

Should Australia formally recognise that genocide was perpetrated against Aboriginal and Torres Strait Islander peoples?

What they said...

'History is generally written from a dominant society's point of view and not that of the suppressed...therefore true history is brushed aside, masked, dismissed or destroyed'

Ken Wyatt, federal Minister for Indigenous Australians

'I didn't believe genocide had taken place, and I still don't'

John Howard, prime minister of Australia from 1996 to 2007

The issue at a glance

On July 10, 2019, the federal minister for Indigenous Australians, Ken Wyatt, gave a speech in which he committed to 'address[ing] truth telling.' He referred to the 'brutal realities of the past' and the trauma of the stolen generations - Indigenous children removed from their families. <https://www.smh.com.au/politics/federal/wyatt-unclear-on-how-truth-telling-would-be-delivered-20190710-p52610.html>

In an address given at the National Press Club, the minister stated, 'We need to hear the lies they were told, the casual cruelty of the fates they were dealt and the unthinkable loss in their hearts'. He declared that the country's 'true' history could not be 'brushed aside, masked, dismissed or destroyed.' <https://www.smh.com.au/national/walk-with-me-australia-ken-wyatt-s-historic-pledge-for-indigenous-recognition-20190710-p525rx.html>

On June 4, 2019, the Canadian Prime Minister Pierre Trudeau endorsed the finding of the National Inquiry into Murdered and Missing Indigenous Women and Girls that their treatment 'was genocide'. <https://www.theglobeandmail.com/canada/british-columbia/article-trudeau-accepts-indigenous-inquirys-finding-of-genocide/> Whether the use of this term is appropriate to refer to Indigenous deaths and disappearances has been widely debated in Canada.

In Australia there is still no consensus as to whether the term 'genocide' should be applied to the Indigenous deaths which resulted from colonisation or to the subsequent removal of indigenous children from their families.

The manner in which Australia's past might be truthfully viewed remains contentious.

Background

The material below which relates to an Indigenous/Australian timeline has been taken from different sources. Material from 1770 to 1995 has been taken from the Now South Wales Teaching Heritage site. <http://www.teachingheritage.nsw.edu.au/section03/timeindig.php> Later material comes from the National Conciliation Week Conciliation Timeline <https://www.reconciliation.org.au/wp-content/uploads/2019/03/reconciliation-timeline-2.pdf> the SBS News Timeline for the Indigenous rights movement <https://www.sbs.com.au/news/timeline-indigenous-rights-movement> and the National Museum Australia's Historical milestones https://www.nma.gov.au/exhibitions/off_the_walls/timelines

Genocide

An attempt to define, punish and prevent genocide was first made by the United Nations, shortly after the end of World War II, in the wake of the dreadful mass killing and persecution perpetrated by the Nazis against Jewish people in Europe, Poles, gypsies and others.

The attempt to exterminate all Jewish people in Europe is now commonly referred to as the Holocaust. This term was first used in this way in the United States in the early 1940s and popularised in the late 1970s. https://en.wikipedia.org/wiki/The_Holocaust

Definition of genocide <https://www.un.org/en/genocideprevention/genocide-convention.shtml>
Under Article 2 of the United Nations Genocide Convention on the Prevention and Punishment of the Crime of Genocide, 'genocide' is defined as the commission of any act 'with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such'.

The prohibited acts include:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Australia was only the second State to ratify the Convention, which entered into force on 12 January 1951. The treaty was adopted unanimously by the United Nations General Assembly and opened for signature on 9 December 1948. Australia signed it two days later and soon after ratified the Convention on 8 July 1949, enacting the Genocide Convention Act 1949 (Commonwealth) with bipartisan political support. This unanimity and prompt support were largely in response to the recent genocides against Jews and gypsies perpetrated by the Nazis in the Second World War. <http://classic.austlii.edu.au/au/journals/SydLawRw/2000/24.pdf>

Some key dates and events in Indigenous/Australian history

1770

Lieutenant James Cook raised the British flag at Possession Island off the tip of Cape York Peninsula and claimed to take possession of the whole east coast of Australia. The British annexation of Indigenous Australia was based on the doctrine of terra nullius. In effect this doctrine stated that Australia belonged to no one i.e. Indigenous Australians had no concept of law or ownership and have no rights to land. All indigenous rights were extinguished, and no British citizenship rights granted. (However, it is now recognised that in the 1830s the British Government accepted that Aboriginal people had some legal claim on the land).

1788

British occupation of Australia began. Estimates put the Indigenous population at between 300,000 and 750 000. Aboriginal resistance was immediate. Clashes were reported over the next 10 years in the Parramatta and Hawkesbury districts. The British Government's act of possession legislated Indigenous Australians as British subjects and marked the acquisition of sovereignty over Indigenous Australia.

For the first fifty years of the colony Indigenous Australians had no formal citizenship status. Indigenous Australians were given the title of Natives and were deemed to be His Majesty's subjects. (This was the same for the colonists who were also deemed subjects. White male suffrage did not occur until 1858).

1804

Tasmania: Two years after the British flag was raised in Van Dieman's Land (Tasmania) settlers were authorised to shoot Indigenous Australians.

1814

NSW: Governor Macquarie established the Native Institution at Parramatta. This school for local Indigenous children closed in 1820 when families withdraw children after they realised that the Institution's aimed to distance Indigenous children from families and communities.

1816

NSW: Governor Macquarie's proclamation gave some Indigenous Australians, with 'passes', the 'protection' of white law. This same proclamation declared Martial Law against other Indigenous Australians who could then be shot on sight if armed with spears, or unarmed, if they were within a certain distance of white houses or settlements.

1824

NSW & Tasmania: Martial law was declared in Bathurst NSW after Indigenous Australians became a serious threat to white settlement. In Tasmania, settlers were authorised to shoot Indigenous Australians.

1830

Tasmanian Indigenous Australians were forcibly settled on Flinders Island. Conditions were very poor, and many died. Later the community was moved to Cape Barren Island.

1834

Western Australia: The Pinjarra massacre: Governor Stirling led 25 mounted police against Indigenous Australians. Official records say 14 Pinjarra were killed. Pinjarra accounts suggest a whole tribe was wiped out in the attack.

1837

A British Parliamentary Select Committee examined the treatment of Indigenous people in all British colonies. Australian colonies were particularly criticised. 'It will be very hard, we think, to find compensation...for the murders, the misery, the contamination which we have brought upon them.' <https://archive.org/details/reportparliamen00britgoog/page/n32>

1838

NSW: Myall Creek massacre. Settlers shot and burnt twenty-eight Kamilaroi, mostly women and children. This was the first occasion in Australian history when perpetrators of a massacre of Indigenous Australians were punished under Australian law.

NSW: Prohibition of sale, or gift, of alcohol to Indigenous Australians. Various forms of the prohibition continue to appear until 1963 and then were reintroduced after the Intervention in 2007 in selected communities across central and northern Australia.

1839

NSW: Squatters made liable to lose their license for 'malicious injury or offence committed upon or against any Aboriginal native'.

1869

Victoria: The Board for the Protection of Aborigines was established. The Governor could order the removal of any child to a reformatory or industrial school. The Protection Board

could remove children from families be housed in dormitories. From 1886 the Victorian Board was empowered to apprentice Indigenous Australians' children when they reached thirteen. Children required permission to visit their families on the stations.

1883

NSW: Aborigines Protection Board was set up and legislated control over the lives of around 9 000 Aboriginal people.

1890

NSW: As early as 1890 the Aborigines Protection Board developed a combined policy of 'segregation' and 'assimilation'. The Aborigines Protection Board could forcibly take the children off the reserves and 'resocialise' them 'for their own good'.

1901

Commonwealth: Indigenous Australians were denied the rights of the 1901 Commonwealth Constitution. These rights were not granted until the Constitution Alteration (Aboriginals) Act [1967 Referendum]. The 1901 Commonwealth Constitution mentions Indigenous people twice: once to exclude Indigenous people from the census, and once to exclude Indigenous people from the lawmaking powers of the Commonwealth parliament.

1905

Western Australia: Under the Aborigines Act (WA) the Chief Protector was made the legal guardian of every Indigenous person and "half-caste" child under 16.

1911

South Australia: Aborigines Act (SA) empowered the Chief Protector to be the legal guardian of every Indigenous and "half-caste" child under 21 with control over the child's place of residence. The Chief Protector was replaced by the Aborigines Protection Board in 1939. Guardianship power was repealed in 1962.

Northern Territory: Northern Territory Aborigines Ordinance (Cwlth). The Chief Protector was made the legal guardian of every Indigenous and 'half-caste' child under 18. Any Indigenous person could be forced into a mission or settlement and children could be removed at will. These powers were repealed in 1957.

1925

NSW: Australian Aborigines Progressive Association was formed in NSW and demanded the abolition of the policy of forced removal of Aboriginal children.

1928

Northern Territory: Coniston massacre - settlers and police admitted to shooting 31 Indigenous Australians after a white dingo trapper was killed.

1936

NSW: The Aborigines Protection Act 1936 (NSW) allowed any Indigenous person to be removed by court order to a reserve and be kept there until the order was cancelled.

1938

NSW: The Australian Aborigines Conference was held on January 26 in Sydney marking a Day of Mourning for the 150th anniversary of the NSW colony. The founders, Jack Patten, Jack Ferguson and William Cooper demanded a 'new deal for Aborigines', for 'justice,

decency and fair play'. They had a ten-point plan for equality and access to mainstream citizenship rights.

1940

NSW: Under new legislation, the Aborigines Welfare Board replaced the Aborigines Protection Board. This new legislation made it more difficult to segregate Indigenous children from their families but, in reality, the practice still continued well into the 1960s.

1949

Commonwealth: The Commonwealth Electoral Act 1949 (Cwlth) allows Indigenous Australians the right to vote in federal elections only if they are enrolled in state elections or have been members of the defence force. The Convention on Genocide was ratified by Australia. It came into force in 1951.

1951

Commonwealth: At the Third Commonwealth-State Native Welfare Conference, Canberra formally adopted a policy of assimilation in regard to Indigenous Australians ... "assimilation means that, in the course of time, it is expected that all persons of 'aboriginal blood' or 'mixed blood' in Australia will live like other white Australians do."

1958

Commonwealth: The Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) was formed leading to a ten-year struggle for constitutional reform which resulted in the holding of the 1967 Referendum.

1960

Commonwealth: Social Service benefits are paid directly to Indigenous Australians for the first time.

1965

Commonwealth: July 1965 - March 1967: As a result of the Northern Territory Aboriginal Workers' Case the Commonwealth Arbitration Commission granted equal wages to Indigenous pastoral workers. The cattle industry reacted by phasing out Indigenous labour and driving Indigenous communities progressively off their properties which were their traditional lands.

1967

Commonwealth: The Constitution Alteration (Aboriginals) Act (Cwlth) referendum is passed. This Act conferred the power on the Commonwealth to make special laws for Aboriginal people (though it was ten years before this happened in an effective way) and entitled Indigenous Australians to be included on the census and in electoral calculation.

1972

Commonwealth: Aboriginal Tent Embassy was set up outside Parliament House in Canberra to demonstrate for Indigenous rights. The Labor Government of Gough Whitlam adopted self-determination as official government policy in Indigenous affairs. This was the first time in Australia's colonial history that government policy coincided with Indigenous Australians aspirations

1974

Commonwealth: The Aboriginal Land Fund Act (Cwlth) enabled incorporated Indigenous organisations to acquire interests in land.

Federal Cabinet accepted the 1973 Woodward Commission recommendations that all Northern Territory reserves and missions should be handed over to Indigenous people.

1978

Commonwealth: The Northern Territory Aboriginal Sacred Sites Ordinance, instituting prosecution for trespass and desecration of Aboriginal sites, was passed. The Kimberley Land Council was formed. The Northern Territory was given self-government by the Fraser Government.

1983

NSW: Aboriginal Land Rights Act 1983 (NSW) recognizes dispossession and displacement.

1984

Commonwealth: The Commonwealth Electoral Act 1984 (Cwlth) gives full entitlement to all Indigenous Australians to vote in all state and territory elections.

1985

Northern Territory: Uluru handed back to traditional owners.

1988

Commonwealth: Australia's representative to the United Nations Human Rights Committee acknowledged: "public policy regarding the care of Aboriginal children, particularly during the post-war period, had been a serious mistake". Thousands of Indigenous people and supporters marched through the streets of Sydney to celebrate survival on the Bicentennial of British colonisation of Australia.

1992

Commonwealth: The High Court of Australia rules in the Mabo case that native title exists over particular kinds of land - unalienated Crown land, national parks and reserves - and overturns the doctrine of terra nullius recognising that Indigenous peoples are the original occupants of this land and possessed a complex system of land tenure that has always existed in this country.

1993

Commonwealth: The Native Title Act (Cwlth) was passed in Federal parliament and established the principles and processes to be used for establishing Native Title.

1995

Commonwealth: National inquiry into the separation of Aboriginal and Torres Strait Islander children from their families was established in May. Bringing Them Home Report was launched in June of this year.

1996

Commonwealth: Wik people were successful in a High Court case to establish that native title and pastoral leases could co-exist.

1998

Commonwealth: 1998: Native Title Amendment Act 1998 is passed; seen by many to reduce native title rights for Indigenous people.

First National Sorry Day – over 1 million signatures collected in Sorry Books.

2000

Corroboree 2000. Handover of Document for Reconciliation at Sydney Opera House, more than 300 000 joined in the Bridge Walk.

2007 – 21st June

Commonwealth: Howard Government announces its intervention into Northern Territory Indigenous communities titled the Northern Territory Emergency Response.

2008, 13th February

Prime Minister Kevin Rudd made a formal apology within the Australian Parliament to the Stolen Generations

2017

The Uluru Statement from the Heart was released by Indigenous delegates to an Aboriginal and Torres Strait Islander Referendum Convention held near Uluru in Central Australia.

The Uluru Statement from the Heart asked for two reforms:

a First Nations Voice enshrined in the Constitution;

a Makarrata Commission, ‘to supervise a process of agreement-making between governments and First Nations and truth-telling about our history’. <https://www.abc.net.au/news/2017-08-10/makarrata-explainer-yolngu-word-more-than-synonym-for-treaty/8790452>

Internet information

On July 10, 2019, The Sydney Morning Herald published the edited transcript of the speech given by Indigenous Australians Minister, Ken Wyatt, at the Canberra Press Club.

Wyatt referred to treaty negotiation, an Indigenous voice and historical truth-telling.

The full text can be accessed at <https://www.smh.com.au/national/walk-with-me-australia-ken-wyatt-s-historic-pledge-for-indigenous-recognition-20190710-p525rx.html>

On July 10, 2019, The Daily Telegraph published a point of view by commentator Andrew Bolt titled ‘Identity politics shames us all’

Bolt argues that proposals such as the establishment of an Indigenous voice, which he terms an ‘Aboriginal parliament’ would be highly divisive.

The full text can be accessed at <https://www.dailytelegraph.com.au/news/opinion/andrew-bolt/andrew-bolt-identity-politics-shames-us-all/news-story/d0ed232e10b992928df3f9b44ae56a7f>

On July 7, 2019, ABC News posted an analysis titled ‘Canada acknowledges “colonial genocide”, but will it set a precedent in the Commonwealth?’

The article considers the ramifications of the Canadian acknowledgement within Canada and in other Commonwealth countries such as Australia.

The full text can be accessed at <https://www.abc.net.au/news/2019-07-07/will-canadas-report-into-colonial-genocide-impact-commonwealth/11241372>

On June 7, 2019, MacLean’s published an opinion piece by Heidi Matthews, Assistant Professor at Osgoode Hall Law School, titled ‘What the debate around Indigenous genocide says about Canada’.

The comment considers the political and legal ramifications of Canada acknowledging it has committed Indigenous genocide.

The full text can be accessed at <https://www.macleans.ca/opinion/what-the-debate-around-indigenous-genocide-says-about-canada/>

On June 4, 2019, ABC News published a report titled 'Justin Trudeau vows to act on deaths of Canada's Indigenous women and girls, called a "genocide"'

The report gives an overview of the response of the Canadian prime minister to the report of the special commission tasked with investigating murdered and missing Indigenous women in Canada.

The full article can be accessed at <https://www.abc.net.au/news/2019-06-04/national-inquiry-murdered-canadian-indigenous-women-genocide/11175754>

On March 4, 2019, The Guardian published a research and analysis piece detailing Indigenous massacre sites across Australia, many of which have not been previously mapped. The independent research has been funded by the Balnaves Foundation and is ongoing.

The most current report at this time can be accessed at

<https://www.theguardian.com/australia-news/2019/mar/04/the-killing-times-the-massacres-of-aboriginal-people-australia-must-confront>

On February 11, 2019, The Guardian published a report by Ben Smee titled 'Truth-telling: 80% say past injustices against Indigenous people should be recognised'

The article details the findings of the reconciliation barometer survey, conducted by Reconciliation Australia every two years.

The full text can be accessed at

<https://www.theguardian.com/australia-news/2019/feb/11/truth-telling-80-say-past-injustices-against-indigenous-people-should-be-recognised>

On January 24, 2019, news.com.au published a comment titled 'Why the Australia Day debate, and discussion about any other divisive issue, is now basically pointless'

The comment argues that the effect of social media is to artificially exacerbate contemporary issues.

The full text can be accessed at <https://www.news.com.au/lifestyle/real-life/news-life/why-the-australia-day-debate-and-discussion-about-any-other-divisive-issue-is-now-basically-pointless/news-story/dde237292138fcb5765bfe850af77ec4>

On October 10, 2018, Reconciliation Australia issued a media release titled 'Truth-Telling About the Past, the Present and the Future'

The release explains the positive impacts of truth telling on the lives of contemporary Indigenous Australians.

The full text can be accessed at <https://www.reconciliation.org.au/truth-telling-about-the-past-the-present-and-the-future/>

On September 26, 2018, NITV published a report titled 'It's about genocide, not achievements': PM's Indigenous day proposal falls flat'

The report gives the views of a range of Indigenous activists who reject Prime Minister Morrison's proposal that there should be one Australia Day on January 26 to celebrate Australian achievement since federation and another on a different date to celebrate Indigenous culture.

The full text can be accessed at <https://www.sbs.com.au/nitv/nitv-news/article/2018/09/25/its-about-genocide-not-achievements-pms-indigenous-day-proposal-falls-flat>

On December 22, 2017, the Journal of Genocide Research published an updated version of Dirk Moses article 'An antipodean genocide? The origins of the genocidal moment in the colonization of Australia.'

The article gives an overview of conflicting views on the issue and ultimately argues that conflicting interest between the settlers and the Indigenous population pushed their interaction in the direction of genocide.

The full text can be accessed at <http://gooriweb.org/genocide/94.pdf>

On May 25, 2017, The Daily Telegraph published a point of view by commentator Andrew Bolt in which he accused the ABC of promoting division in Australia by promoting a change to the constitution which, he claims, would separate Australians by race.

The full text can be accessed at <https://www.dailytelegraph.com.au/blogs/andrew-bolt/no-abc-bias-explain-its-barracking-for-racial-division/news-story/1961d7c1134e7485caea324165d451bf>

On March 27, 2015, the Monash University Indigenous Centre and the Castan Centre for Human Rights Law published a paper by Colin Tatz, Professor of Politics at Macquarie University, Sydney. titled 'Genocide in Australia by Accident or Design'

This is the culmination of a series of papers Tatz has written on this question. His conclusion is that the genocide perpetrated against Indigenous Australians was more deliberate than accidental.

The full text can be accessed at

https://www.monash.edu/__data/assets/pdf_file/0020/141554/tatz-essay.pdf

On September 22, 2014, The Guardian published a report titled 'John Howard: there was no genocide against Indigenous Australians'

The former prime minister rejects the findings of the Stolen Generation report 'Bringing Them Home' on the removal of Indigenous children and their placement in white settings that this was an act of genocide.

The full text can be accessed at <https://www.smh.com.au/national/nothing-to-say-sorry-for-howard-20080312-gds4t6.html>

On December 22, 2010, The Koori History Website posted a speech given by Keith Windschuttle when he addressed the Sydney Institute on February 11, 2003. The speech is titled 'The Fabrication of Aboriginal History' which draws heavily on volume one of Windschuttle's book of the same name.

The full text can be accessed at <http://www.kooriweb.org/foley/resources/pdfs/197.pdf>

In February 2010 The Monthly published a comment by Robert Manne, currently Vice-Chancellor's Fellow and Convener of the Ideas & Society Program at La Trobe University, titled 'Keith Windschuttle' in which Manne critiques that arguments put by Windschuttle in The Fabrication of Aboriginal History, vol 1.

The full text can be accessed at <https://www.themonthly.com.au/nation-reviewed-robert-manne-comment-keith-windschuttle-2256>

On March 12, 2006, The Sydney Morning Herald published a report titled 'Nothing to say sorry for: Howard'

The report included excerpts from an interview with the former prime minister in which he rejected that the Stolen Generation report 'Bringing Them Home' on the removal of Indigenous children and their placement in white settings indicated that there was anything for which the Government or contemporary Australian people need apologise. The full text can be accessed at <https://www.smh.com.au/national/nothing-to-say-sorry-for-howard-20080312-gds4t6.html>

On December 12, 2002, The South China Morning Post published a review of Keith Windschuttle's 'The Fabrication of Aboriginal History', volume one. The review is titled 'Furore as author calls the Aboriginal genocide in Tasmania a myth' and presents views on both sides of the issue. The full text can be accessed at <https://www.scmp.com/article/400418/furore-author-calls-aboriginal-genocide-tasmania-myth>

On December 16, 2002, The Age published an editorial titled 'Story of nation's birth turns spiteful' The editorial outlines the development of the 'history wars' which involve conflicting views of the nature of the conflict between the Indigenous population and early settlers. The full text can be accessed at <https://www.theage.com.au/national/story-of-nations-birth-turns-spiteful-20021216-gduxto.html>

On November 25, 2002, The Sydney Morning Herald published a comment by Paul Sheehan titled 'Our history, not rewritten but put right' The comment is a defence of the Position put by historian Keith Windschuttle in his first volume of The Fabrication of Aboriginal History. The full text can be accessed at <https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

Arguments in favour of recognising the treatment of Aboriginal and Torres Strait Islander peoples as genocide

1. Indigenous genocide was the intent of actions and policies of many white settlers and administrators

There are many who maintain that the large-scale deaths of Indigenous Australians with the advent of white settlement was frequently the result of deliberate actions on the part of settlers and administrators and the governments for which they acted. These historians and commentators argue that white settlement of Australia was accompanied by an attempt on the part of many white settlers and administrators to quell the Indigenous population, up to and including by complete annihilation, and that this was a deliberate policy which was a form of genocide. It has further been claimed that later policies which disrupted Indigenous communities and took their children from them was part of another deliberate policy, this time to allow these ethnic groups to fade out of existence.

It has been repeatedly claimed that many settlers both wanted and attempted to achieve the complete destruction of Indigenous populations. Professor Dirk Moses, while noting that the term 'genocide' had yet to be coined in early post-settlement Australia, has claimed that many settlers were seeking just that in relation to Australia's indigenous population. Moses has stated, 'When settlers called for the extermination of indigenous peoples – and they often did – they were advocating genocide – the destruction of a people– particularly if we view the Australian Aborigines as comprising many locally based peoples rather than a single nation.' https://www.dirkmoses.com/uploads/7/3/8/2/7382125/moses_genholoconsaustralia.pdf

Similarly, it has been claimed that some governors and other administrators appeared willing to bring about the extermination of Indigenous peoples. Historian John Harris, in a treatment of three disputed Indigenous massacres, two in Western Australia and one in New South Wales, comments on the actions and attitudes of the first Western Australian Governor and the founder of the Swan River settlement, Captain James Stirling.

Harris has observed that following the killing of some male members of the Murray River tribe at Pinjarra (variously estimated at from 20 to 80 in number

https://www.monash.edu/__data/assets/pdf_file/0020/141554/tatz-essay.pdf) near Perth, in 1834, in an incursion led by Stirling, the governor noted in his official report to the Colonial Office in London that he had set out to punish the whole tribe and thus break their resistance. The extent to which this endeavor might go was indicated by the warning Stirling gave the survivors of the tribe, which was reported in *The Perth Gazette* at the time. Stirling threatened that if there were further trouble, 'four times the present number of men [government forces] would proceed amongst them [the Murray River people] and destroy every man, woman and child.' <http://press-files.anu.edu.au/downloads/press/p73641/pdf/ch0550.pdf>

In Tasmania, policies which ultimately resulted in the deaths of all full-blood Tasmanian Indigenous people became progressively more severe. Bounties that were initially introduced at £5 for an adult Aboriginal person and £2 per child to encourage colonists to bring in live captives were later extended to cover not only the living but also the dead. Ultimately, a couple of thousand soldiers, settlers and convicts were recruited for a general movement against Aboriginal people in late 1830. During this major campaign, Governor Arthur rode his horse up and down the lines. He personally oversaw the operation. He sent dedicated skirmishing parties out in front of 'the line'. Surviving records do not reveal how many casualties may have resulted. <https://theconversation.com/explainer-the-evidence-for-the-tasmanian-genocide-86828>

Statements and actions such as Stirling's and Arthur's have been condemned as genocidal. It has also been claimed that Australian state and federal policies which involved the resettlement of indigenous populations and particularly the placement of Indigenous children in households or institutions run by white Australians were a deliberate attempt to destroy racial identity and the race itself.

In 1937, at the Canberra Conference on Aboriginal Welfare, the Western Australian Chief Protector of Aborigines, Octavius Neville, advanced a program of interbreeding that would see the disappearance of Indigenous peoples. He declared, 'Are we going to have a population of 1,000,000 blacks in the Commonwealth, or are we going to merge them into our white community and eventually forget that there ever were any aborigines in Australia?' <https://preserve.lehigh.edu/cgi/viewcontent.cgi?article=1002&context=cas-lehighreview-vol-13> Propositions such as these have since been condemned as openly genocidal.

Following Australia's signing of the United Nations Genocide Convention, there appeared to be an overt recognition by Australian governments that the country's long-established practice of removing Indigenous children from their families was genocide. An exchange of letters between the Commonwealth and Northern Territory governments in 1949-1950, shows both governments acknowledging that child removal policies probably contravened the Universal Declaration of Human Rights and the Genocide Convention.

<http://classic.austlii.edu.au/au/journals/SydLawRw/2000/24.pdf>

On May 26, 1995, the report of the 'Bringing Them Home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families' was tabled in the Australian Federal Parliament. The Inquiry's report acknowledged that 'Indigenous children have been forcibly removed from their families and communities since the very first days of the European occupation of Australia.' Children removed from the families in this way have come to be termed 'The Stolen Generations'

http://pandora.nla.gov.au/pan/55165/20051230-0000/www.humanrights.gov.au/bth/additional_resources/bth_guide/bth.pdf

The Inquiry further judged, 'The Indigenous families and communities have endured gross violations of their human rights. These violations continue to affect indigenous people's daily lives. They were an act of genocide, aimed at wiping out indigenous families, communities, and cultures, vital to the precious and inalienable heritage of Australia.'

http://pandora.nla.gov.au/pan/55165/20051230-0000/www.humanrights.gov.au/bth/additional_resources/bth_guide/bth.pdf

The Inquiry found that 'the predominant aim of Indigenous child removals was the absorption or assimilation of the children into the wider, non-Indigenous, community so that their unique cultural values and ethnic identities would disappear, giving way to models of Western culture. In other words, the objective was 'the disintegration of the political and social institutions of culture, language, national feelings, religion, and the economical existence of Indigenous peoples... Removal of children with this objective in mind is genocidal because it aims to destroy the "cultural unit".'

<https://www.humanrights.gov.au/our-work/bringing-them-home-chapter-13#Heading103>

2. Indigenous people died in very large numbers because of white settlement

Those who argue that an Indigenous genocide occurred in Australia tend to emphasise the great number of Indigenous lives that were lost consequential to white settlement. For some of these commentators, population decline of this scale, resulting from the effect of one group of people upon another, should be referred to as genocide.

In an article published in *Aboriginal History* in 2003, historian John Harris noted, 'The awful but surely undeniable fact of Aboriginal history, the one fact which transcends all other facts and all other estimates, reconstructions, analyses, guesses, misrepresentations, truths, half-truths and lies, is the fact of the immense and appalling reduction in the Aboriginal population during the first 150 years of European settlement.' <http://press-files.anu.edu.au/downloads/press/p73641/pdf/ch0550.pdf>

Harris first identifies the estimates of the Indigenous Australian population at the time of white settlers' arrival, noting the conservative nature of these figures. 'Estimates of Australia's Aboriginal population in 1788 range from 300,000 to well over one million. The lower estimate, proposed by the English anthropologist Arthur Radcliffe-Brown, used to be generally accepted but many now regard it as far too low. Based on census statistics and reports gathered several decades after European settlements, it failed to take into account the rapid decline in Aboriginal numbers within the first 10 years of the arrival of European settlers anywhere in Australia.' <http://press-files.anu.edu.au/downloads/press/p73641/pdf/ch0550.pdf>

Harris then gives figures showing the numerical decline in the Australian Indigenous population that followed upon white settlement. Harris notes, 'By the 1920s, census figures indicate that only about 58,000 'full-blood' Aboriginal people survived in Australia.' <http://press-files.anu.edu.au/downloads/press/p73641/pdf/ch0550.pdf> Using the conservative estimate of an initial Indigenous population of 300,000, 132 years later the number had dropped by more than five hundred percent.

Harris further argues that the extent of the loss of life is more important than the various methods by which it was brought about. For him it is the fact of these deaths rather than whether they occurred violently that is significant. He states, 'The tragically huge depopulation of Aboriginal Australia, by whatever means, is far more important an issue than arguments about how the victims actually died. More Aboriginal people died of venereal diseases, hunger, and smallpox than by violence. But the debate about the extent of violent death has lately assumed considerable significance and become a kind of battle for how

history is interpreted.’ <http://press-files.anu.edu.au/downloads/press/p73641/pdf/ch0550.pdf> For Harris and other similarly minded historians, depopulation is the central factor, rather than whether it occurred as a result of disease and relocation or massacres and frontier wars. It has also been argued that settler groups should be seen as at least partially complicit in all non-violent causes of large-scale Indigenous death after white colonisation. Christopher Warren, an Australian journalist and writer, has argued in favour of the disputed claim that the First Fleet deliberately infected local Indigenous populations with a smallpox, which resulted in large scale deaths.

<https://www.abc.net.au/radionational/programs/ockhamsrazor/was-sydneys-smallpox-outbreak-an-act-of-biological-warfare/5395050> However the disease was first brought to Australia, smallpox spread across the country with the advance of European settlement, bringing with it shocking death rates. The disease affected entire generations of the Indigenous population and survivors were in many cases left without family or community leaders. The spread of smallpox was followed by influenza, measles, tuberculosis and sexually transmitted diseases, to all of which Australia’s Indigenous peoples had no resistance, and all of which brought widespread death. <https://www.nma.gov.au/defining-moments/resources/smallpox-epidemic>

Some historians have contended that white colonisers can be held in part responsible for most post-settlement events which caused widespread Indigenous deaths. Historian Tony Barta has cited historian Raymond Evans who claims with regard to Indigenous deaths through disease, ‘A degree of human agency is always involved in the spread, control and treatment of diseases, and explicit acts of commission and omission, as well as accident and fate’ need to be considered ‘before violence and disease are pigeonholed neatly as mutually exclusive causes of annihilation — the one intentional, the other accidental.’ <http://press-files.anu.edu.au/downloads/press/p72971/pdf/ch0350.pdf>

A research piece published in *The Australian and New Zealand Journal of Public Health* in 2011 serves to demonstrate the level of responsibility white colonialists could be considered to have for the spread of a disease such as tuberculosis among Indigenous Australians. The authors note, ‘It is generally agreed that there was no TB in Australia before European settlement, and that *Mycobacterium tuberculosis* was introduced by the First Fleet in 1788. In the second half of the 19th century tuberculosis became the major cause of death in Aboriginal communities in the southern parts of the country, mainly as a result of the changing way of life of many of these communities. From a nomadic lifestyle they were increasingly forced to live in established settlements, where they suffered from overcrowding, unhygienic conditions, poor nutrition and considerable psychological stress.’ <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1753-6405.2010.00663.x> This study argues that white colonisers did more than introduce the disease; they forcibly imposed the living conditions that allowed it to spread. The spread of other diseases, such as venereal diseases and influenza, not known to Australia prior to white colonisation, has similarly been attributed to lifestyle changes and other exigencies forced upon Indigenous populations after colonisation. https://openresearch-repository.anu.edu.au/bitstream/1885/7529/1/02Whole_Dowling.pdf

3. National truth-telling can be positively managed so as not to provoke guilt or hostility among mainstream Australians

Those who support a process whereby mainstream Australia officially acknowledges the painful and often violent nature of its historical interactions with Indigenous Australians claim that such ‘truth-telling’ can be managed positively in a way that does not foster anger, resentment and guilt.

The model suggested is based on principles informing the Truth and Reconciliation Commission, a restorative justice body assembled in South Africa after the end of apartheid. [https://en.wikipedia.org/wiki/Truth_and_Reconciliation_Commission_\(South_Africa\)](https://en.wikipedia.org/wiki/Truth_and_Reconciliation_Commission_(South_Africa)) Canada has had a long-running Truth and Reconciliation Commission (which was active from 2008 to 2018). <https://www.smh.com.au/politics/federal/wyatt-unclear-on-how-truth-telling-would-be-delivered-20190710-p52610.html>

Karen Mundine, a Bundjalung woman from northern New South Wales and head of Reconciliation Australia, together with Richard Weston, a descendant of the Meriam people of the Torres Strait, and head of the Healing Foundation, have argued, ‘The focus should now turn to how we realise truth telling in this country, in a way that is safe for all involved... Truth telling can and should advance reconciliation, provide healing to Aboriginal and Torres Strait Islander people and liberate Australians from the shadow of an unhelpful focus on shame and guilt. To do so, the approach must be reciprocal, collaborative and respectful.’ <https://www.theguardian.com/australia-news/commentisfree/2019/mar/06/telling-the-truth-about-australias-past-will-be-painful-but-it-will-be-liberating>

In 2018 Reconciliation Australia and the Healing Foundation hosted a truth-telling symposium that explored the reasons for such a process and what it might look like. The symposium heard that truth telling might include official apologies, truth and reconciliation commissions, memorials, museums, revision of education content, and healing centres. Mundine and Weston have stated, ‘Truth telling is not about engendering guilt or shame in non-Indigenous Australians but about addressing past injustices and serving as an “end-point to a history of wrongdoing”, allowing relationships to start anew...

For their part, non-Indigenous Australians must bear witness to the experiences, sufferings and survival of Aboriginal and Torres Strait Islander people, embrace the truths that are shared and work with us towards resolving outstanding injustices.

If we can achieve this vision for a reciprocal, collaborative and respectful process of truth telling, we will come closer to realising reconciliation and healing.’

<https://www.theguardian.com/australia-news/commentisfree/2019/mar/06/telling-the-truth-about-australias-past-will-be-painful-but-it-will-be-liberating>

In May 2017, around 250 Aboriginal and Torres Strait Islander delegates gathered at Uluru to hold an historic First Nations Convention, resulting in the Statement from the Heart. The Statement was informed by regional dialogues conducted by the Referendum Council with more than 1,200 Aboriginal and Torres Strait Islander delegates nationwide. It called for a Makarrata Commission to supervise agreement-making (treaties) between government and First Nations’ Peoples and facilitate a process of local and regional truth-telling.

<https://www.reconciliation.org.au/truth-telling-about-the-past-the-present-and-the-future/>

On October 9, 2018, Reconciliation Australia and The Healing Foundation brought together experts from around the country to develop a set of guiding principles to progress truth-telling in Australia. Those who promote this truth-telling process maintain that it is intended to develop understanding on the part of mainstream Australia, not guilt or hostility.

4. Acknowledging genocide directed against Indigenous people in the past will assist Indigenous people dealing with present issues

Those who favour acknowledging Indigenous genocide as part of historical truth telling argue that this will be of benefit to contemporary Indigenous Australians struggling with a range of social and psychological issues.

These advocates claim that the burden of violent dispossession, cultural disruption and family dislocation (all forms of genocide) create transgenerational trauma which continues to affect Indigenous Australians to this day prompting depression, drug dependence, alcoholism, family disfunction and suicide. They further claim that formal recognition of the impacts of

past wrongs would assist Indigenous people come to terms with their feelings of alienation and the maladaptive behaviour that results.

Richard Weston, the head of the Healing Foundation has claimed that truth telling is about the past, the present and the future. He has stated, 'The trauma we face in our day-to-day lives, either directly or indirectly, has its genesis in the violent early history of Australia's Frontier Wars and the genocidal policies that followed, including the forced removal of children.' <https://croakey.org/historical-truth-telling-as-a-healing-intervention-an-invitation-to-the-health-sector-to-engage/>

The Healing Foundation's Internet site explains, 'If people don't have the opportunity to heal from past trauma, they may unknowingly pass it on to others. Their children may experience difficulties with attachment, disconnection from their extended families and culture and high levels of stress from family and community members who are dealing with the impacts of trauma.' <https://healingfoundation.org.au/intergenerational-trauma/> Advocates claim this trauma is generations deep among Indigenous Australians and has still to be fully acknowledged by mainstream Australians or by many Indigenous people themselves which makes dealing with its legacy very difficult.

A recent report from the Australian Institute of Health and Welfare (AIHW), 'Children living in households with members of the Stolen Generations', attempts to quantify the effect of this trauma transmitted from one generation to another. The report notes that children who are under 15 and living in a household with a member of the Stolen Generations are having poorer life outcomes than other children.

<https://www1.racgp.org.au/newsgp/professional/working-to-address-ongoing-trauma-of-the-stolen-ge>

Richard Weston explains, 'We think it's important people understand the truth around the Stolen Generations: that people were removed from their families so culture wouldn't be transmitted, to change Aboriginal people and make them become more assimilated...

And now we have wide-spread issues in Aboriginal and Torres Strait Islander communities that are really hard to solve, around child neglect, child abuse, drug and alcohol issues.

There's a cocktail of dysfunction in our communities which is a direct result of past policies.

We need to understand the truth of that story so we can create solutions today that are better-informed and based on evidence and are going to make a difference for people.

For our people, for Aboriginal and Torres Strait Islander Stolen Generations and their children and their descendants, the importance of truth is about diagnosing the problem correctly and then finding the correct solution.'

<https://www1.racgp.org.au/newsgp/professional/working-to-address-ongoing-trauma-of-the-stolen-ge>

5. A refusal to acknowledge Australian genocide has prevented Australia outlawing domestic genocide and prompted it to ignore the crime internationally

Critics of the Australian government's failure to designate the mistreatment of Aboriginal and Torres Strait Islander peoples as genocide argue that this stands in the way of Australia enacting legislation prohibiting genocide within Australia. They similarly argue that Australia's historical blindness to the country's own acts of genocide may make it more reluctant to condemn acts of genocide committed in other jurisdictions.

Despite being one of the first States to sign the United Nations Genocide Convention on the Prevention and Punishment of the Crime of Genocide in 1949, Australia has drafted no domestic legislation outlawing genocide within this country. This is a follow-up action urged by the Convention. <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf> Critics have suggested that the mindset which has allowed Australia to deny

historical genocide committed by governments and individuals within its own borders may account for its failure legally to prohibit such actions.

Professor Ben Saul, Challis Chair of International Law at the University of Sydney, has condemned Australia's failure to formulate laws prohibiting genocide within this country. In an article published by the Sydney Law Review in December 2000, Professor Saul has stated, 'While the promulgation of laws alone is not sufficient to prevent genocide, law is nevertheless a fundamental aspect of prevention.'

<http://classic.austlii.edu.au/au/journals/SydLawRw/2000/24.pdf>

Professor Saul has linked this failure to enact laws prohibiting genocide within Australia with Australia's refusal to acknowledge genocidal crimes committed by its own citizens against the country's Indigenous peoples. Professor Saul has stated, in the article published in 2000, 'Australia has been complacent about prohibiting genocide for over 50 years now and has arguably committed genocide against its own indigenous people during that time.' Saul suggests Australia is afraid to confront the crimes committed in the past and that this fear prevents it acting in the present. Professor Saul commented, 'Australians will know soon enough whether [their] Government is still too afraid of the dark child ghosts from the past who are haunting the present.'

<http://classic.austlii.edu.au/au/journals/SydLawRw/2000/24.pdf>

It has further been suggested that Australia's refusal to admit to its own acts of historical genocide has bred a blindness or an insensitivity which explains its reluctance to condemn genocide committed in other parts of the world.

Colin Tatz, Visiting Professor in Politics and International Relations at ANU and the founding director of the Australian Institute for Holocaust and Genocide Studies, has condemned Australia for unjustifiable complacency regarding crimes of genocide in its own history. Professor Tatz has cited political figures from the late 1940s who indicated this sense of moral superiority at the time Australia became a signatory to the United Nations Genocide Convention. One is quoted as stating, 'The horrible crime of genocide is unthinkable in Australia ... That we detest all forms of genocide ... arises from the fact that we are a moral people.' <https://plus61j.net.au/70th-anniversary-special/colin-tatz-australias-problem-with-genocide-2/>

Professor Tatz went on to challenge Australia's response to several atrocities which international opinion has regarded as genocide but about which Australia has remained relatively silent. Tatz focuses on Australia's timid response to events that occurred in Turkey between 1915 and 1923 — including the deaths of 1.5 million Armenians, between 750,000 and 900,000 Greeks and between 275,000 and 400,000 Christian Assyrians.

<https://plus61j.net.au/70th-anniversary-special/colin-tatz-australias-problem-with-genocide-2/>

Tatz notes the far stronger response taken by many other nations, observing that by the centenary anniversary in April 2015, twenty-three nation-states (including former Turkish allies Germany and Austria) had officially recognised the genocide, as had forty-three of fifty American state governments, and two of Australia's six state parliaments. Recognition has also come from the European Parliament, the Council of Europe, the World Council of Churches, Pope Francis, and the International Association of Genocide Scholars. Some countries have criminalised denial of the event. <https://plus61j.net.au/70th-anniversary-special/colin-tatz-australias-problem-with-genocide-2/>

Tatz contrasts this with what he claims is Australia's inadequate response. Tatz observes that in February 2015 the Department of Foreign Affairs and Trade (DFAT) declared Australia's sympathy for 'the horrific and tragic loss of life and suffering' that occurred as a result of Turkey's actions against Armenia. 'There is no question that these events (which included massacres and forced marches) took place' but the 'government does not recognise these

events as “genocide”. <https://plus61j.net.au/70th-anniversary-special/colin-tatz-australias-problem-with-genocide-2/>

Tatz argues that Australia’s definition of genocide is problematic, allowing it to ignore both crimes committed by its own citizens within its own borders and those committed elsewhere by other nations.

Arguments against recognising the treatment of Aboriginal and Torres Strait Islander peoples as genocide

1. The intent of most governors and administrators was not to commit genocide; accusations of genocide made by many historians are false

It has been claimed by some historians and other commentators that the intent of most Australian governors and administrators was not genocidal, that is, they did not aim to exterminate Indigenous peoples. Rather, it has been claimed, their intent was to manage indigenous populations and, if possible, avoid their annihilation. It has further been claimed that the accusations put by some historians that such genocidal practices existed are fabrications.

One example of a supposed misrepresentation of a colonial governor, said to have acted genocidally, is Governor Arthur of Tasmania. In a review published in *The Sydney Morning Herald* on November 25, 2002, of Keith Windschuttle’s ‘*The Fabrication of Aboriginal History, Volume One: Van Diemen’s Land, 1803-1847*’, columnist Paul Sheehan summarised Windschuttle’s judgement regarding Tasmania: ‘He found the basis for the genocide argument to be speculation, guesswork, outright distortion and blatant ideology...’

<https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html> Sheehan cites an abbreviated quotation offered by Keith Windschuttle to demonstrate that Governor Arthur’s purpose in attempting to gather together all Indigenous Tasmanians was not genocide. The quotation is drawn from Governor Arthur’s correspondence with the Secretary of State for the Colonies and states, ‘It was evident that nothing but capturing and forcibly detaining these unfortunate savages ... could now arrest a long term of rapine and bloodshed, already commenced, a great decline in the prosperity of the colony, and the extirpation of the Aboriginal race itself.’

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<https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html> (The full text from which Windschuttle derives his quotation can be accessed at <https://tinyurl.com/yxwbrg3w>)

Defenders of Governor Arthur’s actions observe that his intention was not to eradicate all Indigenous Tasmanians but to preserve them initially in an isolated region in Tasmania and later on Flinders Island. These actions were intended to end the hostilities between the Indigenous and the white settlers. Sheehan notes ‘Arthur was not expressing concern that the Aborigines presented a threat to the survival of the colony...he was concerned about the survival of the Aborigines themselves.’ <https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

On February 11, 2003, Windschuttle addressed The Sydney Institute. He opened his speech by outlining some of the claims of genocide which he disputed. He stated, ‘Over the past 30 years, university-based historians of Aboriginal Australia have produced a broad consensus. They have created a picture of widespread killings of blacks on the frontiers of settlement that not only went unpunished but had covert government support. Some of the Australian colonies engaged in what the principal historian of race relations in Tasmania, Lyndall Ryan, has called “a conscious policy of genocide”. In Queensland, according to the University of Sydney historian, Dirk Moses: “... the use of government terror transformed local genocidal

massacres by settlers into official state-wide policy”.’

<http://www.kooriweb.org/foley/resources/pdfs/197.pdf>

Windschuttle then gave a detailed account of his work checking the sources upon which such claims were made and concluded that many were based on ‘misrepresentation, deceit and outright fabrication’. <http://www.kooriweb.org/foley/resources/pdfs/197.pdf>

Regarding the overall intent of actions often condemned as genocide, Windschuttle revisits his treatment of Governor Arthur and the 1830 ‘Black Line’. Windschuttle states, ‘Despite its infamous reputation, Van Diemen’s Land was host to nothing that resembled genocide, which requires murderous intention against a whole race of people. In Van Diemen’s Land, the infamous, “Black Line” of 1830 is commonly described today as an act of “ethnic cleansing”. However, its purpose was to remove from the settled districts only two of the nine tribes on the island to uninhabited country from where they could no longer assault white households.’

<http://www.kooriweb.org/foley/resources/pdfs/197.pdf>

Many see claims such as Windschuttle’s that ‘genocide...requires murderous intent’ as significant. In 2003 The International Association of Genocide Scholars published an article by Katherine Goldsmith in which she noted ‘Genocide has been dubbed the “crime of all crimes” and, for some, should require the highest form [of evidence] of intent’. There is concern that the crime of genocide not be generalised or trivialised and that only those actions with a specific genocidal intent be regarded as genocide. International lawyer, Guenael Mettraux, has stated, ‘genocide was adopted to sanction a very specific sort of criminal action. It would be regrettable to denature genocide for the sake of encompassing within its terms as many categories and degrees of criminal involvement as possible.’

<https://scholarcommons.usf.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1092&context=gsp> For critics such as Keith Windschuttle that intent to commit genocide was not present.

2. Violent deaths at the hands of white settlers and administrators were a relatively minor cause of Indigenous population decline

Historians and commentators who argue that Indigenous genocide did not take place tend to focus on acts of violence against Indigenous people and argue that only large-scale loss of life brought about in this manner can be regarded as genocide. They dispute the number of violent deaths which occurred and claim that the impact of such deaths on Indigenous populations was in fact quite small.

The chief exponent of the view that relatively few Indigenous lives were lost in violent conflict with either white forces or white settlers is Keith Windschuttle. When considering the total of Indigenous lives lost through violence in Tasmania between 1803 and approximately 1830, Windschuttle argues that the figure was only 120. This is in sharp distinction to historians such as Lyndall Ryan who claimed that the figure was closer to 700. <http://www.kooriweb.org/foley/resources/pdfs/197.pdf> Windschuttle vigorously disputes Ryan’s use of sources while his own has been praised as ‘forensic’ by those who support his conclusions. <https://quadrant.org.au/magazine/2010/11/keeping-track-of-the-fabrications/> Windschuttle argues that the violent taking of Indigenous lives was a relative rarity and that it was not sanctioned by early governors. He has stated, ‘The British officials who were posted to Tasmania were enlightened humanitarians...The idea of killing Aborigines would have mortified them.’ <https://www.scmp.com/article/400418/furore-author-calls-aboriginal-genocide-tasmania-myth>

Windschuttle further claims that some supposed ‘massacres’ were either invented or misattributed. He refers to the supposed Mistake Creek Massacre alluded to and apologised for by former Governor General Sir William Deane. Windschuttle states, ‘Deane got the facts of this case completely wrong. According to the Western Australian police records, the

incident took place in 1915, not the 1930s. It was not a massacre of Aborigines by whites and had nothing to do with a stolen cow. It was a killing of Aborigines by Aborigines in a dispute over a woman who had left one Aboriginal man to live with another. The jilted lover and an accomplice rode into the camp of his rival and shot dead eight people.’

<https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

Commenting on Windschuttle’s challenge to Sir William Deane’s interpretation of the historical event, then Sydney Morning Herald columnist Paul Sheehan stated, ‘Deane, for one, might one day reflect on his role in defaming the Australian people on the basis of shabby evidence.’ <https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

Windschuttle takes issue with suggestions that such disputes over detail are not significant. He states, ‘[I]t does matter greatly whether stories about crimes of this magnitude are accurate in their details...If the factual details are not taken seriously, then people can invent any atrocity and believe anything they like. Truth becomes a lost cause.’

<https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

Windschuttle and others who hold his views see themselves in direct opposition to historians who claim that a violent genocide took place in colonial Australia. He states that his work is intended to mount ‘a frontal assault on the accusation of genocide which began with a claim, now accepted as fact around the world and taught in schools, that the Tasmanian Aborigines were exterminated by a policy of genocide.’ <https://www.smh.com.au/opinion/our-history-not-rewritten-but-put-right-20021125-gdfv47.html>

Windschuttle and those who hold similar views do not dispute that the “pure-blood” Indigenous population had all but died out by the 1840s. What Windschuttle contests is the manner of that demise. He attributes it to the effect of disease and Indigenous interbreeding with whites. This last Windschuttle accounts for through the Indigenes’ commodifying their women, whom he at another point suggests willingly formed relationships with white men, rather than doing so as a result of abduction and rape. Windschuttle claims, ‘The full-blood Tasmanian Aborigines did die out in the nineteenth century, it is true, but this was almost entirely a consequence of two factors: the 10,000 years of isolation that had left them vulnerable to introduced diseases, especially influenza, pneumonia and tuberculosis; and the fact that they traded and prostituted their women to convict stockmen and sealers to such an extent that they lost the ability to reproduce themselves.’

<http://www.kooriweb.org/foley/resources/pdfs/197.pdf> Accounts such as Windschuttle’s regard violent deaths at the hands of white settlers and administrators as a relatively minor cause of Indigenous population decline. They further consider that such deliberate, violent action is necessary for genocide to have occurred. They therefore conclude that there was no genocide.

3. Declaring that white Australia has committed genocide would be divisive

Critics of the use of the term genocide to describe the deaths of large numbers of Indigenous people since British colonisation have argued that such a depiction of Australia’s history is divisive. It has been claimed that it puts the worst possible construction on the reason for these deaths. As such, it serves to provoke hostility among Indigenous Australians. It also provokes guilt among many non-Indigenous Australians who accept the accusation and anger among those who do not. The general contention is that it serves to set one group of Australians against another.

This view has been put by historian Geoffrey Blainey, who, during his Sir John Latham lecture of 1993, stated, ‘The black armband view, while pretending to be anti-racist, is intent

on permanently dividing Australians on the basis of race.’ The phrase ‘black armband view’, coined by Blainey, refers to a perspective on Australian history which focuses on the negative and encourages a sense of national guilt or remorse. Blainey further stated, re its divisiveness, ‘So long as the black armband view is influential; so long as it insists that the treatment of Aborigines was so disgraceful that no reparations might be adequate...and that black racism is justified, then Australia's future as a legitimate nation is in doubt.’

https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/RP9798/98RP05

Social commentators such as Andrew Bolt have explicitly rejected the existence of Indigenous stolen generations and thus any supposed attempt by mainstream Australia to commit genocide. Like Blainey, Bolt also views criticisms of Australia’s colonial past as divisive. He has condemned such attitudes as presented by the ABC, claiming they are, ‘a paean of praise for what’s actually a dysfunctional Aboriginal culture, a heaping of blame on non-Aboriginal society and a promotion of racial division and even a form of apartheid.’ <https://www.dailytelegraph.com.au/blogs/andrew-bolt/no-abc-bias-explain-its-barracking-for-racial-division/news-story/1961d7c1134e7485caea324165d451bf>

Bolt has further argued, regarding claims of ‘stolen generations, ‘White children are robbed of their history, and black children of faith in the only society that can help them. White children are told lies, and black ones are fed...hopeless resentment...’

<http://bussorah.tripod.com/boltstol.html>

Bolt further maintains that attempts to compensate Indigenous Australians for their supposed historical mistreatment by white Australians will create a power imbalance and encourage Australia to split into battling racially-based enclaves. Bolt states, ‘When one “race” of Australians gets handed more power over the rest [here Bolt is referring to “compensated” Indigenous Australians] , other Australians will identify with their own “race” or ethnicity, to defend their interests. Such race politics is a highway to hell, just when this fractured country needs to limp back to unity instead.’

<https://www.dailytelegraph.com.au/news/opinion/andrew-bolt/andrew-bolt-identity-politics-shames-us-all/news-story/d0ed232e10b992928df3f9b44ae56a7f> Thus Bolt claims that mainstream Australia is left with a legacy of resentment while Indigenous Australia is left with the potential for revolt. Paraphrasing the warnings of Indigenous activist Professor Mike Dodson, Bolt states, ‘Simmering anger in indigenous Australia over a failure to make good for past wrongs could easily turn into organised armed resistance.’

<https://www.heraldsun.com.au/blogs/andrew-bolt/dodsons-reckless-warning/news-story/c0f665628247660d7e490245003f677d>

Former Prime Minister, John Howard, has also rejected describing Australia as guilty of genocide and has further claimed that such claims, together with any national apology or development of a treaty with Indigenous Australians would serve to fracture the nation.

<https://www.theguardian.com/world/2014/sep/22/john-howard-there-was-no-genocide-against-indigenous-australians> He has stated, ‘I’m appalled at talk about treaty, that will be so divisive and will fail... The Australian public will not be attracted to the idea of a country trying to make a treaty with itself. I have said publicly as far back as 2007, I would support a change that recognises an historical truth that Aboriginal and Torres Strait Islander people were here before anybody else...Nobody can argue with that. But once it goes beyond that I think you find that opens up all sorts of other things.’ <https://www.abc.net.au/news/2016-09-08/conservatives-lock-in-against-treaty-with-indigenous-australians/7825298> Here Howard appears to be arguing against constructions of Australia’s history that would encourage guilt or shame among mainstream Australians and a sense of alienation among those of Indigenous ancestry.

When delivering the 1996 Sir Robert Menzies speech, Howard declared that Australia should not foster guilt and division and that its history was one of which it should be proud. He stated, 'This "black armband" view of our past reflects a belief that most Australian history since 1788 has been little more than a disgraceful story of imperialism, exploitation, racism, sexism and other forms of discrimination. I take a very different view. I believe that the balance sheet of our history is one of heroic achievement and that we have achieved much more as a nation of which we can be proud than of which we should be ashamed.'

Howard further concluded, 'We need to acknowledge as a nation the realities of what European settlement has meant for the first Australians, the Aboriginals and Torres Strait Islanders, and in particular the assault on their traditions and the physical abuse they endured... But in understanding these realities our priority should not be to apportion blame and guilt for historic wrongs but to commit to a practical program of action that will remove the enduring legacies of disadvantage.'

That is why our priority should be a process of reconciliation with Aboriginal and Torres Strait Islander Australians built on a practical program to alleviate their disadvantage in terms of health, literacy, housing, employment and respect for their culture and traditions, as well as to facilitate the goal of greater economic independence.'

<https://pmtranscripts.pmc.gov.au/release/transcript-10171>

4. Condemning previous child-relocation policies as 'genocide' makes it more difficult to address current Indigenous child protection issues

There are those who argue that rejection of previous policies which created the supposedly 'stolen generations' as genocide has created major contemporary problems. They claim that this exaggerated condemnation of the manner in which Indigenous children were separated from their families in the past has meant that Indigenous children of today are left in hazardous situations. These critics claim that child welfare workers are so afraid of being accused of perpetuating the policies of the past that they leave children in hazardous home environments.

In an opinion piece published on May 13, 2016, in The Herald Sun, commentator Andrew Bolt stated, 'The "stolen generations" myth has made us leave Aboriginal children to be bashed, raped and killed. In fact, it's hurt more children than were ever proved stolen just for being Aboriginal.' <https://www.heraldsun.com.au/blogs/andrew-bolt/column--how-the-stolen-generations-myth-kills/news-story/ba1a3510aec5ab5384dd270249e83ad7>

Bolt quotes the indigenous Chief Minister of the Northern Territory, Adam Giles, who claims, 'You mean to tell me when we've got all these alleged cases of chronic child sexual abuse, children running around on petrol, going on the streets at night sexualising themselves in some circumstances, and there's only one permanent adoption, for fear of Stolen Generation? That is not standing up for kids.' <https://www.heraldsun.com.au/blogs/andrew-bolt/column--how-the-stolen-generations-myth-kills/news-story/ba1a3510aec5ab5384dd270249e83ad7>

Bolt presents a number of instances from the Northern Territory where he claims children were left with inappropriate family carers because welfare officers were afraid they would be accused of creating further stolen generations. Bolt presented one case in which he claimed, 'In 2003, five-month-old Mundine Orcher died in Brewarrina after what the coroner called a "systematic attack" while in the care of relatives - and a day after a Department of Community Services (DoCS) officer dropped off a fridge and washing machine.' In this case, Bolt claims, welfare workers had been warned against removing the child. Bolt states, 'A DoCS report had advised that the "indigenous community needs to be treated, in child protection terms, with constant sensitivity to the historical impact of ... the stolen

generations".' <https://www.heraldsun.com.au/news/opinion/we-must-listen-to-adam-giles-on-the-issues-of-the-northern-territory/news-story/b3bebb6d84bba74b2532eaf9649fb604>

Bolt claims to see a pattern of administrative neglect motivated by fear of repeating the so-called wrongs of the past in other Australian states. Bolt observes, 'The New South Wales Child Death Review Team found this same fear of removing Aboriginal children from danger. It investigated why Aboriginal children of drug addicts were 10 times more likely to die under the noses of welfare officers than were children of white addicts and blamed the "stolen generations".' <https://www.heraldsun.com.au/news/opinion/we-must-listen-to-adam-giles-on-the-issues-of-the-northern-territory/news-story/b3bebb6d84bba74b2532eaf9649fb604>

Bolt quotes the New South Wales review which concluded, 'A history of inappropriate intervention with Aboriginal families should not lead now to an equally inappropriate lack of intervention for Aboriginal children at serious risk.'

<https://www.heraldsun.com.au/news/opinion/we-must-listen-to-adam-giles-on-the-issues-of-the-northern-territory/news-story/b3bebb6d84bba74b2532eaf9649fb604>

Two years later, on February 13, 2018, Bolt noted that though high numbers of Indigenous children were being removed from the families in order to protect them from mistreatment too many children were still being allowed to remain at risk. Bolt claimed, 'The evidence is that despite the high rate of removal we still save not too many Aboriginal children but too few. The "stolen generations" myth is making officials too scared to save children from danger, and some children are paying for this ideological nonsense with their lives.'

<https://www.heraldsun.com.au/blogs/andrew-bolt/abc-repeats-discredited-stolen-generations-claims/news-story/0e471abecdc563108b0b650318c0ee9c>

Bolt has been particularly critical of the ABC for, he claims, exaggerating the supposed 'stolen generations' story and by so doing encouraging both governments and welfare agencies to leave Indigenous children at risk. He queried, 'When will the ABC put the lives of Aboriginal children above their "stolen generations" myth? What is more important to them?' <https://www.heraldsun.com.au/blogs/andrew-bolt/abc-repeats-discredited-stolen-generations-claims/news-story/0e471abecdc563108b0b650318c0ee9c>

5. Addressing current Indigenous issues is more important than acknowledging supposed past mistreatment

Opponents of recognising Indigenous genocide often argue that this preoccupation with the past has no practical value. They claim that it is part of a suite of issues that have only 'symbolic' value. These issues include an Indigenous treaty, Indigenous inclusion in the Constitution, changing the date of Australia Day, changing the words of the national anthem and an apology to members of the Stolen Generations. All these issues (of which only one has currently been acted on) are claimed to have no real worth, that is, they are said to do nothing to address the real-world contemporary problems of Indigenous Australians.

This point has been made repeatedly by former prime minister John Howard, both when he was in office and since.

In 1997, following the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families which judged that these separations were genocide, Howard and the government he led decided that a national apology was not called for. The Prime Minister stated, 'Although in a personal sense many Australians will feel sorrow and regret in relation to past injustices suffered by sections of the Australian community, it is the view of my government that a formal national apology, of the type sought by others, is not appropriate.' Instead, the Prime Minister declared that his government believed it was important to address Indigenous disadvantage in areas of health, housing and education.

<https://www.irishtimes.com/news/howard-refuses-to-join-in-apology-to-aborigines-1.157149>

In the same year, at the Reconciliation Convention in Melbourne, Howard declared, 'Reconciliation will not work if it puts a higher value on symbolic gestures and overblown promises rather than the practical needs of Aboriginal and Torres Strait Islander people in areas like health, housing, education and employment...we should...focus our energies on addressing the root causes of current and future disadvantage among our indigenous people.' <https://pmtranscripts.pmc.gov.au/release/transcript-10361>

The day after Howard made these comments at the Melbourne Reconciliation Convention, he expanded them in Parliament, stating, '[We] believe that the essence of reconciliation lies not in symbolic gestures... It is important on these issues that the parliament, as far as possible, speak with one voice—not in overblown rhetoric but in a practical determination to address the areas of disadvantage that indigenous people suffer...We are not obsessed with symbolism. We are concerned, though, with practical outcomes.'

<https://www.aph.gov.au/binaries/library/pubs/monographs/pratt/practisingreconciliation.pdf>
The Prime Minister reiterated these points in 2000, stating, 'National reconciliation calls for more than recognition of the damaging impact on people's lives of the mistaken practices of the past. It also calls for a clear focus on the future. It calls for practical policy-making that effectively addresses current indigenous disadvantage particularly in areas such as employment, health, education and housing.'

<https://www.aph.gov.au/binaries/library/pubs/monographs/pratt/practisingreconciliation.pdf>
Though this comment suggests recognition of past injuries and the need for present 'practical' progress could go hand in hand, subsequent comments from the prime minister demonstrated that the practical emphasis superseded and ultimately replaced the 'symbolic' gestures. Howard later stated, 'I do not hold the view that symbolism is irrelevant in public life, although... Anybody who imagines that resolutions and symbolism are a substitute for effective working policies...is deluding himself.'

<https://www.aph.gov.au/binaries/library/pubs/monographs/pratt/practisingreconciliation.pdf>
Here the prime minister appears to be making the same point as many others who discount the value of 'symbolic' actions, that is, that a government can only proceed with one or the other.

The Prime Minister made essentially this point four years later, in 2004, at the launch of the 'Trust' Exhibition Australian Prospectors and Miners Hall of Fame in Kalgoorlie, Western Australia. Howard declared, 'All the theories in the world will not replace the value of employment; will not replace the value of sustainable economic opportunities; and will not replace the value of the embracement of the Indigenous people as part of our economic future. And that is why my government has placed such a great emphasis on what I call practical reconciliation, on giving all of the people of this country, irrespective of their background or their heritage, economic opportunity. And the greatest measure of that, of course, is to give people employment.' <https://pmtranscripts.pmc.gov.au/release/transcript-21101>

This emphasis on 'practical reconciliation', rather than on aspects of reconciliation that are dismissed as 'theories' or 'symbolic reconciliation', encourages critics to minimise or dismiss claims of genocide such as those made by the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families.

Further implications

Any discussion of Indigenous genocide must begin with an act of cultural empathy on the part of mainstream Australia. It is easy for an imported culture, which has acquired a position of almost absolute dominance, to minimise or ignore the Indigenous culture and the loss it has endured. As the federal Minister for Indigenous Australians, Ken Wyatt, an Indigenous man himself, has stated, 'History is generally written from a dominant society's point of view

and not that of the suppressed...therefore true history is brushed aside, masked, dismissed or destroyed.' Without mainstream Australia attempting to register factually and emotionally the position of Indigenous Australia no further discussion can be had.

From an Indigenous perspective, any discussion of genocide must begin with a consideration of the impact of European settlement on Indigenous culture, social groups and physical survival. Judged by any of these measures, the impact has been dire – resulting in loss of culture, disruption of social groups and enormous loss of life.

The precise methods by which this disruption and loss occurred is not the primary issue. Discussing genocide generally in the aftermath of World War II, Winston Churchill argued that the term was 'never meant to pertain exclusively to direct killing, this being but one means to the end of destroying the identity of a targeted group.' <https://press-files.anu.edu.au/downloads/press/p72971/pdf/book.pdf> Churchill also had reservations about requiring that genocide only occurred where there was 'demonstrable intent', arguing this 'established a requirement that would be virtually impossible ever to prove.' <https://press-files.anu.edu.au/downloads/press/p72971/pdf/book.pdf>

From an Indigenous perspective, genocide has occurred when the effect of genocide results; that is, when culture, social groupings and population have either been lost or so undermined as to be extraordinarily imperilled. This is seen by many Indigenous Australians as a source of existential grief – what gave meaning has been destroyed. Intergenerational transmission of cultural trauma has had enduring effects upon many Indigenous Australians.

http://www.austlii.edu.au/au/journals/MurUEJL/2004/36.html#Indigenous%20Cultural%20trauma%20and%20its%20effects_T

An overview of the historical situation and its consequences was given by Dr Michael Halloran, lecturer at La Trobe University School of Psychological Science in 2004. Dr Halloran stated, 'The experience of Aboriginal Australians since European settlement is replete with suppression of their cultural practices and knowledge by the dominant cultural group/s in Australia.

In the first century of settlement, these included land dispossession by force, theft of women, slavery and war, introduced diseases, and the missionary zeal for Aboriginal people to embrace Western religion and reject their own spiritual beliefs such as the dreaming.

Moreover, settlement brought with it the assertion of British sovereignty and law, which effectively displaced indigenous customary law.

In the 20th century, further intervention into Aboriginal culture and life was evidenced in the Government's White Australia Policy and an explicit strategy of indigenous assimilation through forced removal of children from their family of origin and placement with Europeans. This latter strategy, referred to as the Stolen Generations, was perhaps the most critical assault on Aboriginal culture as it undermined and destabilized Aboriginal social structures central to cultural practice, and thus, transmission.

Contemporary events in Australia have also undermined attempts by Aboriginal people to address their cultural priorities and autonomous lifeways. These include legislative interference in the Native Title Act, equivocal support for the aims of Indigenous reconciliation and for the findings of the Stolen Generation report into the forced removal of children, and the recent dismantling of ATSIC. Significantly, the current government dismissed the cultural importance of ATSIC by claiming that it was 'too preoccupied with symbolic issues', as well as unambiguously adopting a policy of mainstreaming Aboriginal services...[T]hese strategies potentially undermine the pursuit of indigenous cultural autonomy and implicitly encourage a culture and cycle of dependency amongst Aboriginal Australians.

Although one might argue that there is no direct motive by the majority in Australia to encourage Aboriginal dependency, research shows that people prefer to offer dependency-

rather than autonomy-based help to low-status outgroups to maintain social dominance and insure intergroup status-relations. Thus, dependency-based policies subtly discourage cultural independence and...can be seen to be motivated by the majority culture to maintain its superior status.

Altogether, the contemporary and historical interventions into Aboriginal life have been argued to represent a form of cultural genocide.'

http://www.austlii.edu.au/au/journals/MurUEJL/2004/36.html#Cultural%20trauma%20in%20Aboriginal%20Australia_T

Genuine recognition of attempted Indigenous genocide is challenging for mainstream Australia. It involves the recognition that Indigenous Australians are a group against whom a great wrong has been perpetrated, legally and morally. It redefines the relationship between mainstream and Indigenous Australians. It presents Australia as a continent which was taken not ceded. <https://www.theguardian.com/commentisfree/2015/dec/11/i-cant-call-myself-an-indigenous-australian-and-also-say-sovereignty-never-ceded>

A full and genuine recognition of Indigenous genocide would make issues such as whether Australia Day should be celebrated on January 26, or whether statues of Captain Cook should name him as the discoverer of Australia, or whether the lyrics of Australia's national anthem should be altered to remove 'young and free', far less contentious as it would truly regard the Indigenous perspective.

However, a full and genuine recognition of Indigenous genocide has more far-reaching implications for issues such as constitutional recognition, a treaty with Indigenous Australians, land rights, reparations and parliamentary representation. It is more than 'symbolic' because it involves questions of sovereignty and identity.

The recognition of genocide would involve mainstream Australia adopting a position of respect toward the descendants of the continent's Indigenous population and viewing them as the victims of a crime with whom an accommodation must be made. Currently, Australia, in common with many countries with a colonial past, has made only halting progress in this direction.