

THE REASONS FOR THE FOUNDATION OF A BRITISH SETTLEMENT AT BOTANY BAY IN 1788

The debate about the motives of the British government in deciding in 1786 to send an expedition to establish a British settlement on the east coast of "New Holland", at Botany Bay, has continued so vigorously in recent years that although in some ways to attempt to say more about it may appear to be rather like "flogging a dead horse", as the bi-centenary of the foundation approaches it may not be wholly inopportune to consider the controversy once more.

The traditional explanation for the enterprise was that it represented an attempt to solve a penal problem – the accumulation in England of convicts who in earlier years would have been transported to the British colonies in America, but who had not been able to be sent there since the outbreak of the American Revolution in 1775. Temporarily confined in hulks in the Thames, the prisoners were thought to be a danger to the citizens in London when they were released or if they escaped (as they often did), and apart from that the hulks were overcrowded and unhealthy. Other prisons in the country were also too full, for the prison population doubled between 1782 and 1787, so it was with some satisfaction that George III announced, when opening Parliament in January 1787, that "a plan has been formed to remove the inconveniences which arose from the crowded state of the gaols".

There is no question that the penal problem was acute. During the 18th century, despite the increase in the number of capital offences, the number of persons being executed was falling. Instead of half those sentenced to death being hanged, as was the case early in the century, only about ten per cent were, and the two thousand annual executions in the 17th century had fallen to about five hundred a year in the mid 18th century and to about two hundred thirty years later, while the numbers transported had risen from an average of about five hundred per year between 1729 and 1745 to an average of one thousand a year between 1750 and 1775, when transportation was interrupted. So without doubt the question was acute – what could be done with the convicted criminals?

But granted that something had to be done with the convicts, one may still ask, why propose to send them to Botany Bay? Was there no possible alternative? One answer might have been to build more gaols, and some people advocated this. But it was argued that this would be very expensive, and of course in the 18th century, gaols were not primarily places of punishment; they were places

of detention so that those imprisoned in them could not escape, and their principal inhabitants were debtors and persons awaiting trial. Moreover prison discipline was not severe, as any reader of Charles Dickens knows, and it was thought that the punishment of a term of imprisonment would neither deter offenders nor reform them. An alternative would have been to compel prisoners to carry out forced labour on the public works. The French did something like this in sentencing men to the galleys. In England convicts were sometimes employed in the dockyards, and those in the Thames hulks were carrying out river works. Sometimes a man sentenced to death might be reprieved on condition of joining the army or navy; though this practice was not popular among the generals and admirals, it was often resorted to in time of war. But generally the employment of prisoners on public works was unpopular among those living near the sites of the works, and just as Londoners objected to men from the hulks working on the river nearby, so did the Scots object to their being employed on road-making in Scotland. Apart from that, humanitarians objected to such public employment, and as the historian Lecky was to put it later, Englishmen “revolted against the continental emotion of compelling chained prisoners to work in public”.

This seemed to leave transportation as the most suitable punishment, but one may still ask – why send them to Botany Bay? Could not a nearer destination be found? Does not this at first sight peculiar selection suggest that there was some ulterior motive behind it? Possibly there was, but one must remember that the government had tried many other places before falling back on Botany Bay. It had tried to resume the practice of transporting convicts to Maryland, but the new independent inhabitants would not have them. A shipload sent to Belize in British Honduras was repulsed. Jamaica refused to accept convicts on the ground that they would set a bad example to the slaves. Newfoundland and Nova Scotia rejected them, and the Governor at Cape Coast Castle (Ghana) after taking a few refused to take more. Tristan da Cunha was said to be too small, the Falkland Islands (not then British) too inhospitable. To use them to exchange seamen prisoners in Tunis or Algiers was said to be too cruel (one does not know what the seamen said), and to establish a settlement in Madagascar aroused objections from the East India Company. There seemed three other possibilities in Africa, but none was suitable. A proposed settlement up the River Gambia was attacked for humanitarian reasons. It would be unhealthy, and the convicts would either starve or be killed by hostile natives. The south-west coast, near the Das Voltas River (now the Orange), a survey showed to be barren and waterless; to the Caffre Coast on the south-east, the Dutch objected – it would be too near their colony at the Cape – and at the moment, the English had no wish to offend them. So it might well have seemed that Australia was the only place left. And as for its distance, on the one hand, it could be said that “return would be difficult”, and on the other that the expense of sending convicts to Botany Bay was “too trivial to be a consideration with Government, ... especially now the evil is increased to such an alarming degree, from the inadequacy of all other expedients that have

hitherto been tried or suggested.”¹

Thus it might seem that penal motives provided the *raison d'être* for the settlement at Botany Bay; but some historians have expressed doubts, thinking that there must have been some other explanation for the Government sponsoring such an apparently hare-brained enterprise, something connected perhaps with an Imperial “swing to the East”, or with the desire to supply the Empire with masts and sails for the Royal Navy. Three major reasons have been put forward, and these must now be considered.

First, it has been argued that Britain wanted to establish a trading post in the south-west Pacific, for commercial reasons. It is said that this would help to open up or expand trade with Asia and also to provide a base for British whalers operating in the vicinity, but to this argument there are several objections. What trade would the colony assist? Britain was not commercially active in the area, where there were no markets and no valuable raw materials wanted in commercial operations. It was far distant, so that transport costs would be heavy, and despite the presence of the Dutch in what is today Indonesia, the trade route across the Indian Ocean to China and the Far East was far better than that round the south and east of Australia. As for whaling, it is true that in due course it, together with sealing, was important to the Australian economy, and up to 1830, whale and seal oil were the most important exports from that country; but in 1788, British whaling activities were centred not on the south-west Pacific, but on the South Atlantic and a little way into the Pacific around Cape Horn. The British Government, to assist the industry, paid a bounty on whales taken in these areas, but *not* in the south-east Indian Ocean or near Australia, since shipping in those waters was the monopoly of the East India Company, and the company refused to allow their monopoly to be interfered with. Whether or not the government *should* have upheld the monopoly may be arguable, but there is no doubt that it did so, and in fact it strictly prohibited trade between the new settlement when it was founded and Asia. “It is our royal intention”, ran the instructions to Phillip, “that every sort of intercourse between the intended settlement at Botany Bay, or other place which may hereafter be established on the coast of New South Wales ... and the settlements of our East India Company, as well as the coast of China and the islands situated in that part of the world ... should be prevented by every possible means.” In the light of this embargo, it seems difficult to justify the argument that the settlement was established to promote trade, when Phillip was ordered to do just the reverse.

But if general trade be ruled out, it has also been argued for example by Professor Blainey in *The Tyranny of Distance* (1966) and Alan Frost in *Convicts and Empire* (1980), that the colony was established to supply naval stores, certainly flax and hemp, and possibly timber, so we must now consider this argument. In his letter to the Treasury, seeking money for the transportation of the convicts, Lord Syd-

¹ Heads of a Plan, *HRNSW*, I, ii, 19.

ney, the Secretary of State, was naturally anxious to justify the expenditure involved, and for this reason, when making his request, he included a “sketch of a plan for forming this new settlement”, – a document probably drawn up by Sydney’s under-secretary, Evan Nepean, though based on earlier suggestions by James Matra. These “heads of a plan for effectually disposing of convicts, and rendering their transportation reciprocally beneficial both to themselves and to the state” begin by setting out the case for transporting the convicts, but after twelve paragraphs on this subject, the document goes on to refer to other things. “It may not be amiss to remark in favour of this plan that considerable advantage will arise from the cultivation of the New Zealand hemp or flax plant in the intended settlement, the supply of which would be of great consequence to us as a naval power.” Moreover, “most of the Asiatic productions may also without doubt be cultivated in the new settlement, and in a few years may render our recourse to our European neighbours for those productions unnecessary”, and it “may also be proper to attend to the possibility of procuring from New Zealand any quantity of masts and ship timber for the use of our fleets in India ... It grows close to the water’s edge and may be obtained without difficulty.”

The “Asiatic productions” presumably refer to the spices then bought from the Dutch East Indies, but there was no investigation of the question that they could really be grown and obtainable in Australia. Sir Joseph Banks had certainly told a House of Commons committee in 1779 that a settlement at Botany Bay would without doubt “furnish matter of advantageous return”, but he did not specify anything in particular. This could be a good talking point, just as it was said in favour of the Das Voltas site that there was probably a vein of copper or gold there, but there is no evidence that it was taken seriously; however that does not apply to flax and timber, though in the light of some later comments it is worth stressing that the remarks on these materials which were made in the official documents when the sending of the expedition was being debated (i.e. up to 1786) refer only to New Zealand, and that Norfolk Island, which Professor Blainey described as “the key to the plan”, was not mentioned.²

As far as flax was concerned there is no question that it was important for the British navy, and that the government was intensely interested in procuring supplies. Its principal existing source was the Baltic, and there was concern that the Russian government was able to interfere with supplies – as it had done, briefly, at the end of the war of American Independence. Both the Board of Trade and the Board of the Admiralty were concerned and both had sent inquiries and instructions to various British officials overseas – colonial and diplomatic – about the possibility of obtaining flax from Canada, from Ireland, from Holland, from

² *Tyranny of Distance*, p. 32. John Call, formerly in the service of the East India Company, had referred to the island in an undated letter in the Home Office papers, which Frost thinks was written in 1784 (*op.cit.*, 23-25, and 230, n.15), and so did Admiral Sir George Young, who with Call asked the Company in 1785 for permission to trade on Norfolk Island; this was refused, and the pair did not refer to the island in correspondence with the government until May 1788, nearly a year after the official expedition had sailed (*ibid*, 46-8 and 206-7, n. 3-7 and 10).

Piedmont and from other parts of Europe; the only place they never seemed to worry about was Australia as a possible source of this commodity probably because they thought it too far away, so that its cost would be considerable, and nearer supplies were to be preferred. But for all that, there was the paragraph in the "Heads of a Plan" referring to the possible advantage to be gained from obtaining flax and timber from New Zealand, so we must consider what else we know about flax in that part of the world, and in this connection the experiences of Captain Cook on his three voyages of exploration and discovery are significant.

After his first voyage, when he had discovered Botany Bay, Cook had reported, when he returned to England in 1771, that in New Zealand he had found that "there grows spontaneously everywhere a kind of very broad bladed grass of the nature of hemp of which might be made the very best of cordage Canvas etc. ... a plant of the nature of Hemp or Flax but superior in quality to either" (*Phormium tenax*), as well as "plenty of excellent timber fit for all purposes excepting Ships Masts".³ However there was no reaction in England to these reports, nor was specific reference to the weather made in the instructions for his second voyage.

On returning from this, in 1775, Cook reported that he had discovered an uninhabited island (Norfolk Island) which was "near a kin to New Zealand; the Flax plant ... was found here but the chief produce of the isle is Spruce Pines, which grow here in vast abundance ... Here there is another Isle where Masts for the largest ships may be had".⁴ But again, there was little official reaction to this report, though at least in the instructions for the third voyage, if their emphasis was on the north Pacific, there was the suggestion that Cook might bring flax seeds and plants from New Zealand, if he touched there, so that "farther Experiments might be made with them – either in the Kew Gardens or elsewhere, or even in Canada, which was thought to be no colder than the south of New Zealand".⁵ But there seems little enthusiasm for flax, and there is still no reference to Norfolk Island.

So we come to the decision to establish a settlement at Botany Bay itself, taken in August 1786, and the instructions given to Phillip on 25 April 1787, eight months later. In the letter flax is mentioned again but with no great enthusiasm. "From the natural increase of corn and other vegetable food ... after the ground has once been cultivated", Phillip was told, "it cannot be expedient that all the convicts which accompany you should be employed in attending only to the object of provisions. And as it has been humbly represented to us that advantages

³ J.C. Beaglehole (ed.), *The Journals of Captain James Cook, I, The Voyage of the Endeavour, 1768-1771* (C.U.P., 1968), 277 and 508.

⁴ *Ibid*, II, *The Voyage of the Resolution and Adventure, 1772-1775* (1961), pp. 565-6.

⁵ Frost, *op.cit.*, 124. The fact that a London merchant and former Canadian official, Brook Watson, thought if flax could be introduced from New Zealand and grown in Canada, it "would be better than the mines of South America to Spain" argues for cultivation there, not for establishing a colony in the antipodes for this purpose.

may be derived from the flax-plant which is found in the islands no far distant from the intended settlement, not only as a means of acquiring clothing for the convicts and other persons who may become settlers, but from its superior excellence for a variety of maritime purposes, and as it may ultimately be an article of export, it is, therefore, our will and pleasure, that you do particularly attend to its cultivation, and that you do send home by every opportunity that may offer samples of this article, in order that a judgement may be formed whether it may not be necessary to instruct you further upon this subject."

So Phillip was ordered to grow flax, but there seems little urgency about the matter. It was to be done to keep the convicts employed after they have grown enough food – the party is not told to be divided immediately into flax-growers and food-growers; and then *samples* are to be sent to England, so that it could be decided whether or not to carry on the operation. Thus it hardly appears as if flax-growing was the basis of the operation – and incidentally when the Irish government was told of the scheme for establishing a penal settlement, the paragraph referring to the possible advantages of flax growing was cut out of the letter (though it could be argued that this matter did not concern the Irish, or alternatively that the English government did not wish to alert the Irish to possible competition with their own flax and hemp industry).

Certainly, when the expedition reached Sydney, and Phillip told Lieut. P.G. King to occupy Norfolk Island, the latter was instructed to proceed with flax cultivation immediately – which he did, though hampered by the lack of any experienced flax-dresser; at the same time Judge-Advocate Collins, Captain of marines and historian, specifically states that the island "was settled with a view to the cultivation of the flax-plant", though as will be discussed below, there was also another reason for its occupation.⁶ But the English authorities showed little appreciation of this activity. Throughout his term as governor, Phillip kept on asking for persons skilled in flax-dressing and tools for its manufacture to be sent out, without evoking any response until January 1792, and we find King repeating this request, as late as 1796, "should it be thought an object" to make canvas, rope or linen from the flax growing there.⁷ But for four years, successive Secretaries of State did not comment on flax when replying to Phillip's despatches, though Grenville welcomed reports of the fertility of Norfolk Island and the food that could be obtained there and when in 1792 Dundas finally does notice flax, he welcomes it merely as being able to provide "some assistance ... on the spot in the article of clothing".

But if it seems difficult to find much interest taken by the British Government in the cultivation of flax, was there yet some other reason for the occupation of Norfolk Island? When I suggested in 1969 that if the government "had been

⁶ David Collins, *An Account of the English colony in New South Wales* (ed. B.H. Fletcher, Sydney, 1975), p. 11.

⁷ King, Report on Norfolk Island, 18 Oct. 1796, *HRNSW*, III, 154; Dundas to Phillip, 10 Jan. 1792, *HRNSW*, I, ii, 587.

really interested in flax or timber, surely New Zealand would have been a better place” than Norfolk Island, Professor Blainey criticised me for ignoring the reasons he gave for thinking New Zealand would have been the inferior site – that is, that its flax and forests seemed to be not so good as those on Norfolk Island, and that it had savage inhabitants. The latter reason I find unconvincing, and since Norfolk Island is not referred to in the documents written in 1786, when the decision to send the expedition was made, no one bothered to compare the two.⁸ Indeed, Norfolk Island comes into the story rather as an afterthought. Not only is it not mentioned in the Heads of a Plan, but it is not referred to in the earlier proposals put to the government by either the adventurer James Matra or by Admiral Sir George Young, which allude only to New Zealand,⁹ and it was not under discussion in 1786. It first appears in the instructions to Phillip drawn up in April 1787, and we may well ask, Why?

To this question there is no certain answer, but one may speculate upon the possible effects of the Anglo-French maritime rivalry, which the Treaty of Versailles, which had terminated the last conflict between the two in 1783, had by no means put an end to. Since then the French had revived their East India Company and were beginning their expansion into what later became French Indo-China. In December 1785 they had signed a treaty of alliance with the Dutch, who held the Cape of Good Hope and the East Indies, and there were reports of Franco-Dutch plans against India. In response, the English had occupied Penang, but despite that, the Franco-Dutch alliance was an obvious cause of anxiety to English statesmen. Moreover, in August 1785 La Perouse had been sent on a voyage of discovery in the Pacific, and it was not known in England what his precise instructions were. In fact they referred to the north and west coasts of Australia rather than the east, and the voyage was primarily scientific, but there was a report current that the French might be planning a settlement in New Zealand. Though this was false, it was unquestionably a fact that in 1786-87 La Perouse was in the Pacific, and this appeared dangerous at a time when a party struggle was being keenly fought in Holland between pro-French and pro-English factions, and the former seemed to be gaining the upper hand. Early in 1787, the French had sent a courier to La Perouse at Kamkatchka in eastern Siberia, with unknown instructions, so it may be argued that anxiety about French intentions may have influenced the British decision. That it did so is suggested by Lord Sydney’s letter to the East India company in September 1786, requesting its formal agreement to the establishment of a settlement at Botany Bay, which was within the area of its trading monopoly; for in it he pointed out that it would “be a means of preventing the emigration of Our European Neighbours to that Quarter, which might be attended with infinite prejudice to the company’s affairs”.¹⁰ In the light

⁸ A.G.L. Shaw, “The Hollow Conqueror ...”, *Historical Studies*, vol. 13 (1968), 199; G. Blainey, “A reply ...”, *ibid.*, 205.

⁹ *HRNSW*, I, ii, 1-8 and 10-13. For Matra, see Frost, *op.cit.*, 11-13; Cook described him as “good for nothing”.

¹⁰ Sydney to E.I. Co., 15 Sept. 1786, quoted, Frost, *op.cit.*, p. 133.

of these concerns, it is the less surprising that Phillip was instructed in April 1787 to occupy Norfolk Island, it "being represented as a spot which may hereafter become useful ... to secure the same ... and prevent it being occupied by the subjects of any other European power". The English would obviously prefer not to find what might possibly be both an important site in the Western Pacific and a source of flax and timber falling into French hands soon after they had occupied New South Wales, but whether one can go further and argue that this was the reason for the whole expedition is another matter. However whether or not there was a strategic element in the government's decision in August 1786 to establish a settlement at Botany Bay, there was no difficulty in adding Norfolk Island to the enterprise eight months later, and that would meet Professor Blainey's request for an explanation of the reasons for occupying it when the expedition sailed, despite the lack of any reference to it in 1786.¹¹

In addition to this, the idea of a strategic motive is re-inforced if one notices the difference between Phillip's two commissions, which non-legal historians have sometimes overlooked. The first, issued in October 1786, was a "specific form of military commission necessary to make a naval officer a military governor with command ashore".¹² The second, issued in April 1787 at the same time as Phillip's instructions, was four times as long. Couched in terms similar to those of the governors of other British colonies, it suggests that the settlement would be something more than just a penal establishment under a military government. In February, parliament had passed an Act (27, Geo. III, c. 2) establishing a criminal court in the proposed penal settlement, and its preamble stated that "it may be found necessary that a Colony and a civil government be established in the place to which such convicts shall be transported". Presumably the government had changed the nature of the governor's commission because it had decided that "the proposed settlement at Botany Bay should not be just a penal establishment under a military governor".¹³ Thus it could be argued that after its initial decision to transport criminals, taken in August 1786, the government realised that the settlement could be used for other purposes, even though these would be incidental to its principal object.

For all that, this is only speculation, for one must remember that in defending the settlement against its many critics in Parliament and in the press, government spokesmen never referred to any other reason for the expedition than that it would solve a penal problem. "No cheaper mode of disposing of the convicts could be found", declared Pitt in the House of Commons, and that has to be explained by those who urge that other reasons were more important.¹⁴ Here, and in other debates, there is no mention of the advantages of trading, of whaling, of flax,

11 Blainey, "A reply", *loc. cit.*, 205.

12 Sir Victor Windeyer, "A Birthright and Inheritance", *Tasmanian Univ. Law Review*, 1962, p. 641.

13 *Ibid.*, 646, and *Some Aspects of Australian Constitutional Law* (Edmonton, 1973), p. 7.

14 Quoted, A.G.L. Shaw, *Convicts and the Colonies* (1966), p. 55.

of timber, or of anticipating the French; only of the necessity of ridding the kingdom of its felons. And if one says that strategic motives must be kept secret, and this was possibly true between 1786 and 1789, it was no longer after the outbreak of the French Revolution which temporarily removed the French menace. All the same, Pitt continued to speak only of convicts, and Sir Joseph Banks, who was surely in a position to know, insisted as late as 1806 that Botany Bay had been founded only as a penal colony. In the documents and speeches, there are constant references to this motive, and only occasional asides to any other, and never with any emphasis.

So it seems of doubtful wisdom to accept other explanations, except possibly for the particular instructions given to Phillip, in April 1787, to occupy Norfolk Island. The documents hardly suggest that there was any serious intention of developing a flax and hemp industry – and certainly not in Norfolk Island when the first decision was taken in 1786; indeed one wonders if it had been possible to send the convicts to Das Voltas as was planned that year, what would have been heard of the need to secure naval stores on which Professor Blainey lays such stress. And if Port Jackson was to provide a secure naval port, it is strange that nothing was done about it; for the weakening of France by revolution did not last long. So one is driven back to the old conclusion that “Botany Bay was chosen because all other destinations considered suitable for the felons had been closed or discarded. According to contemporary thinking, dangerous criminals had to be exiled as the only way of keeping the community safe from their deprivations, and there was, in August 1786, nowhere else to send them”.¹⁵

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¹⁵ Mollie Gillen, “The Botany Bay Decision, 1786”, *Eng. Hist. Rev.*, Oct. 1982, pp. 765-6.