

# **MOCK JUSTICE: World Conservation and Australian Aborigines in Interwar Switzerland**

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On June 24, 1921, an Aboriginal man, Anthony Martin Fernando, walked into the offices of *Der Bund*, a leading progressive newspaper in Berne, Switzerland. Several days later, a highly critical account of colonial rule in Australia appeared in the pages of the newspaper, its centrepiece a letter written by Fernando himself. Encouraged by the idea of minority rights recently described by the League of Nations, Fernando appealed to the Swiss people for their support of self-rule for indigenous peoples in the settler colonies. Only through League of Nations mandate over reserve lands, governed by Switzerland or the Netherlands, he advised, could the just future of the Aboriginal race be assured in Australia.<sup>2</sup>

In this same decade, European internationalism offered significant hope to indigenous rights activism in Australia. Numbers of leading Aboriginal activists anticipated that world attention would provide a renewed impetus for reform in Australia, and many drew on transnational examples in making their case for national reform.<sup>3</sup> From the 1920s, for examples, the founder of the Australian Aborigines Protection Association, Fred Maynard, had been influenced by the world politics of African American leader

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<sup>2</sup> 'A Call for Help from Australia', *Der Bund*, 30 June and 1 July, 1921, Transcript, p. 1, Han Buser Papers, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra. Thanks to historian Christine Winter for her translation of the typescript of Fernando's interview and its surrounding commentary, including the letters to the editors. Many thanks also Amelia Rosel for locating the World Conservation Conference Report and for her translations of this and other German-language print sources quoted throughout this article, and for the generous help of archivists in the Swiss Archives in Berne.

<sup>3</sup> Ravi de Costa, *A Higher Authority: Indigenous Transnationalism and Australia*, UNSW Press, Sydney, 2006.

Marcus Garvey.<sup>4</sup> In the 1930s, William Cooper of the Australian Aborigines League, who petitioned the King of England, wrote compellingly to the Anti-Slavery and Aborigines Protection League in London of his hopes for a new regime in Australia.<sup>5</sup> And in 1938, Pearl Gibbs appealed on behalf of the Aborigines Progressive Association to the League of Nations for international attention to conditions in Australia.<sup>6</sup> Living overseas at this time, Anthony Martin Fernando was perhaps first among this remarkable cohort to present to sympathetic whites in Europe in person an Indigenous critique of Australian policy. During his life in exile during the first decades of last century, Fernando made several public protests against British rule in Australia. One of the most successful of these took place in Switzerland.

This paper focuses on the context for, and responses to, the publication of Fernando's story in the Berne press. It will argue that early European world conservationism was a significant context for its initial success. Along with the League of Nations and the London-based Anti-Slavery and Aborigines Protection Society, the emerging global conservation movement in Europe provided an international framework by which indigenous rights might claim, and, in the Fernando's case, successfully attract international attention to the Aboriginal cause. Not insignificantly, the first world conservation conference had been held in Berne only eight years before and had included the question of international intervention into Aboriginal conditions in Australia. As we will see, its critical account of Aboriginal conditions in Australia (particularly in the north of the continent) would lend legitimacy to Fernando's testimony that unregulated modernisation into northern regions of Australia threatened the extinction of the Aboriginal race.

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<sup>4</sup> Ibid, p. 166. See also, John Maynard, "'In the Interests of Our People': The Influence of Garveyism on the Rise of Australian Aborigines' Political Activism', *Aboriginal History*, 29 (2005): 1-22.

<sup>5</sup> Bain Attwood and Andrew Marcus, *Thinking Black: William Cooper and the Australian Aborigines' League*, Canberra, Aboriginal Studies Press, 2004; Bain Attwood, *Rights for Aborigines*, Allen and Unwin, Sydney, 2003.

<sup>6</sup> Pearl Gibbs, General Secretary, Aborigines Progressive Association, to President, League of Nations, 4 July, 1938, 'Situation of Aborigines in Australia', Political Division, 1/34895/1 34895, League of Nations Archives, Geneva.

## Colonialism, conservation and indigenous peoples

Histories of national parks and wildlife reserves have shown modern environmentalism to be rooted in the imperialist vision of the nineteenth century. Yellowstone had been first in a system of national parks in the US that from the late 1890s had been followed by wildlife and game preserves in British and Portuguese African colonies, and botanical gardens in Dutch Indonesia.<sup>7</sup> Each expressed the claims of national and imperial powers to protect natural heritage while promoting scientific knowledge. Enjoyment of the outdoors came to signify a citizenry's vitality. Hiking and land-and-people movements flourished in Europe and the US, and waterfalls and other major geographical features were declared national monuments in the name of the people. In 1909, a Paris Congress for Landscape Preservation was convened, while in 1915 in Tasmania the government legislated for the protection of scenery.<sup>8</sup>

Conservationist provisions reflected concerns that modern technologies threatened the fitness of the white man, especially should wildernesses entirely disappear. Hunting for elite men was to remedy this worrying prediction. The international 'Conference on African Wild Life', convened in 1900 by the British Foreign Office, explicitly linked the international control of hunting and environmental management. And, in 1909, the Society for the Preservation of Fauna in the Empire (founded in 1903 and led by Charles Rothschild), joined with US President Roosevelt's manliness movement, the Boone and Crockett Club, to hold a world conference on wild life at the Hague. The following year, Roosevelt was well-received by conservationists during a tour of Europe who agreed with the contrast he drew between the ennobling struggle of man over beast and the debasing inhumanity of modern mass killing technologies.<sup>9</sup> From the outset internationalist in its aims and scope, as we will see in the following, the European conservation lobby would produce the first world conservation conference.

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<sup>7</sup> Paul Jepson and Robert J. Whittaker, 'Histories of Protected Areas: Internationalisation of Conservationist Values and their Adoption in the Netherlands Indies (Indonesia)', *Environment and History* 8 (2002): 129-72; John McKenzie (ed.) *Imperialism and the Natural World*, Manchester, Manchester University Press, 1990.

<sup>8</sup> Geoffrey Bolton, 'Towards Conservation' in *Spoils and Spoilers: A History of Australians Shaping their Environment*, Sydney, Allen and Unwin, 1992 (first published 1981), p. 106.

<sup>9</sup> Tom Griffiths and Libby Robin (eds.) *Ecology and Empire: Environmental History of Settler Societies*, Melbourne, Melbourne University Press, 1997; William Beinart and Peter Coates, *Environment and History: The Taming of Nature in the USA and South Africa*, London, Routledge, 1995; and David Pepper, *Modern Environmentalism: An Introduction*, London, Routledge, 1996.

While today we often consider indigenous rights distinctly from matters of biological diversity or land management, Richard Grove in *Green Imperialism* points out that such a separation was not characteristic of the colonial era. In the eighteenth century, colonists of the Pacific who marvelled at the diversity of human, animal and plant life proclaimed a desire to conserve both nature and primitive society from the barbarities and voracities of modern man. As inheritors of the Enlightenment, they sought to resolve evident contradictions between the civilizing project of colonisation in which they were engaged, and the destruction it wrought in its wake. By relegating primitive man to the realm of nature, they articulated the primitivist foundation of the Enlightenment, and hence relegated indigenous societies to suffer the same fate as their environment.<sup>10</sup>

Seeking to disrupt this primitivist narrative, Grove argues that indigenous peoples and indigenous knowledges have been crucial to colonial and metropolitan conceptualisations of nature. Indigenous hunting cultures offered incoming peoples with invaluable knowledge about local plant and animal species. At one level, such information facilitated exploitation. White trappers relied on indigenous knowledge about the hunt. And, while indigenous women were subjected to the full violence of frontier interracial confrontations, sometimes they too became significant interlocutors in intercultural exchange. In Canada, for example, the indigenous wives of white fur traders routinely negotiated with local tribes.<sup>11</sup> Conversely, Australian indigenous coastal women were forcefully dragooned by whalers and sealers engaged in brutal struggle with local people over coastal resources.<sup>12</sup> At another level, indigenous knowledges suggested ways in which to appreciate diversity, and seeded alternative understandings of the relationship between man and environment.

While seeking to reinstate indigenous agency to colonisation, such cross-cultural histories of frontier ecologies risk the return of indigeneity to 'nature'. As Marcia

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<sup>10</sup> Richard Grove, *Green Imperialism: Colonial Expansion, Tropical Island Edens and the Origins of Environmentalism, 1600-1860*, Cambridge University Press, Cambridge, 1995. See also, William Cronin, *Changes in the Land: Indians, Colonists, and the Ecology of New England*, New York, Hill and Wang, 1992, first published 1983; and Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, Cambridge, Cambridge University Press, 1994, first published 1991.

<sup>11</sup> Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society, 1670-1870*, Norman, Oklahoma, University of Oklahoma Press, 1983.

<sup>12</sup> 'The Convincing Grounds', episode of *Message Stick*, ABC, broadcast on 25 January 2007.

Langton has noted, the longevity of this problematic effect can be seen in the mobilisation of ‘indigenous knowledge’ during Australian wilderness debates of the nineteen eighties.<sup>13</sup> Arguably, Fernando’s interview in *Berne* represents a different genealogy of indigenous knowledge, one that claimed its right to be at home on the streets of Europe as much as in the outback of Northern Australia. In this case, indigeneity is founded in more than mere ecological survival, but in an embodied insistence upon the indigenous, self-determining subject who is not grounded (only) in country but in mobility.

Fernando made this assertion into his life story. Aiming to speak as one among internationalists in Europe, first Fernando had to persuade the *Der Bund* editors and then their readership of his authenticity. Among the former, he was successful in this aim. Impressed by the indigenous man who had appeared unannounced in their offices, the editors commended to their readers an ‘Australian native’ of ‘extraordinary eloquence’ driven by the desire for an urgent international intervention for the just future of his people.<sup>14</sup> Only following the publication of his story would the degree of hostility among members of the Swiss public become apparent.

### **A Man of Extraordinary Eloquence**

Born in the 1860s in Sydney, Fernando’s mother was likely a local Aboriginal woman. Removed from his people as a small child, possibly as the result of a ‘dispersal’ (or massacre), while he may never have known her, she would become the ‘guiding star’ of his life.<sup>15</sup> Fernando spent his early years in a white household where he was kept from

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<sup>13</sup> Marcia Langton, ‘Why “Race” is a Central Idea in Australia’s Construction of the Idea of a Nation’, in Susan Magarey (ed.) *Human Rights and Reconciliation*, Special Issue, Australian Cultural History, University of Queensland Press, St Lucia, 1999, pp. 22-37. See also, Rod Macneil, ‘Time after time: temporal frontiers and boundaries in colonial images of the Australian landscape’, in Lynette Russell (ed), *Colonial Frontiers: Indigenous-European Encounters in Settler Societies*, Melbourne University Press, Melbourne, 2001, pp. 47-67; William J. Lines, *Taming the Great South Land: A History of the Conquest of Nature in Australia*, Allen and Unwin, Sydney, 1991.

<sup>14</sup> *Der Bund*, 30 June, 1921, Transcript, p. 1.

<sup>15</sup> For a longer account of Fernando’s life overseas, see Fiona Paisley, ‘An “education in white brutality”’: Anthony Martin Fernando and Australian Aboriginal rights in transnational context’, in Annie Coombes (ed), *Rethinking Settler Colonialism: History and Memory in Australia, Canada, Aotearoa New Zealand and South Africa*, Manchester University Press, Manchester, 2006, pp. 209-226.

an education, and, he would later assert, he was treated as little more than a pet.<sup>16</sup> Only in young adult life, would he finally access an education - from Spanish Benedictines (Fernando was a Catholic). He advised the editors of *Der Bund* that education was systemically denied Aboriginal people in Australia in an effort to deny them an understanding of the value of their own labour.<sup>17</sup>

Fernando's surname suggests that his father was South Asian, perhaps from the ex-Portuguese (and hence Catholic) colony of Goa in India, or Sri Lanka. As historian Heather Goodall has established, personal and political exchanges between Aboriginal and Indian populations, some of them seafarers, in the late nineteenth and early twentieth centuries have been more frequent and complex than previously realised.<sup>18</sup> While the significance of these exchanges to the history of Aboriginal activism in Australia is a matter for further research, their influence in Fernando's autobiography will probably always remain unclear. We will surely be able only to speculate about the influence of Portuguese and British colonialisms on the formation of his international perspective on indigenous rights.

Fernando was in Western Australia in 1904, from where he wrote a long, vitriolic letter to Henry Prinsep, the first Chief Protector of the Aborigines. Despite expressing curiosity about the writer of this letter, his complaints about the New Norcia mission and his accusations of death threats from a local policeman/honorary protector, Prinsep did not reply. His silence contributed undoubtedly to Fernando's deepening despair of improving Aboriginal status and conditions from within Australia. Nor did the Chief Protector supply a copy of the recent Aboriginal Act sought by Fernando as he struggled to understand (and, one assumes, better to resist) the regime under which he now lived.<sup>19</sup>

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<sup>16</sup> Mary Bennett to Travers Buxton, Honorary Secretary, February 21, 1929, pp. 2, Anti-Slavery and Aborigines Protection Society Papers, MSS Brit Emp S 19, Rhodes House Archives, Oxford.

<sup>17</sup> *Der Bund*, Fernando's letter, 25 June, 1921, Transcripts, p. 3.

<sup>18</sup> Heather Goodall, Devleena Ghosh, Lindi Todd "Jumping Ship – Skirting Empire: Indians, Aborigines and Australians across the Indian Ocean" *Transforming Cultures eJournal* 3(1) 2008

<sup>19</sup> Anthony Martin Fernando to Henry Prinsep, 10 October 1903, State Archives of Western Australia 255/557A/1903, Folio 5. See also, Anna Haebich, *For their own Good: Aborigines and Government in South West of Western Australia, 1900-1940*, Nedlands, University of Western Australia Press, 1992; Bob Reece and Tom Stannage, *European-Aboriginal Relations in Western Australian History*, Studies in Western Australian History VIII, December 1984.

Moving back to New South Wales some time during these years, Fernando worked on the railroads (the very technology then advancing settlement in Northern Australia). At first a member of the railways workers' union, he would inform the editors of *Der Bund* that the erosion of non-white workers rights following federation would cause him to resign. Along with that of missions and government, the failure of labour provided another factor contributing to Fernando's growing disillusionment.<sup>20</sup> British law itself provided the final straw. Refused permission to give eyewitness evidence against white men accused of murdering an Aborigine, Fernando left Australian shores forever.

Working as a seaman in the engine rooms of steamships then sailing the world in vast numbers, Fernando mixed with the highly mobile global population of 'Lascars', seamen of predominantly South Asian or African background. He found political companionship among them and those he met in Europe and England involved in promoting the rights of African, Asian and other non-white peoples towards claiming their equal place in world politics.<sup>21</sup> When he arrived in England in the 1910s, Fernando was an articulate, religiously-minded middle-aged man with a strong sense that self-managed land and equity in education and employment were as fundamental to the future of indigenous peoples. During self-imposed exile over the next forty years, he would situate Aboriginal rights politics directly within Pan-African and Pan-Asian world networks calling for global solidarity between Black populations and European cosmopolitans ready to contribute to public debate about rights. He joined with them to protest against white world rule from Hyde Park Speakers' Corner. In Europe in the early 1910s, Fernando was imprisoned in Vienna as a civilian captured when war broke out, and wrote from prison protesting his right to prison relief as 'a hardworking Black man'.<sup>22</sup>

With the formation of the League of Nations following the war, Europe seemed to offer new hopes for indigenous rights.<sup>23</sup> To Fernando and other indigenous activists then in

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<sup>20</sup> *Der Bund*, 30 June 1921, Transcripts, p. 2.

<sup>21</sup> See Laura Tabili, "*We Ask for British Justice*": *Workers and Racial Difference in Late Imperial Britain*, Cornell University Press, Ithaca, 1994.

<sup>22</sup> Letter dated 8 June, 1916 from Fernando to the British Consul. 'Fernando, Attention- the case of', NAA A11803/1, 14/89/475. National Archives of Australia, Canberra.

<sup>23</sup> Paul Lauren, *Power and Prejudice: the Politics and Diplomacy of Racial Discrimination* (Westview Press, Boulder, 1988), p. 112

Europe, the promise of minority rights by the League in its response to diverse populations in new post-war nations seemed full of potential. While Fernando was making his case in Berne, a petition was being presented to the world parliament by a representative of the Six Nations (Iroquois) from Canada, Chief Deskaheh. Having travelled to Geneva after a failed appeal to British imperial powers in London, Deskaheh hoped to persuade the General Assembly of the League of Nations to forward the Iroquois' claim to self-rule to the International Court.<sup>24</sup> Given the importance of Switzerland to indigenous people's rights, Berne, its capital, was the logical destination for Fernando in his hope to draw international attention to the Aboriginal Australian cause.

### **To the People of Switzerland**

On the day following his interview with the editors of *Der Bund*,<sup>25</sup> Fernando sat down to write a letter to the Swiss people at a table in a local restaurant. Aiming to counter popular assumptions that primitive people were less than human, he opened his letter with an assertion of his own humanity, ascribing to Australian Aborigines a prominent place on the evolutionary tree. He asserted: '[i]n the world there is no primitive native people that has the intellectual characteristic of the indigenous Australians'. Despite their refinement as a people, it was the horrifying fact that through a lethal mix of murder, poisoning, the abuse of women, and the denial of education and employment, they - the original owners of the land - were being 'expelled from the face of this earth'. As a result, it was 'in any Australian town ... as rare a sight [to see an Aborigine]... as ... [it was] in Switzerland, and yet Australia is by nature a land of the black man ...'<sup>26</sup> While colonialism might claim to civilize and Christianise, Fernando concluded, in reality it was motivated by the far-less elevated desire for resource exploitation, including that of the indigenous population itself. In his letter to the Swiss people, Fernando protested the use of indigenous labour in the occupation of their own land and the stripping of their own resources for the benefit of incoming populations. Thus the Aborigines of Australia – the real Australians - had been used to 'clear the virgin forest'

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<sup>24</sup> 'Complaint of the Six Nations Indians against the Government of Canada', R612, 28075/1923, League of Nations Archives, Geneva.

<sup>25</sup> 25<sup>th</sup> June, 1921

<sup>26</sup> *Der Bund*, 30 June 1921 p. 4

and ‘to amass British riches under the cruellest conditions...’: ‘Is that Christian?’ Fernando asked, ‘Is that the much-praised civilization?’<sup>27</sup>

For Fernando, the question of intervention in Australian settler colonialism was one of great urgency. As we have seen, he had left Australia almost twenty years earlier and the Australia he described focused very much on the late nineteenth and turn of the century. In his book on settler colonialism and anthropology in Australia, Patrick Wolfe makes the observation also that ‘[w]e should look twice at anything taking place in the 1890s, when the whole world was beginning to shift. The age of capitalist imperialism was dawning ...’<sup>28</sup> Anna Haebich points also to the dreadful impacts of this ‘second frontier’ on Aboriginal people in Western Australia, asserting their incremental genocidal effects.<sup>29</sup> Fernando warned that Aboriginal conditions had worsened dramatically as settlement had increased in northern Australia. Where first ‘settlement’ had impacted mostly on coastal populations, from the 1890s new technologies like the railway were bringing a modern frontier to Aboriginal populations previously isolated from settlement. Under these conditions, Fernando informed the editors, ‘[w]here the train gets to, that means the end for us....’<sup>30</sup>

Ironically, the extension of the railway contributed also to the steady flow of information about the outback and its injustices that made its way from national to overseas media and their reading publics. From the late 1800s, numerous white commentators had published amateur ethnographies of the Aborigines in Central Australia, while several anthropologists engaged in the new practice of fieldwork among the ‘traditional’ cultures of northern Australia had offered their own observations of the treatment of the Aboriginal people they sought to study. Increasing numbers of white women travelling on the railways joined with a growing southern-based humanitarian voice utilising progressive networks within the British Empire to strengthen an international critique of Aboriginal conditions in Australia. And

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<sup>27</sup> *Der Bund*, 30 June 1921, Transcript, p. 4.

<sup>28</sup> Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*, Cassell, London, 1999, p. 41.

<sup>29</sup> Anna Haebich, ‘“Clearing the Wheat Belt”: Erasing the Indigenous Presence in the Southwest of Western Australia’, in Dirk Moses (ed), *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History*, Berghahn Books, New York, 2004, pp. 267-287.

<sup>30</sup> *Der Bund*, 30 June 1921, Transcripts, p. 1.

newspaper reports about massacres and other scandals in Australia reached European and British press as never before.

As Fernando was perhaps already aware, the editors of *Der Bund* would prove willing collaborators in contributing to this burgeoning international debate about Aboriginal status and conditions in Australia. The Aboriginal question, perhaps most widely articulated through the supposed extinction through genocide of the Tasmanian Aborigines, was circulating in Europe. Leading editor, Dr Alfred Keller, for example, had studied natural science, philology, history, and art history, before becoming the newspaper's foreign affairs reporter. President of the Folklore Association in Berne, he was part of an urban elite fascinated by European cultural tradition as well as by the 'primitive' cultures of the colonies.<sup>31</sup> Importantly, zoology and anthropology were increasingly assumed to be among the interests of progressivists who sought humanitarian responses to primitive people on a global scale. As we will see, expressions of concerns for the fate of indigenous peoples were also articulated by early conservationists who considered the protection of nature essential to their survival. Of significance to Fernando's letter to the Swiss people, they would connect the destruction of the environment with the stripping of resources and the brutal exploitation of indigenous populations in the colonies. The 1913 conservation conference in Berne had first made these arguments on the world stage. During a discussion with friends on the evening following their extraordinary meeting with Fernando, the editors, Keller among them, were given a copy of the proceedings of that conference, held in their city eight years earlier. The report would support Fernando's claims about the threat of Aboriginal extinction in Australia, while falling well short of his larger argument that only self-rule could provide the antidote to the looming extinction he predicted.

### **World Conservation and the Aborigines**

At the Eighth International Zoological Congress held in Graz in 1903, Paul Sarasin, leading anthropologist and zoologist, and a member of the Swiss League for Nature Protection and the prestigious British Zoological Society, appealed for a world cooperation towards 'the 'Global Protection of Nature'. Calling on scholars and

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<sup>31</sup> Hundert Jahre, *Der Bund*, 1850-1950, Publication to Celebrate Der Bund's Centenary, 1950, p. 142.

officials to agitate for the protection of endangered 'living nature' across the globe, he expressed his hope for a world movement opposing the 'merciless industrial speculation' reaping 'temporary profit' and, in the process, 'sacrific[ing] the beauties of mother Earth to the vanity of man.'<sup>32</sup> Ten years later the first world conference was held in Berne at the invitation of the Swiss government. In November 1913, delegates representing Germany, the USA, Argentina, Austria, Hungary, Belgium, Denmark, Spain, France, Britain, Italy, Norway, Portugal, Sweden, and Switzerland gathered in the capital of Switzerland to discuss international resource management, and the preservation of a rapidly growing list of endangered species.

Among the delegates, the British representative Charles Rothschild (British Society for the Protection of Nature) was accompanied by two Australians, Ernst Carroll, Australian Agent General to Switzerland, and Peter McBride, Australian Agent General in London.<sup>33</sup> Participants represented the concerns of governments to ensure the sustainability of a range of primary resources - such as timber, whaling and sealing, feather down and fur - then dominating world markets. As the instigator and convenor of the gathering, Paul Sarasin opened proceedings by focusing on international protection for the oceans. Increasingly understood as a finite resource requiring collective legislative management by nations involved in whaling and sealing industries, Sarasin reminded delegates that statistics gathered since the late 1800s revealed that a range of land and sea animals important to science and to the 'worldwide economy' in oil and skins were under significant threat. Some early moves to protect specific areas of world heritage had produced significant results, and these cooperative management decisions should multiply. Just as the 1892 Bering agreement between the US and Britain had halted whaling and sealing in the Antarctic region for several years,<sup>34</sup> so

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<sup>32</sup> Paul Sarasin, *The Global Protection of Nature*, Emil Birkhauser, Basle, 1911, BAR, E. 2200, 40, -123, Bd, p. 2, Swiss Archives, Berne.

<sup>33</sup> Proceedings of the Berne Conference for the International Protection of Nature, 19 November 1913, Document No 9, Political Dept, 24 e 7, Swiss Archives, Berne; and 'Explanatory Memo: Accompanying the Invitation of the Swiss Federal Council to the Conference on the 17 November 1913', Political Dept, 24 e 7, Swiss Archives, Berne.

<sup>34</sup> Margaret Beattie Bogue, 'To Save the Fish: Canada, the United States, the Great Lakes, and the Joint Commission of 1892', *The Journal of American History*, Vol. 79, no. 4 (March, 1993): 1429-1454; Forest L. Grieves, 'Leviathan, the International Whaling Commission and Conservation as Environmental Aspects of International Law', *The Western Political Quarterly*, Vol 25, No. 4 (December, 1972): 711-725; and Charles S. Campbell, Jr, 'The Anglo-American Crisis in the Bering Sea, 1890-1891', *The Mississippi Valley Historical Review*, Vol. 48, No. 3 (Dec., 1961): 393-414.

international agreement was needed to regulate the Spitzbergen Peninsula, the home to diverse populations of Arctic polar bears, walruses, seals and birds.

Sarasin mobilised a narrative of imminent extinction to remind his audience that if action was not taken, whole species would be wiped out. Sarasin asserted that as the age of exploration was over and the age of exploitation was in full swing, international legislation of hunting was a necessity. Greed on the part of trappers, traders, and importers had fed an ever-expanding, unregulated market for train-oil and fashion goods. Sarasin had long argued for greater regulation of the hunting of tropical birds whose feathers were used, for example, for hat decoration and for feather down in European countries.<sup>35</sup> While animals fought for ‘survival’ against their ‘powerful rival’ in global commerce, ‘undisturbed’ regions once accessible only to explorers were increasingly subject to that same ‘threatening evil’. Without action, he stated, the ‘free roaming higher animal life of our planet is doomed....’ Moreover, global trade had worked hand in hand with colonialism, the result being extreme cruelty and barbarism perpetrated by ‘Caucasians’ wherever they went. And yet the situation was not beyond remedy. Through establishing ‘inviolable free regions,’ it would be possible to ‘restore mutilated nature’. In the second half of his paper, Sarasin applied these same arguments to the dangers faced by indigenous peoples, arguing that the urgent need for international agreement to ‘create protective regions in the colonies’ was essential not only in relation to natural resource management but as a necessity to the future to indigenous peoples.<sup>36</sup>

Extending the parameters of world conservation to include indigenous conditions reflected Paul Sarasin’s interests in both animal and human evolution, and spoke to his assumption about the location of primitive peoples in that schema. Like many of his contemporaries, in his professional life he combined zoology, archaeology, palaeontology, and ethnography. With his younger cousin, Fritz, by the 1900s Sarasin

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<sup>35</sup> Paul Sarasin, *About the Tasks of International World Conservation. Expose read at the conference of all delegates of international conservation, Bern, 18 November 1913*, Emil Birkhauser, Basel, 1913, pp. 1-32. Swiss Archives, Berne. In the following references to this document, quotes are taken from various pages throughout its 32 pages, particularly pp. 28-32, and are not individually indicated.

And in 1921, after ten years of lobbying, the Plumage Group would see a Bill passed in British Parliament to police the feather trade. At the hearings, Paul Sarasin gave evidence that between two to three million birds were killed every year for European fashion. ‘Plumage Bill’, *The Times*, May 9, 1921, p. 11.

<sup>36</sup> Paul Sarasin, *About the Tasks of World Conservation*.

was a leading zoologist and ethnographer of Sri Lanka. The two men had undertaken several field trips to study rare animals and the ‘Stone Age’ men of the islands, the Weddas. Concerned for the preservation of what they considered to be material evidence of human evolution, the Sarasins saw in the study of the Australian Aborigines, in particular, a last opportunity to observe the very origins of European man. Drawing on theories of human evolution developed in previous decades by evolutionists like the German ethnologist Herman Klaatsch (with whom Australian anthropologist Herbert Basedow had trained in Breslau in 1909),<sup>37</sup> and influenced by the early fieldwork of Baldwin Spencer and Frank Gillen in northern Australia, the Sarasins contributed to a growing body of work claiming to link Sri Lankans, Australian Aborigines and Samoans, as the Indo-German ancestors of modern man.<sup>38</sup>

Reflecting these interests, in his keynote to the 1913 conference Sarasin incorporated indigenous peoples among those higher living creatures deserving of international conservation. While Fernando in 1921 was careful to emphasise that Aborigines ‘too are created after the image of god, we are not animals but human beings with souls and emotions ...’,<sup>39</sup> in Sarasin’s conservation argument, animals and indigenous humans were placed similarly. Like endangered animal and plant species, Sarasin argued, primitive peoples were the innocent victims of murder, economic exploitation, and the destruction of their native habitat. Not merely the regrettable results of past colonisation, but an urgent issue requiring intervention in the present, the continuing brutalisation of indigenous populations around the world constituted a crime against humanity directly challenging the ideals of civilization, and the growing internationalisation of a global community. While the notorious extinction of the Tasmanian Aborigines had (supposedly) taken place in the previous century, providing an ultimate warning, modern scandals in the treatment of indigenous people had recently (re)appeared in the pages of a press increasingly focussed on the world beyond Europe. Among them, the massacre and torture of indigenous peoples in the rubber plantations of Putumayo in Borneo. Moreover, like various rare species around the world brought to extinction or its brink since the nineteenth century, so violence against

<sup>37</sup> Ian Harmstorf, ‘Basedow, Herbert (1881-1933), *Australian Dictionary of Biography*, Vol. 7, Melbourne University Press, 1979, pp. 202-03.

<sup>38</sup> Fritz Sarasin, *About a Happy Life*, Frobenius, A.G. Basel, 1941, and ‘Obituary for Paul Sarasin’, Newspaper Clipping, State Archive of Switzerland, Schaffhausen.

<sup>39</sup> *Der Bund*, 30 June 1921, Transcripts, p. 2.

indigenous populations constituted a travesty of science as well as a contravention of the rights of future generations of non-indigenous peoples to enjoy nature's diversity. Among these pleasures, the Australian Aborigines were the most ancient of humans with the greatest of potential to the study of human evolution. On all three levels – indigenous humanity, scientific study and the enjoyment of diversity - their imminent extinction required international action.<sup>40</sup>

In Sarasin's account, the cause of indigenous survival represented a struggle for right over evil in which indigenous people themselves could not be expected to be agents. As noted by Tim Bonyhady, cross-articulations with conservationism sometimes occurred in the lives of white abolitionists during the nineteenth century.<sup>41</sup> Similarly, Sarasin's narrative reified the image of a defenceless people unable to protect themselves from the brutalities of modern life. His veiling of the complexities of contact and of indigenous negotiation is perhaps most clearly evident in his account of the endangerment of the Bison in late nineteenth century North America. Once thriving in giant herds managed by the Native Americans, the advent of the railway through their territory in the later nineteenth century brought ever more settlers drastically impacting Bison numbers. Sarasin's description of the most appalling savagery and wasteful slaughter was likely influenced by an evocative report published in the same year, one that attracted headlines around the English-speaking world. Its author, George Catlin, had described the devastating impact on the local people, as well as their herds, as they faced a destructive frontier economy. Catlin had noted with evident pain the devastating effects of whiskey, and its integral part in a frontier economy in which indigenous cultures were fragmenting. Catlin's idea was that a future reserve for the Bison should include local Native Americans performing in traditional dress.<sup>42</sup>

Aiming to provide a graphic illustration of the urgent need for action on behalf of native people, Sarasin included two striking images in his pre-circulated conference paper. In the first, the viewer looks over the shoulder of a sealer as he aims down the sights of a grenade harpoon. Directly in his line of fire, a group of seals huddle together on an ice

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<sup>40</sup> Paul Sarasin, *About the Tasks of International World Conservation*

<sup>41</sup> Tim Bonyhady, *The Colonial Earth*, Melbourne, The Miegunyah Press, 2000, p. 144.

<sup>42</sup> William Cronin, *Nature's Metropolis: Chicago and the Great West*, New York, W.W. Norton and Co., 1991, pp. 217-218.

flow, defenceless against the murderous force of modern technology. Where the whaler and sealer of the previous century had alternated between land and sea, this new kind of hunter heralded the ascendancy of a pelagic, mechanised hunting complex that from the 1880s had allowed carcasses to be boiled down at sea. Sealers were no longer bound by national restrictions on breeding grounds, and whalers were free to follow herds into the southern oceans without returning to land to process their catch. As a result, the Greenland Whale had become extinct, and the numbers of other whales, and seals, in the northern oceans had declined.

Matched against this image, and soon to become an archetypal image used by humanitarians protesting injustice in the Australian outback, a second picture showed a row of Aboriginal men in neck chains, gazing at the camera from the desolate outback. Neck chaining was an increasingly controversial method of restraining Aboriginal people by the early twentieth century. Defended by its supporters as more humane than handcuffs where prisoners were to travel on foot to prisons often several days journey distant, critics rejected its use on humanitarian grounds but also because the whole system of western law was considered irrelevant to tribal blacks. Sarasin clearly agreed, for he captioned the photograph: 'Mistreatment of Indigenous Australians through Mock Justice.' By using the term 'indigenous' rather than 'native', Sarasin emphasised the cultural and environmental vulnerability of these men rather than merely their ethnographic or racial difference. While whites in Australia mocked their indigenous people through a sickening pretence of justice, the global citizen would not be fooled. In Sarasin's view, the only response to conditions in frontier Australia would be to recommend the protective isolation of indigenous people on reserves. Civilized world society demanded that, like certain endangered species, indigenous peoples be protected from barbarism and saved for the enlightenment of science and posterity's enjoyment. Just as he protested the 'unscientific' killing of animals (with scant regard to breeding patterns), so Sarasin refuted the murder or mistreatment of indigenous peoples. They were equally innocent and defenceless in the face of unregulated modernity.

Fernando's agency in speaking to the *Der Bund* editors only a few years after the world conservation conference made this juxtaposition problematic. Where Fernando had also claimed that without intervention the Aboriginal men were doomed to death, he did so as an articulate spokesperson whose presence in Europe disrupted the notion of a

defenceless race overwhelmed by white brutality. By positioning this group of actual (if unnamed) Aboriginal people alongside the fate of animals, Sarasin effectively contributed to the loss of the individuality (and, hence, of the agency) of the men in the photograph. By tracing something more of the origins of this image, the troubling connection between humanitarian concern for Aboriginal rights and ethnographic interest in them as scientific objects can be further investigated.

### Poor Sons of the Wilderness

As a footnote to Sarasin's paper informs us, the image of Aboriginal men in neck chains had appeared several years earlier in an article written by the German anthropologist, Herman Klaatsch. Describing his 1904 and 1905 fieldwork among Aboriginal people in northern Australia, like Fernando but with quite different intentions, Klaatsch had observed the worsening conditions in Australia at the turn of last century. His comments in an ethnographic paper presented in Australia and reported overseas would bring the North of Australia to the attention of an international audience.

Klaatsch first presented his research on the Australian Aborigines at an Australian Science Congress held in South Australia January 1907. This paper was later published in a leading German ethnographic magazine. While his findings concerning evolution and the Aborigines were widely criticised within anthropological circles,<sup>43</sup> it was his brief description of the maltreatment of Aboriginal people in Wyndham in north Western Australia that attracted immediate international interest, including in the pages of *The Times*<sup>44</sup> and that would be repeated at the 1913 conservation conference. In a brief aside, Klaatsch had noted that conditions in Australia warned of the imminent extinction of the indigenous population, and that he considered that Aboriginal people in northern Australia greatly feared whites with good reason. His conclusion was that: 'the relations between whites and blacks [are] comparable only with the terrible state of affairs which existed in Tasmania from 1820s to 1830s, [and] which resulted in [their] extinction ....' He had come to this dire conclusion, he added, upon witnessing 'the arrival of [a group of] native prisoners at Wyndham which had travelled from 300 to

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<sup>43</sup> Russell McGregor, *Imagined Destinies: Aboriginal Australians and the Doomed Race Theory, 1880-1939*, Melbourne, Melbourne University Press, 1997, pp. 42-43.

<sup>44</sup> 'Alleged Ill-Treatment of Australian Natives', *The Times*, January 11, 1907, p. 3.

400 miles chained by the neck'.<sup>45</sup> It was a photograph of this group that Sarasin reproduced in 1913 for the first World Conservation Conference in Berne.

While Klaatsch's description of conditions in Wyndham was widely circulated, its sentiment was not representative of his larger work. Klaatsch had travelled to Australia in order to confirm his theory that the Aborigines were a living link to modern man's past. He was interested not so much in the question of survival, or even, ultimately, of justice, but more instrumentally in documenting aspects of those 'remnant' cultures that supported his ideas about evolution.<sup>46</sup> While undoubtedly aware of the cruelty represented by the treatment of the neck-chained prisoners, Klaatsch was mostly pleased to have such easy access to 'material', as he called these men brought into Wyndham gaol while he was in town. Glad that these captives were amenable to his needs, unlike their fellows who fled from the white man, Klaatsch measured them as well as taking a series of photographs of them, for ethnographic purposes. The facility represented by their arrival was reflected in his account: at the same time as he had watched with relish as the 'fresh transport' arrived in Wyndham, he had been inspired to contemplate on the 'fate' of these 'poor sons of the wilderness.' He wrote: 'The outrageous wrong that Christianity and our culture was doing to these poor creatures at least had a positive scientific effect. The material that I gained from it was unique.'<sup>47</sup> Sentimentality quickly gave way to the practicalities of research.

This practicality extended beyond the contemplation of Aboriginal prisoners. Eager to collect not only data about Aboriginal people and their cultural objects but also their remains, Klaatsch did not veil his own part in the heinous crime of body theft. Far from it: he described removing the head and other body parts from a recently deceased man with the cooperation of the doctor at Broome hospital. Later, he recorded with evident delight his theft of two mummified Aboriginal bodies from Melville Island, joking of a curse brought about upon those who had aided him in despoiling the grave. His account

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<sup>45</sup> Herman Klaatsch, 'Some Notes on Scientific Travel Amongst the Black Population of Tropical Australia in 1904, 1905, 1906.' Paper read at the Adelaide Meeting of the Australasian Association for the Advancement of Science, held January 1907', National Library of Australia. Both Klaatsch's paper and his German publication included photographs from northern Western Australia. But while it was his English-language paper that would be quoted in *The Times*, it was the German version that contained the exact photograph reproduced by Sarasin. Herman Klaatsch, 'Schlussbericht uber meine Reise nach Australian in den Jahren 1904-1907', *Zeitschrift fur Ethnologie*, 39, 1907, pp. 634-690.

<sup>46</sup> Herman Klaatsch, *The Evolution and Progress of Mankind*, London, T. Fisher Unwin Ltd, 1913.

<sup>47</sup> Klaatsch, 'Schlussbericht uber meiner Reise', p. 665.

of Melville as a tribal idyll was undermined by his own description of the despotic power over its inhabitants wielded by a local white buffalo hunter and his armed guard.<sup>48</sup> Overall, Klaatsch's account of northern Australia reveals the intensity of his own ambitions, and their interconnection with the interests of government and business. Also interested in palaeontology, Klaatsch was welcomed by state governments, including in Queensland where a nascent tourist industry was interested in his search for fossils, and its significance for the mining and export of precious stones.<sup>49</sup> Klaatsch concluded that Aboriginal people were doomed to die out, although he allowed if removed sufficiently early individual Aborigines might be capable of advancing.<sup>50</sup> Ironically, then, a protagonist in the history of body theft became part of the case for the rights of Australian Aborigines in 1913.

Agreeing with Klaatsch, Sarasin considered the Aborigines to be the oldest living link between modern man and his evolutionary past. Hence, preserving the remnants of their culture was an imperative. (While commending the US reserve system for protecting Native Americans from the abuses of white people, Sarasin expressed regret that inmates were to be educated towards US citizenship.) Writing approvingly of the omnipresent eye of science in its capacity to see the past in the present, Sarasin asserted:

We must save these ... the last remaining primitive tribes ... the so-called natural tribes ... from extinction and must preserve them for posterity as uninfluenced as possible. We can feel lucky that fortunate fate has kept these human races alive until this day which form a link to the past of our own culture because they think, act and feel ... And so by watching the way they live and act we can watch our own past as if standing on a tower and examining our past with our own eyes. How important that makes the task to preserve the remnants of these peoples – that have miraculously survived on our planet – as purely as possible for science, ourselves and our posterity is obvious.

Their survival was miraculous because of the actions of colonisation. Moreover, the fact of past genocides and the possibility of their repetition in the future raised doubts about the advancement of civilized man himself. The section of his keynote most relevant to

<sup>48</sup> Brigitte Stehik, 'Herman Klaatsch and the Tiwi, 1906', *Aboriginal History*, 1986, 10:1, pp. 59-77. See also, Eric Venbrux, '(Dis)closure: Baldwin Spencer's Collecting of Artifacts from Melville and Bathurst Islands (northern Australia)', *Focaal*, 34, 1999, pp. 59-78.

<sup>49</sup> 'Klaatsch and Clotten Visit Queensland', A9839/1, Control 87, National Archives of Australia, Canberra.

<sup>50</sup> Klaatsch, *The Evolution and Progress of Mankind*, p. 145.

Fernando's cause in 1921 would prove to be Sarasin's strident critique of colonial frontier economies and the behaviour of frontier white men, and of the failure of national and imperial authorities to realise their global responsibilities.

### **In Murderous Greed**

Where Noble Savages - that 'most noble of all free living creations of nature' – once lived in a pre-colonial Eden, they had since experienced the arrival of the white frontiersman who had 'destroyed just as he also has in the animal world by slaughtering entire tribes in murderous greed, dripping in blood.' Continuing in this vein, Sarasin asserted that history revealed a tradition of extreme violence against indigenous peoples in the colonies. Its continuation into the present confirmed that modern man contained within him a terrible propensity for cruelty: for taking pleasure in the wanton destruction of innocent animals and indigenous humans. International convention would be required to bring civilization to the colonies:

Not only was blood flowing like streams when prehistoric men were killed they – the weaker ones – were also put in such an amount of pain that anyone who has read the reports about it is haunted by these images like ghosts. I would love to spread a big opaque cloth over the masses of crimes that happened, so that the past may be forgotten, if this old insanity didn't flare up every now and then – even today, if the horrors of Putumayo didn't exist today, if the bullets of colonists didn't still kill indigenous people in Australia, as if they were animals – that is, if he isn't put in chains of slavery to kill them slower but just as sure.

While the loss of the Tasmanians was 'the most tragic for science', their 'human sacrifice' had been made in the name of the 'banality of average European culture'. Christianity's claim to civilize the world had provided for a repression of Europe's conscience about colonisation: 'the act of destruction done, the church bells of the so-called religious stock-farmers – their murderers – can ring to take the last survivors to their graves as well.' In his concluding words, Sarasin advised his audience of the extent of the difficulties the world faced: 'Yes, the white man is the ruin of creation, is the devastator of the paradise of our planet and his steps into this paradise are marked

by epidemics, poison, fire, blood and tears.<sup>51</sup> When they took the floor, the Australian delegates were rather less forthcoming.

### **Australia has Sinned**

In their papers on world conservation, the Australian delegates returned the focus of the 1913 conference to its primary dual roles, to encourage the preservation of the natural environment and the instigation of global resource management. Where they did refer to Aboriginal people, they did so only obliquely, mostly ascribing any question of guilt to the sins of the past. Tim Bonyhady argues that while the natural world was important to colonial and later national formation in Australia, governments failed in large part to translate nationalistic sentiments into practical legislation.<sup>52</sup> In 1866, the Jenolan Caves reserve had been founded and in 1879, a national park was established in New South Wales, soon to be followed by others at Ferntree Gully in Victoria in 1887, in South Australia in 1891 and in Perth in 1894. But only in the late nineteenth century was the clear felling of old growth forests begun to be regulated in Victoria, and the Australian Forest League later formed in 1912. A Royal Australian Ornithologists Union was established in 1901 but despite a burgeoning interest in ‘the bush’, local wildlife and the adoption of national Wattle Days, in following years Victoria, New South Wales and Queensland were forced to instigate closed seasons on the hunting of native wildlife. Koalas continued to be trapped, however, with possibly as many as two million furs being exported in 1924 alone. And like the Bison in the US, the extension of the Western Australian railway in the late 1890s saw over one and half million kangaroos killed within a four year period.<sup>53</sup> The impact on local indigenous populations must have been catastrophic.

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<sup>51</sup> Paul Sarasin, *About the Tasks of World Conservation*.

<sup>52</sup> Bonyhady, *The Colonial Earth* ‘Introduction’, pp. 1-13.

<sup>53</sup> Bolton, *Spoils and Spoilers*, pp. 97-107; Libby Robin, ‘Nature Conservation as a National Concern: The Role of the Australian Academy of Science’, *Historical Records of Australian Science*, 10 (1), June 1994, pp. 1-24; Derek Whitelock, *Conquest to Conservation: History of Human Impact on the South Australian Environment*, Adelaide, Wakefield Press, 1985; Sarah Mirams, “‘For their Moral Health’”: James Barrett, Urban Progressive Ideas and National Park Reservation in Victoria’, *Australian Historical Studies*, 120 (October 2002): 249-266; Libby Robin, ‘Nationalising Nature: Wattle Days in Australia’, *Journal of Australian Studies*, 73 (2002): 13-26.

In a period marked by rapid development, the passing of the Aborigines anticipated the rising nation. While land clearing implied the ‘dispersal’ of Aboriginal people, occasionally evidence of massacres escaped the frontier to achieve circulation in the metropolitan press: the routine murder of Aboriginal people by Constable Willshire in carrying out his policing duties in Central Australia during the 1890s, for example. But genocide on the frontier could not be blamed simply on the bad old days, when similar actions by police were reported in the 1920s.<sup>54</sup> Conversely, ‘the Aborigines’ became important to the heroic narrative of progressive nationhood. Since the late nineteenth century, Aboriginal reserves had been visited by tourists eager to sample primitive culture,<sup>55</sup> along with wattle, koala and kangaroo and by the early twentieth century images of the Aborigines were favoured by nationalists wishing to emphasise White Australia’s separateness from the Old Country.

These seemingly benign forms of nationalism marking the twentieth century continued the dehumanising logics of preservation so vehemently rejected by Fernando. And yet, as we have seen in the previous discussion of Sarasin and Klaatsch, even such limited responses to indigenous rights might encourage white sympathy towards Aboriginal rights. In her book *From Invasion to Embassy*, Heather Goodall points to nationalist desires in the 1920s and 1930s in which the conservation of Aborigines and native flora and fauna were intertwined in the writings of a leading proponent of Australian nationalism and member of the Australian Natives Association, J.J. Moloney. Concerned with the impact of pastoral development on the Australian landscape, including the traditional life of its Aboriginal population, nationalists like Moloney were led to ‘a new sense of urgency in conserving from extinction these now harmless ‘symbols’.<sup>56</sup>

First to follow Sarasin on the conference program, Australian delegate Peter McBride reflected such views. Given such international interest in Aboriginal Australians, not

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<sup>54</sup> Amanda Nettelbeck and Robert Foster, *In the Name of the Law: William Willshire and the Policing of the Australian Frontier*, Wakefield Press, Kent Town, 2007.

<sup>55</sup> Jane Lyndon, *Eye Contact: Photographing Indigenous Australians*, Durham, Duke University Press, 2005.

<sup>56</sup> Goodall, *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770-1972*, St Leonards, Allen and Unwin, 1996, p. 157; see also John Maynard, ‘Vision, Voice and Influence: The Rise of the Australian Aboriginal Progressive Association’, *Australian Historical Studies*, 34, 121 (April 2003): 91-105.

unexpectedly the newly appointed Agent General of Victoria based in London began with a discussion of advances in the protection of nature in Victoria. Originally a timber trader and mining investor, McBride had been elected to Victoria's Legislative Council in 1897 from where he advocated mining and forestry development, serving on a royal commission on State forests in 1900 and for five years on the standing committee on the railways before establishing and then expanding the state management of brown coal reserves and forests in Victoria.<sup>57</sup>

When McBride did refer to the question of the Aborigines, he mobilised a distinction between southern and northern Australia in its treatment of Aborigines:

'As the expose of Mr Sarasin was handed out to you with a photograph depicting chained Australian natives, I regard it as useful to declare that in the state of Victoria the natives are treated with justice and a true understanding of their mentality and interests. This photograph can thus only be an old one depicting natives who had severely violated laws. In any case in the state of Victoria we have for many years had an office for the protection of the indigenous inhabitants [with legislative authority over 273 people]...An area of 2400 acres has been reserved for their exclusive use. They are accommodated well, fed, clothed, and the office makes sure they want for nothing. They can go fishing or hunting. Their health is fine and has improved compared to earlier years. I am convinced that what the state of Victoria does for its natives is also being done by the other states for theirs.'<sup>58</sup>

McBride seems here to be referring to Coranderrk Mission, while failing to acknowledge the long and illustrious history of Aboriginal petitioning emanating from that mission.<sup>59</sup> Fernando also distinguished between north and south in his representation of Aboriginal Australia. The impact upon the north stood for the ultimate goal of colonial rule in Australia: the erasure of Aborigines from the land.

Eager to distance himself from the treatment of Aboriginal people while asserting the modernity of the Australian nation, Ernst Carroll stated that although young and inexperienced Australia was not 'behind in thinking about the important questions which agitate the great spirits of the civilized world'. Having grown up in Switzerland before moving to Tasmania in adulthood and developing trade links between Germany

<sup>57</sup> Andrew Spaul, 'McBride, Sir Peter (1967-1923)', *Australian Dictionary of Biography*, Vol 10, Melbourne University Press, 1986, pp. 205-206.

<sup>58</sup> *Der Bund*, 1 July, 1921, Transcript, p.6.

<sup>59</sup> Penny Van Toorn, *Writing Never Arrives Naked: Early Aboriginal Cultures of Writing in Australia* (Canberra: Aboriginal Studies Press, 2006).

and that state, he could speak with some authority on the readiness of the Commonwealth of Australia to contribute to a new relationship between modern nationhood and the international regulation of commerce. If careful to focus on development and resources, Carroll referred obliquely to the indigenous question when advising that in previous decades 'Australia [had] sinned.' In the early days, the uncivilized among its population - inheriting such attitudes from Europe (a neat return of responsibility to the international community) - had brought with them a habit of 'kill[ing] for the pleasure of killing and devastating nature.' An improvement had been achieved in more recent times, however, through 'the hygiene conditions of our populations' and the 'conditions of the masses'.<sup>60</sup> Carroll did not offer any evidence concerning improvement in Aboriginal conditions.

### **Natural Justice or 'A Careless Low-Typed Race'?**

In their published account of Fernando in 1921, Keller and the other editors drew directly from Sarasin's 1913 paper. They endorsed Sarasin's call for international agreement on the treatment of indigenous peoples. And like Sarasin, they saw in the Australian example a particularly urgent case. Although the 'primitive human being is called the noblest of wild living creatures,' they asserted, 'settlers [in Australia] still continued to shoot the natives like wild animals, or relegated them to a slow but nonetheless sure death through slavery.' And while, '[a]ccording to natural justice ... [the Aborigines were] the first owners of the land', the birthright of these 'indigenous inhabitants' was being 'snatched from them.'<sup>61</sup> Moreover, given Fernando's equally damning evidence, the editors concluded that little had improved in Australia since 1913. A world war in the meantime had revealed once again the capacity of white people to treat each other 'worse than savages'. Acknowledging Fernando's doubt about the capacity of the British to rule in Australia, they concluded that there was no more urgent a time to reconsider the question of native protection 'not only to preserve scientifically interesting races, but particularly to prevent white people from actions any conscience would be ashamed of.'<sup>62</sup>

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<sup>60</sup> 'Proceedings of the Berne Conference.' See also, P.N. Hutton, 'The Importance of Being Ernst: The Forgotten First Australian Official Overseas Representative Outside the British Empire', MS 9523, National Library of Australia, Canberra.

<sup>61</sup> *Der Bund*, 30 June, 1921, Transcripts, p. 5

<sup>62</sup> *Der Bund* 1 July 1921, Transcripts, pp. 7-8.

In contrast to the editors' positive response to Fernando, those writing to their paper in following days were highly critical and largely disbelieving. The majority claimed to have worked in northern Australia during the previous decade. One among them was an architect, Hans Buser. Having spent several years in Darwin in the early 1900s, Buser was at pains to defend the reputation of colonial rule in northern Australia. From his papers (now held in Canberra) we know of his investment in his own image as colonial adventurer, and his reliance on positive reports on Aboriginal status and conditions towards its preservation. One such report had been written by Chief Protector and anthropologist Baldwin Spencer in 1913, the same year as Sarasin's conservation conference. In his account of the Northern Territory, Spencer had complimented the good work of the federal government in establishing the Kahlin Settlement in Darwin for mixed descent Aborigines. Spencer's early ethnographic study with Frank Gillen of the Central Australian Aborigines would influence Klaatsch's placement of the Aborigines in the story of human evolution.<sup>63</sup> Buser also referred to a speech by the Chairman of Bovril Australian States Limited, Sir Cornthwaite Rason, printed in *The Times*. At the Annual General Meeting of Bovril held in London in 1915, Rason had spoken in glowing terms of his trip to Wyndham, the site of Klaatsch's infamous photographs. Since 1909, the company had held a vast pastoral lease reliant upon Aboriginal labour. Not unlike McBride, following early involvement in mining, Rason had been elected to the Legislative Council (of Western Australia), becoming Australia's Agent General from 1907 to 1911, while promoted Bovril's interests in northern Australia from 1909.<sup>64</sup> Rason concluded his speech with support for the 'march of civilization' into northern Australia where indigenous people were hardly human. Rather than the idea of preservation for indigenous peoples in the name of global justice, for Rason and many others civilization was burdened with a rather less ennobling task: to uplift 'a careless, low-typed race, with absolutely no regard for human life ...'<sup>65</sup>

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<sup>63</sup> Baldwin Spencer, 'Preliminary Report of the Aborigines of the Northern Territory', Bulletin No. 7, National Library of Australia.

<sup>64</sup> G.C. Bolton, 'Rason, Sir Cornthwaite Hector William James (1858-1927)', *Australian Dictionary of Biography*, Vol. 11, Melbourne University Press, 1988, pp. 333-334.

<sup>65</sup> 'Bovril Australian Estates: Chairman's Visit to the Properties', *The Financial Times*, November 18, 1913, Newspaper Clipping, Bovril Estates Ltd Papers, Noel Butlin Archives, Canberra.

To such official reports, Buser added with his own observations, declaring the fairness of whites towards Aboriginal people in Australia. He had visited Kahlin and kept among his personal papers several photographs showing him playing cricket with Aboriginal inmates residing there. Aboriginal people, he concluded, had been hampered in their advancement not by white barbarity at all, but by the difficulties of their remnant status (the impacts of civilization) and of their racial backwardness (the fate of evolution). They were a benighted people who relied on the generosity of a new nation.

### **Internationalism Fails**

Fernando's trip to the *Der Bund* newspaper in Berne reminds us that exchanges between indigenous activists and internationalists sympathetic to their cause have long foundered on the question of self-determination. In arguing for the necessity of land as a site of self-rule, Fernando rejected the concept of reserves as preservationist and of the nation as fundamentally amenable to change in its relationship with its indigenous population. Land for indigenous use would have to be brought under League mandate and its occupants recognised as a minority under international law.

Within a few short months of his interview in Berne, the failure of the League to respond to these issues would become apparent. During his conversation with the editors, Fernando had commented that he was about to set off to Geneva to approach the League but that he did not expect a great deal to come from his trip. The League was dominated by the British and, as a colonial power grown 'big through the blood of the black man', their representatives were unlikely to be sympathetic to calls for indigenous rights.<sup>66</sup> His expectation that the organisation would fail to support indigenous peoples was soon proven correct. Despite months of petitioning, the Iroquois leader, Deskaheh, had seen his letters and petitions directed back to the Canadian government, and his proposal for minority status rejected as an appropriate concern for the General Assembly. Nor was it the opinion of the Anti-Slavery Society (the leading international body claiming to support indigenous rights around the world) should he have ever

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<sup>66</sup> *Der Bund*, 30 June, Transcripts, p. 1.

brought the matter to the international community.<sup>67</sup> The intractability of colonial rule Fernando saw in Australia seemed to be mirrored on the world stage.

In contrast to Fernando's dire conclusion, the conservationist conference of 1913, echoed in *Der Bund* in 1921, concluded on a positive note concerning the future of the Australian Aborigines. Sarasin had noted Danish legislation aiming to protect the Greenland Eskimos from tourists, alcohol, or contagious disease, describing such endeavours to be 'led by insights and ethics' and to offer a 'rosy gleam of hope over the night of resignation.'<sup>68</sup> Furthermore, he reported that his cousin, Fritz Sarasin, had been well-received by Australian authorities in 1913. He had spoken with 'an influential person' about the need for an inviolable reserve for the Aborigines and he had been duly reassured that if a scientific corporation funded the 'experiment' then the Australian government would be amenable.<sup>69</sup>

White critics of Aboriginal policy were finding a voice by the interwar years. Among them, the Model State Movement would support the idea of land for self-determination, if not in support of actual self-rule. Its founders, J.C. Genders, and anthropologist and medical doctor Herbert Basedow, of the Australian Aborigines' League, contemplated a degree of self-management on Aboriginal reserves, but emphasised a form of guardianship by whites like themselves. In his support of a large Central Reserve for Aborigines in little contact with whites, Basedow (the pupil of Herman Klaatsch and a Chief Protector of the Aborigines during the 1920s) reiterated the same preservationist line promoted years earlier by Paul Sarasin. He called for immediate action against 'the ... early extinction ... threatening these inoffensive, useful, and scientifically important people.'<sup>70</sup>

One member of the Movement, however, was more sympathetic to Fernando's views and had met him in London, several years after his Swiss interview. The outspoken advocate of Aboriginal rights and author of *The Australian Aborigine as a Human*

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<sup>67</sup> Travers Buxton to M. Claparede, letter dated 2 July, 1924, Mss 22 Brit Empire, 471, International Bureau, Geneva. Anti-Slavery and Aborigines Protection Society Papers, Rhodes House, Oxford.

<sup>68</sup> Paul Sarasin, *About the Tasks of World Conservation*

<sup>69</sup> Paul Sarasin, *About the Tasks of World Conservation*.

<sup>70</sup> Herbert Basedow, *The Australian Aboriginal*, Adelaide, F.W. Preece and Sons, 1925, p. xiv.

*Being*, Mary Montgomery Bennett defended Aborigines' capacity to run their own reserve lands and to determine their own lives. In following decades, she would teach Aboriginal children in Western Australia, would present damning evidence to public inquiries and international conferences about Aboriginal status and conditions, and would stand alongside Aboriginal people in their various struggles with authorities. While in London in 1927, Bennett met with Fernando when he was on remand for threatening a white man with a pistol. Phillip Limber had racially insulted him at their place of work, the markets at Bethnall Green. In her conversation with Fernando, Bennett expressed her hope that he would return to Australia with her. Perhaps she hoped he might there join with the South Australian Aboriginal inventor and writer David Unaipon as Aboriginal members of a committee the Model State Movement considered should administer the major new reserve they anticipated. REF

Neither was to eventuate. Fernando never returned home to the Aboriginal activist movement, nor did he join with white humanitarians in Australia or London. Resolutely independent throughout the rest of his life, he died of old age in England in 1946 and was buried in Essex. In a letter to the London-based Anti-Slavery Society written two years later, Bennett reflected on the significance of their meeting to her determination to continue fighting for Aboriginal rights while acknowledging the failure of the Model State Movement to bring about any change in Aboriginal policy in the interim. Of Fernando's decision to decline her invitation, Bennett concluded:

'Fernando has seen [such futilities] all his life, and so he won't waste his time on us. It is quite understandable. It appears to me that we can only acquiesce in Fernando's decision to stand alone ... [while at the same time we must] try not to deserve his judgement of [our] ineptitude.'<sup>71</sup>

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<sup>71</sup> Mary Bennet to Travers Buxton, 21 February, 1929, p. 2. In letters Travers Buxton, Anti-Slavery and Aborigines Protection Society, Mss Brit Emp s19, Rhodes House Library, Oxford.

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