

The Fabrication of Female Genital Mutilation: The UN, Walter Roth and Ethno-Pornography

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Note: I would like to thank Ashley Sherwin, a US student at the University of NSW in 2003, whose question led me to Walter Roth and this topic. Second, I acknowledge the members of the Roth family. I was anxious when I heard that members of the family would be at the conference at which an initial draft of this paper was read, particularly given the concerns of my paper, but I was completely disarmed by the courage, curiosity and honesty of the family.¹ Above all I acknowledge the traditional owners and stewards of this land, and the owners and stewards of Pitta Pitta land. In these acknowledgments, I do not want simply to perform the usual courtesies – although I have nothing against the usual courtesies, and I think that Australia would be a very different place if the usual courtesies had been observed more stringently in our history, and in our present. My paper concerns grievous wrongs, and in some ways the rehearsal of the material here will repeat those wrongs, an outcome by which I am profoundly disturbed. I do not think that being well-meaning is sufficient to excuse me from responsibility for what my words and actions do. At any rate, all too often we confuse motivation and intention, a distinction that is absolutely central to discussions of genocide and human rights more broadly. It is to human rights that I now turn.

As part of a global campaign against the genital cutting of women and girls, the UN High Commissioner for Human Rights (HCHR) publishes a Fact Sheet entitled “Harmful Traditional Practices Affecting the Health of Women and Children”.² The Office of the HCHR publishes a large number of such fact sheets, in order to “deal with topical human rights issues and explain the structure and procedures of United Nations human rights treaty monitoring bodies and special mechanisms. The goal is to help readers understand basic human rights and the international machinery that has been established to promote and protect them.” The genital cutting of women and girls has become a crucial test case for the limits of toleration of traditional

¹ I canvass wider issues of the responsibility of children for the wrongs of their parents in my paper “Fathers and Sons: Hezekiah, Atonement and Responsibility”.

cultural practices.³ The UN Fact Sheet forms part of a campaign against such practices.

The Fact Sheet lists three surgical forms of female genital mutilation, defined as “surgical removal of parts or all of the most sensitive female genital organs”. The three forms are infibulation, excision, and circumcision. The Fact Sheet notes that of these forms, only circumcision (or “Sunna” circumcision) “can be likened to male circumcision”. Indeed, the UN campaign simply assumes that the circumcision of boys and men is not a “harmful traditional practice”, and that it does not raise questions of conflict between the principles of toleration and of equality.

After its enumeration of the three surgical forms of genital mutilation, the UN Fact Sheet adds a note on another type of such harmful traditional practices:

Another form of mutilation which has been reported is introcision, practised specifically by the Pitta-Patta aborigines of Australia. When a girl *reaches* puberty, the whole tribe—both sexes—assembles. The operator, an elderly man, *enlarges* the vaginal orifice by tearing it downward with three fingers bound with opossum string. In other districts, the perineum *is* split with a stone knife. This *is* usually followed by compulsory sexual intercourse with a number of young men [emphases added].⁴

This is a striking claim, particularly in its use of the present tense. In the literature arguing for the prohibition of female genital mutilation in Australia, I have found no mention of this practice among the “Pitta-Patta”. The reasoning underlying legal

² Office of the High Commissioner for Human Rights, Fact Sheet No. 23: *Harmful Traditional Practices Affecting the Health of Women and Children*, at <http://www.unhchr.ch/html/menu6/2/fs23.htm>.

³ See for example, Susan Moller Okin et al., *Is Multiculturalism Bad for Women?* (Princeton: Princeton University Press, 1999), also at <http://bostonreview.net/BR22.5/toc.html>. Okin asks “whether groups that are illiberal and sexist should be afforded group rights and protections by liberal states, or whether, instead, sexist cultural practices and perhaps entire cultures should be altered or allowed to become ‘extinct’.”

⁴ The Fact Sheet adds that “It is reported that introcision has been practised in eastern Mexico and in Brazil”, and gives as an example an operation that is (allegedly) performed in north-east Peru.

prohibitions on genital cutting in Australia addresses practices originating in the Middle East and Africa, and the corresponding education programs target migrants and refugees to Australia from those areas.⁵

The passage from the UN Fact Sheet on the “Pitta-Patta” is repeated verbatim on the website of the Inter-Parliamentary Union’s campaign “Stop Violence against Women”,⁶ and the IPU lists introcision among the “Pitta-Patta” under the heading “Current status” in Australia.⁷ In the case of both the United Nations and the Inter-Parliamentary Union campaign material, no source is given for the claim that Australian Aborigines are current and regular practitioners of introcision on young women. The claims about the “Pitta-Patta” are repeated by various other sources concerned with the human rights of women, such as Womenaid International.⁸

It is not clear exactly where these documents have gleaned their information on genital mutilation in Australia, as none of them cites any references for the claims. However, the original source of reports of introcision practised on Aboriginal

⁵ Genital mutilation is specifically prohibited in most states of Australia, and (implicitly) considered a form of assault in the others. See for example, *Crimes Act 1900* (NSW), §45: Prohibition of female genital mutilation, at http://www.austlii.edu.au/au/legis/nsw/consol_act/ca190082/s45.html.

⁶ Inter-Parliamentary Union, Parliamentary Campaign “Stop Violence against Women”: Female Genital Mutilation, at <http://www.ipu.org/wmn-e/fgm-what.htm>.

⁷ Inter-Parliamentary Union, Parliamentary Campaign “Stop Violence against Women”: Female Genital Mutilation, at <http://www.ipu.org/wmn-e/fgm-prov-a.htm>.

⁸ See Womenaid International Information Paper FGM/40, at <http://www.womenaid.org/press/info/fgm/fgminfo.htm>, which notes in addition that “In all cases of female mutilation if the child dies from complications, the excisor is not held responsible: rather, the death is attributed to evil spirits or fate.” Another example is posted on sistahspace, “The culture of circumcision”, at <http://www.sistahspace.com/nommo/fgm25.html>: in this case, the past tense is used of the practice among the Pitta Patta “ethnic group of the Australian aborigines”. The eminent refugee advocate (and Living National Treasure) Julian Burnside notes that “Female circumcision is practised by some Australian Aboriginal groups”, in “Concepts of Liability – Female Genital Mutilation and Negligent Barristers”, address to the Medico-Legal Society, 28 May 1994, at <http://www.users.bigpond.com/burnside/FGM.htm>. See also *Wikipedia*, entry under “Female

women appears to be Walter Roth, in his 1897 book entitled *Ethnological Studies among the North-West-Central Queensland Aborigines*. Roth was a doctor in the Boulia area of Queensland in the 1890s, and was later appointed Northern Protector of Aborigines, and then Chief Protector of Aborigines in Queensland.⁹ Roth's *Ethnological Studies* refers to practices of the Pitta-Pitta (and to other tribes in Northwest Queensland). How Roth's account came to take on the garbled form it does in authoritative modern human rights documents is a little mysterious.

As far as I can gather, a gynaecologist in the colonial administration of the Sudan called Allan Worsley transformed the tribe studied by Roth from the Pitta Pitta into the more euphonious "Pitta Patta", in the 1930s. And "Pitta-Patta" they have remained. In an article in the *British Journal of Obstetrics and Gynaecology* in 1938, Worsley charted the boundaries of circumcision of women in Australia as being "[f]rom Urabunna in the south, throughout the continent, to the eastern shores of the Gulf of Carpentaria". Under the heading "Introcision", Worsley notes,

I believe this occurs among certain South Sea Islanders, who practise a similar cutting into the posterior part of the male urethra, but I cannot find clear evidence. It is, however, practised among the Pitta-Patta of Australia in the following manner.

When the girl reaches puberty, the whole tribe, of both sexes, is assembled. The operator, an elderly man trained for the purpose, enlarges the vaginal orifice by

Circumcision", which notes that "*excision*, was practiced as an initiation rite among Australian aborigines": http://en2.wikipedia.org/wiki/Female_circumcision.

⁹ If he is remembered at all today, Roth would perhaps be recognised as a figure in the story of the removal of Walter told by Robert Manne, *In Denial: The Stolen Generations and the Right*, Australian Quarterly Essay no. 1 (2001), pp. 7-10. It was also during Roth's term as Protector that Aboriginal children began to be removed to Barambah (now Cherbourg, near Murgon, where I spent part of my childhood): see Thom Blake, *A Dumping Ground: A History of the Cherbourg Settlement* (Brisbane: University of Queensland Press, 2001). It seems to me from an examination of the records of Roth's term as Protector that the children of Aboriginal women and non-white men were particularly vulnerable to removal orders, a massively underexplored topic in my view.

tearing it downwards with three fingers bound round with opossum string. In other districts the perineum is split up with a stone knife. This is usually followed by compulsory sexual intercourse with a number of young men, and even yet more disgusting practices, for the rejuvenation of the tribal aged and infirm.¹⁰

According to Worsley, the practice is performed by “specially trained male operators”.¹¹ Worsley offers some intriguing suggestions as to the purpose of female genital cutting. For example, he notes that one of the aims of the practice is to prevent labial hypertrophy, “the result, it is said, of prolonged masturbation”, and concludes, “Herein lies a deep, though unadmitted, cause for circumcision of the female”.¹²

Worsley cites Roth’s *Ethnological Studies* as his source on introcision, although he notes the wrong page number.¹³ There is no suggestion in Worsley’s article that his claims are based on any direct acquaintance with the practices of Aborigines in any part of Australia.

In the rest of this paper, I explore the provenance of the accounts of introcision set out in the human rights documents noted above. I do this in relation to the work of Walter Roth. First, I suggest that Roth’s understanding of the introcision of Aboriginal women is tied to his theoretical conjecture that the genital mutilation of men is in some sense a mimesis of the vulva. That is, Roth’s reports of introcision are based on hypothesising a connection of some sort between female and male genital

¹⁰ Allan Worsley, “Infibulation and Female Circumcision: A Study of a Little-Known Custom”, *British Journal of Obstetrics and Gynaecology*, 45 (1938), pp. 686-691, at 688.

¹¹ *Ibid.*, 689.

¹² *Ibid.*, 690.

¹³ See *ibid.*, 691 fn 2, citing p. 170 of *Ethnological Studies*. It seems to me possible, given his mention of introcision among the South Sea islanders, that Worsley might have consulted *Venus Oceanica: The Sexual Life of South Sea Natives; Erotic Rituals; and Ethnopornographia*, ed. R. Burton (NY: Oceanica Research Press, 1935), rather than *Ethnological Studies*. The last chapter of Roth’s *Ethnological Studies* is reprinted in Burton’s volume, interspersed with photos from disparate areas. As nothing in my argument rests on this possibility, I simply mention it here.

cutting (although Roth does not argue that either is a “harmful” practice). I would suggest that Roth’s curiosity is not at all directed to the question of the genital cutting of women. He is rather concerned with how to explain the performance of genital cutting on Aboriginal men, the practice he calls intro-cision, which other anthropologists of the time called sub-incision. Roth’s *portrayal* of the introcision of women does not appear to be based on any sustained empirical observation of the rite – and in any case, such “introcision” of women is only tendentiously akin to subincision in men. What Roth *pictures* in *Ethnological Studies*, it seems to me, is involuntary episiotomy followed by gang rape – and not a form of circumcision as we would understand it today, or as is understood in the human rights documents I have mentioned above. What Roth *pictures* in these passages, in other words, might arguably be an example of a “harmful traditional practice”, but it is not the harmful traditional practice of circumcision.

Second, I look at the controversy surrounding Roth’s attempt to back up his theories on the introcision of women, with reference to an incident that was one of the sources of the disputes in his term as Protector, and which formed one of the triggers of his resignation from the office and departure for British Guiana in 1905. Roth was determined to show that the purpose of the introcision of Aboriginal men was not the prevention of procreation. In order to illustrate that insemination was entirely possible by an introcised man, Roth “paid” an Aboriginal couple to demonstrate a sexual position of which he then took photographs. In 1904 and 1905, speeches in the Queensland Parliament on this and other aspects of Roth’s work

were said to form “a pile as high as the Eiffel Tower”.¹⁴ I will not deal with the controversy at length in this paper, only insofar as it relates to the incident of the photos.

1. Walter Roth and the practice of “introcision”

Roth reported the practice of introcision in a chapter of *Ethnological Studies* entitled “Ethno-pornography”.¹⁵ He placed this chapter, with accompanying drawings, right at the end of the book so that an unwitting reader would not stumble across the material. In the book’s Preface, Roth notes of his final chapter, “I am well aware that it is far from suitable for the general lay reader; the subject matter, however, being essential to a scientific account of these aboriginals, I have decided upon its publication, at the same time placing it at the very last, in the hope that those who do not wish to peruse its pages need not unwittingly find themselves doing so.”¹⁶ Roth also placed an Author’s Note at the head of the last chapter itself, warning, “The following chapter is not suitable for perusal by the general lay reader.”¹⁷

When Roth’s book was sent to the printer in 1897, the Government Printing Officer sent a memo to the then Under Secretary of the Home Department, Sir Horace Tozer, inquiring: “You are doubtless aware that the last chapter – ch: xiii and

¹⁴ According to Mr Lesina, *Queensland Parliamentary Debates (QPD)*, 24 November 1905, 1810: “*Hansard* teemed with speeches delivered against the administration of Dr. Roth until they had a pile as high as the Eiffel Tower, and the Minister brushed everything aside as he would a fly from his aristocratic nose.”

¹⁵ Walter E. Roth, *Ethnological Studies among the North-West-Central Queensland Aborigines* (Brisbane: Edmund Gregory, Government Printer, 1897), chap. xiii, “Ethno-Pornography”.

¹⁶ *Ibid.*, v-vi.

¹⁷ *Ibid.*, 169.

the last plate (pl. xxlv) deal with indelicate subjects, is it likely they may be in violation of the Indecent Advertisements Acts, and, if they are, is the author's note, at the head of the chapter, a sufficient protection?". Sir Horace replied in Pauline mode: "To the pure all things are pure. The impure will never pay 10 s for this book."¹⁸ Roth dedicated the book to Tozer, by then Acting Premier of Queensland, "As a slight tribute in appreciation of his determined efforts to ameliorate the condition of the Queensland Aboriginal".

The topics covered in Roth's indelicate chapter include initiation rites of men and women, marriage, betrothal, love charms, venerary, pregnancy and labour, abortion, babyhood, menstruation, micturition and defecation, and finally, foul language. Not all these subjects fall (or fell) within usual understandings of "pornography". Roth begins the final chapter with a consideration of social rank, and ends the chapter (and the book) with the sentence, "I have no evidence as to any practice of masturbation or sodomy anywhere among the North-West-Central Queensland aboriginals."¹⁹

¹⁸ Memo from Government Printing Office to Under Secretary of the Home Department, 13 October 1897, with note by Sir Horace Tozer, 16 October 1897, both in Queensland State Archives (QSA) A/58550. Also see Roth to Baldwin Spencer, quoted in Russell McDougall, "Walter and Henry Ling Roth: 'On the Signification of Couvade': The Place of Australia and British Guiana in the *Fin de Siècle* Debate concerning the History of Humanity", *Australian Cultural History*, 21 (2002), 61-67, at fn 29: "the government originally intended omitting the last chapter, with accompanying plate, and publishing it separately for special distribution to certain people only – mainly for the purpose of drawing attention to the present condition of certain of the aborigines in view of the legislation proposal to be enforced. The ordinary reading public had in a sense to be protected by being told that such and such a chapter was obscene, and that they could please themselves if they chose to read it. And after all, scientific and interesting as these particulars are to men like us, they are certainly not so to the general lay reader."

¹⁹ *Ethnological Studies*, 184.

Initiation practices are at the centre of the final chapter, just as they would be in the parliamentary controversy around Roth's work. As presented by Roth in the chapter, both men and women at around puberty were cut genitally, but as noted above, his portrait of the introcision of girls reads more like a report of rape than of circumcision. Roth details the genital cutting of women in his account of the first ceremonial stage for young Pitta-Pitta and neighbouring women in the Boulia District, in the following terms:

Two or three men manage to get the young woman, when thus ripe enough [ie showing signs of puberty], all alone by herself away in the bush, and, throwing her down, one of them forcibly enlarges the vaginal orifice by tearing it downwards with the first three fingers wound round and round with opossum-string (*cf.* introcision in the male – sects. 317-322). Other men come forwards from all directions, and the struggling victim has to submit in rotation to promiscuous coition with all the 'bucks' present: should any sick individual be in camp, he would drink the bloody semen collected from her subsequently in a koolamon (sect. 283).²⁰

This stage of "the common orgie" by "dusky Lotharios" was foreshadowed in an earlier chapter of the book. Roth claims that this stage is the only one insisted upon absolutely for all women. He does not detail the higher ranks of ritual for women. Roth assimilates the second ritual stage for men with that of women in the Boulia district, but the accompanying drawing, figure 426, is of a male with a phallocrypt.

Roth gives several other instances of initiation practices in the area of northwest Queensland. He writes that in the area around Glenormiston, the practice begins when a young woman is drawn away from a daytime corroboree:

She is stealthily followed by two or three men who, suddenly pouncing upon her, seize her by the wrists while other bucks, till now in ambush, come rushing upon

²⁰ Ibid., 174.

the scene, the old chaperone clearing away to a distance. Four 'bucks' hold one on to each limb, while another presses upon her stomach so as to compel her to draw her legs up: her thighs are now drawn apart and her eyes covered so as to prevent her seeing the individual, probably a very old man, who is beckoned up from some hiding-place to come and operate directly everything is ready. This he does by slitting up a portion of the perineum with a stone-knife, and sweeping his three fingers round inside her vaginal orifice. Before this ceremony the woman was a *wa-pa-ri*: she is now a *ka-na-ri*, her attainment of full puberty having been publicly celebrated. She is next compelled to undergo copulation with all the bucks present; again the same night, and a third time, on the following morning.²¹

Roth's third citation of the practice is among the Yaroinga in the Upper Georgina

District:

... three men under the leadership of one of her future husband's brothers catch the young woman, at the period of suitable physical development, and throw her down lengthways, face upwards upon the back of one of them lying face downwards on the ground, where she is held in position (Fig. 422 [Plate xxiv]). The actual operator, sitting astride the woman's chest and neck cuts with a stone-knife into the perineum downwards and forwards, turning the implement slightly upwards at the close of the incision.... On the completion of this ornamentation, she is temporarily on loan to her future husband's friends and others in camp, but there would appear to be no subsequent collection of the semen, as in the other districts.²²

There seem to be two other instances of the rite in Roth's final chapter:

In the Leichhardt-Selwyn District. With the Kalkadoon tribe there is no special corroboree, &c., but the young women, the *wom-pa* (? or *un-do*) is just seized upon and cut, and publicly proclaimed an *e-ra-ji*.

At Birdsville, &c., a wooden stick of very hard wood about two feet long, with a representation of the extremity of a life-sized penis rudely carved at the top, and thinner all the way down to the handle (Fig. 424), is used for the purpose of tearing down the hymen and posterior vaginal wall.²³

²¹ Ibid.

²² Ibid., 175.

²³ Ibid. I was reminded of Edward Kienholz' installation "Five Car Stud" in reading these passages: the installation comprises three cars which illuminate a scene of a black man tied down and castrated by four white men. A white woman vomits in a truck behind the scene. The spectators are made complicit in rape.

Roth's accounts of the rite of the genital cutting of women, in other words, refer to a wider area than only Pitta Pitta lands. Significantly, Roth also includes the Kalkadoons (Kalkatungu) as practitioners of the rite. However, it is unclear exactly what kind of evidence Roth's accounts are based upon.

Roth writes in the Preface to *Ethnological Studies* that it is necessary to gain mastery of the local language in order to study societies properly, and he emphasises the opportunities for anthropological inquiry that he had in his position of hospital surgeon. But Roth also notes that his information on the progression through the two upper degrees of social rank in the area is "meagre". He explains that this is partly because "the aboriginals were always very chary of imparting information concerning these higher grades even to me who had become intimately connected with them through a knowledge of their written and sign languages and other causes." Roth was rather more modest about his possession of such knowledge when he spoke to a Committee of the QLD parliament on amendments to the 1897 Aboriginals Protection and Restriction of the Sale of Opium Act.²⁴

In *Ethnological Studies*, Roth adds that some other difficulties in collecting accurate information stem from the effects of the onslaught of European civilisation in the area:

... with the gradual depletion of the aboriginal population, the initiation ceremonies of the higher ranks are gradually becoming obsolete, those for the females especially being already very marked; that individuals belonging to the higher grades and consequently older people are not too commonly met with; and that no one is allowed to be present or to assist in the initiation of any degree higher than that of which he is himself a member. As far as my personal

²⁴ QPD, lxxxvii (1901), 1135-1145, esp. 1138.

knowledge goes, in North-West-Central Queensland the procedures of the first and second degrees only are permitted to be viewed by Europeans.²⁵

Roth is forthright throughout his official reports as Protector about the “depletion” of the Aborigines by disease and shot. The area around Boulia in which Roth was working had been “depleted”, for example, by Alexander Kennedy and his good friend Police Sub-Inspector Frederick Urquhart.²⁶ Kennedy was a bloodthirsty savage, originally from Scotland, who established a station at Buckingham Downs, and later Noarnside and Calton Hills. Kennedy subdued the area with his stockwhip, his pistol, and his penis.²⁷ Most notoriously, Kalkatungu country was the scene of a pitched battle fought by Aborigines against whites and native troopers armed with guns. On what is now known as Battle Mountain, the Kalkatungu faced a cavalry charge by Urquhart, in the course of which perhaps 200 Kalkadoons were killed.²⁸

Alexander Kennedy’s biographer (and friend) Hudson Fysh notes that the Kalkadoons and other Aborigines in the Cloncurry district who caused Kennedy “so much concern” were to be “the subject of a brilliant study by Walter E. Roth, whose work has been closely consulted and quoted in the following observations.”²⁹ By

²⁵ *Ethnological Studies*, 169.

²⁶ I am extremely grateful to Iain Davidson for drawing attention to this background of Roth’s work.

²⁷ See especially Hudson Fysh, *Taming the North*, 2nd edition (Sydney: Angus & Robertson, 1950 [first ed 1933]), a book claimed to be written in consultation with Kennedy and Urquhart.

²⁸ Fysh, *Taming the North*, 183-184. Urquhart went on to become Commissioner of Police for Queensland, becoming involved in right-wing politics and the Red Flag riots in Brisbane after World War I, and then an Administrator of the Northern Territory. He also had a part in the investigation of the Gatton murders: see Stephanie Bennett, *The Gatton Murders* (Sydney: Pan, 2004). Urquhart was a writer of poetry, and was given to describing his massacres in some detail in his poems as also in his police reports. For an example of his poetry, see *Camp Canzonettes*, for his police reports see QSA Murder Files A/49714, reports on the murders of James Powell and E. Watson.

²⁹ Fysh, *Taming the North*, 127. The chapter in which this passage is found is chapter xv, “The Savage Kalkadoons”. The Kalkatungu appear to have put together a special “Kill Kennedy corroboree”, with a song aimed directly at him beginning “We kill Kennedy in the morning” (at 124). The corroboree

1885, Fysh argued, the power of the Kalkadoons had been “finally broken”.³⁰ Roth first came to the area in 1890. A powerful picture of the state of the Aborigines in this area is given in a report by B.H. Purcell sent to the Colonial Secretary in 1892:

Carandotta seems to be the centre of disease and there I saw men and women, their faces sunken in, their bodies so shrunken, and eyes so small and far back in their heads that at first sight they appeared like mummies of centuries gone by walking about the camps....

I saw one poor child not 12 years that had syphilis for 12 months or more, can anything be more horrible than this, it is bad enough to know how they have been shot down without allowing these things to continue.

Lake Nash has some bad cases and my friend the Manager Mr. M. Costello informed me, that white travellers do their very best to disease the black gins.³¹

Even allowing for some exaggeration in this and other reports, it appears that Roth’s account refers only to a small and diminishing number of Aborigines. In this context, I think it would be wise to be cautious as to whether Roth’s accounts of initiation ceremonies were wholly, or even in part, based on direct observation. Roth regularly used material on Aboriginal practices given to him by what he called “old hands”, by which he meant station owners.³² He certainly did not accept such reports holus-bolus, and he seems to have favoured certain station owners over others; for example, Roth seems to give particular credence to Mr Craigie of Roxburgh station.

was unsuccessful and Kennedy became an important figure in the formation of Qantas, along with his biographer Fysh.

³⁰ Fysh, *Taming the North*, 117.

³¹ B.H. Purcell, “The general condition of Aborigines in the Western and Northern parts of this Colony”, QSA Col/A717 in-letter no. 14199 of 1892. Most of this report is reprinted in Raymond Evans, Kay Saunders, and Kathryn Cronin, *Race Relations in Colonial Queensland: A History of Exclusion, Exploitation and Extermination*, 2nd ed (Brisbane: University of Queensland Press, 1988), 386-388; my transcription of the report differs slightly.

³² In his 1898 report as Protector on Rockhampton, Roth notes that the delay in submitting the report was because “old hands” had given him additional information after the journey. See Report to the Commissioner of Police, 6 July 1898, QSA A/19898 [Roth Estrays]. It is important also to exercise caution as to Roth’s reports on cannibalism, information which was conveyed to him by Mr Craigie. Iain Davidson notes that a contemporary native title claimant is a descendant of Mr Craigie.

In the context of the history of the area, I would stress that Roth's picture of Aborigines presents a culture in disarray. Hence it is extremely difficult to assess the "authenticity" and historical development of the rituals. Roth of course confidently assumes that he can distinguish between authentic and depleted rites. But given the recent history of the area at the time he was writing, it would be a foolhardy person who would trumpet these rites as traditional practices with any confidence at all.

Moreover, Roth freely admits in *Ethnological Studies* that he was excluded from viewing parts of the ceremonies he describes. However, in his *Ethnography Bulletin* no. 12, Roth does note:

I have been present at initiation ceremonies on the East Coast (Princess Charlotte Bay, McIvor River, etc.), and several [Roth's fn For descriptions see *Ethnol. Studies*, etc., 1897 –Sects. 299 to 315] in the North-Western Districts; I cannot say that I have been initiated into the latter, for the very good reason that I was not prepared to submit myself to the necessary sexual mutilation, an ordeal to which I am not aware that any European, however keen on Anthropological Science, has hitherto allowed himself to be subjected.³³

Throughout the final chapter of *Ethnological Studies*, there is significant confusion as to what exactly Roth *saw* for himself. I am not convinced that this confusion was accidental.

In the light of these cautions, I want now to recall one of Roth's "descriptions" of genital cutting, in the Glenormiston area, as set out above. In this excerpt, Roth notes: "her thighs are now drawn apart and her eyes covered so as to prevent her seeing the individual, *probably* a very old man, who is beckoned up from some hiding-place to come and operate directly everything is ready [my emphasis]." Similar formulations

can be found at other points in Roth's account. For example, in writing of the preliminary initiation of boys in the Cloncurry District, Roth writes, "This first ceremonial *may be described* somewhat on the following lines [my emphasis]".³⁴ Again, when Roth comes to mention the third and fourth, higher stages of initiation, he notes, "Particulars of these are not so easily procurable as those of the preceding, and the following comprises the information which can be depended upon. Both initiation rites *would appear* [my emphasis] to take place on the same occasions as when a novitiate is made a *kati-kati maro*".³⁵ Roth notes very little about these higher stages, other than that they involve body paint and ornamentation. He writes, "Among the Kalkadoon, with the male, the third grade is constituted *apparently* [my emphasis] by the operation of introcision, or *yel-la*".³⁶ The frequency of such tentativeness in Roth's work, I would argue, should restrain readers from too readily concluding that his account is a simple transcription of Aboriginal practices in the area.

Roth's focus in the last chapter of *Ethnological Studies* is on what he calls "this locally-universal practice of lacerating the vaginal orifice, *i.e.*, female introcision (sect. 316)". His accounts of "female introcision" however must be read in the context of his discussion of the "introcision" of males. After painting pictures of "female introcision" in the initiation of young women into sexual life, Roth comes a few pages later to discuss introcision on men, also known as "Sturt's terrible rite",

³³ North Queensland Ethnography Bulletin no 12: *On Certain Initiation Ceremonies*, in *Records of the Australian Museum*, 166.

³⁴ Roth, *Ethnological Studies*, 173.

³⁵ *Ibid.*, 177.

“whistling” or [artificial] hypospadias. At this point, Roth notes his purpose in adopting the nomenclature of introcision: “I have designedly introduced the term ‘introcision,’ because of, and so as to include, the corresponding mutilation of the females (sect. 305-309).”³⁷ I should note here that most European writers on the genital cutting of Aboriginal men preferred the term “subincision”. Roth says very explicitly that he “invents” the term introcision precisely in order to assimilate male and female genital cutting.

Roth explains that the introcision of men takes place subsequently to circumcision, and “aims at the permanent opening up of a more or less considerable extent of the penile portion of the urethra by incision commencing at the external urinary meatus.”³⁸ Figure 429 in his book is a sketch of a post-introcision penis. Roth has clearly not witnessed the ceremony involved,³⁹ as can be seen in this passage:

No females, and no males who have not already been themselves introcised, are on any account allowed to witness the ordeal, the sight of which would probably confirm any determination of their part to exile themselves with a view to escaping it: thus, in the Cloncurry District, I came here and there across an appreciable number of Pitta-Pitta and other Boulia Districts males, who admittedly had left their own tribe on this account.⁴⁰

Notwithstanding this clear signal that he has not viewed it, Roth goes on to give a detailed description of the operation among the Pitta-Pitta. For his purposes, Roth deems it necessary to set out a detailed account of the introcision of men, in order

³⁶ Ibid.

³⁷ Ibid.

³⁸ Ibid.

³⁹ However, it seems that Roth claims to have direct knowledge of the *effects* of the operation, particularly in the way it made it difficult for subincised men to ride horses. It also made them more vulnerable to venereal disease in its more virulent strains.

⁴⁰ Ibid., 177-178.

thereby to cement his conjecture of its mimetic identity with the vaginal laceration of women:

One of the elders will lie face downwards on the ground, a slight excavation having been made there to receive the protuberance of the stomach, and upon this individual's back the victim is laid, face up, *very much after the style of the first female initiation ceremony among the Yaroinga* (sect. 306 [figure 422]): his limbs are held in position by various assistants, and his body fixed by another who sits astride [my emphasis].⁴¹

The point of Roth's conjecture here is to counter the theory commonly advanced by European writers that the introcision of males was designed as a contraceptive measure to limit population.

Roth briefly notes the explanations offered by Aborigines themselves for the practice of genital cutting. For example, he notes that the "commonest reason assigned by the aborigines themselves [for the genital cutting of women] is to make him 'big-fellow' not only for the convenience of the escaping progeny, as the men will allege, but also for the progenitor, as the women would say".⁴² This reasoning is supported by the fact, Roth notes, that if an Aboriginal woman has "already undergone sufficient sexual connection" (say by being used by European men and then returning to her old group), she is not required to undergo the procedure.⁴³

It is unclear at this point in his work exactly why Roth wants to assimilate the two practices. Reading (and viewing) his account I would not use the words introcision or circumcision to characterise the practice. What I "see" in Roth's account is

⁴¹ Ibid., 178.

⁴² Ibid., 175.

⁴³ However, Roth notes that Mr Craigie, the manager of Roxburgh Station, reported one case where a woman over 40, originally from a coastal tribe, had been seized and lacerated ("despite all struggles and protestations") after the death of her husband: Roth, *Ethnological Studies*, 175.

involuntary episiotomy for the purpose of facilitating violent rape, something like the claiming of *jus primae noctis*. I want to emphasise that I am not conceding that this is or was at any time ritual practice among Aborigines. Roth's account might well be partly or wholly fabricated. But even if we were to assume the fidelity of his account to a ritual practice, the connection between the subincision of men and the cutting of women is not at all obvious.

For example, take Roth's comment: "the forcible laceration and enlargement of the vaginal orifice. *i.e.*, female-introcision". Here the "*i.e.*" is altogether tendentious. Roth's "*i.e.*" here links the genital cutting of women to introcision of men as if the connection were self-evident. As noted above, the term "subincision" is far more prevalent than "introcision" in writing of the cutting of men's penises. Roth's usage of the word "introcision" is designed to forward his own explanation of the genital cutting of *men*, and to counter the explanation of the practice offered by other writers. Roth notes that Europeans have commonly seen the purpose of mutilation of males as contraceptive, as a means of limiting population and hence limiting the demand for food. This appears to have been both a learned and a popular view. For example, Alexander Kennedy's biographer notes that

Kennedy was always convinced that birth control was practised by the Kalkadoons. He would often see a fine-looking gin in a camp without a piccaninny and would ask, 'Why that one no piccaninny?' 'We makem that way,' would always be the answer. The practising of 'Sturt's terrible rite' no doubt assisted to keep the population somewhat in check.⁴⁴

⁴⁴ Hudson Fysh, *Taming the North*, 212. Fysh also notes repeatedly that the Kalkadoons were enthusiastic cannibals of young children – and of adults both aboriginal and non-aboriginal (claiming that "Hundreds of Chinamen were killed and eaten", for example, at 184).

Herbert Basedow provides a detailed summary of the views held by various writers of the contraceptive purpose of the rite.⁴⁵

Roth however counters such understandings of the contraceptive purpose of the rite. He notes that Aborigines plead ignorance of the purpose or origin of the practice among men, and he does not rely on their comments. Roth argues that the practice is not necessary to inhibit procreation, as the supply of food to progenitors is not affected by the number of their offspring under paedomatronymic principles; moreover, he notes, such principles operate even where introcision is not performed. And at any rate, Roth argues, the mutilation of men's penises does not act to prevent fertilisation, given the "peculiar method of copulation in vogue" in these districts. In order to counter the explanation of the purpose of male genital cutting as prophylactic, Roth sets out in detail this "peculiar method of copulation", and provides a diagram of the position:

The female lies on her back on the ground, while the male with open thighs sits on his heels close in front: he now pulls her towards him, and raising her buttocks drags them into the inner aspects of his own thighs, her legs clutching him round the flanks (Fig. 433), while he arranges with his hands the toilette of her perineum and the insertion of his penis. In this position the vaginal orifice, already enlarged by the general laceration at initiation (sects. 305-309), is actually immediately beneath and in close contact with the basal portion of the penis, and it is certainly therefore a matter of impossibility to conceive the semen as being discharged for the most part anywhere but into its proper quarter.⁴⁶

⁴⁵ Herbert Basedow, "Subincision and Kindred Rites of the Australian Aboriginal", *Journal of the Royal Anthropological Society*, 148-151. Beth Povinelli discusses related issues: see Elizabeth A. Povinelli, *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism* (Durham and London: Duke University Press, 2002), esp. chapter 2.

⁴⁶ Roth, *Ethnological Studies*, 179. Roth further notes that Mr Craigie was able to show that children had been conceived from introcised men.

Basedow supported Roth on this point, noting that as a method of contraception, subincision is in any case ineffective: "Admitting this is an established fact, which can be verified any day among the tribes still living, it becomes a matter of scientific importance to know whether the aboriginal adopts a regular and peculiar method of copulation." Basedow notes that the "*modus caninus*" is frequently alleged to be the favoured method of copulation among Aborigines, with some writers even suggesting that this is because the genitalia of Aboriginal women is "located more posteriorly". Basedow (M.D.) disputes this. He also counsels caution on the subject of what is the regular and peculiar method of copulation among Aborigines, noting that reports on the topic are unreliable:

Observations upon this subject are scarce, and some of the earlier accounts are misleading. I do not mean to dispute the accuracy of early investigation, but it is a well-known fact that men of low moral character used to make a habit of giving quantities of rum, gin, and other spirituous liquors to the natives who would then, in a semi-intoxicated condition, be persuaded or forced to perform in a way which may have satisfied the lustful humour of the white villain, but was opposed entirely to the sense of decency and modesty of a primitive people. But an inspiration emanating from the mind of a drunken white man, under conditions such as these could never be admitted scientifically as a custom of the colored man, even though the latter had to carry it into effect practically.⁴⁷

I have read this passage many times, wondering if Basedow means that white men were forcing (or persuading) Aboriginal women to have sex with them in certain positions. But I think the phrase "the colored man, even though the latter had to

⁴⁷ Herbert Basedow, "Subincision and Kindred Rites of the Australian Aboriginal", *Journal of the Royal Anthropological Society*, 57 (1927), 123-156, at 151. I have read this passage many times, wondering if Basedow means that white men were forcing (or persuading) Aboriginal women to have sex with them in certain positions. But I think the phrase "the colored man, even though the latter had to carry it into effect practically" leaves little doubt that what Basedow has in view here is not the prostitution of Aboriginal women by white men, but entails white men in a position of voyeurism on

carry it into effect practically” leaves little doubt that what Basedow has in view here is not the prostitution of Aboriginal women by white men, but entails white men in a position of voyeurism on Aborigines having sex with each other. I think this is a clear case of enslavement, even by the understandings of the time.⁴⁸

Roth was not the first to be fascinated with the sexual positions of Aborigines, whether for scientific or other purposes. Miklucho-Maclay for example had been informed by “a pastoralist from Sydney” of the peculiar method, and reproduced a sketch in some respects similar to Roth’s sketch. A number of other writers also corroborated this picture of the method, often in Latin.⁴⁹

Roth notes that “the forcible laceration and enlargement of the vaginal orifice. *i.e.*, female-introcision” is only practised where male introcision is practised, and that both men and women must undergo the “ordeal” as “an indispensable preliminary to marriage”.⁵⁰ His view is that the practice was universal: “The information which on the one hand I have obtained from those reliable, and on the other which I have collected from the dozens upon dozens of personal examinations of my own, is conclusive concerning this matter of every adult male being so mutilated.”⁵¹ Hence, says Roth, it could hardly be effective as a means of contraception.

Aborigines having sex with each other. I think this is a clear case of enslavement, even by the understandings of the time.

⁴⁸ This practice is the subject of my paper entitled “Men like us: Sexual Slavery on the Australian Frontier”.

⁴⁹ An extremely common way of presenting “obscene” material in the late 19th and early 20th century (for example, see Barker’s translation of Aristotle’s *Politics*, *Maurice* etc.). A typical instance is the account of R. Helms on the Warrina (Arrabonna): “His mihi enaravit quomodo se ponant. Mulier ut videtur corpus ita ponit ut vir, genibus suppositis, manibus lumbum prehendere pos: sit: unde fit ut genitalia quam proxime conjugantur; eo modo fieri potest ut semen in vaginam introire possit.”

⁵⁰ Roth, *Ethnological Studies*, 179.

⁵¹ *Ibid.*, 180.

Roth hypothesises that the practice is connected to marriage, given that women have “to undergo a corresponding mutilation”:

It is possible that the cutting of the perineum and general laceration, &c., of the female was originally a matter of convenience for the male, the mutilation in her case subsequently coming to signify her fitness, capability, or experience, in the art of the full enjoyment of copulation, and that, on the principle of a form of mimicry, the analogous sign was inflicted on the male to denote corresponding fitness on his part. With this hypothesis, it is interesting to note that in the Pitta-Pitta and cognate Boulia District dialects the term used to describe the introcised penis denotes etymologically the one with a vulva or ‘slit’ (see *me-ko ma-ro* in the Pitta-Pitta vocabulary, sect. 44).⁵²

This passage reflects Roth’s main project in these discussions: to show that the introcised penis is a mimicry of the vulva, and that introcision is not performed on men so as to inhibit conception. This is an inventive and interesting thesis, although the thesis would seem to be sufficiently illustrated by the equation of subincised penis with vulva (and not necessarily with the cut vulva).⁵³ As Spencer and Gillen wrote in response to Roth’s conjecture: “This still leaves unexplained the mutilation of the women, and it would seem to be almost simpler to imagine that this was a consequence of the mutilation of the men.”⁵⁴

In order to support his thesis against the common argument concerning the efficacy of the introcised penis in inhibiting procreation, Roth produced a trump

⁵² Ibid. See also Basedow, “Subincision and Kindred Rites of the Australian Aboriginal”, 147-148.

⁵³ I cannot go into the competing explanations of the practice here. Basedow gives a good summary of the various views held by European writers on the topic in fin de siècle Australia. For more recent presentations of the controversy, see J.E. Cawte, N. Djagamara, and M.J. Barrett, “The Meaning of Subincision of the Urethra to Aboriginal Australians”, *British Journal of Medical Psychology*, 39 (1966), 245-253; Philip Singer and Daniel E. Desole, “The Australian Subincision Ceremony Reconsidered: Vaginal Envy or Kangaroo Bifid Penis Envy”, *American Anthropologist*, ns, 69, 3/4 (June-August 1967), 355-358; and J.E. Cawte, “Further Comment on the Australian Subincision Ceremony”, *American Anthropologist*, ns, 70, 5 (October 1968), 961-964.

⁵⁴ Baldwin Spencer and F.J. Gillen, *The Native Tribes of Central Australia* (London: Macmillan, 1899), 263.

card: photographs of an Aboriginal couple having intercourse. These were the photographs at the centre of the scandal in Roth's term as Protector, and it is to the incident of the photos that I now turn.

2. Roth and photography

The complaint against Roth in regard to the photographs was not the only matter in dispute during his term. It seems quite clear that the chief matter in dispute was Roth's perceived animosity to the interests of some white settlers. As one complainant noted, it was Roth's "Pecksniffian sympathy for the poor Blacks" that provoked opposition.⁵⁵ Another complainant characterised Roth as "an incubus upon us".⁵⁶ But Roth faced a litany of complaints, and there is no doubt that some of these complaints were well-founded, as for example his disposition of the artefacts he had collected in his official capacity.⁵⁷

Some of the specific complaints against Roth were given a sexual spin. For example, Roth was accused of inappropriate gynaecological examinations of women, and of helping to abduct Aboriginal women.⁵⁸ Roth's recounting of the folklore of the Aborigines was also in dispute. His rendition of the story, "Why the crocodile swims upstream", was ridiculed by some old hands in terms of the water taking "improper

⁵⁵ F.W. Briggs to Minister for Lands, 25 March 1905, QSA A/58927.

⁵⁶ *New Endeavour Beacon*, 14 July 1905, report on public meeting in Cooktown, clipping at QSA A/58850. See Moreton Station documents from April 1902, A/58850 and notations on Dan.

⁵⁷ See "Revelations – The Ethnological Specimens sold to Sydney Museum – Complete Official List – Giving Dates and Localities", *Truth Sunday*, 15 April 1906, clipping in QSA HOM/J20 1906/10295, and QSA HOM/J20 1906/10754.

⁵⁸ Hamilton to Minister for Lands, 27 July 1904, QSA A/58850.

liberties" with the crocodile.⁵⁹ Roth was accused of refusing medical help to some Aborigines.⁶⁰

The incident of the photos of the peculiar method of copulation, moreover, was not the first time that Roth had got into trouble for his photography. In the Queensland parliament in 1902, questions had been raised as to photos that Roth had taken on an island off the coast of Queensland. The member of parliament claimed (rightly it appears) that the women in the photos produced by Roth in order to attest to their good health had in fact died shortly after the photo was taken.⁶¹

The question of the photographs of a couple having sex taken by Roth was first raised in parliament in 1904. In his defence, Roth claimed that the photos he had taken were identical to the sketch of a copulating couple in Figure 433 of *Ethnological Studies*. And, he maintained, the book had been sent to the Prince of Wales (thus attesting to its respectability). In response, the indefatigable MP Mr Hamilton⁶² claimed that the diagrams were not included in the copy sent to the Prince of Wales, and that the Prince most likely did not read the book anyway. Hamilton mused, "In any case the Prince probably never saw or heard of it, and for the sake of Queensland, it is to be hoped he never will." Hamilton continued that "a mere glance at which would be a cause of shame and disgust, to any respectable man, leaving all

⁵⁹ Roth first noted the story "Why Iguanas and crocodiles travel upstream in Flood-time" in his Report to the Commissioner of Police from Cooktown, 12 May 1899, p. 12, in QSA A/19898 [Roth Estrays]. In Report no 5. See Hamilton to Minister for Lands, 28 July 1904.

⁶⁰ Hamilton to Minister for Lands 28 July 1904, enclosing JT Dickson to Hamilton, 19 October 1902.

⁶¹ Mr Dunsford asked the Home Secretary a question, noted under the heading "Photographing of Gins" in the parliamentary record. Dunsford claimed that Roth was passing around photos to show how well aboriginal women were treated, but that the women were dead: QPD xc (1902), 904; see also question of Mr Hamilton, 28 October 1902, QPD, xc, 958.

types of womanhood out of the question". Hamilton concluded that "to Queenslanders, it will be some consolation to know that Hungary is responsible for [Roth's] existence, and that Britain is mercifully free from any liability in the transaction."⁶³

The question that is raised by Roth's defence of his photo on the grounds that it was the same as the diagram anyway is for what reason he then needed the photographs. Roth gave the following explanation in reply to a "please explain" from his friend the Bishop of Carpentaria:

The description and illustration of the posture assumed in the sexual act was of the highest anthropological interest in that it in large measure defended my thesis that the mutilation known as Sturt's terrible rite, or sub-incision (by Professor Stirling) or intro-cision (by myself) did *not* act as had hitherto been supposed as a preventive to procreation.

... The photograph was taken for purely scientific purposes only and is one of a series (defecation, micturition, tree climbing, sitting, standing) of natural postures which every anthropologist makes inquiry about, with a view to ascertaining the connections (if any) between the highest apes and the lowest types of man.⁶⁴

In writing to Bishop White, Roth noted that he first saw this peculiar method of copulation in 1894:

I first saw the peculiar method of copulation while camping out westward of Boulia sometime in 1894, but knowing the natural modesty of the savage, which I have invariably admired and respected, and knowing that I should lose their respect were I to attempt to put any of these uncivilised blacks in the position

⁶² In company with Lesina, who was given to interjections such as "Let them [niggers] die out!" in Parliament: see QPD, lxxxvii (1901), 209.

⁶³ Mr Hamilton to the Minister for Lands, 13 June 1904, in QPD, xcii (1904), 578-589. Also see *Torres Strait Pilot*, 25 January 1902, clipping at A/58850: "He also objected to Britishers having to [go to] an unnaturalised alien to ask his gracious permission to recruit [Aboriginal labour for boats]."

⁶⁴ Roth to Bishop White, 19 June 1904, QSA A/58850, tabled in QPD, xcii, 13 July 1904, 585. Bishop White wrote to Roth on 3 June 1904, and Roth's reply is dated 19 June 1904. White telegraphed that he was satisfied with Roth's explanation, letter of 8 July 1904.

necessary to take the required photograph, I made a sketch (which as I have already stated, was subsequently published) and put the matter out of my mind.⁶⁵

However, when *Ethnological Studies* was published, Roth noted that he had received several communications, written and verbal, doubting that such a posture of copulation was physically possible. Meanwhile, Roth noted, he had found the same posture everywhere: "I thereupon informed my scientific friends of the very interesting corollary that the sexual mutilation now met with [in certain parts of Australia] was probably traditionally practised throughout the entire Continent."⁶⁶ That is, for Roth, the incidence of the posture in certain areas was the sign that subincision had originally been practised there despite its contemporary absence.

Hence Roth's perceived necessity to photograph the peculiar position. According to Roth, his scientific opportunity came up in 1900 or 1901, when an aged married couple on a station "agreed to posture for me". Roth wrote to Bishop White that the woman had children, presumably so as to emphasise the scientific rather than prurient character of his photography:

Although half-civilised, they were a bit afraid of the camera at first, but could hardly refrain from laughing at the idea of my wanting to see them in the position asked for. However Mr. promised them I would give them money and tobacco etc. (I think flour) which I did – they were both contented. Considering the scandal which certain individuals have been trying to sow, I am indeed thankful that, if called upon, I can thus bring forward a European witness who was with me at the time in question.⁶⁷

Roth concluded, "I have been guilty of no conduct unworthy of a gentleman and a man of honour."

⁶⁵ Roth to Bishop White, 19 June 1904, QSA A/58850.

⁶⁶ Roth to Bishop White, 19 June 1904, QSA A/58850.

⁶⁷ Roth to Bishop White, 19 June 1904, QSA A/58850.

Conclusion

Roth's controversial claims would appear to be a rather fragile basis on which to base an assertion about Aboriginal practices even in the late 19th century. If we add the misreadings of Roth by Worsley and others, what is at issue takes on the colour of fraud. To claim, on the highest of authority of the United Nations, that introcision is currently practised among a spuriously named tribe is to perpetrate a mischief of the gravest order. The UN Fact Sheet on Harmful Traditional Practices gives no sources for any of its other claims about the extent of such practices in various parts of the world. Combating violence against women is not helped by relying on fictitious or shaky claims.

What the documents point to, however, is something extremely disturbing: evidence of the common occurrence of practices of slavery, taking a sexual form. Forcing, or persuading, Aborigines to perform sexual acts like performing bears for a white male audience fits squarely even within then current criteria of enslavement, a heinous crime that shocks the conscience of mankind then and now.