

Genocide in Australia

Report details crimes against Aborigines

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7 September 1999

The genocidal practices perpetrated against Australian Aborigines were the outcome of policies adopted and implemented by all Australian governments from British settlement in 1788 until the present. A people who had virtually no contact with the outside world, were suddenly confronted with a hostile and alien force. Aborigines were forced out of their traditional homes, hunted like wild animals, poisoned or shot, and confined to the harshest and most desolate climes. The effect of British settlement upon these people led to near extinction within 120 years.

The Australian Institute of Aboriginal and Torres Strait Islander Studies has published a report detailing this history. Entitled *Genocide in Australia*, it was written by Professor Colin Tatz, director of the Centre for Comparative Genocide Studies at Sydney's Macquarie University.

The report's timing is significant. Its release coincided with the first of the "stolen generations" legal actions brought against the Commonwealth and State governments by Aborigines who were forcibly removed from their families. Lorna Cubillo and Peter Gunner are seeking compensation from the Commonwealth government for injuries received after they were taken from their families in the 1940s and 1950s. Tatz will provide testimony on behalf of the plaintiffs, and thousands of such actions could be undertaken in the future.

The legal guideline for Tatz's study is Article II (a) to (e) of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948:

In the present convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (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 removing children of the group to another group.

Tatz's report asserts that the policies adopted by colonial administrations and both state and federal governments, as well as actions by settlers, from British colonisation up until the 1970s constituted genocide against the Aborigines.

He writes: "Genocide is the systematic attempt to destroy, by various means, a defined group's essential foundations. In this tighter legal sense, Australia is guilty of at least three, possibly four acts of genocide:

"(1) Killing by private settlers and rogue police officers, while the state authorities for the most part stood silently by.

"(2) The implementation in the twentieth century of official state policy, entailing the forcible removal of Aboriginal children from one group to another, with the express intention that 'they cease being aboriginal'.

"(3) Twentieth century attempts to achieve the biological disappearance of those deemed 'half-caste' Aborigines.

"(4) A *prima facie* case that Australia's actions to protect Aborigines in fact caused them severe bodily or mental harm. (Future scholars may care

to analyse the extent of Australia's actions in creating the conditions of life that were calculated to destroy a specific group, and in sterilising Aboriginal women without consent.)"

The report provides compelling material to justify these assertions. Even though no official figures exist, estimates of the Aboriginal population in 1788 range between 250,000 and 750,000. By 1911 the number was 31,000. Aborigines have only been included in the National Census since 1971. In 1996 the National Census recorded that 352,970 or 1.97 of the population were of Aboriginal and Torres Strait Islander descent.

Despite the substantial increase in the population of Aborigines since 1911, the conditions of life in which they find themselves remain impoverished and highly oppressive. Tatz states that according to every social indicator available Aborigines are found at the top or bottom. Diseases, such as coronary disease, cancer, diabetes, and respiratory infections, are far more prevalent than 30 years earlier. Life expectancy is 50-55 years for males, approximately 55 years for females. The likelihood of an Aborigine being unemployed is far greater—22.7 percent as opposed to 8.1 percent. Fewer Aborigines own their homes. For Aborigines fortunate enough to have employment, their income is 25 percent less on average. Large proportions of Aborigines languish in prisons (14 percent of the prison population in 1997) and police watch-houses. This excludes those confined, through economic necessity, to black settlements, like Cherbourg or Yarrabah in Queensland.

The oppressed condition of Aborigines is marked in other ways—a prevalence of personal violence, lack of care for children, increased death from non-natural causes, as well as high levels of alcohol and drug abuse. It should come as no surprise that one manifestation of oppression—alcohol and drug abuse—is commonly offered as the explanation for all manifestations of oppression.

The report states: "In 1803, Tasmania was settled. In 1806 serious killing began. In retaliation for the spearing of livestock, Aboriginal children were abducted for use in forced labour, women were raped and tortured and given poisoned flour, and the men were shot. They were systematically disposed of in ones, twos and threes, or in dozens, rather than in one systematic massacre. In 1824, settlers were authorised to shoot Aborigines. In 1828, the Governor declared martial law. Soldiers or settlers arrested, or shot, any blacks found in settled districts. Vigilante groups avenged Aboriginal retaliation by wholesale slaughter of men, women and children. Between 1829 and 1834, an appointed conciliator, George Robinson, collected the surviving remnants: 123 people whom were then settled on Flinders Island. By 1835, between 3,000 and 4,000 Aborigines were dead." And further: "They were killed, with intent, not solely because of their spearing of cattle or their 'nuisance' value, but rather *because they were Aborigines*."

Between 1824 and 1908 approximately 10,000 Aborigines were murdered in the Colony of Queensland. "Considered 'wild animals', 'vermin', 'scarcely human', 'hideous to humanity', 'loathsome' and a 'nuisance', they were fair game for white 'sportsmen'."

The upshot of this slaughter was the appointment in 1896 of Archibald Meston as Royal Commissioner. In his *Report on the Aborigines of North Queensland* he wrote: "The treatment of the Cape York people was a shame to our common humanity." He continued: "Their manifest joy at assurances of safety is pathetic beyond expression. God knows they were in need of it". Aboriginal people met him "like hunted wild beasts, having lived for years in a state of absolute terror". His prescription for their salvation lay in " **strict and absolute isolation from all whites**, from predators who, in no particular order, wanted to kill them, take their women, sell them grog or opium". Needless to say, none of the perpetrators of the slaughter were made to answer for their actions.

The events in Queensland and Tasmania were typical of every colony. The result of Meston's Royal Commission was the *Aborigines Protection and Restriction of the Sale of Opium Act 1897*. Similar measures were enacted throughout Australia. In some colonies, "protective" legislation, enforced by Protectors, began earlier, from the 1840s.

Like the fences erected to keep dingoes (wild native dogs) off pastureland, similar fences were erected around missions and settlements for Aborigines. The segregation had two aspects, legal and geographic. The law was meant to keep whites out and blacks in. Geographic isolation was to ensure that nobody could get in or out.

The attitude of the Protectors towards Aborigines was one of utmost contempt, in both clerical and scientific guises. Father Eugene Perez, chief policy-maker of Catholic missions, wrote in 1879 that Aborigines corresponded to the Palaeolithic Age. He described them as "primitives dwarfed to the bare essentials of human existence"; people with "inborn cunning", "lacking interest and ambition" with "undeniable immaturity", forever seeking "the unattainable EL DORADO coming to them on a silver tray"; people "with no sense of balance or proportion" who "want 'today' what cannot be given till tomorrow"; people to whom physical goods are "like the toy given to a child, which will soon be reduced to bits, and thrown into the rubbish dump".

W. Baldwin Spencer, a professor of biology and the Chief Protector of Aborigines in the Northern Territory in 1911-12, concluded: "The aboriginal is, indeed, a very curious mixture: mentally about the level of a child who has little control over his feelings and is liable to give way to violent fits of temper... He has no sense of responsibility and, except in rare cases, no initiative." Spencer added that, "their customs are revolting to us" and they were "far lower than the Papuan, the New Zealander or the usual African native". During his posting, he established the Kahlin Compound in Darwin, because he believed that "no half-caste children should be allowed in any native camp". The Kahlin Compound specifically housed "half-caste" Aboriginal children, removed from their mothers.

Protection was dispensed in remote places such as Yarrabah, Palm Island, Mornington Island, Doomadgee, Bamaga, Edward River, Weipa, Bloomfield River and Woorabinda. Aboriginal morality was supposedly protected by controlling their movements, labour, marriages, private lives, reading matter, leisure and sports activities, even cultural and religious rituals. Income protection was the responsibility of police constables. They controlled wages, withdrawals from compulsory savings bank accounts, and rights to enter contracts of labour or purchase and sale.

In Queensland, protection included internal state banishment for periods ranging from 12 months to life, at the director's pleasure, for offences such as "disorderly conduct", "uncontrollable" and "menace to young girls". Other offences could only be committed by Aborigines. These included being cheeky, refusing to work, calling the hygiene officer a "big-eyed bastard", and leaving a horse and dray in the yard whereby a person *might have been* injured. Committing adultery, playing cards, arranging to see a male person during the night, and being untidy at the recreation hall were also on the list, as was refusing to provide a sample of faeces required by the hygiene officer. Such offences brought three weeks imprisonment,

which could be transformed into six, nine and twelve weeks, as prison terms were not served concurrently.

In 1928, the federal government asked J. W. Bleakley, Queensland Protector of Aborigines, to report on policy, including "half-caste" policy, in the Northern Territory. His report proposed "blood quotas" as a guiding principle. Those who possessed 50 percent or more of Aboriginal "blood" would "drift back" to the black "no matter how carefully brought up and educated." Those with less than 50 percent Aboriginal "blood" could "avoid the dangers of the blood call" if they were segregated as the prelude to "their absorption by the white race".

In 1937, 1951 and 1961 official conferences adopted policies aimed at the assimilation of Aboriginal people into the mainstream of society. Tatz points out that these policies were directed towards ensuring the disappearance of the Aboriginal people. Terms such as "breeding them white" indicated a biological solution.

Assimilation policies were not entirely new. Under the Victorian *Aborigines Protection Act 1886* "aid" was restricted to "full-bloods" and "half-castes" over the age of 34. All others, regardless of their marital or sibling status, were forcibly expelled from missions and reserves. Children were not exempt. They faced relocation to white foster parents, white adoptive parents and "half-caste" or "assimilation" homes.

Tatz cites three senior officials to illustrate the thinking behind assimilation. One was O. A. Neville, the Chief Protector in Western Australia between 1915 and 1940. He could do nothing for Aborigines, "who were dying out". However, he could "absorb the half-castes". Neville had a three-point plan. First, the "full-bloods" would die out. Second, the "half-castes" would be taken from their mothers. Third, "half-caste" marriages would encourage intermarriage within the white community. The Chief Protector promoted the attractiveness of such arrangements. "The young half-blood maiden is a pleasant, placid, complacent person as a rule, while the quadroon [one quarter Aboriginal] is often strikingly attractive, with her oftentimes auburn hair, rosy freckled colouring, and good figure". Elevation of these people "to our own plane" he deemed wise. To this end, Neville established, in 1933, Sister Kate's Orphanage. Its guiding principle was to take in hand those "whose lightness of colour" could lead to assimilation and intermarriage.

The indignities suffered by those taken in hand would have been obvious and many, but a proverbial carrot was dangled before them. The *Natives (Citizenship Rights) Act 1944* (WA) made it possible for an Aborigine to apply, before a magistrate, for a Certificate of Citizenship. The successful applicant would have to show how "white" he or she had become. Dissolution of tribal and native association was only the beginning. He or she had to have an honourable discharge from the armed forces, or be deemed a "fit and proper person".

"Fit and proper persons" had to have "adopted the manner and habits of civilised life" for two years and be able to speak and understand English. They had to be of industrious habits and be of a good reputation and correct behaviour. Those suffering from active leprosy, syphilis, granuloma and yaws (framboesia) were denied citizenship.

This outlook formed the basis of Commonwealth policy from the 1930s. The Northern Territory Administrator's report of 1933 said: "In the (Northern) Territory the mating of an Aboriginal with any person other than an Aboriginal is prohibited. The mating of coloured aliens with any female of part Aboriginal blood is also forbidden. Every endeavour is being made to breed out the colour by elevating female half-castes to the white standard with a view to their absorption by mating into the white population."

This aim continued throughout the period of the "stolen generations" when Aboriginal children were taken from their families. In a 1983 monograph, historian Peter Read cited annual reports of the New South Wales Board: "This policy of dissociating the children from [native] camp life must eventually solve the Aboriginal problem". By placing children in

“first-class private homes”, the superior standard of life would “pave the way for the absorption of these people into the general population”. Further, “to allow these children to remain on the reserve to grow up in comparative idleness in the midst of more or less vicious surroundings would be, to say the least, an injustice to the children themselves, and a positive menace to the State”.

Tatz writes: “In sharp contrast were the memories of the salvaged ones: there was little that was wonderful in the experience; there was much to remember about physical brutality and sexual abuse; and for the majority the homes were scarcely homes, especially in the light of the then healthy practices of kinship, family reciprocity and child rearing in extended families. There is considerably more recorded and substantiated evidence of abuse in the safe homes ... In 37 years of involvement in Aboriginal affairs, I have met perhaps half a dozen men who liked Sister Kate's or Kinchela Boys' Home. I have yet to meet an Aboriginal woman who liked Cootamundra Girls' Home or Colebrook. No one failed to mention the incessant sexual abuse, or the destruction of family life.”

In 1990 the Secretariat of the National Aboriginal and Islander Child Care demanded an inquiry into child removal. A blank spot in Australian history was referred to; “the damage and trauma these policies caused are felt every day by Aboriginal people. They internalise their grief, guilt and confusion, inflicting further pain on themselves and others around them. We want an inquiry to determine how many of our children were taken away and how this occurred. We also want to consider whether these policies fall within the definition of genocide in Article II (e) of the United Nations Convention”.

In May 1995 the federal Labor government headed by Paul Keating established the “National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families”. Tatz points to the ambiguities of this inquiry. The use of the term “separation” presupposed a degree of agreement by the families with the removal of their children. Further, “separation” suggests that the removals were of a temporary character with a door remaining open for reunification. This could not be farther from the truth.

In 1997 the Human Rights and Equal Opportunity Commission published the results of the inquiry. It concluded that between 1910 and 1970 between one in three and one in ten indigenous children were forcibly removed from their families and communities.

Tatz's study, *Genocide in Australia*, insofar as it deals with the historical record, provides a powerfully detailed and documented history of the relationship between Aborigines and official society. One is left in no doubt that what transpired, even within the parameters of the UN Convention, constituted a terrible crime against the Aboriginal people.

The major weakness of the report lies in its political trajectory. Tatz aligns himself with sections of the Aboriginal leadership, various middle class reformers, Governor General Sir William Deane, the church and leading sections of the mining industry and big business in advancing the perspective of reconciliation.

The term “reconciliation” implies that the interests of Aborigines can be squared with the present social order; that in some way, the crimes of the past, as well as those of the present, can be overcome if only the political will exists. What is lacking, claim its advocates, is a formal apology from the Australian government, led by Prime Minister John Howard.

In a revealing passage, Tatz writes: “It may be possible for a ‘softer’, re-invented Howard to construct an observable strategy for ‘reconciliation’, one that enables better relations with Aboriginal leaders and communities.” But, he continues, “the new strategy cannot work in the absence of a formal national apology”.

The attempt to wipe out the Australian Aborigines was not the result of some racist mindset on the part of unenlightened individuals in positions of authority. It was spawned out of the requirements of establishing private ownership in property, initially in land. Genocide emerged out of

the need of the emerging Australian squattocracy to “clear the land”. And the appalling conditions faced by the majority of Aborigines today similarly derive from the requirements of the “market”.

“Reconciliation” accepts the private profit system, which remains utterly incompatible with the rights of Australia's indigenous population to justice, equality and basic human dignity. Indeed, one of the primary purposes of the “reconciliation” campaign is to help cement relations between mining companies, agricultural combines and Aboriginal entrepreneurs to facilitate planned large-scale mining projects and farming of Aboriginal land. Billions of dollars are at stake, with a small share destined for a select few Aboriginal leaders, while the living conditions of most Aboriginal people deteriorate further.



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