aboriginal History*. Melbourne: Black Inc, 2003; Ann Curthoys, 'Genocide in Tasmania: the history of an idea,' in *Empire, Colony and Genocide*, ed. Dirk Moses, 242-243 (New York: Berghahn Books, 2008); B. Madley, 'From terror to genocide: Britain's Tasmanian penal colony and Australia's history wars,' *Journal of British Studies* 47 (2008): 77-106; Lyndall Ryan, 'Hard Evidence': the debate about massacre in the Black War in Tasmania,' in *Passionate Histories: Myth, memory and Indigenous Australia*, ed. Frances Peters-Little, Ann Curthoys and John Docker, 39-50 (Canberra: ANU Press, 2010).

⁸ L. Ryan, 'Massacre in the Black War in Tasmania 1823-34: a case study of the Meander River region, June 1827,' *Journal of Genocide Research* 10 (2008): 479-499.

⁹ *Ibid.*, 485-6.

¹⁰ *Ibid.*, 494.

This thesis seeks to answer Ryan's call, however modestly, to bridge our knowledge of the second phase of the Black War through a micro historical study. Following Ryan's example, I will apply Semelin's typology of massacre to two episodes along the Elizabeth River in the district of Campbell Town. While this reveals some important supporting conclusions to Ryan's, the innovation of this thesis lies in the critical analysis of the political and social dynamics of the settler colony *through the lens of massacre studies*. In doing so, this thesis will deepen our understanding of massacre in its Vandemonian context.

Key to an understanding of massacre is an understanding of violence. Violence has continually shaped human society. It defines and questions what it is to be human and the various ways in which we interact as a species. Despite this, there is still a tendency amongst some academics to treat violence across time and cultures as "epi-phenomenal or pathological and not as an intrinsic part of social life".¹¹ The theorisation(s) of violence within history and the social sciences is a relatively new methodological approach, one that has its origins in the cultural turn of the 1970s.¹² Influenced by the shifting paradigms of post-World War Two society, Hannah Arendt's *On Violence* (1970) took the first steps towards conceptualising violence. Likewise, Natalie Davis' work on religious violence in sixteenth-century France (1973) and Richard Evans' seminal work on capital punishment in Germany (1996), pioneered new methodological approaches within the field.¹³ Since then, a vast body of literature has been produced on the multi-faceted nature of violence throughout history.

¹¹ I. Armit, 'Violence and Society in the Deep Human Past,' *British Journal of Criminology* 51 (2011): 513.

¹² S. Carroll, 'Thinking with Violence,' *History and Theory* 55 (2017): 23.

¹³ Natalie Zemon. Davis, 'The Rites of Violence: Religious Riot in Sixteenth-Century France,' *Past and Present* 59 (1973): 51-91; Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600-1987*. Oxford: Oxford University Press, 1996.

Interdisciplinary in nature, the study of violence over the last forty years has not been confined to one particular research field. In his latest article, ‘Violence and Its Histories: Meanings, Methods and Problems’, historian Philip Dwyer has identified two distinct branches of inquiry that have developed within the relevant historiography. The first approach, which he has termed the criminological, has largely been adopted by the social sciences and is employed with the intention of controlling violence. In contrast, the cultural interpretation utilised by historians aims to investigate the “meanings of violence and the symbolism attached to it”.¹⁴ This growing intellectual chasm has in the eyes of some academics, hampered our understanding of violence and resulted in a number of articles that call for greater collaboration between historians and social scientists, along with widening the conceptual net to include theories of evolutionary psychology.¹⁵

Interestingly, the *British Journal of Criminology* and *History and Theory* have both published special issues on violence in order to establish a more rigorous understanding of the matter and to set clearer methodological boundaries for future studies within their respective fields.¹⁶ Despite the theoretical differences, a common thread runs through both issues in relation to the difficulty of defining and conceptualizing violence. As noted by

¹⁴ P. Dwyer, ‘Violence and its Histories: Meanings, Methods, Problems,’ *History and Theory* 55 (2017): 8-9.

¹⁵ J.C. Wood, ‘The Limits of Culture? Society, Evolutionary Psychology and the History of Violence,’ *Cultural and Social History* 4 (2007): 95-114; J.C. Wood, ‘A Change of Perspective: Integrating Evolutionary Psychology into the Historiography of Violence,’ *British Journal of Criminology* 51 (2011): 479-498. G. Hanlon, ‘The Decline of Violence in the West: From Cultural to Post-Cultural History,’ *English Historical Review* 531 (2013): 367-400.

¹⁶ ‘Violence in Evolutionary and Historical Perspective,’ *The British Journal of Criminology* 51 (2011): 473-620; ‘Theorizing Histories of Violence,’ *History and Theory* 55 (2017): 1-156.

Dwyer, there are “few critiques of it to speak, no manuals on how to do the history of violence, and no clear-cut methodology”.¹⁷

The Centre for the History of Violence, directed by Professor Dwyer at the University of Newcastle, is quickly becoming a leading international voice on the histories of violence. Exploring a diverse range of historical periods and typologies of violence, the team of academics have applied innovative technology such as Lyndall Ryan’s online massacre map¹⁸, in order to historicize and further understand violence. In recent years, both Dwyer and Ryan have significantly contributed to the field of massacre studies. In 2012, *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History* was published with the aim of providing an “overarching explanatory framework” that will allow historians to analyse individual cases of massacre, whilst recognising its diversity as a historical phenomenon over time.¹⁹

In a special issue by the *Journal of Genocide Research*, Dwyer and Ryan highlighted the necessity for academics to distinguish massacre, “a phenomenon involving the selective killing of unarmed people over limited periods of time...” from that of genocidal killing.²⁰ In doing so, historians are able to open up new lines of inquiry and provide fruitful re-examinations of violent episodes and their legacies, both past and present. Whilst being mindful of the debates around the colonisation of Australia and the question of genocide, I

¹⁷ Dwyer, ‘Violence and its Histories: Meanings, Methods, Problems,’ 9.

¹⁸ ‘Colonial Frontier Massacres in Eastern Australia 1788-1872,’ The Centre for 21st Century Humanities, accessed May 3, 2018, <https://c21ch.newcastle.edu.au/colonialmassacres/>

¹⁹ P.G Dwyer and L. Ryan, *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History* (New York: Berghahn Books, 2012), xv.

²⁰ P.G Dwyer and L. Ryan, ‘Massacre in the old and new worlds, c.1780-1820,’ *Journal of Genocide Research* 15 (2013): 111.

wish to situate this thesis within the new school of thought that explores “massacres in their manifold historical existence”.²¹ This approach is highly beneficial in that it will explore massacre within a uniquely Vandemonian context whilst shedding light on the practices adopted across mainland Australia throughout the latter half of the nineteenth century.

Patrick Tolan states the two most significant issues faced by scholars in the study of violence are the act of defining violence and measuring it.²² The study of settler massacres is no exception to the rule, both themes have caused considerable ruptures and revision within Australian historiography. In 2002, Keith Windschuttle launched a bold attack on the two eminent historians of Tasmania and the Black War: Henry Reynolds and Lyndall Ryan, claiming that the historians of the ‘orthodox school’ had fabricated incidences of massacres and the shooting of Tasmanian Aborigines by the British settlers.²³ According to Windschuttle, these claims were in contradiction to the moral codes that governed the law-abiding, Christian settlers. Rather than disparaging her earlier work, the debates led by Windschuttle and other proponents of the History Wars sent Ryan “in search of new methods to investigate frontier violence”.²⁴ In 2008, Ryan adopted Jacques Semelin’s five point typology in a case study of massacre throughout the Meander River region in Tasmania in 1827.²⁵ The article has provided the impetus for this thesis, in that, it has exposed me to the

²¹ John Docker, ‘The Origins of Massacre,’ in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, ed. Philip G. Dwyer and Lyndall Ryan (New York: Berghahn Books, 2012), 11.

²² Patrick Tolan, ‘Understanding Violence,’ in *The Cambridge Handbook of Violent Behaviour and Aggression*, ed. Daniel J. Flannery et al., (New York: Cambridge University Press, 2007), 11.

²³ Keith Windschuttle, *The Fabrication of Aboriginal History: Volume One, Van Diemen’s Land 1803-1847* (Sydney: Macleay Press, 2002), 5.

²⁴ L. Ryan, ‘Untangling Aboriginal resistance and the settler punitive expedition: the Hawkesbury River frontier in New South Wales, 1790-1814,’ *Journal of Genocide Research* 15 (2013): 221.

²⁵ Ryan, ‘Massacre in the Black War in Tasmania 1823-1834: a case study of the Meander River region, June 1827,’ 479-499.

work of Semelin and has demonstrated the merit of adopting a micro historical approach to the study of massacre. Furthermore, this thesis seeks to answer Ryan's call, however modestly, to bridge our knowledge of the "relatively under-utilized" second phase of the Black War (1826-1828) with that of the well-documented third phase (November 1, 1828–December 1830).²⁶ It is through the analyses of the motivations, mechanisms and uses of massacre within this period of the Black War that the thesis will make its most useful contribution.

Within his influential article, 'In consideration of massacres', Jacques Semelin states that "far from being a "marginal" or "collateral" phenomenon, massacres may have considerable psychological and political effects upon the dynamic of a conflict".²⁷ This thesis aims to take this notion and apply it as an analytical framework to the second phase of the Black War and the subsequent turn to massacre within the settler population. Significant work has already been undertaken by Nicholas Clements and Andrew Gregg on the role of fear within the settler community of Van Diemen's Land.²⁸ Adding to this existing body of research, this thesis will explore the relationship between settler emotions, discourses of violence and the causation and trajectory of massacre.

The examination of massacres across the settled districts between 1826-1828 is largely possible thanks to the work of Ryan and her research team in the creation of the online massacre map. In doing so, I wish to combine the work of Ryan and Semelin by highlighting

²⁶ *Ibid*, 483.

²⁷ J Semelin, 'In consideration of massacres,' *Journal of Genocide Research* 3 (2001): 377-378.

²⁸ Nicholas Clements, *The Black War: fear, sex and resistance in Tasmania* (St Lucia: University of Queensland Press, 2014), 100; N. Clements and A. Gregg, 'I am frightened out of my life': Black War, white fear,' *Settler Colonial Studies* 7 (2017): 223.

the “primacy of the political”²⁹ that massacre encompassed within the two-year period. The turn to massacre, I believe, was not a mere coincidence; this mode of violence became the dominant approach by the settlers from the late 1820s onwards and significantly changed the dynamics between the two groups. No longer a matter of justice or reprimanding hostile natives, massacre became the effectual tool to break down Aboriginal society within Van Diemen’s Land. Furthermore, the study of massacre in the second phase of the Black War will not only provide useful insights into this mode of colonial violence, it will also contextualise the steps taken by Governor Arthur in the final phase of the war and the subsequent relocation of the surviving Tasmanian Aborigines to Flinders Island. Ultimately, it was through this prism of violence that settler sovereignty was re-articulated and actualised in Van Diemen’s Land.

The violent history of Van Diemen’s Land has captured the imagination of three generations of historians and has led to what Henry Reynolds calls, “a long historiographical tradition for Australian standards”.³⁰ Within this expansive body of literature, massacre recognition has sat precariously with both nineteenth-century historians and their modern counterparts. As the title of Lyndall Ryan’s chapter in *Passionate Histories* suggests, the debates around massacre have been dominated by the question of ‘hard evidence’.³¹ Furthermore, post-colonial theories have led to a re-evaluation of the colonial encounter and the active role played by the Aboriginal people in both resisting and adapting to British settlement. This revision has spilled into the debates over massacre and has led historians like Richard

²⁹ Semelin, ‘In consideration of massacres,’ 380.

³⁰ Henry Reynolds, *Fate of a Free People* (Camberwell: Penguin Books Australia, 2004), xvii.

³¹ Ryan, ‘Hard Evidence’: the debate about massacre in the Black War in Tasmania,’ 40.

Broome to believe that the term is “overused and portrays the Aboriginal people as passive victims”.³²

Henry Melville’s *The History of Van Diemen’s Land from the year 1824 to 1835* was the first of a number of influential histories to be published in the years following the Black War. Melville was in no doubt that the Tasmanian Aborigines were “massacred without mercy” and “slaughtered in cold blood” by the settlers.³³ Despite this, he neglected to provide any links to violent episodes given the sensitivity of the issue and the little time that had elapsed since the culmination of the Black War and the book’s publication in 1835. Similarly, John West in his seminal text, *The History of Tasmania* (1850), reflected on the theme of massacre and was under no illusion that numerous outrages had been committed against the aborigines that were “often unheard and unrecorded”.³⁴ However, he did not wish to burden his history with ‘tedious details’ and ‘circumspect accounts’ made by eyewitnesses. This reluctance was finally overcome by James Bonwick in 1870 with the publication of *The Last of the Tasmanians*. Upon a close reading of Bonwick’s text, modern historians are provided with numerous examples of massacre and in some cases, the identity of the settlers that perpetrated the violent acts.³⁵ Nevertheless, it would be the publication of James Calder’s book, *Some accounts of the wars, extirpation, habits etc. of the native tribes of Tasmania* (1875), that would have the most enduring legacy on the question of massacre. Following his time in the archive where he assessed “nineteen awful volumes” of colonial records, Calder declared that warfare in the colony was a “petty affair” and that the

³² Richard Broome, *Aboriginal Victorians: A History Since 1800* (Crows Nest: Allen & Unwin, 2005), 81.

³³ Henry Melville, *The History of the island of Van Diemen’s Land from the year 1824-1835* (Sydney: Horwitz Publications, 1965), 71-79.

³⁴ Ryan, ‘Hard Evidence’: the debate about massacre in the Black War in Tasmania,’ 41.

³⁵ James Bonwick, *The Last of the Tasmanians; or, the Black War of Van Diemen’s Land* (London: Sampson Low, Son & Marston, 1870), 64.

Tasmanian Aborigines “had by far the best of the fight”, claiming a ratio of five settlers dying to one aborigine in times of conflict.³⁶ The onset of massacre denial in the closing stages of the nineteenth century would prove to be a bastion of intellectual forgetfulness.

A silence descended upon the landscape and history of Tasmania, like that of mainland Australia, across the first half of the twentieth century. It wasn't until the 1970s that academics began to reimagine colonisation as a dynamic, two-way process. Both Lyndall Ryan and Henry Reynolds in *The Aboriginal Tasmanians* (1981) and the *Fate of a Free People* (1995), highlighted the ways in which the island's indigenous population resisted (in many cases successfully) the settlers and survived the onslaught of rapid colonisation.³⁷ Moreover, Aboriginal-settler relations have been explored in a kaleidoscopic set of themes that have ranged from dispossession, resistance, removal, and of late, adaption.³⁸ As noted by Alison Holland, “it might be necessary to rethink the colonial encounter as both *destructive and constructive of identities*” to truly understand the power dynamic inherent

³⁶ James E. Calder, *Some accounts of the wars, extirpation, habits etc. of the native tribes of Tasmania. A facsimile of the original edition published in 1875* (Hobart: Fullers Bookshop, 1972), 8.

³⁷ Lyndall Ryan, *The Aboriginal Tasmanians* (St. Lucia: University of Queensland Press, 1981); Reynolds, *Fate of a Free People*, 33.

³⁸ Henry Reynolds, *The other side of the frontier: Aboriginal resistance to the European invasion of Australia*. Ringwood: Penguin Books, 1990; Anna Haebich, *Broken circles: fragmenting indigenous families, 1800-2000*. Fremantle: Fremantle Arts Centre Press, 2000; Alison Holland and Barbara Brookes, *Rethinking the Racial Moment: Essays on the Colonial Encounter*. Newcastle upon Tyne: Cambridge Scholars Publication, 2011; Patsy Cameron, *Grease and Ochre: The Blending of Two Cultures at the Colonial Sea Frontier*. Launceston: Fullers Bookshop, 2011; Robert Foster and Amanda Nettelbeck, *Out of the Silence: The History and Memory of South Australia's Frontier Wars*. Kent Town: Wakefield Press, 2012; Henry Reynolds, *Forgotten War*. Sydney: New South Publishing, 2013; Libby Connors, *Warrior: A Legendary Leader's Dramatic Life and Violent Death on the Colonial Frontier*. Crows Nest: Allen & Unwin, 2015; Kate Fullagar, 'From pawns to players: rewriting the lives of the three indigenous go-betweens,' in *Subverting empire: deviance and disorder in the British colonial world*, ed. Will Jackson and Emily Manktelow. Houndsmill: Palgrave Macmillan, 2015; A. Nettelbeck and L. Ryan, 'Salutary Lessons: Native Police and the 'Civilising' Role of Legalised Violence in Colonial Australia,' *The Journal of Imperial and Commonwealth History* 46 (2018): 47-68.

within colonialism.³⁹ This notion has been furthered by Sarah Maddison, who examined the ways in which ‘Aboriginality’, ‘identity’ and ‘authenticity’ have been historically constructed in an attempt to marginalise Aboriginal people.⁴⁰ Interwoven throughout this new appraisal of colonialism is the organising principal of structural violence. Present throughout all stages of the colonizing process, violence has become a useful tool for understanding the technologies that were mobilised and employed by colonial powers across the land and bodies of the New World.

As previously mentioned, the publication of Keith Windschuttle’s *The Fabrication of Aboriginal History* (2002) ultimately brought massacre back to the forefront of Tasmanian scholarship. The 2000s witnessed a flurry of revisionist histories on Van Diemen’s Land that were either in response to or influenced by, the sweeping claims of Windschuttle. Phillip Tardif and Shayne Breen make convincing cases in *Whitewash: On Keith Windschuttle’s Fabrication of Aboriginal History* (2003), that massacre was far from an aberration and played a crucial role in the dispossession of the Tasmanian Aborigines.⁴¹ James Boyce in his influential book, *Van Diemen’s Land* (2008), argued that despite Windschuttle’s allegations against Lyndall Ryan and Henry Reynolds, both historians had underestimated the fatality rate and therefore the likelihood of massacres in their earlier work, due to the archive’s over representation of events following the declaration of martial law in November, 1828.⁴² Boyce asked the pertinent question, “what of the years before, when

³⁹ Holland and Brookes, *Rethinking the Racial Moment: Essays on the Colonial Encounter*, 255.

⁴⁰ S. Maddison, ‘Indigenous identity, ‘authenticity’ and the structural violence of settler colonialism,’ *Global Studies in Culture and Power* 20 (2013): 289.

⁴¹ Manne, *Whitewashed: On Keith Windschuttle’s Fabrication of Aboriginal History*, 222, 290.

⁴² James Boyce, *Van Diemen’s Land* (Carlton: Blank Inc, 2009), 10.

whole communities, not small bands of warriors, were Britain's enemy?"⁴³ In that same year, Ryan published a compendium of multiple killings of Aboriginal Tasmanians between 1804-1835 and a case study of massacre in the Meander River region in 1827. Based on her findings, Ryan estimated that of the 448 Aborigines killed by colonists, "413 had lost their lives in 27 known multiple killings of five or more."⁴⁴ In the preface to *Tasmanian Aborigines: A history since 1803*, Ryan makes that notable observation, "Windschuttle's response to date in relation to this vast new corpus of research has been a resounding silence".⁴⁵

What these new histories make clear is the evolution of violence throughout the Black War and the devastating effects massacre had on the Aboriginal population. Furthermore, the statistics corroborated with Boyce's call for a re-examination of the period between the Government Notice of November 1826 and the declaration of martial law in November 1828. It is the sudden departure from small-scale, targeted violence, to the indiscriminate maiming and killing of Aborigines by the settler population that I wish to explore in detail. This thesis aims to not simply study the violent confrontations that characterized the settled districts between 1826-1828, but argue the necessity of violence, particularly massacre, in the ascendancy of the settler population.

This link between settler advance and massacre touches upon another important historiography with which this thesis engages. In 2011, Lorenzo Veracini established the journal of *Settler Colonial Studies* in the hope of creating an independent field of study to

⁴³ *Ibid.*, 10.

⁴⁴ Ryan, 'List of multiple killings of Aborigines in Tasmania: 1804-1835,' <http://www.massviolence.org/Article?id=106>

⁴⁵ Ryan, *Tasmanian Aborigines: a history since 1803*, xxvi.

that of the traditional imperial histories. This intellectual need was first argued by Patrick Wolfe in 1999 with the publication of his influential book, *Settler Colonialism and the Transformation of Anthropology*. In the introductory article of the journal, Veracini describes settler colonialism as a “circumstance fundamentally shaped by a recurring need to disavow the presence of indigenous ‘other’”.⁴⁶ According to Veracini, there are varying degrees of what disavowal may look like within a settler society: whether it be elimination, displacement, the destruction of cultural practices or the absorption of indigenous people into the larger body politic.⁴⁷

Despite the differences within settler societies, Wolfe argued that the logic of settler colonialism is a “winner-take-all project whose dominant feature is not exploitation but replacement”.⁴⁸ More importantly, Wolfe made the famous claim that “invasion is a structure not an event”.⁴⁹ This idea has both informed historical practices within settler societies and become the key analytical framework for settler colonial scholars. In regards to the Black War, both these notions are central to my understanding of this violent moment. The legal sanctioning of violence by Governor Arthur throughout the years 1826-1828 and the intensification of massacres that followed, allows for the decline of the Tasmanian Aborigines to be viewed in light of the political objectives of settler colonialism.

Given that settler societies exist within distinct hierarchies of power to that of franchise colonies, violence also manifests differently within these environments. However, it is only recently that historians have begun to focus on typologies and patterns of violence within

⁴⁶ L. Veracini, ‘Introducing, Settler Colonial Studies,’ *Settler Colonial Studies* 1 (2011): 2.

⁴⁷ *Ibid.*, 2.

⁴⁸ Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology* (London: Cassell & Co., 1999), 163.

⁴⁹ *Ibid.*, 2.

the settler colonial context. The 1990s witnessed the publication of two seminal books on massacre in colonial Australia. Ian Clark in seminal book, *Scars in the Landscape*, provided the first register of massacre sites in Western Victoria and a working definition of what constituted a settler massacre.⁵⁰ In a bold study of massacre from Van Diemen's Land to the Coniston Massacre in the Northern Territory, Bruce Elder placed this particular mode of violence at the heart of Australia's modernising story.⁵¹ In 2004, Dirk Moses published the book *Genocide and Settler Society*, where four chapters are dedicated to the examination of frontier violence and the overwhelming evidence of large-scale killing of the indigenous people in Tasmania and Queensland.⁵² Within the *Journal of Genocide Research*, a number of articles have been published on the role of massacre within both the Dutch and British Cape Colony.

As more regional studies are being published, it is becoming clear that violence in the settler colonial world of the nineteenth century shared a number of common features across time and space. The practice of night-time reconnaissance and the envelopment of native campsites in the pre-dawn hours, as noted by Benjamin Madley, "helped to maximize surprise, confusion, and perhaps, more importantly, casualties."⁵³ Furthermore, the concealment of massacres, or what Semelin refers to as "events taking place behind closed door" has been addressed by a number of scholars. Susan Blackbeard in her study of the

⁵⁰ Ian Clark, *Scars in the Landscape: A Register of Massacre Sites in Western Victoria, 1803-1859* (Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies, 1995), p. 7-8.

⁵¹ Bruce Elder, *Blood on the Wattle: Massacres and Maltreatment of Aboriginal Australians since 1788*. Sydney: New Holland Publishers, 1988.

⁵² Dirk Moses, *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Australian History*. New York: Berghahn Books, 2004.

⁵³ Benjamin Madley, 'Tactics of Nineteenth-Century Colonial Massacre: Tasmania, California and Beyond,' in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, ed. Philip G. Dwyer and Lyndall Ryan (New York: Berghahn Books, 2012), p. 114.

amaXhosa and abaThembu tribes states, “More British or colonially complicit massacres than acknowledged occurred on the Cape’s eastern frontier, with settler pastoralism providing the context”.⁵⁴

Within the Vandemonian context, Lyndall Ryan is the only author who has explicitly engaged with settler colonialism in her appraisal of the Black War.⁵⁵ As such, I believe that there are still insights to be gained in relation to violence and the dispossession of the Tasmanian Aborigines through the interpretive lens of settler colonialism. Violence in Van Diemen’s Land was escalatory in nature and at its most pervasive some twenty years after settlement. Massacre in this context, embodied the territorial desires of a growing settler population or what Wolfe referred to as the “logic of elimination”.⁵⁶

Methodology

In her collection, *Rethinking the Racial Moment: Essays on the Colonial Encounter*, Alison Holland referred to the possibilities and potential of a micro historical approach for the study of colonialism. Described by Giovanni Levi as the “reduction of the scale of observation, on a microscopic analysis and an intensive study of the documentary material”.⁵⁷ Holland made the notable observation that “studying moments allows us to zone in and tunnel down,

⁵⁴ S.I. Blackbeard, ‘Acts of severity: colonial settler massacre of amaXhosa and abaThembu on the eastern frontier of the Cape Colony, c. 1826-47,’ *Journal of Genocide Research* 17 (2015): 128.

⁵⁵ Ryan, *Tasmanian Aborigines: a history since 1803*, xviii.

⁵⁶ P. Wolfe, ‘Settler Colonialism and the elimination of the native,’ *Journal of Genocide Research* 8 (2006): 388.

⁵⁷ Giovanni Levi, ‘On Microhistory,’ in *New Perspectives on Historical Writing*, ed. Peter Bourke (Pennsylvania, The Pennsylvania State University Press, 2001), 99. See the following articles for discussions on the merits and approaches of microhistory: B. Gregory, ‘Is Small Beautiful? Microhistory and the History of the Everyday Life,’ *History and Theory* 38 (1999): 101-103; S.D. Aslanian, J.E. Chaplin, A. McGrath, and K. Mann, ‘AHR Conversation How Size Matters: The Question of Scale in History,’ *The American Historical Review* 118 (2013): 1440.

to locate the particular forces at work at any given time and/or place”.⁵⁸ This is particularly useful when thinking about the turn to massacre by the settler population of Van Diemen’s Land, which marked a historical juncture within the Black War. In both its social capacity and destructiveness, massacre took on a new political meaning to that of earlier, sporadic, violence deployed by the settler body. In order to trace this development and zoom in on the forces at work, this study will address two research questions:

- A) Were there discourses of violence circulating throughout the two-year period within official and unofficial channels? If so, what purpose did they serve in the turn to massacre?
- B) What is the relationship between massacre along the Elizabeth River and the political objectives of Britain’s settlement in Van Diemen’s Land?

The research questions have been designed with the intention of providing what Jacques Semelin has phrased a macro and micro analysis of massacre within the years 1826-1828. That is, to understand massacre from “the point of view of the organisation that trigger them” and the “motivations and personal reactions” of those involved and those on the sideline.⁵⁹ In order to achieve this, equal weight will be placed on the socio-political context that enabled members of the settler polity to conduct massacres and the violent acts carried out against the Oyster Bay people. By exploring the processes at work at both the official and unofficial levels this thesis will offer a new perspective on Black War scholarship.

⁵⁸ Holland and Brookes, *Rethinking the Racial Moment: Essays on the Colonial Encounter*, 256.

⁵⁹ Semelin, ‘In consideration of massacres,’ 386.

Chapter Overview

This thesis is divided into three chapters. The first of these examines the ways in which Governor Arthur mobilised a violent discourse towards the Tasmanian Aborigines through a network of official communication channels. In doing so, it will map out the legal pathways that enabled military personnel, police magistrates and stock-keepers to take part in the indiscriminate killing of Tasmanian Aborigines. The second chapter will focus on settler discourses of violence and the relationship between fear and massacre in times of crises. The third and final chapter will examine the motivations and methods of two settler massacres of the Oyster Bay people throughout the Eastern Tiers. It will then situate these findings within the broader narrative of violence established by Lyndall Ryan in her case study of the Meander River region, to help layer our understanding of massacre in the second phase of the Black War.

Note on terminology

Throughout the thesis, I will refer to the Aboriginal population of Tasmania in three contexts. When referring to the colonial record, the term ‘Natives’ will be used as a means of conveying the perceptions of the settler community. This thesis will also utilise the term ‘Tasmanian Aborigines’, when I am referring collectively to the six nations that lived throughout the Settled Districts.⁶⁰ Finally, the term ‘Oyster Bay’ people, which denotes the ten clans who lived along the east coast of Tasmania between St Patrick’s Head and the estuary of the Derwent River, is the English name that came into common use throughout the colonial period.⁶¹

⁶⁰ Ryan, *Tasmanian Aborigines: A history since 1803*, xxvi, 15.

⁶¹ *Ibid.*, 15.

Chapter One

The governmentality of violence

In reference to the discussions, which have recently taken place in the Colony respecting the manner, in which the Native Inhabitants are to be treated when making hostile incursions for the purpose of Plunder, you will understand it to be your duty, when such disturbances cannot be prevented or allayed by less vigorous measures, to oppose force by force, and to repel such Aggressions in the same manner, as if they proceeded from subjects of any accredited state.¹

The event of a massacre suggests a breakdown in social relations between two groups who historically, or under more recent circumstances, co-existed within a particular location. Prior to the outbreak of violence, a process of victimisation must take place whereby the targeted population is reimagined along new lines by the perpetrators. The development of an openly violent discourse is paramount to the targeting of victims, or what Jacques Semelin refers to as ‘advance killing with words’.² In this chapter I will explore three key governmental discourses in order to unpack the way in which the status of Tasmanian Aborigines went from protected persons³ to open enemy between 1826-1828, and how this reconceptualisation by Governor Arthur helped create a legal space for settler massacres.

Both Jacques Semelin and Mark Levene have advocated for scholars to capture the local and international dimensions of violence in order to understand its form and direction within

¹ Earl Bathurst to Governor Darling, 14 July, 1825, *Historical Records of Australia*, Series I, Vol. VII, 21 (hereafter HRA).

² J. Semelin, ‘In consideration of massacre,’ *Journal of Genocide Research* 3 (2001): 384.

³ Bruce Kercher, *An Unruly Child: A History of Law in Australia* (St Leonards: Allen and Unwin, 1995), 3-6; Paul McHugh, *Aboriginal Societies and the Common Law: A History of Sovereignty, Status and Self-Determination* (New York: Oxford University Press, 2004), 159; Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Cambridge, Massachusetts: Harvard University Press, 2010), 42-54.

a given historical moment.⁴ In his seminal book, *Purify and Destroy: The Political Uses of Massacre and Genocide*, Semelin argues that “nations and societies are necessarily the products of regional history and, in a wider sense, of a particular constellation of international relations”.⁵ This notion is particularly helpful when thinking about Tasmania’s Black War in the broader context of indigenous resistance faced by Britain’s settler empire across the nineteenth century. In November 1825, Governor Arthur received a set of instructions from Secretary of State, Earl Bathurst, that broadly reflected the imperial mindset of London and its position on the Aborigines of eastern Australia. The instructions were deeply ambiguous, in that, they counselled for peace and violence within the same broad stroke of governance. The contradictory nature of Earl Bathurst’s instructions was indicative of the fact that Aboriginal people in the 1820s were not colonial subjects. As a result, their lives were implicated by British law and at the same time not fully protected by it. This is evident in the case of Lieutenant Nathaniel Lowe who was accused of murdering a Sydney Aboriginal man, Jackey Jack in 1827. Despite the larger debate between Lowe’s defendants and Chief Justice Forbes over the status of Aborigines in the court of law, the white jury found the lieutenant not guilty.⁶ In many ways, the precarious nature of Aboriginal subjecthood in early nineteenth century Australia rendered the tribes living within the limits of New South Wales and Van Diemen’s Land, more susceptible to violence.

In the absence of an official position on the Aborigines, governors were given considerable autonomy when it came to executing the law. We see this in the following two years,

⁴ J. Semelin, ‘Toward a vocabulary of massacre and genocide,’ *Journal of Genocide Research* 5 (2003): 195; M. Levene, ‘Why is the Twentieth Century the Century of Genocide?,’ *Journal of World History* 11 (2000): 308-310.

⁵ Jacques Semelin, *Purify and Destroy: The Political Uses of Massacre and Genocide* (London: Hurst & Company, 2007), 107.

⁶ McHugh, *Aboriginal Societies and the Common Law: A History of Sovereignty, Status and Self-Determination*, 160.

whereby Arthur took it upon himself to shape these directives into a set of governmental practices that were unique to Van Diemen's Land and the changing landscape of indigenous-settler relations. Through the examination of Governor Arthur's written correspondence with the Colonial Office and his official communication in Van Diemen's land, this chapter will argue that the emergence of a legal space for settler massacres was a combination of institutional frameworks and Arthur's ability to effect governmental change.

In applying Semelin's theorisation to the production of an openly violent discourse in Van Diemen's Land, a crucial distinction must be accounted for. Unlike the propaganda campaigns that preceded civilian massacres in the twentieth and twenty-first century, the selected nineteenth century colonial discourses were being constructed contemporaneously against the backdrop of violent episodes between the Tasmanian Aborigines and British settlers throughout the two-year period. As a result, they were both influencing events on the ground and being influenced by the escalatory nature of violence in the settler colony. This is most notable in the changes between Arthur's rhetoric with the Colonial Office and his official communication as the governor of Van Diemen's Land. As noted by Henry Reynolds, "when writing to his supervisors in Downing Street... Arthur spent more time explaining his motivations" whereas, "his language was tougher in internal memos written to his officials".⁷ As such, the governmental discourses do not follow a linear trajectory or offer a "simplistic vision of the decent into massacre".⁸ Rather, it will become apparent that understandings of violence within the colonial administration of Van Diemen's Land were

⁷ Henry Reynolds, 'Genocide in Tasmania?', in *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History*, ed. Dirk Moses (New York: Berghahn Books, 2005), 134.

⁸ Semelin, 'Toward a vocabulary of massacre and genocide,' 198.

contingent on time, individual interpretation and events that were taking place across the Settled Districts.

Within the current literature on the Black War there has been little attention paid to the formation of official discourses of violence between 1826-1828. In his influential book, *Van Diemen's Land*, James Boyce stated that Governor Arthur “showed surprisingly little concern for the escalating conflict with the Aborigines before 1828”.⁹ This claim, I believe, is not representative of the role played by the governor in creating a discourse of punitive violence.¹⁰ Throughout the two-year period, Arthur published four government documents that mobilised the settler population against the Tasmanian Aborigines and authorised the violent dispossession of the latter. Moreover, as the last section of this chapter will show, the governor was engaged in a series of conversations with police magistrates and members of the Executive Council about the ‘outrages’ that were being carried out by the warring tribes and the appropriate course of action. In adopting Semelin’s viewpoint that violence expressed in public discourses against an ‘identified enemy’ are purposeful and not ‘trivial declarations’, I wish to re-orientate Arthur’s official communication along the path to massacre.¹¹

In her 2008 article, Lyndall Ryan stated that “Arthur not only established the infrastructure within which massacre became legal, but sent military parties and police units to carry them

⁹ James Boyce, *Van Diemen's Land* (Carlton: Black Inc., 2009), 261. This line of argument was first pursued by A.G.L. Shaw in *Sir George Arthur, Bart 1784 -1854: Superintendent of British Honduras, Lieutenant-Governor of Van Diemen's Land and of Upper Canada, Governor of the Bombay Presidency* (Clayton: Melbourne University Press, 1980), 124.

¹⁰ J. Evans and T. Fluence, ‘Securing the Settler Polity: Martial Law and the Aboriginal Peoples of Van Diemen's Land,’ *Journal of Australian Colonial History* 15 (2013): 12.

¹¹ Semelin, ‘Towards a vocabulary of massacre and genocide,’ 199.

out”.¹² While there has been plenty of scholarly focus on the events following the declaration of martial law in November 1828¹³, I wish to come back to this notion of an ‘infrastructure of massacre’ and explore its interiority in more detail. Were discourses of violence purely metropolitan or did they move in both directions? Were there tensions between Arthur and his superiors over the nature and meaning of violence in Van Diemen’s Land? Was Arthur simply facilitating metropolitan directives or did he intervene in the process? In addressing these questions, I believe that a more detailed account of how the legal space for settler massacres was understood and articulated by Governor Arthur in the second phase of the Black War is realised.

Governor Arthur and the Colonial Office

On 24 November 1825, Governor Ralph Darling sailed into Van Diemen’s Land along the Derwent River and docked at Hobart.¹⁴ Prior to leaving and taking up his position in the sister colony of New South Wales, Darling provided Governor Arthur with a set of instructions from the Colonial Office that would have an enduring legacy on the violent confrontation between the Tasmanian Aborigines and British settlers. In a letter detailing the governor’s position on all matters of colonial life, Secretary of State, Earl Bathurst, placed great emphasis on dealings with the native inhabitants.¹⁵ In line with the humanitarian registers that were circulating throughout Britain and the empire at the turn of the nineteenth century, Arthur, like his counterpart in New South Wales, was encouraged to treat the

¹² L. Ryan, ‘Massacre in the Black War in Tasmanian 1823-1824: a case study of the Meander River Region, June 1827,’ *Journal of Genocide Research* 10 (2008): 495.

¹³ Nick Brodie’s latest publication, *The Vandemonian War: the secret history of Britain’s Tasmanian invasion*, uses extensive archival research to chart the deployment of civil and military detachments by Governor Arthur in the later stages of the Black War (1828-1831).

¹⁴ Governor Darling to Earl Bathurst, 5 December, 1825, HRA, Series III, Vol. V, 9.

¹⁵ The instructions were given to Governor Darling prior to taking up his position in New South Wales. As such, it is important to think of the copy that was given to Governor Arthur as general and not specific to Van Diemen’s Land.

Aborigines with kindness and to protect them from acts of violence and injustice by the settlers.¹⁶ However, in the context of an increasingly hostile indigenous population it would ultimately be the directives to violence that Arthur would internalise and re-articulate throughout the two-year period. As Henry Reynolds notes, “Arthur clearly saw them as an authoritative guide to action, and read them to his officials at critical moments during the campaign against the Aborigines.”¹⁷

The instructions penned by Earl Bathurst provided Arthur with his first working model of settler colonial violence. In the first instance, they clearly outlined the context in which violence could be legitimately sanctioned by the governor. In times of Aboriginal raids on stock-keeper’s property, livestock or persons, the Colonial Office advocated maximal force:

“...you will understand it to be your duty, when such disturbances cannot be prevented or allayed by less vigorous measures, to oppose force by force, and to repel such Aggressions in the same manner...”¹⁸

This line reveals an interplay between notions of ‘duty’, ‘governance’ and ‘violence’ that Arthur was expected to embody as the imperial agent on the ground. Violence in this context was not only sanctioned by the Colonial Office, but viewed as a necessary step in the assertion of British sovereignty over the Aborigines of eastern Australia. Moreover, the instructions made it clear that the governor should view Aboriginal aggressors as “subjects of any accredited state” and therefore employ all relevant civil powers to prevent further attacks on the settler population.¹⁹

¹⁶ Instructions to Governor Darling, *HRA*, Series I, Vol. VII, 125; McHugh, *Aboriginal Societies and the Common Law: A History of Sovereignty, Status and Self-Determination*, 159.

¹⁷ Henry Reynolds, ‘Genocide in Tasmania?’, in *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History*, ed. Dirk Moses (New York: Berghahn Books, 2004), 131-132.

¹⁸ Earl Bathurst to Governor Darling, 14 July, 1825, *HRA*, Series I, Vol. VII, 21.

¹⁹ *Ibid.*, 21.

The arrival of Governor Darling in Van Diemen's Land and the transmission of Earl Bathurst's letter marked a foundational moment for Arthur and his internalisation of violence. It also situated the governor more broadly in a transnational network of imperial discourses and practices that were being implemented throughout the Cape Colony, New Zealand and Canada in the first half of the nineteenth century.²⁰ Arthur, like many other British governors of his time, came to understand the nature and use of violence within an imperial framework. As recently demonstrated by Ryan in her study of martial law throughout the British Empire, colonial governors were also subject to intense scrutiny from the metropole if they overstepped the limits of the law.²¹

As previously noted by Reynolds, this set of instructions became an anchor point for Governor Arthur in times of increasing conflict and a continued source of legitimation for future measures against the Tasmanian Aborigines. Arthur's constant referral to the Colonial Office's instructions and the re-deployment of its language, supports the view of historian Rhys Isaac, that individuals operate within particular reference points in order to orientate themselves with the people and world around them.²² However, I argue that the Colonial Office was only one of Governor Arthur's reference points that helped him to understand and articulate an official discourse of violence towards the Tasmanian Aborigines. To borrow from John Benyon, Arthur was a "pointsman" on the colonial axis of power, which

²⁰ A. Nettelbeck, 'Policing Indigenous Peoples on Two Colonial Frontiers: Australia's Mounted Police and Canada's North-West Mounted Police,' *The Australian and New Zealand Journal of Criminology* 43 (2010): 356.

²¹ Lyndall Ryan, 'Martial Law and the British Empire,' in *Violence, Colonialism and the Modern World*, ed. Philip Dwyer and Amanda Nettelbeck (Cham, Switzerland: Palgrave Macmillan, 2018), 97-98. As discussed by Henry Reynolds, the records of Arthur's administration were published in Britain in a series of House of Common papers between 1829-1837. See Reynolds, *Genocide in Tasmania?*, 129.

²² Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: University of North Carolina Press, 1982), 347.

connected Downing Street with the government house in Hobart.²³ Consequently, Arthur's interactions with officials in Van Diemen's Land and the reality of frontier violence in his immediate environment, helped shape the policies that would unleash waves of violence on the Aborigines. The push back from the colonial periphery was only exacerbated by the sheer distance between Van Diemen's Land and Britain.²⁴ The time that it took for correspondence to travel between the two sites of empire, meant that Arthur had to act boldly, and at times, in a manner that troubled the imperial sensibilities of London.

On 15 November 1826, Governor Arthur sent a letter to Under Secretary Robert Wm. Hay that was marked 'private'. Following a lengthy discussion on matters of the colony, Arthur ended his letter with the following comment:

"You will be gratified to hear that the system of Bush ranging is in a great degree kept under; but, as one evil is extinguished, another seems to kindle up, and we are now very much embarrassed by the Aborigines, who lately have been extremely troublesome and committed some very barbarous Murders amongst the distant Stock keepers."²⁵

Despite its unofficial title, the governor in a premeditated move drew parallels between the evils of bushranging and the "barbarous Murders" of stock-keepers by the Aborigines.²⁶ The theme of 'savagery' was constantly deployed by Arthur in his justification of the violent

²³ J. Benyon, 'Overlords of Empire? British "Proconsular Imperialism" in Perspective,' *Journal of Imperial and Commonwealth History* 19 (1999): 172.

²⁴ Peter Burroughs, 'Imperial Institutions and the Government of Empire,' in *The Oxford History of the British Empire*, ed. Andrew Porter and Alain Lowe (New York: Oxford University Press, 1999), 176; Gwyneth and Hue Dow, *Landfall in Van Diemen's Land: The Steel's Quest for Greener Pastures* (Footscray, Vic: Footprint, 1990), 18.

²⁵ Lieut.-Governor Arthur to Under Secretary Hay, 15 November, 1826, *HRA*, Series III, Vol. V, 435.

²⁶ For accounts of the bush ranging crisis in Van Diemen's Land see Henry Melville, *The History of Van Diemen's Land from the year 1824 to 1835: inclusive during the administration of Lieutenant-Governor George Arthur*; edited by George Mackaness (Sydney: Horwitz-Grahame, 1965), 33-36, 48-50, 53-55; State Library New South Wales, Letters of Chief Justice Pedder, Sir George Arthur – Papers, Vol. 9, November 30, 1826 (hereafter Pedder to Arthur).

dispossession of the Tasmanian Aborigines to his superiors in London. It is interesting to note, however, that this letter makes no reference to an official response by Arthur. As demonstrated in the following section, the Government Notice of 29 November was central to the authorising of settler violence against the Tasmanian Aborigines. It appears then from the outset of growing hostility between the Aborigines and the settlers in 1826, there was a disjuncture between Arthur's official correspondence with London and the inhabitants of Van Diemen's Land.

Following an extended silence between London and Van Diemen's Land over the matter of race relations in the settler colony, the year 1828 witnessed a flurry of communication from Governor Arthur. Ten days into the new year, Arthur reported to the Secretary of State, Viscount Goderich, that "a more than usual temper of hostility has within the last six months manifested itself on the part of the Aborigines of this Colony and has rendered some active steps for protection necessary".²⁷ This was followed up on 17 April, when the governor went to great lengths to justify his decision to formally separate the Settled Districts. In a telling passage, Arthur described to Secretary Huskisson that the time for inertia had drawn to a close:

"It gives me great concern to state that the animosity of these wretched people is no degree abated, and that their increasing predatory incursions upon the settled districts, which are accompanied with the perpetration of frequent barbarous murders, have overcome my reluctance to proceed to any coercive measures against them".²⁸

²⁷ Lieut. Governor Arthur to Viscount Goderich, 10 January, 1828, *HRA*, Series III, Vol. VII, 26-27.

²⁸ *BPP*, Copy of a Despatch from Lieut. Governor Arthur to Mr. Secretary Huskisson, January 10, 1828, No 1, "Copies of all correspondence between Lieutenant Governor Arthur and His Majesty's Secretary of state for the Colonies, on the subject of the military operations lately carried on against the Aboriginal inhabitants of Van Diemen's Land," *British Parliamentary Papers*, Vol 19, No 259, 1831, pp 5 (hereafter *BPP*).

In the only instance that the Colonial Office acknowledged Arthur's policy towards the Aborigines within the two-year period, Secretary Huskisson noted that there was "slender expectations... in changing their predatory habits".²⁹ Despite this, Arthur was encouraged to pursue his plans of removal "with caution, and in the spirit of utmost kindness".³⁰ Whether or not the governor was encouraged by the tacit approval from the Colonial Office or the pace at which violence was escalating throughout the Settled Districts, there is a notable shift in the authority of Arthur's written word in the lead up to the declaration of martial law on 1 November 1828.

On 5 July, Arthur acknowledged the expedience of violence in removing Aboriginal tribes from the interior, when he claimed to Secretary Huskisson:

"the native people, except in two or three instances, when they were immediately driven back, have not since shewn themselves in any force, nor committed any violence; this, however, may, in some measure, be accounted for by their custom of resorting to the coast in the winter season".³¹

Sadly, for the governor, this last observation was true. In a follow up letter to Secretary of State, Sir George Murray, on 4 November, Arthur noted that as soon as Spring commenced the 'Natives' renewed their hostilities "in a manner that showed their intention to destroy, without distinction of sex or age, all the white inhabitants".³² With the support of the Executive Council, Arthur made his boldest claim for violence when he declared martial law on the warring tribes:

²⁹ Secretary Huskisson to Lieut. Governor Arthur, May 6, 1828, *HRA*, Series III, Vol. V, 311. The Colonial Office responded to Arthur's proclamation of April 1828 in February of the following year. See BPP, Copy of a Despatch from Secretary Sir George Murray to Lieutenant-Governor Arthur, February 20, 1829, No 3, pp 8.

³⁰ *Ibid.*, 312.

³¹ BPP, Extract of a Despatch from Lieutenant-Governor Arthur to Mr. Secretary Huskisson, July 5, 1828, No 4, pp 8.

³² BPP, Extract of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George Murray, November 4, 1828, No 5, pp 9.

“I sincerely hope, at an early period, that it may be in my power to report the aboriginal Natives are reduced to a state of quietness... Terror may have the effect which no proffered measure of conciliation have been capable of inducing.”³³

Despite Arthur’s reassurance of “putting a speedy stop” to the violence “without much bloodshed”, it is clear, based on the historical record that it would take a great deal of the latter to reduce the Aborigines to a “state of quietness”.³⁴ Moreover, the declaration of martial law fits with Semelin’s framework that massacres are the product of weakness or a perceived vulnerability by a group. It is precisely because of this feeling that a “state or non-state power resorts to massacre in order to overcome its position of weakness... and to extend its own power”.³⁵ Within his letter of 4 November, Arthur made explicit reference to the fact that the ordinary ‘Civil Powers’ and ‘Common Law’ were insufficient in protecting the settler community from the guerrilla war that was being waged by the Tasmanian Aborigines.³⁶

Moving beyond a conceptualisation of violence as simply a top-down directive from the Colonial Office, this section highlights the ways in which Governor Arthur manoeuvred with and sometimes against the sensibilities of London. By framing his correspondence in the language of Earl Bathurst’s instructions, Arthur sought to legitimise his actions against the Tasmanian Aborigines to his superiors. However, the time and space that separated the two sites of empire reduced the ability of the Colonial Office to intervene at critical junctures

³³ *Ibid*, pp 9.

³⁴ Based on archival research, Lyndall Ryan has identified that 183 Aborigines were killed between November 1, 1828 – July, 1834 in 43 incidents of settler violence, 15 of which six or more Aborigines had been killed. See Ryan, ‘Massacre in the Black War in Tasmanian 1823-1824: a case study of the Meander River Region, June 1827,’ 485-486.

³⁵ Semelin, ‘Toward a vocabulary of massacre and genocide,’ 195.

³⁶ Lieut. Governor to Sir George Murray, 4 November, 1828, *HRA*, Series III, Vol. VII, 631.

in the Black War.³⁷ This in turn provided Governor Arthur with the freedom to shape a set of governmental practices that reflected the realities of frontier violence in Van Diemen's Land.

Government publications regarding the Tasmanian Aborigines

On the morning of 2 December 1826, the *Hobart Town Gazette* published the latest Government Notice regarding the native inhabitants of the colony. In a dramatic departure from the governor's first Notice of 1824³⁸, the readers were greeted with a scornful account of Aboriginal hostility. The Notice opened with:

“The series of Outrages which have of late have been perpetrated by the Aborigines of the Colony, and the wanton Barbarity in which they indulged by the commission of Murder, in return for the kindness, in numerous instances, shewn to them by the Settlers and their servants, have occasioned the greatest pain to the Lieutenant-Governor...”³⁹

For many settlers, the public denunciation of such acts by the colonial administration would have been welcomed. Between October and the publication of the Notice, thirteen settlers had been killed and three others wounded in a spate of Aboriginal attacks.⁴⁰ Just one day prior to the *Gazette's* publication, the editor of the *Colonial Times* claimed that the Aborigines were no longer afraid of the settlers or their weaponry, and in light of this, their actions grew bolder every day.⁴¹ As such, the opening claims made by Governor Arthur can be taken as a literal reading of events that had transpired throughout the latter half of 1826.

³⁷ Secretary of State, George Murray, responded to Arthur's proclamation of April 1828 in February of the following year. Similarly, Downing Street's response to the declaration of martial law came in August 1829. See BPP, Copy of a Despatch from Secretary Sir George Murray to Lieutenant-Governor Arthur, February 20, 1829, No 3, pp 8; BPP, Copy of Despatch from Secretary Sir George Murray to Lieutenant-Governor Arthur, August 25, 1829, No 6, pp 14.

³⁸ BPP, Proclamation, June 23, 1824, Enclosure No 2, pp 19; James Bonwick, *The last of the Tasmanians; or, The Black War of Van Diemen's Land* (London: Sampson Low, 1870), 72-73.

³⁹ Hobart Town Gazette, 2 December 1826.

⁴⁰ Henry Reynolds, *Fate of a Free People* (Ringwood, Vic: Penguin Books, 1995), 96.

⁴¹ Colonial Times, 1 December 1826.

More importantly, the framing of Aborigines as a dangerous ‘Other’, separate from and in opposition to the settler population, featured in all four publications that were issued by Arthur in the two-year period. The threat that the Aborigines posed and the fear they induced amongst the settlers was central to Arthur’s claims, for according to Semelin, “the other to be destroyed must create fear because it is this feeling of fear that legitimates his destruction”.⁴²

The conditions set out by Arthur in the Notice of November 1826 can be interpreted as the governor reading the situation as an unstable dynamic between the two groups, designating the threat of native resistance, and calling for a collective mobilisation against the hostile tribes. In the first instance, the Notice authorised settlers and stock-keepers to join the military in pursuit of the attackers:

“1st. If it should 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 person may arm, and joining themselves to the military, drive them by force to a safe distance, treating them as open enemies.”⁴³

In doing so, the killing potential of settler parties was bolstered significantly. Stock-keepers and assigned servants had a better understanding of the local area and the movements of tribes who frequented the Settled Districts to that of the 40th regiment. Moreover, the presence of military personnel had the ability to spur civilian militia into action, as future acts of violence that fell under their leadership would more likely be deemed as lawful, or in severe cases, withheld from official reports. Similarly, in the event of a felony being committed by an Aboriginal person or group, police magistrates were endowed with the

⁴² Semelin, ‘Towards a vocabulary of massacre and genocide,’ 197.

⁴³ BPP, Government Notice, November 29, 1826, Enclosure No 5, pp 20.

right to assemble a party and use force “against the principals and any others who may, by any acts of violence, or... intimidation, endeavour to prevent the arrest of the principals”.⁴⁴

The last scenario of the Notice read as a blueprint for punitive settler raids on the Tasmanian Aborigines:

“6th. 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 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 may then use similar means.”⁴⁵

Within this context, settlers were not only allowed to form reprisal parties of their own accord, they also assumed the role of a police constable in the blurring of jurisdictional boundaries. As noted by Amanda Nettelbeck in her study of violence on Australia’s north-west frontier, the capacity of colonial officials to “identify settlers as a temporary category of police held the potential to erase the line between unlawful retribution and lawful force, and bring privatised frontier violence within the framework of law.”⁴⁶ Whilst the circumstances and processes involved in this practice varied between Van Diemen’s Land in the 1820s and the Pilbara pastoral frontier of the 1860s, the provisional granting of ‘official’ status or the same ‘means as a constable might use’, completely changed the way in which settlers perceived violence against the Tasmanian Aborigines and their ability to act with impunity.

As a public document, the Government Notice of 1826 provided civilians and officers situated throughout the Settled Districts with an interpretive framework and justification for

⁴⁴ *Ibid.*, 21.

⁴⁵ BPP, Government Notice, November 29, 1826, Enclosure No 5, pp 21.

⁴⁶ A. Nettelbeck, ‘Proximate Strangers and Familiar Antagonists: Violence on an Intimate Frontier,’ *Australian Historical Studies* 47 (2016): 220.

violence. For the first time in the colony's history, Aboriginal aggressors were defined as open enemies. This, coupled by the fact that punitive settler violence was no longer situated outside of the law, rather, it was being endorsed by Governor Arthur in particular circumstances, placed the Tasmanian Aborigines in a vulnerable position to indiscriminate acts of violence such as massacre.

One year on from the Notice of 1826, Governor Arthur issued a call to arms. In a regrettable tone, the governor notified the settler population that he had received reports of increased hostility amongst the Aboriginal tribes and the subsequent deaths of a number of white inhabitants.⁴⁷ In response, Arthur requested the magistrates who had recently been stationed throughout the Settled Districts to encourage “the hearty co-operation of all persons in their respective districts” to forcefully remove the Aborigines, “which [had] become a measure of indispensable necessity”.⁴⁸ This positivist framing of violence relates to Semelin's notion of “the enterprise of destruction”, which is deeply rooted in a group's desire for self-preservation.⁴⁹ In an attempt to promote the cleansing of the Settled Districts as a collective goal, Arthur called upon the settlers to “obey their summons, for the common defence and protection of the community”.⁵⁰

Like that of the Notice one year prior, Governor Arthur pointed to the deaths of settlers as a means to incite the white inhabitants of the colony to violence. However, the Notice of November 1827 marks the first point in time when the governor articulated to the settler population the incompatibility of the Aborigines with the future of the colony. As noted by

⁴⁷ Tasmanian Archives Heritage Office, EC4/1/1, Minutes of Proceedings of the Executive Council, April 9, 1828, pp 293-295 (hereafter Executive Council Minutes).

⁴⁸ BPP, Government Notice, November 29, 1827, Enclosure No, 6, pp 21.

⁴⁹ Semelin, ‘Toward a vocabulary of massacre and genocide,’ 197.

⁵⁰ BPP, Government Notice, November 29, 1827, Enclosure No, 6, pp 21.

Philip Dwyer and Amanda Nettelbeck in their latest contribution on violence and empire, ideas of progress in the colonial world “facilitated the acceptability of violence... but more than this, legitimated its apparent necessity”.⁵¹

The year 1828 marked an unprecedented level of violence within the settler colony, and with it, two radical measures implemented by Governor Arthur. Following the failure of the previous Government Notices in bringing an end to the hostilities, Arthur issued a proclamation on 15 April that expelled the native inhabitants from the Settled Districts in the hope of creating a reservation in the north-east of the island. Despite the humane intentions of the governor, violence would once again play a vital role in this endeavour. A line of military posts were “established along the confines of the settled districts” and all the “coloured inhabitants [were to] be induced by peaceful means to depart, or should otherwise be expelled by force”.⁵² Boyce argues that the “partition of Van Diemen’s Land had only one practical outcome: it provided the first official sanction for the use of force against Aborigines for no other reason than they were Aboriginal”.⁵³ Similarly, Nick Brodie makes the case that whilst Arthur was trying “to avoid unnecessary bloodshed... the military was tasked with effecting the removal of Aboriginal people”.⁵⁴ However you look at it, the transference of an indigenous population through the show of force or force itself, reflects the violence embedded within Arthur’s policy towards the Aborigines.⁵⁵

⁵¹ Philip Dwyer and Amanda Nettelbeck, ‘Savage Wars of Peace’: Violence, Colonialism and Empire in the Modern World,’ in *Violence, Colonialism and Empire in the Modern World*, ed. Philip Dwyer and Amanda Nettelbeck (Cham, Switzerland: Palgrave Macmillan, 2018), 3.

⁵² *Ibid.*, pp 23.

⁵³ Boyce, Van Diemen’s Land, 369.

⁵⁴ Nick Brodie, *The Vandemonian War: The secret history of Britain’s Tasmanian invasion* (Richmond: Hardie Grant Books, 2017), 18.

⁵⁵ Pedder to Arthur, April 13, 1828.

Following the arrival of Spring in 1828, the Tasmanian Aborigines orchestrated a series of attacks that reverberated across the Settled Districts, none more so than the death of two women and children along the Jordan River.⁵⁶ In a desperate attempt to reinstate authority over the native inhabitants, Governor Arthur invoked martial law on 1 November:

“it seems at present impossible to conciliate the several tribes of that people; and the ordinary civil powers of the magistrates, and the means afforded by the common law, are found by experience to be wholly insufficient for the general safety, and it hath therefore become at length unavoidably necessary, for the effectual suppression of similar enormities, to proclaim and keep in force martial law”.⁵⁷

Drawing upon the imaginary and the real, the rhetoric deployed by Arthur in the proclamation represented the end point of a two-year dialogue between violence, colonial law and Aboriginal resistance. According to Solicitor-General, Alfred Stephen, “the effect of the proclamation [was] to place the aborigines, within the proscribed footing of open enemies with the King, in a state of actual warfare against him”.⁵⁸ Consequently, police magistrates, soldiers and members of the field police were within their bounds to shoot, and if necessary, to kill Aborigines as a result of the declaration of martial law.

Throughout the two-year period, Governor Arthur produced a number of public documents that sought to re-define the Tasmanian Aborigines in opposition to the settler population. Through the deployment of rhetorical devices that drew upon notions of fear, savagery and protection, Arthur provided new meaning to the violent episodes that were taking place across the Settled Districts. In doing so, he created the space for indiscriminate acts of

⁵⁶ Henry Reynolds, *A History of Tasmania* (Port Melbourne, VIC: Cambridge University Press, 2012), 60; Lyndall Ryan, *Tasmanian Aborigines: A history since 1803* (Sydney: Allen & Unwin, 2012), 103.

⁵⁷ BPP, Proclamation, November 1, 1828, Enclosure No 12, pp 27.

⁵⁸ Solicitor-General Alfred Stephen quoted in Lyndall Ryan, *Tasmanian Aborigines: A History since 1803*, 105.

violence to be carried out against the Aborigines that “were still, so to speak, in dialogue with the law”.⁵⁹

Governor Arthur’s internal correspondence with colonial officials

Running parallel to the discourses that I have discussed so far in this chapter, were a set of personal exchanges and correspondence between Governor Arthur and colonial officials in Van Diemen’s Land. Like that of his correspondence with the Colonial Office, there were times when Arthur referred to and received counsel from varying officials, and other times when the governor had to exert himself in the qualification of violent discourses and practices aimed at the Tasmanian Aborigines.

In her study of the South Australian frontier, Nettelbeck made the notable observation that “a critical issue in understanding the operations of police against Aboriginal people on the frontiers of settlement is the extent to which they were authorised to use legal force”.⁶⁰ As demonstrated in the previous section, both military and police personnel were accorded with significant powers by Governor Arthur to use violence in the protection of the settler community. But did this mean that following the publication of the Government Notice in 1826 that all police magistrates and members of the field police began to hunt down and shoot Aborigines living within the Settled Districts? While this did take place with devastating effect throughout the two-year period⁶¹, Arthur was still required to maintain a steady line of communication with the officers, and at times, to redirect their energies to the task at hand.

⁵⁹ A. Nettelbeck, ‘Reading the elusive letter of the law: Policing the South Australian Frontier,’ *Australian Historical Studies* 38 (2007): 303.

⁶⁰ *Ibid.*, 303.

⁶¹ Ryan, *Tasmanian Aborigines: A history since 1803*, 142-143.

Throughout the year 1827, Governor Arthur reorganised the military and police forces in accordance with the Notice of November 1826. On 19 February he appointed Major Tobias Kirkwood of the 40th Regiment to the position of Commandant of the Field Police.⁶² The decision to do so became more apparent in a letter to Secretary of State, Earl Bathurst, in March when he commented, “to prevent the confusion in the movements of the different parties... the [field police] have been placed under the command of a Military Officer”.⁶³ Arthur also appointed five district police magistrates across the heartland of the Settled Districts: Oatlands, New Norfolk, Richmond, Norfolk Plains and Campbell Town.⁶⁴

Despite the attempts of the governor to reorganise the civil and military powers in a more coherent manner, there still appeared to be a disconnect between the Notice and the violent practices that it established. In the winter of 1827, Arthur visited the newly appointed police magistrates and expressed to them “when the Aborigines attacked, they had to take prompt and decisive steps... to repel the violence of these ignorant people”.⁶⁵ This sentiment echoed throughout the Government Notice of November 1827 when the governor called for “the prompt exertions of the civil powers to put an end to these acts of barbarity”.⁶⁶ If there was still any misapprehension around the expectations of the armed forces in driving the ‘Natives’ from the Settled Districts, Arthur sought to quell these when he ended the Notice with:

“his Excellency wishes it to be understood, that his confidence is chiefly reposed in the adoption of vigorous measures by the magistrates and constables, who, his Excellency feels assured, will not disappoint the expectations he has formed”.⁶⁷

⁶² *Hobart Town Gazette*, 24 February 1827; Brodie, *The Vandemonian War: The secret history of Britain’s Tasmanian invasion*, 15.

⁶³ Lieut. Governor Arthur to Bathurst, 24 March, 1827, *HRA*, Series III, Vol. V, 693.

⁶⁴ Lieut. Governor Arthur to Earl Bathurst, 16 March, 1827, *HRA*, Series III, Vol. V, 609.

⁶⁵ Ryan, *Tasmanian Aborigines: A history since 1803*, 96; Archives Office of Tasmania, Hobart, Colonial Secretary’s Office 1/316, pp 46 (hereafter CSO).

⁶⁶ BPP, Government Notice, November 29, 1827, No 6, pp 21.

⁶⁷ *Ibid.*, pp 21.

By the end of 1827, Governor Arthur had created new command structures throughout the Settled Districts in an attempt to increase the efficiency of the armed forces in dispersing the Aborigines. Despite the six conditions set out in the Notice of November 1826, Arthur still had to go to personal lengths to re-emphasise the violent practices that he had endorsed one year prior. State sanctioned violence, therefore, did not follow a clear chain of command that emanated from Hobart and was adopted in a uniform fashion by all the police magistrates located in the Settled Districts. In the case of 1827, it might be more helpful to think of settler violence as circumstantial and spasmodic.

A series of letters between James Simpson, police magistrate of Campbell Town, and Colonial Secretary, J. Burnett over the course of September 1828 reveal that on paper, there was still a degree of apprehension amongst some of the colonial officials over the use of violence in particular situations. In response to the report made by Simpson of an attack on Mr Reynold's hut, Secretary Burnett explained to the police magistrate that he should "proceed in the same manner, that any other human would do, who was... under similar circumstances".⁶⁸ In a follow up letter on 5 September, Secretary Burnett reminded the police magistrate:

"the Lieutenant Governor has no hesitation in stating, that He thinks, you should expressly intimate to the Military Force, which is at your disposal, that they should adopt decided measures, in driving the natives from the settled Districts".⁶⁹

Three weeks later, on 30 September, Brigade-Major Montague wrote to Captain Walpole who was stationed at Ross in the district of Campbell Town:

⁶⁸ Tasmanian Archive and Heritage Office, Hobart, Letterbook of Correspondence to District Police Magistrates, CSO 41/1/1, pp 152.

⁶⁹ *Ibid.*, 154. This line of argument was once again taken up by Secretary Burnett on the 10 September, 1828. See CSO 41/1/1, pp 156.

“As the military are sent out for the protection of the inhabitants, and in aid of the civil power, I am to acquaint you, that the Colonel Commanding desires you will pay the most ready attention to the application of James Simpson, Esq., police magistrate at Campbell Town”.⁷⁰

It is clear from this set of correspondence, that a reluctance to carry out violent reprisals against the Aborigines existed within the police magistracy. This may have more to do with the issue of culpability, than the willingness and means to carry out violent attacks on the Aborigines, as evidenced in chapter three. However, the issue of military detachments working under the district police magistrate has been noted by Ryan and J.F. McMahon.⁷¹ This theme was also addressed by Brigade-Major Montague in his letter, when he stated to Captain Walpole, “it is hardly necessary ... to point out to you the importance of attaching, on all occasions, a police officer to your party, who will represent the civil power”.⁷² In an attempt to steady the police magistrate of Campbell Town, both Secretary Burnett and Brigade-Major Montague drew upon Governor Arthur’s wishes for decisive measures to be adopted by the civil and military forces in driving the Aborigines from the Settled Districts.

In the days leading up to the publication of the Notice of November 1826 and the proclamations of April and November, 1828, Governor Arthur met with the Executive Council to discuss the parameters of these documents. Established in 1825, the Council consisted of senior public servants who provided the governor with advice on socio-legal matters.⁷³ Upon examining the minutes of proceedings, a pattern presents itself where Arthur addressed the Council on the atrocities committed by the Aborigines in the hope of adopting

⁷⁰ BPP, Brigade-Major to Captain Walpole, September 30, 1828, No 10, pp 25.

⁷¹ Ryan, *Tasmanian Aborigines: A history since 1803*, 88-89; J.F. McMahon, ‘The British Army: its role in counter insurgency in the Black War in Van Diemen’s Land. – 1829/1830,’ *Tasmanian Historical Studies* 5 (1995): 60.

⁷² BPP, Brigade-Major to Captain Walpole, September 30, 1828, No 10, pp 25.

⁷³ Governor Darling to Earl Bathurst, 5 December, 1825, HRA, Series III, Vol. 5, 11; Stefan Petrow, ‘Law,’ *The companion to Tasmanian History*, accessed November 19, 2018, http://www.utas.edu.au/library/companion_to_tasmanian_history/L/Law.htm

some measure to remove them from the Settled Districts.⁷⁴ This process of negotiation with the Council members was central to Arthur's formulation of violence throughout the two-year period. This is evidenced by the fact that both proclamations of 1828 were framed in the language of the Council minutes. Furthermore, it also highlights the way in which colonial officials accepted and challenged Arthur's interpretation of violence at critical junctures of the war.

On 25 November 1826, Arthur expressed to the Council that in order to compel the Aborigines to leave the Settled Districts, some force would be required and "that it could not ... be exercised without anticipating the loss of some lives".⁷⁵ This was further countenanced by Arthur when he read out the instructions of Earl Bathurst, which advocated a hard-line approach in times of hostile incursions. There appeared to be no objections from the Council, for on the 27 November they advised the governor to proceed with the Government Notice.

The issue of separating the Settled Districts in April 1828, however, revealed varying attitudes between Chief Justice Pedder and Governor Arthur. On the 13 April, Pedder sent a letter to Arthur in regards to the wording of the draft proclamation. In a slightly disapproving tone, Pedder noted that the governor's reading of events was a strange "picture of ... things".⁷⁶ More importantly, in qualifying settler violence under the authority of a police magistrate or in moments of self-defence, Pedder argued that it distorted the governor's intent:

⁷⁴ Executive Council Minutes, November 25, 1826, p 99; April 9, 1828, p 293; October 30, 1828, p 369-71.

⁷⁵ *Ibid.*, November 25, 1826, p 99.

⁷⁶ Pedder to Arthur, April 13, 1828.

“the object of this Proclamation is their [the Aborigines] expulsion wherever they may appear in the settled districts and however harmlessly they may be considering themselves. The means are to be showing a force of soldiers and armed inhabitants. If unhappily the show of force should prove ineffectual then the force must act”.⁷⁷

However, by October 1828, the outrages of the Tasmanian Aborigines had “amounted to a complete declaration of hostilities” and the Council unequivocally supported Arthur in the proclamation of martial law; “to inspire them with terror”, the members exclaimed, “will be found the only effectual means of security for the future”.⁷⁸

Over the course of 1826-1828, Governor Arthur mobilised an openly violent discourse towards the Tasmanian Aborigines. Framed by imperial directives and events that were taking places across the Settled Districts, Arthur introduced a set of governmental practices that allowed the settler population to violently dispossess the Aboriginal tribes who were trying to counteract the rapid incursion of their traditional lands. Unlike massacre in modern societies, violence in Van Diemen’s Land was not preceded by an intense period of state endorsed propaganda. Rather, the discourses of violence that were being disseminated by Arthur in the colonial press and his lettering, were in fact the product and cause of frontier violence. In the process of redefining the warring tribes as open enemies, Arthur created a legal space for settler massacres to be carried out against the Tasmanian Aborigines.

⁷⁷ *Ibid.*, April 13, 1828. See also Boyce, *Van Diemen’s Land*, 264-5; Bronwyn Desailly, ‘The Mechanics of Genocide: Colonial Policies and Attitudes Towards the Tasmanian Aborigines, 1824-1836’ (MA thesis, UTAS, 1977), 83-84.

⁷⁸ Executive Council Minutes, 31 October, 1828, pp 379-80.

Chapter Two

Violence of the everyday: settler discourses

The hand of these unthinking savages, once imbrued in human blood, becomes hardened and eager for fresh aggressions; and though their enormities may now be confined to the outskirts of the settled districts, and the more remote and secluded huts, their treacherous habits will, if not timely arrested, soon lead them to attack more populous neighbourhoods.¹

Jacques Semelin argues that, “despite being centrally organised by the state, massacres are ‘carried along’ by a characteristically cathartic social reaction”. He goes on to say, “It is the convergence of organisational will and social impulse that is to render possible the operation’s ‘success’...”² Chapter one mapped out the official discourses of violence that created a legal space for settler massacres in Van Diemen’s Land. However, official justifications of violence cannot alone propel a civilian population along the path to massacre. They interact with, and rely on, an undercurrent of discontent within the people who will later carry out the extreme acts of violence. As a result, official discourses of violence are only as powerful as the feelings within a community towards an existential threat. This chapter will trace the ‘social impulses’ of violence amongst the settler population of Van Diemen’s Land by looking at colonial newspapers, settler petitions and personal accounts. In particular, I will examine the transference of violent sentiments across these three mediums in order to understand the way in which violence manifested itself in the everyday. Violent discourses in this context were situated in a communication system that was formed by settlers and simultaneously informed their own perceptions and actions

¹ *Colonial Times*, 11 November 1826.

² J. Semelin, ‘In consideration of massacre,’ *Journal of Genocide Research* 3 (2001): 383.

towards the Tasmanian Aborigines. They were personal, deeply emotive and “baked into the everyday experience” of the white inhabitants.³

Within the historiography of the Black War there has been no comprehensive study of the relationship between settler fears and massacre, as such. Nicholas Clements in his formative book, *The Black War: Fear, Sex and Resistance in Tasmania*, provided the first attitudinal study of violence in Van Diemen’s Land. Drawing upon a wealth of archival research, Clements’ argued that Aboriginal attacks generated a myriad of emotions within the colonists, but none more pervasive than fear.⁴ Building upon his previous work, Clements has recently stated in an article for *Settler Colonial Studies* that “this theme is conspicuously absent from most historian’s accounts of the so-called Black War”.⁵ Prior to Clements’ intervention, Henry Reynolds was the only Tasmanian scholar to pay considerable attention to the “durability of fear and anxiety” that Aboriginal attacks provoked amongst the settler population.⁶ Within recent times, Richard Price made the astute observation: “to the settler on the ground, the silent and invisible world of the indigenes was mysterious, unknown and incipiently threatening”.⁷ Evidently, a study that explores the emotional connections of massacre has the potential to offer new insights into the Black War.

³ Richard Price, ‘The Psychology of Colonial Violence,’ in *Violence, Colonialism and Empire in the Modern World*, ed. Philip Dwyer and Amanda Nettelbeck (Cham, Switzerland: Springer International Publishing, 2017), 25.

⁴ Nicholas Clements, *The Black War: Fear, Sex and Resistance in Tasmania* (St Lucia: University of Queensland Press, 2014), 94-109.

⁵ N. Clements and A. Gregg, ‘I am frightened out of my life’: Black War, white fear,’ *Settler Colonial Studies* 7 (2017): 222.

⁶ Henry Reynolds, *Fate of a Free People* (Victoria: Penguin Books, 2004), 54-55. See also Henry Reynolds, *Forgotten War* (Sydney: NewSouth Publishing, 2013), 87-88, 90-91.

⁷ Price, ‘The Psychology of Colonial Violence,’ in *Violence, Colonialism and Empire in the Modern World*, 33.

In taking Semelin's notion that "massacres are mainly born out of a mental process, a way of seeing some 'Other' being" and using it as a conceptual framework, this chapter will attempt to bridge the current gap in scholarship.⁸ In order to understand the processes that led settlers to think violently about the Tasmanian Aborigines and then enact those feelings, this chapter will trace the conversations that were taking place throughout the Settled Districts. How were the Tasmanian Aborigines perceived by the settlers? Were violent acts against the Aborigines welcomed or condemned within the two-year period? In pursuing this line of inquiry, this chapter will argue that fear was central to the emotional reflexivity of settlers who armed themselves and took part in the massacres of the Tasmanian Aborigines.

Colonial newspaper editorials

In 1816, the *Hobart Town Gazette* was established as the settler colony's first permanent newspaper. In his *History of Tasmania*, colonial historian John West noted that from the newspaper's inception it was "under the patronage and control of the government".⁹ In an attempt to democratise the colonial press, founder Andrew Bent, purchased a share in the *Gazette* the same year that Governor Arthur arrived in Van Diemen's Land.¹⁰ The governor's attempts to control the press eventually led to Bent establishing the *Colonial Times* in 1825, which claimed in its first publication to "have no purposes to serve: no cause to advocate: no object to gain".¹¹ As such, throughout the two-year period newspapers such as the *Hobart Town Gazette* and *Government Gazette* that were under the patronage of

⁸ Semelin, 'In consideration of massacre,' 385.

⁹ John West, *The History of Tasmania, Vol 1* (Launceston: H. Dowling, 1852), 106.

¹⁰ *Ibid.*, 106.

¹¹ *Colonial Times*, 19 August 1825.

Arthur reported Aboriginal attacks and the governor's response in a more tempered manner than the likes of the *Colonial Times* or the *Colonial Advocate*.

For settler communities dispersed across multiple frontiers in the first half of the nineteenth century, colonial newspapers were central to their communication networks with neighbouring districts, local administrative points and the broader empire.¹² The Settled Districts of Van Diemen's Land in the late 1820s was no exception to this rule. Situated within the contested zones of settlement, the colonial press spoke to and in numerous instances, for, the settler community living throughout the interior of the island. The reporting of Aboriginal attacks and settler deaths not only informed the white inhabitants of violent episodes that were taking place, it gave material shape to the enemy; and with it, a vernacular of violence that was deeply rooted in shared experiences.

Throughout the two-year period, the language used by the colonial press to describe attacks on the settler community was relatively uniform. Aboriginal attacks were routinely described as 'cruel', 'hostile' and 'outrages'. Moreover, editorial columns were framed by titles such as 'The Natives' or 'Another Murder!'. On 9 February 1827, the *Colonial Times* exclaimed:

"No tongue can tell with what poignant feelings we are again compelled to take up this distressing subject, and to record in the annals of Tasmania, another outrage committed by the savage people".¹³

In a similar tone, the *Hobart Town Courier* lamented to its readers of having the "painful duty to describe the cruel and hostile attack[s]" which had recently taken place.¹⁴

¹² A. Lester, 'British Settler Discourse and the Circuits of Empire,' *History Workshop Journal* 54 (2002): 31.

¹³ *Colonial Times*, 9 February 1827.

¹⁴ *Hobart Town Courier*, 27 October 1827.

Throughout the summer of 1827-28, the intensity of attacks served as a continued source of indignation to the editors and general readership. On 1 March 1828, the *Colonial Advocate* observed:

“These black savages commenced the new year and their depredations together, by setting fire to the forest, which did much damage about Bagdad”. On the Macquarie River they were chasing the stock-keepers and shepherds in the most malignant manner-near the latter end of January, a poor man was dreadfully ill-used and robbed by a native man and woman”.¹⁵

As noted by Tom Pessah in his article on violent representations in nineteenth century America, the constant reporting of Indian ‘savagery’ “helped reproduce an archetypal notion of racial difference” amongst the white settler population.¹⁶ For settlers in Van Diemen’s Land, the near constant reporting of outrages committed by the Aborigines created deep-seated fears and insecurities. In a society that had yet to establish absolute sovereignty over the land, settlers were prone to feeling vulnerable to attack, particularly those who were living in relative isolation from Hobart or Launceston. This fear, as shown in the following chapter, is central to the emotional reflexivity of settlers who armed themselves and took part in massacres of the Tasmanian Aborigines.

Nicholas Clements argues that as the Black War intensified, “so did the perception and portrayal of Aborigines as a race of faceless, sub-human killers”.¹⁷ It is without doubt, that the constant reporting of violent deaths and the maiming of white bodies had a deep impact on the settler’s consciousness. On 29 December 1826, the *Colonial Times* described the death of a settler who had been out hunting kangaroos:

“A more shocking spectacle was never seen, His body, especially his head, was literally beaten to a mummy! His throat cut, and his lower extremities cut off!!! Indeed, he was cut to atoms”.¹⁸

¹⁵ *Colonial Advocate*, 1 March 1828.

¹⁶ T. Pessah, ‘Violent representations: hostile Indians and civilized wars in nineteenth-century USA,’ *Ethnic and Racial Studies* 37 (2014): 1630.

¹⁷ Clements and Gregg, ‘I am frightened out of my life’: Black War, white fear,’ 223-234.

¹⁸ *Colonial Times*, 29 December 1826.

The editor went on to say:

“The outrages of these people are now as great as ever, and have only been for a time diverted from their objects. The whites are and ever will be their detestation, and no opportunity will remain unembraced whereby they may wreak their vengeance on them”.¹⁹

Violence of this nature cloaked the Aborigines with a “dark mystique” that haunted the settlers living in a foreign land.²⁰ In April of 1827, the *Colonial Times* reported the death of a stock-keeper who was stationed on a property in Jericho:

“The natives came in a most friendly manner, lit and smoked their pipes, and talked with the utmost apparent good-will. Tom [Aboriginal man] then requested Johnson [stock-keeper] to accompany him, stating, that he had something to shew him. Johnson, deceived by the apparent cordiality of their manner consented, and both went out of the hut together. They had not got far, when Tom, suddenly turning around, began without the slightest provocation to beat Johnson unmercifully, about the head and sides with a waddy”.²¹

Furthermore, on 18 October 1828, the *Hobart Town Courier* provided a shocking account of the death of Mrs Gough and her two daughters at the family’s home. Following a tip-off that a neighbour’s hut was being raided, Mr Gough and two other men immediately rushed to the property in order to prevent the Aborigines from stealing weaponry and ammunition. However, upon returning home:

“Gough was met by his eldest daughter Mary, covered with blood, calling upon her father to hasten home as the natives had killed her mother and sisters. Gough saw his wife about half a mile from his hut sitting on the ground, resting her back against the fence, with her infant child in her lap. The poor woman said – My dear Gough, it is all over with me, I am killed by the natives”.²²

John West in *The History of Tasmania* aptly summarised the above examples when he wrote, “Death, by the hands of a savage, is indeed invested with the darkest terrors”.²³ The nature

¹⁹ *Ibid.*, 29 December 1826.

²⁰ Clements and Gregg, ‘I am frightened out of my life’: Black War, white fear,’ 235.

²¹ *Colonial Times*, 27 April 1827.

²² *Hobart Town Courier*, 18 October 1828.

²³ John West quoted in Henry Reynolds, *Forgotten War* (Sydney: NewSouth Publishing, 2013), 102-3.

of all three killings shocked the white settlers of Van Diemen's Land to the core. The violence inflicted upon the bodies of their fellow men and women, served as a reminder of the 'savagery' of the Aborigines. In the first two instances the Aborigines acted in a calculated manner – intent on the destruction of the chosen victim. Finally, the death of Mrs Gough and her daughters signalled the native's intent to not simply resist invasion, but to carry out "a war of extermination against the white inhabitants of the colony".²⁴ For the settlers reading these accounts, many of whom were living in a heightened state of fear, the violent actions of the Tasmanian Aborigines began to have the effect of stripping away any ties of humanity or common bonds they once shared.²⁵ This in turn, fostered a way of seeing the natives in a dichotomous relationship of life and death, us and them, that would help precipitate settler massacres in times of crises.

Violence in Van Diemen's Land was not one-sided and nor was the reporting of it by the newspapers of the time. Over the course of 1826-1828, incidents of settler violence were reported, discussed and in numerous examples, welcomed by the editors. Reflecting on the events that had transpired in the latter half of 1826, the *Colonial Times* asked its readers:

"does not the blood of numerous murdered settlers and servants cry from the earth where it has been so barbarously spilled, for redress – for retributive justice on those whose hands are imbrued in it?"²⁶

In January of 1827, the *Colonial Times* stated, "We are happy to add, that a party of soldiers from the Clyde, are in pursuit of the savages, who have repeatedly said they will... murder every white man in the island!!!".²⁷ In what is undoubtedly the newspaper's boldest and most explicit claim for violence, the editor stated, "where there are no laws to govern human

²⁴ *Hobart Town Courier*, 18 October 1828.

²⁵ *Colonial Times*, 25 April 1818.

²⁶ *Colonial Times*, 8 December 1826.

²⁷ *Colonial Times*, 26 January 1827.

actions, the only right is vested in power, i.e. strength ... the right of possession always lies in the strongest to possess".²⁸ Evidently, the reporting of settler violence had the effect of naturalising such events into the gamut of everyday experiences. Unlike that of Aboriginal raids that were described as 'cruel' and 'hostile', settler violence was portrayed by colonial newspapers as necessary to the preservation of the settler polity. Thus, as the threat of Aboriginal resistance elevated across 1827-1828, so too did the public endorsement of settler violence in the colonial press.

Throughout 1828, the colonial newspapers began to openly discuss the success of punitive settler raids in terms of the number of Aboriginal people killed or wounded. Following an attack on Thomas Langford and his family, *The Tasmanian* observed:

"a party of stock-keepers and others, collected together, armed themselves, and went in pursuit of the savages, whom they discovered around a fire on Thursday night, ... and instantly made an attack; but, being unable to lay hold of any of them, they fired after them, and killed and wounded a considerable number".²⁹

Similarly, On 13 December 1828, the *Hobart Town Courier* described the actions of an armed party that consisted of members from the 40th regiment and constable Wm. Holmes near the Great Lake:

"Ten of the Natives were killed on the spot, and the rest fled. The greatest praise is due to this armed party for their indefatigable exertions on this most harassing service... Danvers and Holmes are preparing for another start today, with a party of the 63rd".³⁰

The reporting of such events had a two-fold effect: first, it provided settlers with an understanding of how to pursue and attack Aborigines who were suspected of being involved in an attack on settler property or persons. Second, it placed retributive violence within the

²⁸ Lyndall Ryan, *Tasmanian Aborigines: A history since 1803* (Sydney: Allen & Unwin, 2012), 91.

²⁹ *The Tasmanian*, 31 October 1828.

³⁰ *Hobart Town Courier*, 13 December 1828.

moral framework of the settler community. In the act of praising the exertions of Constable Holmes and his armed party, the *Hobart Town Courier* signalled to its readership that it was acceptable to carry out similar acts of extreme violence against the Aborigines.

For settlers living throughout the interior of Van Diemen's Land, the colonial press played a significant role in the socialisation of violence throughout the two-year period. The constant reporting of settler deaths had the effect of demonising the Tasmanian Aborigines and creating a sense that they were everywhere, all at once. For the settlers reading the newspaper columns, the violence was palpable and resonated deeply within the fledgling communities. As noted by Henry Reynolds, "almost everyone in the settled districts... felt emotionally, if not physically, engaged in the conflict".³¹ Moreover, the framing of settler punitive raids in positive terms helped naturalise such events into the gamut of everyday experiences. Violent reprisals were bounded in notions of defence and for the common good of the white population. Finally, in quantifying the success of settler raids in regards to the number of Aborigines killed or wounded, readers were provided with a model to base future actions upon. Put simply, the colonial press fuelled the deep-seated fears of the settler population by characterising the Tasmanian Aborigines as 'savage' murderers. But it also provided them with a framework to translate their fears and thoughts into violent practices.

Settler petitions to Governor Arthur

Over the course of 1827-1828, communities throughout the Settled Districts began to mobilise their collective fears in the form of government petitions. Although limited in number, the petitions simultaneously highlight the success of Aboriginal raids in terrorising the white inhabitants, along with the desire of the settler community to erase the indigenous

³¹ Henry Reynolds, *A History of Tasmania* (Port Melbourne: Cambridge University Press, 2010), 53.

presence from the land. As noted by Phil Henderson in his recent article, the ongoing presence of indigenous peoples troubled settler communities and “induce[d] panic in settler subjects”.³² Situated throughout the eastern half of Van Diemen’s Land, the language deployed throughout the petitions highlights a vernacular of shared experience that was both local and regional. Produced by free emigrants and landowners, the submissions of settler communities based their claims for violent retribution on personal security and economic imperatives.

On 24 November 1827, the stock-keepers and free inhabitants of the county of Cornwall wrote a petition to Governor Arthur. In order to establish the legitimacy of their claims, the petitioners framed the letter in colonial tropes that were being mobilised by Governor Arthur and the newspaper editorials of the time. Following the formalities of addressing His Excellency, the petition began with:

“the daring outrages committed by the Native Blacks, who now make their appearance in considerable force, have lately increased to such a degree, as to threaten the lives and property of all those Settlers, who ... [live at a] distance from the Towns”.³³

Like that of the Government Notice of 1826, the settlers framed Aboriginal hostility as a double assault on human life and property. Situating these developments within a regional context, the petitioners referenced the state of alarm in the neighbouring districts of Launceston and Norfolk Plains, “which threaten[d] to terminate in the abandonment of such property, as is not in the immediate vicinity of an armed force”.³⁴ The need for a stronger military presence in Cornwall was further reinforced by the memorialists when they exclaimed that the recent murders by the Aborigines had been perpetrated with impunity

³² P. Henderson, ‘Imagoed communities: the psychosocial space of settler colonialism,’ *Settler Colonial Studies* 7 (2017): 50.

³³ CSO 1/316, pp 72.

³⁴ *Ibid.*, pp 73.

“and under circumstances of the most horrid barbarity”.³⁵ Moreover, the burning of buildings and destruction of property greatly reduced the white inhabitants ability to settle the land. In drawing upon notions of ‘savagery’, personal and economic fear, the inhabitants of Cornwall mobilised a discourse of violence that was both emotive and rational. In no uncertain terms, the settlers called upon Arthur to “take such steps for their security”³⁶ and in doing so, envisioned a landscape that was devoid of the Tasmanian Aborigines.

In that same month, settlers of the Macquarie and Elizabeth River region warned Governor Arthur that “the outrages committed by the aborigines, are daily evincing a more dangerous and systematic [method]”.³⁷ The memorialist summarised the position of the Aborigines in the area when they stated:

“the murders they have committed are not so much [a] result of private revenge, [but] as a plan... for the extirpation of the white inhabitants, with whom they doubtless consider themselves at war”.³⁸

The continued use of colonial tropes such as ‘outrages’ and ‘extirpation’ helped settler communities within this period to develop a narrative of violence that would demand equally violent responses by Governor Arthur. It appears, however, that Aboriginal hostility did not let up over the summer months. On 5 April 1828, the *Hobart Town Courier* published a letter from a landowner in the area who exclaimed, “I cannot prevail on my shepherds to leave home, and if the present state of things continues, I must give up farming”.³⁹ Like that

³⁵ *Ibid.*, pp 72.

³⁶ Six days later on 30 November, Governor Arthur dispatched 26 field police to the northern districts to allay the fears of the settlers. See BPP, Government Notice, November 29, 1827, No 6, pp 21; CSO 1/316, 78; Ryan, *Tasmanian Aborigines: A history since 1803*, 97.

³⁷ CSO 1/316, pp 90.

³⁸ *Ibid.*, pp 90. Also cited in Bronwyn Desailly, ‘The Mechanics of Genocide: Colonial Policies and Attitudes Towards the Tasmanian Aborigines, 1824-1836’ (MA thesis, UTAS, 1977), 38-39.

³⁹ *Hobart Town Courier*, 5 April 1828.

of their counterparts in Cornwall, the settlers of the Macquarie and Elizabeth River region drew parallels between increased Aboriginal hostility and their inability to maintain the land. In April 1828, the free settlers of Campbell Town also petitioned Governor Arthur. Deploring the current state of affairs, the settlers believed it necessary to leave their land uncultivated and arm their convict servants “in order to garrison [their] homes”.⁴⁰ The arming of convict labour is indicative of the level of fear experienced by the landowners in the district. For the topic had been a divisive one within the broader settler community since the time of the bush ranging emergency.⁴¹

In all three petitions, the relationship between the white inhabitants and the land had been unsettled by the Aborigines. In drawing this line of argument, the settler communities raised questions that transcended their personal and local circumstances – for the future of the colony was predicated on exclusive rights to the land. Furthermore, the similarities in both the language and argument deployed by the memorialists speaks more broadly about the ‘public’ nature of this knowledge, and the near-uniform way violence was interpreted and mobilised by the settler community. In drawing upon this lineage of violence, the settler petitions developed a narrative that would demand violent responses by Governor Arthur and the armed forces deployed throughout the interior.

Settler accounts and correspondence

Outside of newspaper editorials and settler petitions, the colonial record is dotted with personal accounts of violence towards the Tasmanian Aborigines. Written in confidence to

⁴⁰ CSO 1/170/4072, cited in Henry Reynolds, ‘Fate of a Free People’, 59.

⁴¹ Lieut.-Governor Arthur to Earl Bathurst, 24 March, 1827, *HRA*, Series III, Vol. V, 693.

family members or revealed in conversations at a later date, this form of discourse offers a unique insight into the minds of the settler community.

In February 1827, Michael Steel wrote to his brother about pursuing a group of Aborigines who had killed two men and wounded two others near his property. Upon discovering the Aborigines at the top of a mountain ridge, the armed settlers “poured strong fire into them, and killed their leader and one more”. Steel went on to say in his letter, “had the country been even and clear we should have killed or taken the whole of them, so cowardly are those vagabonds when attacked boldly by Englishmen”.⁴² Following the spearing of one of his labourers in December 1827, George Hobler armed four men who he hoped would “get sight of their night fires and slaughter them as they be around it”.⁴³ Violence, for Hobler, appears to have been a day-to-day necessity. In his diary he recorded that it was impossible to keep his servants in order without the “periodical example of flogging”.⁴⁴ He certainly was not alone: a group of men who came across George Augustus Robinson just outside of St Helen’s Point were “greatly astonished at [him] being unarmed” in the presence of Aborigines.⁴⁵ In the case of Steel and Hobler, their instinctual turn to rifles reflect the quotidian nature of violence for settlers living throughout the interior.

In March 1828, a reprisal party made up of volunteers set off along the Tamar River in response to the spearing of a stock-keeper. Unlike Hobler’s civilian militia, this party was

⁴² Gwyneth and Hume Dow, *Landfall in Van Diemen’s Land: The Steel’s Quest for Greener Pastures* (Footscray, Vic: Footprint, 1990), 45.

⁴³ George Hobler quoted in James Boyce, *Van Diemen’s Land*, 198.

⁴⁴ A.G.L. Shaw, *Sir George Arthur, Bart 1784 -1854: Superintendent of British Honduras, Lieutenant-Governor of Van Diemen’s Land and of Upper Canada, Governor of the Bombay Presidency* (Carlton, Vic: Melbourne University Press, 1980), 87.

⁴⁵ Norman Plomley, *Friendly Mission: the Tasmanian journals and papers of George Augustus Robinson 1829-1834* (Bellerive: Tasmanian Historical Research Association, 1966), 342.

successful in finding the supposed ‘murderers’. On 22 March, the *Hobart Town Courier* reported that the group killed four Aboriginal men, nine women and one child in a single attack.⁴⁶ Whilst travelling through the Western Marshes in 1830, Robinson was informed by a settler that William Knight “use to kill the natives [in the area] for sport”. In another instance, David Gibson’s stock-keeper “ripped up a man’s belly with his knife” after narrowly being speared.⁴⁷ For landowners, stock-keepers and assigned servants situated throughout the river valleys of the northern districts and the Western Tiers, violence was not simply a knee-jerk reaction to Aboriginal hostility, it was a direct route to “appropriating the riches” of the land.⁴⁸ Living in small working units and dependent on their own resourcefulness, the ambiguity of settlers’ hold on the land was most apparent in times of Aboriginal raids. As evidenced in the reporting of violence, both in the colonial press and through word of mouth, the colonists were willing to commit serious acts of violence in order to dispossess the local tribes.

For many settlers living in the interior of the island, exposure to violence had profound psychological impacts. Depending on the severity of the violence, these impacts had the potential to shape the day-to-day emotional state of settlers or form an antipathy towards the Tasmanian Aborigines. In 1827, settler William Bryan wrote to his local police magistrate:

“I have been in houses attacked by white savages [bushrangers] and I put it most solemnly to you, that the system and fury of these Black Monsters, exceed anything I have yet to encountered, the house on fire and these furies dancing outside me imagine I had been suddenly transported to the infernal regions”.⁴⁹

⁴⁶ *Hobart Town Courier*, 22 March 1828.

⁴⁷ *Ibid.*, 254. For more information regarding these violent episodes see L. Ryan, ‘Massacre in the Black War in Tasmania 1823-34: a case study of the Meander River Region, June 1827’, *Journal of Genocide Research* 10 (2008): 489-494.

⁴⁸ Semelin, ‘In consideration of massacre,’ 381.

⁴⁹ Clements and Gregg, ‘I am frightened out of my life’: Black War, white fear,’ 224.

Following his first-hand experience of an Aboriginal raid on a settler's property at St Paul's River, Roderic O'Connor observed:

"It is rather alarming living in a Tent, surrounded by a set of Wretches who value our lives as little as they do Kangaroos or Opossums. We had been obliged to leave our Firearms at home for the protection of our Properties, now our lives are endangered, and inglorious death awaits us, our Brains to be beaten out with waddies by such Ourang Outangs, disgrace would it be to the human race to call them Men".⁵⁰

This fear was also shared by police sergeant, George Ashton, who described himself as being in the "greatest state of Distress and alarm" in the expectation that the Aborigines would kill his family.⁵¹ Whilst travelling through Quamby's Bluff in March 1828, O'Connor noted that a free man by the name of Cupit had "received three dangerous wounds" in recent times and that the natives told him "they would have him yet".⁵² As the above quotes suggest, Aboriginal violence had many residual effects for settlers who experienced it first-hand or found themselves alone and isolated. Haunted by the spectre of the Tasmanian Aborigines, settler emotions had the potential to mutate into violent behaviours in times of heightened conflict.

As this chapter reveals, fear and violence permeated the settler consciousness in the second phase of the Black War. The constant reporting of violence by the colonial press had a twofold effect on the settlers living in the interior: first, it characterised the Tasmanian Aborigines as a 'savage' group of murderers who were seemingly everywhere, all at once. As the violence augmented over the two-year period, this image rooted itself firmly within the imagination of the settler population and shaped the day-to-day realities of life on the

⁵⁰ Anne McKay, *Journals of the Land Commissioners for Van Diemen's Land, 1826-1828* (Hobart: University of Tasmania and Tasmanian Historical Research Association, 1962), 67.

⁵¹ George Ashton quoted in Henry Reynolds, 'Fate of a Free People', 286.

⁵² McKay, *Journals of the Land Commissioners for Van Diemen's Land, 1826-1828*, 80.

land. Second, the framing of settler violence in positive terms helped naturalise these events into the gamut of everyday experiences. This, coupled with the transference of knowledge in pursuing and attacking Aborigines, provided the settlers with a blueprint for violence. Finally, in comparing the last two sections of this chapter, it becomes apparent to the reader that access to land and violence were synonymous throughout the period. The ambiguity of settlers' hold on the land was most apparent in times of Aboriginal attacks and raised concerns about the legitimacy of the settler project. Consequently, it was this fear of being uprooted from the land that drove settlers to arm themselves and take part in the massacre of Tasmanian Aborigines.

Chapter Three

Violence is everywhere: massacre in the Settled Districts

Though great danger was to be apprehended from the hostile natives, still in passing through the settled districts more danger was to be apprehended from the white people, as their usual practice of attacking the natives was heretofore at night and firing upon them at their encampment.¹

Massacre represents an asymmetrical relationship between two groups of people in times of conflict. It is carried out by the perpetrators for the precise reason that the targeted population is unable to defend themselves at a given point in time. Massacre, according to Jacques Semelin, must therefore be understood as an *organised process of destruction* that is “channelled, directed and ... structured against a particular group”.² In applying Semelin’s typology of massacre to two episodes along the Elizabeth River between 1827-1828, this chapter will highlight the mechanisms of massacre in a particular social and geographical setting. In doing so, it will pinpoint the confluence of institutional frameworks and social impulses that were discussed in the first two chapters. Finally, I will situate these findings within the broader narrative of violence established by Lyndall Ryan in her 2008 case study of the Meander River region, to help layer our understanding of massacre in the second phase of the Black War.

Based on his investigation of civilian massacres in the twentieth century, Semelin argues that the *modus operandi* of mass killing is situated around three political objectives:

¹ Norman Plomley, *Friendly Mission: the Tasmanian journals and papers of George Augustus Robinson 1829-1834* (Bellerive: Tasmanian Historical Research Association, 1966), 535.

² Jacques Semelin, *Purify and Destroy: The Political Uses of Massacre and Genocide* (London: Hurst & Co, 2007), 325.

subjugation, eradication or insurrection.³ In transferring Semelin's framework of massacre to the Eastern Tiers of Van Diemen's Land, some distinctions must be accounted for. First, for the purpose of this thesis I have adopted an abridged version of Lyndall Ryan and Benjamin Madley's definition of settler massacres as 'the killing of six or more defenceless people in one action, often by surprise and with little or no quarter'. This definition sits within the rigours of academic scholarship,⁴ whilst also recognising local factors such as the island's topography and the movements of the Tasmanian Aborigines prior to and after raids on settler's property. Second, the recourse to massacre by the settler community living along the Elizabeth River was to subjugate the Oyster Bay tribe. That is, they sought "to annihilate a group partly in order to force the rest into total submission".⁵ In turning to massacre, the settlers aimed to establish their hold on the land by permanently unsettling the Oyster Bay clans who migrated through the Eastern Tiers on a seasonal basis.

Oyster Bay nation: a history of contact

The Oyster Bay nation traditionally occupied a large portion of the east coast of Van Diemen's Land. The territory was defined in the north by the estuary that ran through St. Patrick's Head. Moving inland, it was bounded by the Eastern Tiers and the southern reach of the Macquarie River along the York Plains. It ran southwards from Oyster Bay to the Tasman Peninsula, including Maria and Schouten islands, and then eastwards along the

³ *Ibid.*, 326-7.

⁴ L. Ryan, 'Massacre in the Black War in Tasmania 1823-1834: a case study of the Meander River Region, June 1827,' *Journal of Genocide Research* 10 (2008): 482; Lyndall Ryan, 'Settler Massacres on the Australian Colonial Frontier, 1836-1851,' in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, ed. Philip G. Dwyer and Lyndall Ryan (New York: Berghahn Books, 2012), 99; Benjamin Madley, 'Tactics of Nineteenth-Century Colonial Massacre: Tasmania, California and Beyond,' in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, ed. Philip G. Dwyer and Lyndall Ryan (New York: Berghahn Books, 2012), p. 114.

⁵ *Ibid.*, 327.

Derwent estuary.⁶ Given the geographical features of the region, the Oyster Bay people were considered to be the largest of the five tribes living throughout the Settled Districts in the 1820s. According to archaeologist Rhys Jones, the Oyster Bay nation consisted of ten clans which placed the estimated total population in 1803 between 600-800 people.⁷ For the Oyster Bay people, seasonal migrations into the midlands took place during Spring and Summer and were driven by the desire to hunt game in the river valleys and grass plains.⁸ The natural abundance of wildlife such as kangaroos, wombats, molluscs and migratory birds in the district had a significant impact on the cultural and demographic attributes of the Oyster Bay people. It would also be a major determinant in violence between the indigenous population and the white inhabitants within the two-year period.

Throughout the early 1820s, the coastal plains of the Oyster Bay region were far less populated than the countryside situated along, or in close proximity to, the road between Hobart and Launceston.⁹ In 1821, George Meredith led a small group of settlers to establish the first permanent settlement at Oyster Bay, about 140 miles north-east of Hobart.¹⁰ Consequently, prior to 1823 the small number of white inhabitants killed by the hands of

⁶ Norman Tindale, *Aboriginal Tribes of Australia, Their Terrain, Environmental Controls, Distribution, Limits and Proper Names; with an Appendix on Tasmanian tribes by Rhys Jones* (Canberra: Australian National University Press, 1974), 338; Henry Ling Roth, *The Aborigines of Tasmania* (Hobart, Fullers Bookshop, 1968), 168.

⁷ Jones, 'Tasmanian Tribes', 339.

⁸ Lyndall Ryan, *Tasmanian Aborigines: A history since 1803* (Sydney: Allen & Unwin, 2012), 18. Whilst travelling through Mr Archer's property in the Campbell Town district, the Land Commissioners noted "this is a crossing place for the Natives going either Eastward or Westward". Anne McKay, *Journals of the Land Commissioners for Van Diemen's Land, 1826-1828* (Hobart: University of Tasmania and Tasmanian Historical Research Association, 1962), 66.

⁹ In 1823, Governor Sorrell issued 12 land grants in the district of Great Swan Port in comparison to 97 in Lennox. See Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England* (Cambridge: Cambridge University Press, 1992), 169.

¹⁰ David Hodgson, 'Meredith George (1777-1856)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, accessed online 12 November 2018, <http://adb.anu.edu.au/biography/meredith-george-2449>

Oyster Bay Aborigines was viewed by the colonial press as retribution for the mistreatment of the native men and women.¹¹ This, however, changed with the arrival of Sydney Aboriginal resistance leader, Musquito, who was exiled from New South Wales after a series of raids in the Hawkesbury and Georges River districts.¹² In November 1823, a group of 65 Oyster Bay Aborigines led by Musquito and Black Jack attacked Mr. Gatehouse's farm at Grindstone Bay and in the process killed two assigned servants.¹³ Following their capture and sentencing, the two Aboriginal men were hanged with six European criminals on 25 February 1825. In a similar context, two more men of the Oyster Bay tribe, Jack and Dick, were convicted of the 'wilful murder' of Thomas Colley in September 1826.¹⁴ Years later it would become apparent that the attack was in retaliation to the flogging of Jack by the deceased, Colley. It is significant to note that two of the three events that Brian Plomley attributed to the 'eventual state of war' between the settlers and the Tasmanian Aborigines, involved the trial and execution of the four Oyster Bay men.¹⁵ Therefore, the two settler massacres that I examine in this chapter need to be situated within a history of criminalising the Oyster Bay people and the use of violence by the colonial administration in an attempt to subjugate the targeted population.

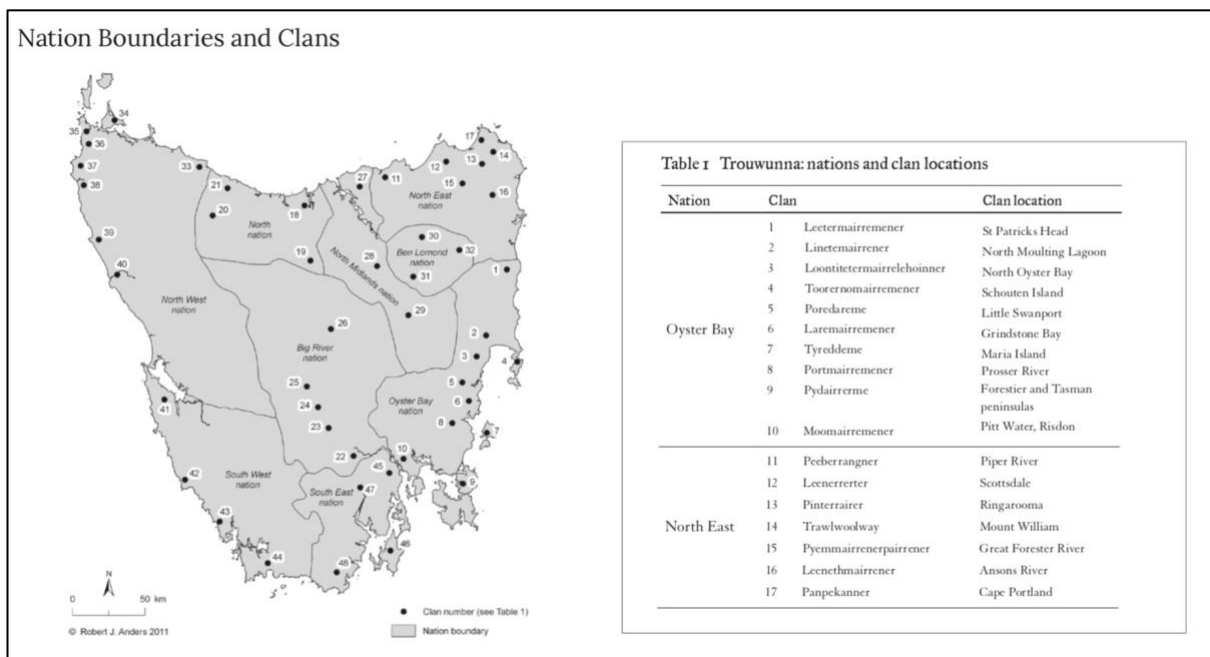
¹¹ *Hobart Town Gazette*, 20 March 1819, quoted in Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, 146.

¹² Naomi Perry, 'Musquito (1780-1825)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, accessed online 12 November, 2018, <http://adb.anu.edu.au/biography/musquito-13124>

¹³ On 13 January 1831, George Augustus Robinson stopped at Mr. Gatehouse's farm and viewed the grave of one of the servants killed in the attack. See Plomley, *Friendly Mission: the Tasmanian journals and papers of George Augustus Robinson 1829-1834*, 314; J. Fox, 'Criminalising frontier conflict in Van Diemen's Land: Indigenous prosecutions during the Black War,' *Journal of Australian Colonial History* 17 (2015): 69.

¹⁴ Fox, 'Criminalising frontier conflict in Van Diemen's Land: Indigenous prosecutions during the Black War,' 73.

¹⁵ The other event that Plomley refers to is the firing at a group of natives who were passing through Launceston in January 1825. See M. Powell, 'Assessing the Magnitude: Tasmanian Aboriginal Population, Resistance and the Significance of Musquito in the Black War,' *History Compass* 13 (2015): 379.



Map 2 Trouwunna: nations and clan location

Living Cultures, 2018, Department of Education Tasmania, Hobart, p 4.

Settler massacres: motivations and methods

Elizabeth River, Mt Augustus - 1827

On 4 May 1827, the *Colonial Times* reported that on Monday 12 April, two stock-keepers had been killed by ‘the natives’ at Green Hills, just outside of Campbell Town. Thomas Rawling and Edward Green had been “tending the flocks of Mr. Walter Davidson” when they were set upon by a group of Aborigines and killed. According to the *Colonial Times*, “their bodies were found in a very mangled state, with spears still sticking in them”.¹⁶ The following day, the *Hobart Town Gazette* stated that three weeks ago a tribe led by Black Tom had “robbed several huts near the Elizabeth River, of flour and various articles to a great amount”.¹⁷ The column went on to say that the string of raids led by Black Tom and his assailants culminated in the deaths of Rawling and Green. In consequence of these

¹⁶ *Colonial Times*, 4 May 1827.

¹⁷ *Hobart Town Gazette*, 5 May 1827.

attacks, the *Colonial Times* concluded that the dogs belonging to the hostile tribe were “roving masterless in the bush, killing and scattering sheep”.¹⁸ For the white inhabitants living along the Elizabeth River, the month of April was fraught with danger. The continued presence of the natives in the region and their willingness to raid stock-huts placed the settlers in harm’s way. The disruption of livestock further compounded the fear being experienced by the settler community. Signalled out by the Land Commissioners as a “good sheep walk”, land owners in the region were dependent on grazing their livestock for commercial markets and sustaining their presence on the land.¹⁹

Following the death of Rawlings and Green, the *Colonial Times* reported that a small group of soldiers and persons from the neighbourhood “made immediate pursuit of the sable murderers”.²⁰ According to the correspondent, the reprisal party caught up to the group in a gully opposite Mr. David Murray’s farm and became engaged in a daylight, European-style battle. However, in 2000, the memoir of settler James George was published. In an account that departs remarkably from that of the *Times*, the reprisal attack was described in the following manner:

“having seen their fires in a gully near the River Macquarie, some score of men, Constables, Soldiers and Civilians, and Prisoners or assigned Servants, who fell in with the Natives when they [were] going to their Breakfast. They fired volley after volley in among the Blackfellows, they reported killing some two score”.²¹

The latter account seems more probable given the evidence that surrounds the event and the nature of frontier violence more generally throughout the two-year period. First, the

¹⁸ *Colonial Times*, 4 May 1827.

¹⁹ McKay, *Journals of the Land Commissioners for Van Diemen’s Land, 1826-1828*, 59-61.

²⁰ *Colonial Times*, 4 May 1827.

²¹ ‘Colonial Frontier Massacres in Central and Eastern Australia 1788-1930,’ The Centre for 21st Century Humanities, accessed October 31, 2018, <https://c21ch.newcastle.edu.au/colonialmassacres/detail.php?r=1352>

reporting of the initial attack on Rawlings and Green insinuates that a period of time elapsed between the murders taking place and the discovery of their bodies. Second, the formation of a reprisal party that consisted of both settlers, military and police personnel would have taken time, given that the military and police detachments were stationed in different locations in the district. In light of this, it is more likely that the settler party caught up to the native tribe when they were encamped at night, rather than on the move, immediately after the attack.

There are a number of contemporary sources that help contextualise and support the nocturnal events described by James George. In his testimony to the Committee for the Affairs of the Aborigines²² in 1830, Mr. Gilbert Robertson spoke of a man by the name of Grant who had captured a native. According to Robertson, “he [Grant] learnt so much of their places of resort and habits” and was told by Tom and Dick [Oyster Bay men] “the Natives do not move by night; they are afraid of the moon”.²³ Switching cultural lenses, Henry Melville made the notable observation that it was commonplace for settlers to “scour the bush, and falling in with the tracks of the natives, during the night to follow them to their place of encampment, where they were slaughtered in cold blood”.²⁴ George Augustus

²² The Committee was established to inquire into the origin of hostility between the settlers and Tasmanian Aborigines, and to consider the appropriate measures to check the state of warfare that existed within the colony. See BPP, Report of the Aborigines Committee, March 19, 1830, Enclosure No 2, pp 35-46; N.J.B. Plomley, *The Aboriginal/Settler Clash in Van Diemen's Land 1803-1831* (Launceston: Queen Victoria Museum and Art Gallery in association with the Centre for Tasmanian Historical Studies, University of Tasmania, 1992), 9-10.

²³ BPP, Minutes of Evidence taken before the Committee for the Affairs of the Aborigines, Mr. Gilbert Robertson, March 3, 1830, Enclosure No 3, pp 47-48.

²⁴ Henry Melville quoted in Benjamin Madley, ‘Tactics of Nineteenth-Century Colonial Massacre: Tasmania, California and Beyond,’ in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, ed. Philip G. Dwyer and Lyndall Ryan (New York: Berghahn Books, 2012), p. 114.

Robinson made a similar observation in his diary when he noted that it was ‘usual practice’ for settlers to ambush the natives at night.²⁵

Over the course of 1826-1828, settlers adapted their violent methods to better suit the cultural practices of the Tasmanian Aborigines and the technology that was available to them. Unable to match their speed and deep knowledge of the land, settlers increasingly turned to night time or pre-dawn attacks to maximise their killing potential. The most important element to this approach was the use of muskets and single-shot rifles in close proximity.²⁶ As evidenced by James George’s account, this tactic proved to be devastating against a largely immobile and unguarded group of Aborigines. In the act of killing up to forty Aborigines in a single attack at Mt Augustus, the settlers asserted their territorial claims along the Elizabeth River. However, as seen in the following case study, these claims were unstable and required further acts of mass violence to (re)establish settler equilibrium.

Elizabeth River, Eastern Tiers - 1828

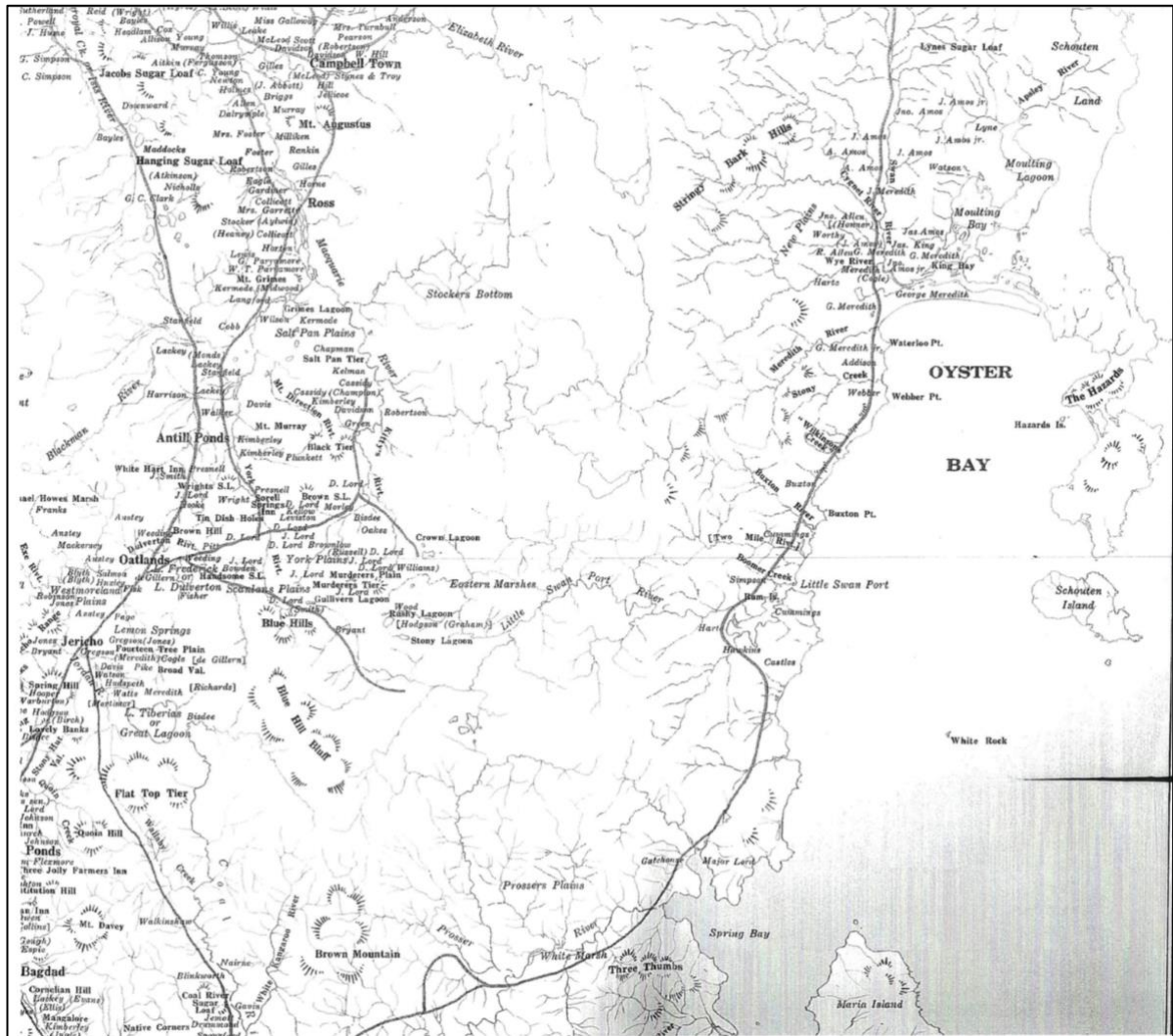
On 5 April 1828, a correspondent of the *Hobart Town Courier* reported that another man had gone missing along the Elizabeth River. The discovery of his shoes and articles of clothing scattered throughout the bush led the correspondent to believe him dead. According to Ryan, the natives involved in the disappearance of this stock-keeper were the same group of Oyster Bay men who had killed three others near Ross in the proceeding days.²⁷ In a follow up letter published in the same edition of the *Courier*, the readers were told that the shepherd who worked for Mr. Robertson had “been found speared and beaten to a

²⁵ Plomley, *Friendly Mission: the Tasmanian journals and papers of George Augustus Robinson 1829-1834*, 535.

²⁶ Madley, ‘Tactics of Nineteenth-Century Colonial Massacre: Tasmania, California and Beyond,’ 116.

²⁷ Ryan, *Tasmanian Aborigines: A history since 1803*, 99.

mummy”.²⁸ Following the confirmation of Henry Beams’ death, the police magistrate of Campbell Town, James Simpson, assembled a group of stock-keepers, soldiers and field police to pursue the Aborigines. In his official report to the Colonial Secretary, Simpson noted that seventeen Aborigines were believed to have been killed by the reprisal party.²⁹ No information was provided about the killings in the report.



Map 3 The Settled Districts of eastern Van Diemen's Land

Anne McKay, 1962, *Journals of the Land Commissioners of Van Diemen's Land, 1826-1828*, University of Tasmania, Hobart, see enclosed map inside back cover.

²⁸ *Hobart Town Courier*, 5 April 1828.

²⁹ 'Colonial Frontier Massacres in Central and Eastern Australia 1788-1930,' The Centre for 21st Century Humanities, accessed 30 October, 2018, <https://c21ch.newcastle.edu.au/colonialmassacres/detail.php?r=1351>

On 4 March 1830, Doctor Turnbull gave a testimony to the Committee for the Affairs of the Aborigines. Turnbull noted that he was aware of the events that took place surrounding the attack on Mr. Robertson's hut by a group of 25-30 Natives. He told the Committee:

“heard they were killed in a place like that described by Mr. Gilbert Robertson, said to be at the back of Mr. Hugh Murray's farm at the Western Tier; it was said two parties fired upon the Natives, and killed them by a cross-fire; but that some of them ran off”.³⁰

Following the attack, it was reported within the settler community that upwards of 50 Aborigines were killed and that eventually this number lowered to 17, the same number claimed by police magistrate Simpson. This number was also closely referenced by Mr. Gilbert Robertson who believed that “20 Natives had been killed for one white man”.³¹ Despite this, Turnbull disregarded these accounts and told the Committee that they were “utterly ridiculous” based on the fact that “no bodies were found” in the surrounding area.³² In 1835, Henry Melville described the attack on the Aboriginal camp from the perspective of an eye-witness:

“A mob of some score or so of natives, men, women and children, had been discovered by their fires, and a whole parcel of Colonists armed themselves, and proceeded to the spot. These advanced unperceived, and were in close to the natives, when the dogs gave the alarm; the natives jumped up in a moment, and then was the signal for slaughter given, fire-arms were discharged, and those poor wretches who could not hide from the light thrown on their persons by their own fires, were destroyed”.³³

In comparing the above account with the details provided by Dr Turnbull, a sketch of the settler massacre slowly starts to take form. Moving stealthily in a group formation, the reprisal party surrounded (partially or wholly) the Oyster Bay tribe until their position had

³⁰ BPP, Minutes of Evidence taken before the Committee for the Affairs of the Aborigines, Doctor Turnbull, March 4, 1830, Enclosure No 3, pp 49.

³¹ BPP, Minutes of Evidence taken before the Committee for the Affairs of the Aborigines, Mr. Gilbert Robertson, March 3, 1830, Enclosure No 3, pp 48.

³² BPP, Minutes of Evidence taken before the Committee for the Affairs of the Aborigines, Doctor Turnbull, March 4, 1830, Enclosure No 3, pp 49.

³³ Henry Melville, *The History of the island of Van Diemen's Land from the year 1824-1835* (Sydney: Horwitz Publications, 1965), 71-72.

been established and the “signal for slaughter [was] given”. Following the chain of command, the settlers shot and killed all the Aborigines who came into their line of sight.

Consequences

Based on the available evidence, it is estimated that at least 57 members of the Oyster Bay nation were massacred in two violent episodes along the Elizabeth River between 1827-1828. When comparing this figure to the estimated number of Oyster Bay people living within the tribal boundaries in the early years of contact, some important findings come to light. First, the number of people killed in the two massacres equates to roughly 7% of the total population of the Oyster Bay nation (see Appendix 1).³⁴ Second, is the impact of massacre at the clan level, which is the basic social unit of Tasmanian Aboriginal culture. Using Jones’ estimation of the average clan containing 40-50 people, the two settler massacres significantly changed the social dynamic of the clans involved.³⁵ In the first instance, the death of 40 individuals in April 1827 represents a loss of 80% of the clan’s population. Conversely, the death of 17 or more clansmen and women in the attack of 1828, represents a depopulation of 34%. As noted by Ryan in *Remembering the Myall Creek Massacre*, “the sudden loss of more than 30 per cent of a group leaves the survivors vulnerable to further attack, and with a greatly diminished ability to hunt for food, carry out their ceremonial obligations and to reproduce the next generation”.³⁶ Whilst the Oyster Bay people loomed large in the third phase of the Black War, the two case studies that I have discussed in this chapter, highlight the way in which massacre was deployed by the settler community to violently dispossess the native tribes who threatened their very existence.

³⁴ A conservative estimate uses the upper bound of the estimated population total; using the lower bound would yield a result of 8%. See Appendix 1 for more details.

³⁵ Jones, ‘Tasmanian Tribes’, 325, 330.

³⁶ Jane Lydon and Lyndall Ryan, *Remembering the Myall Creek Massacre* (Sydney: NewSouth Publishing, 2018), 88.

Massacre in the second phase of the Black War

In comparing the two violent episodes throughout the Elizabeth River region, an image of settler massacres in the second phase of the Black War begins to emerge. In both cases, the massacre of the Oyster Bay people was precipitated by a period of intense raiding and the subsequent deaths of stock-keepers. Prior to the death of Thomas Rawling and Edward Green in April 1827, Black Tom and his assailants had robbed several huts of flour and various other articles in the area. Similarly, the Oyster Bay men who killed Henry Beams the following April, were also responsible for the death of three other stock-keepers at Ross. In the reporting of the deaths by the colonial press, all three bodies were found in a “mangled state” or “beaten to a mummy”. Evidently, the coupling of deep-seated fears and the deaths of a fellow white inhabitant, placed the settler communities along the Elizabeth River in a state of hyper-awareness. This emotional state would lead to the mobilisation of some of the male members in 1827-1828. Massacre in this context was not an expression of strength, “rather of weakness that is precisely to be subsumed by the recourse to massacre”.³⁷

Moreover, both case studies support Semelin’s claim that “massacre is rarely spontaneous”.³⁸ Following the news of the murders, a group of stock-keepers, field police and members of the 40th Regiment were assembled, armed and sent in pursuit by the district police magistrate. In both instances, a contemporary source makes explicit reference to night time reconnaissance and the use of the light from the Aboriginal camps to orientate and guide the party under the cover of darkness. Upon reaching the location of the encamped group, the reprisal party used the pre-dawn hours to move-in undetected. In response to a pre-determined signal or the detection of their presence by the dogs living with the Oyster

³⁷ J. Semelin, ‘In consideration of massacre,’ *Journal of Genocide Research* 3 (2001): 381.

³⁸ *Ibid.*, 384.

Bay tribe, both settler parties fired their weapons in what is described by Benjamin Madley as a “long-range, small-arms barrage”.³⁹ As evidenced by the death toll of the settler massacres, this tactical approach proved to be highly successful in killing large numbers of Oyster Bay people. Finally, the official reporting of both violent episodes was piecemeal and at times, framed the actions of the settler party in a positivist manner. In contrast, the accounts provided by settlers in the years following the events were far more critical in their appraisal of the violent tactics employed by the reprisal parties.

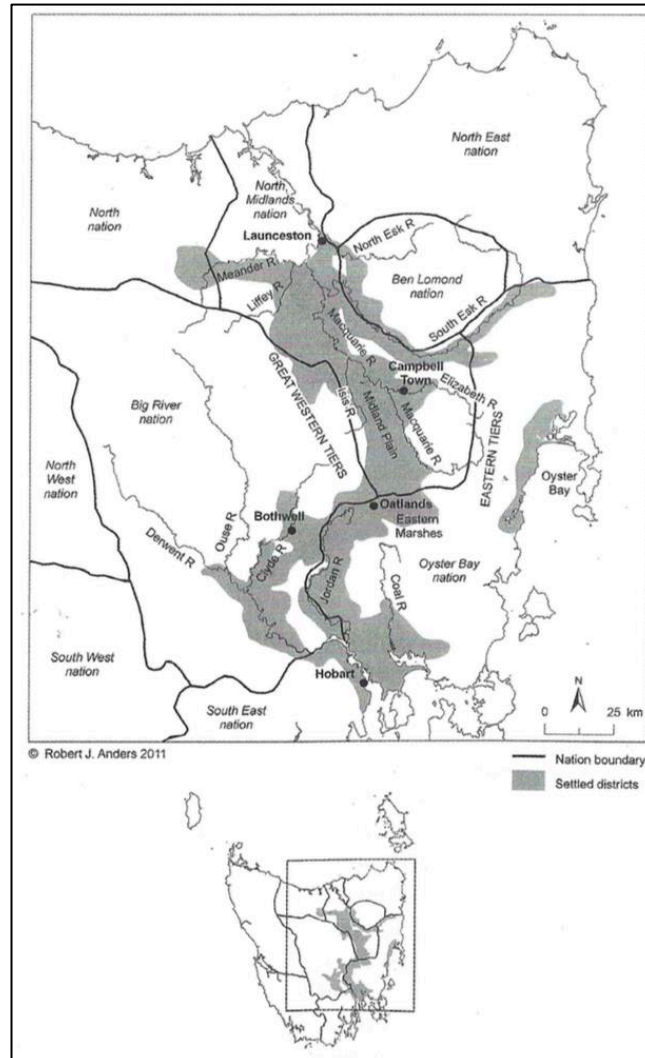
So, what do the two settler massacres have in common with Ryan’s study of the Meander River region in 1827? And what do these similarities say more broadly about settler massacres in the second phase of the Black War? First, all four incidents that were discussed by Ryan were initiated by the attempted spearing or death of a settler by the Pallitorre. For example, following the death of William Knight the *Colonial Times* reported that “the people over the second Western Tier have killed an immense quantity of blacks this last week, in consequence of their murdering Mr. Simpson’s stock-keeper...”.⁴⁰ Second, the reprisal parties always consisted of a mixture of civilian and military and/or police personnel. As noted by Ryan, “the arrival of the two soldiers and the police constable appeared to embolden the most experienced stock-keepers to perpetrate massacre”.⁴¹ Similarly in the Eastern Tiers, the combination of civilian and armed forces not only boosted the numerical size of the reprisal party, but also the capacity of the stock-keepers to commit extreme acts of violence. Third, at least two of the four attacks on the Pallitorre took place at night or dawn. Consequently, the number of Aboriginal people killed in both districts

³⁹ Madley, ‘Tactics of Nineteenth-Century Colonial Massacre: Tasmania, California and Beyond,’ 113, 116-117.

⁴⁰ Ryan, ‘Massacre in the Black War in Tasmania 1823-34: a case study of the Meander River Region, June 1827,’ 493.

⁴¹ *Ibid.*, 494.

were the result of the available settler technology and the ability of the reprisal parties to track the targeted groups undetected.



Map 4 Meander River region in relation to the Eastern Tiers
Lyndall Ryan, 2012, *Tasmanian Aborigines: A history since 1803*, Sydney, p 76.

Despite taking place in different locations throughout the Settled Districts and at different times, the settler massacres examined by Ryan and myself unfolded throughout the second phase of the Black War in a relatively uniform pattern. But what is the significance of this observation? After all, Ryan suggested in her 2008 article that “further research could yield

new insights into the conduct of the war”.⁴² As this chapter has demonstrated, Semelin’s typology has proven to be useful in capturing the mechanics of massacre in the Oyster Bay district, whilst affording the historian the means to make meaningful comparisons to unrelated events in a neighbouring district. In doing so, it helps layer our understanding of the nature of massacre in the second phase of the Black War by strengthening the webs of connection between the settlers situated throughout the Western Tiers with their counterparts in the East Midland Plains.

In the case of the Elizabeth River settler community, the events that took place across 1827-1828 speak to Patrick Wolfe’s notion of ‘the logic of elimination’, in that, “contests for land can be – indeed, often are – contests for life”.⁴³ Driven by a constant need to disavow the indigenous presence from the land, and the fear-induced panic that Aboriginal hostility created, white colonists indiscriminately killed the Oyster Bay people. Within these moments of catharsis, massacre embodied and enabled the territorial desires of the settler community. Finally, the comparable points between the massacres that took place in the Meander and Elizabeth River region, highlight the networks of violence that existed throughout the Settled Districts. The proliferation of violence through the colonial press and intimate circles within communities helped settlers come to know, understand, and carry out massacres with devastating effect.

Settler massacres in the Elizabeth River region between 1827-1828 involved stock-keepers, members of the 40th regiment and field police who were stationed in Campbell Town. As such, the violent episodes can be interpreted as an organised process that followed a similar

⁴² *Ibid.*, 496.

⁴³ Patrick Wolfe, ‘Settler colonialism and the elimination of the native,’ *Journal of Genocide Research* 8 (2006): 387-8,

trajectory to the one plotted by Governor Arthur in the Notice of 1826. The feeling of impunity, according to Semelin, “plays an important role, at least as a release mechanism in committing the crime”.⁴⁴ This was compounded by the secrecy which the landscape afforded the reprisal parties to carry out their attacks. Moreover, the adoption of night-time raids by the settlers ensured that the targeted Oyster Bay groups were unaware and unarmed, which in turn increased the killing potential of the attacks. The subsequent deaths of 57 Aboriginal people in two massacres, highlights the way in which mass killings were used by the settler community to assert their territorial claims in this phase of the Black War. Lastly, when compared to Ryan’s case study of the Meander River region, it is possible to establish patterns of massacre that had previously gone unnoticed by Tasmanian scholars.

⁴⁴ Semelin, ‘In consideration of massacre,’ 385.

Conclusion

In utilising Jacques Semelin's theorisation of massacre, this thesis has examined the second phase of Tasmania's Black War in new and meaningful ways. Identified by both Lyndall Ryan and James Boyce in 2008-9 as an under developed period within Black War scholarship, this type of micro historical study is long overdue. Moving between colonial systems of governance and the psycho-social dynamics of the settler community, this thesis has demonstrated the way in which violence intersected all aspects of life in Van Diemen's Land between 1826-1828. In doing so, I have attempted to better understand why settler massacres became a dominant feature of the Black War at this point in time, and how they affected the Oyster Bay people.

In viewing massacre as an organized process, it is important to understand the structural attributes of violence within Van Diemen's Land. Throughout the two-year period, Governor Arthur mobilised an openly violent discourse towards the Tasmanian Aborigines through a network of official communication channels. Framed by imperial directives from the Colonial Office and events that were taking places across the Settled Districts, Arthur recast the Aborigines in an increasingly hostile and violent manner. Here, the 'imaginary of cruelty' was constantly evoked by Arthur in his government notices and proclamations.¹ By counterbalancing settler violence with the 'wanton barbarity' of the natives, Arthur aimed to disqualify the future victims, and in doing so, render the task of violently dispossessing the Aborigines, desirable. As demonstrated in the first chapter, this process was not fluid and at times, required the governor to act with considerable authority and in ways that troubled the sensibilities of London. Yet, it was through an evolving discourse of violence

¹ Semelin, 'Towards a vocabulary of massacre and genocide,' 206.

in his lettering to the Colonial Office, government publications and correspondence with colonial officials, that Arthur created the legal space for massacre.

By focusing on Arthur's 'infrastructure of massacre' and exploring its interiority in detail, this thesis has demonstrated the merit of a micro historical approach in studying the Black War. By undertaking a textual analysis of Arthur's official communication, I have moved beyond a conceptualisation of violence as simply a top-down directive from the Colonial Office and emphasised the ways in which discourses of violence flowed in a number of directions, at both the peripheral and metropolitan level. At the heart of this re-imagination, is the role of Governor Arthur as the locomotor between the two sites of empire. Working within these two points of reference, Arthur moved with and pushed back on officials in meaningful ways that ultimately shaped a governmentality of violence in Van Diemen's Land.

Chapter two of this thesis highlighted the ways in which fear and violence permeated the settler consciousness. For the white inhabitants living throughout the interior of the island, day-to-day life was punctuated by episodes of violence within their immediate vicinity or in the reports of the colonial press. The result, as described by Nicholas Clements and Andrew Gregg, "was an atmosphere of suffocating fear and anxiety that came to dominate colonist's experience of the Vandemonian frontier".² Living in a state of hyper-awareness had a number of effects on the settlers. First, the image of the Tasmanian Aborigines began to mutate in the settler's mind and take on a more sinister shape. This re-imagining helped settlers rationalise future acts of violence by creating a division between 'us' and 'them'. As

² Clements and Gregg, 'I am frightened out of my life,' *Settler Colonial Studies* 7 (2017): 222.

the threat of violence increased over time, this way of seeing sharpened into focus and became increasingly violent itself. Second, the framing of settler violence in positive terms helped naturalise these events into the gamut of everyday experiences. This, coupled with the transference of knowledge in pursuing and attacking Aborigines, provided the settlers with a blueprint for violence. In examining the transference of violent sentiments across three settler discourses, chapter two demonstrated that fear was central to the emotional reflexivity of white inhabitants who armed themselves and took part in the massacres of the Tasmanian Aborigines.

The application of Semelin's typology of massacre to two episodes along the Elizabeth River provided a number of useful insights into the structure and nature of violence in the second phase of the Black War. In both cases, the massacre of the Oyster Bay people was precipitated by a period of intense raiding and the subsequent deaths of stock-keepers. The perceived and real threat posed by the Aborigines in the region lead to the mobilisation of stock-keepers and the civil powers in April of 1827 and 1828. Massacre, in the context of a besieged settler community was not spontaneous, and despite traditional notions of power, was in fact an expression of weakness.³ Moreover, the adoption of night time raids by the settler parties in the Elizabeth River region, dramatically increased the killing potential of single events. Cloaked in darkness and guided by the campfires of the Oyster Bay clans, the settlers shot and indiscriminately killed the targeted groups in premeditated attacks. Within these moments of catharsis, massacre embodied and enabled the territorial desires of the settler community. As evidenced by the death of 57 members of the Oyster Bay nation, settler massacres had the potential to significantly alter the ability of clans to maintain their relationship to the land.

³ J. Semelin, 'In consideration of massacre,' *Journal of Genocide Research* 3 (2001): 381.

Despite taking place in different locations throughout the Settled Districts and at different times, the settler massacres examined by Lyndall Ryan and myself unfolded throughout the second phase of the Black War in a relatively uniform pattern. As previously noted, this conclusion helps layer our understanding of massacre in this phase of the war by strengthening the webs of connection between disparate events in different locations. I would, however, like to take this argument to its next logical conclusion. When comparing the events that took place in the Elizabeth and Meander River region, a relationship between the Government Notice of 1826 and settler massacre is discernible. In moving away from the questions of acceptability and how much did Governor Arthur know about these violent episodes⁴, settler violence can be examined from a new perspective. Most importantly, the interplay between the military, police constables and settlers within distinct moments can help us make sense of the broader patterns of violence that precipitated the collapse of the Tasmanian Aboriginal population.

⁴ Ryan, 'Massacre in the Black War in Tasmania 1823-34: a case study of the Meander River Region, June 1827,' 495-6.

Appendix

Estimates of the percentage of Oyster Bay people massacred are based on the following:

$$Percentage = \frac{No. People Massacred}{Total Population} \times 100$$

Note that:

- Using the upper bound of the total estimated population will result in a *conservative* estimate for the percentage of people massacred, i.e. a lower percentage. Conversely, using the lower bound of the estimated total population will result in a less *conservative* estimate.
- The number stated in Chapter 3 of my thesis is based on the upper bound, and is therefore more conservative, as it resulted in a lower percentage.

For example, for an estimated population of between 700 and 800 people, where 57 people are massacred, the conservative calculation would be:

$$\frac{57}{800} \times 100 = 7\%$$

And the non-conservative calculation would be:

$$\frac{57}{700} \times 100 = 8\%$$

The colonial literature reported sightings of Oyster Bay groups ranging from 200-500 people in the early years of settlement.¹ If you were to use this data, the conservative calculation would be:

$$\frac{57}{500} \times 100 = 11\%$$

And the non-conservative calculation would be:

$$\frac{57}{200} \times 100 = 29\%$$

¹ *Hobart Town Gazette*, 20 March 1819; Tindale, *Aboriginal Tribes of Australia, Their Terrain, Environmental Controls, Distribution, Limits and Proper Names; with an Appendix on Tasmanian tribes* by Rhys Jones (Canberra: Australian National University Press, 1974), 339; John West, *The History of Tasmania, Vol. II* (Launceston: J.S. Waddell, 1966), 6.

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