

overSEAS 2023

This thesis was submitted by its author to the School of English and American Studies, Eötvös Loránd University, in partial fulfilment of the requirements for the degree of Bachelor of Arts. It was found to be among the best theses submitted in 2023, therefore it was decorated with the School's Outstanding Thesis Award. As such it is published in the form it was submitted in **overSEAS 2023** (<http://seas.elte.hu/overseas/2023.html>)

ALAPSZAKOS SZAKDOLGOZAT

Gál Eszter Mária
Anglisztika alapszak
Angol szakirány

2022

EÖTVÖS LORÁND TUDOMÁNYEGYETEM

Bölcsészettudományi Kar

ALAPSZAKOS SZAKDOLGOZAT

*Az ausztrál őslakosok ellen elkövetett mészárlás – a népirtás
vitája*

*The Massacre of the Indigenous Australians – the genocide
debate*

Témavezető:

Gall Cecilia
nyelvtanár

Készítette:

Gál Eszter Mária
Anglisztika alapszak
Angol szakirány

2022

A HKR 76. § (2) pontja értelmében:

„... A szakdolgozat a hallgató önálló munkája, melyben be kell tartani a jelen Szabályzat 74/A–74/C. §-okban foglalt rendelkezéseket. A szakdolgozat feltöltésekor a hallgatónak nyilatkozatot kell tennie, amelyben kijelenti, hogy ez az önálló szellemi alkotása megfelel a jelen Szabályzat 74/A–74/C. §-okban, valamint a (3) bekezdésben foglalt rendelkezéseknek...”

SZERZŐSÉGI NYILATKOZAT

Alulírott **Gál Eszter Mária** (név) **IKB2MQ** (Neptun-kód) ezennel kijelentem és aláírásommal megerősítem, hogy az ELTE BTK **Anglisztika** alapszakján **Angol** szakirányon/specializáción írt jelen szakdolgozatom saját szellemi termékem, amelyet korábban más szakon még nem nyújtottam be szakdolgozatként, és amelybe mások munkáját (könyv, tanulmány, kézirat, internetes forrás, személyes közlés stb.) idézőjel és pontos hivatkozások nélkül nem építettem be.

Budapest, 2022.11.22.

Gál Eszter Mária s.k.
a szakdolgozat szerzőjének neve

Abstract

With the arrival of white settlers, the fate of Aboriginal Australians was sealed. It is an undeniable fact that the Indigenous population of Australia suffered great losses and impairments during and posterior to the colonial period. This thesis attempts to address the misconducts perpetrated against Australia's first peoples by exploring misdeeds of the past which still plagues contemporary society. The debate of genocidal acts in Australia's past has been present more than thirty years, however, it seems that it remained in an incubated, stagnant phase (Dwyer and Ryan 335). The term 'genocide' was first employed by Raphael Lemkin and came into public consciousness in 1944, with the publication of his book: *Axis Rule in Occupied Europe* (Lemkin 79). Unfortunately, Australia's history is not exempt from violent massacres and other exterminating acts in various forms, which raises the question whether these crimes, irrespective of the level of violence, complete the definition of genocide.

Table of Contents

Introduction	1
1. Genocide	2
1.2. Dispute of genocide	4
1.3. Denial of genocide	7
2. Means of elimination	12
2.1. Massacres.....	12
2.2. Violation of fundamental rights	15
2.3. Dehumanisation of Aborigines.....	16
3. The white perspective of Indigenous Australians.....	17
Conclusion	19
Works Cited.....	21

Introduction

Archaeological findings suggest that the land of Australia has been inhabited by Indigenous Australians for a long period of time, approximately: 65,000 years ago. However, as the traditional Aboriginal belief system holds the view: they have been on the continent ad infinitum, since the beginning of the land's formation (National Museum of Australia). Aboriginal and Torres Strait Islander people represent the "oldest continuing living culture" of the world (Australian Human Rights Commission). The survival and preservation of this culture was jeopardized by the arrival of the first fleet in 1788, the extensive and rapid decline in the population of Aborigines was indisputable (Harris 81). Alfred Radcliffe-Brown, a British anthropologist suggested that in the first year of the settlement, the number of Aboriginal Australians was estimated to be between 300,000 and over a million, although the former approximation is considered to be a highly underestimated calculation nowadays (81). By the early 20th century, statistics demonstrated significantly decreased numbers in the Aboriginal population; even with the utilization of Radcliffe Brown's figures, the traditional owners of the land were decimated by more than eighty percent (Harris 81).

The factors which contributed to this immense downturn vary greatly in terms of methods, forms, and approaches, nevertheless all brought the same devastating outcome. The debate which revolves around the degree of annihilation of Aboriginal people still remains a controversial topic in Australia (Harris 79). As Grieves emphasizes, Australia's historical past probably has the utmost influence on the current and forthcoming period of time, correspondingly, it has the highest capacity to provoke heated disagreements and disputes to an exceedingly great level (194). The polarization of the dispute can be clearly indicated by the opposing perspectives: there are some who believe that colonization brought civilization and it was a beneficial process, while others question the mistreatment of Aboriginal people, their deaths, and their dispossession (Dwyer and Ryan 335). As Moses points out, settler

colonialism and the decline in Indigenous populations went hand in hand, while settler society was in fact aware of the consequences of colonisation (6). This paper focuses on the massacre of Indigenous Australians by shedding light on historical transgressions. First, the phrase genocide and its appearance in public attention will be explored to create a profound context. Second, the means and processes of eliminating exploits, including massacres, physical abuse, and the removal of children, will be presented. Lastly, through the lens of white colonisers the perception of Aboriginal people is introduced to gain a better understanding of the 'justification' for the offenses committed against Indigenous people.

1. Genocide

Genocide is considered to be a particularly equivocal word; more than twenty interpretations are known in the academic sphere (Dwyer and Ryan 337). This absence of unanimity further emphasizes the subject's complexity (337) and promotes an arduous navigation in the labyrinth of definitions. Different authors have come up with different concepts and principles on what can constitute genocide, which brings to light the issue what this term is and when it can transpire (343). The attribution of coining the term appertains to Raphael Lemkin, who dedicated a whole chapter to genocide in his book entitled: *Axis Rule in Occupied Europe*. He proposed the idea of incorporating the word: "*genos* (race, tribe)" which derives from ancient Greek, and the phrase: "*cide* (killing)" of Latin origin (79). Lemkin determined the term as follows:

By "genocide" we mean the destruction of a nation or of an ethnic group. (...)

Generally speaking genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. (...)

The objective of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic

existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.

Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group. (79)

Lemkin's elucidation served as a benchmark for future legislative decisions. The Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) was implemented in international law with the purpose of codifying genocide as unlawful (United Nations). The Genocide Convention was endorsed by the General Assembly of the United Nations in 1948, and Australia also joined to ratify the convention in 1949. Genocide was described in Article II:

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group. (United Nations)

The core values of both statements are almost in superimposition, still a closer look at the phrasings suggests some dissimilarities which are worth mentioning, one of them being the clarification of the extent of destruction. Lemkin's formulation suggests that genocide mainly occurs when massacres lead to the absolute eradication of "all members of a nation" (79). A further modification of this is offered by the Genocide Convention, in that context, not just total destruction is deemed to be genocide, but also "physical destruction(s)" which take form in "whole or in part" (United Nations). On the other hand, the framework also declares that the magnitude of devastation has to reach a serious repercussion on the members of the

group collectively to be considered as genocide. Moreover, it is also noteworthy to highlight that in accordance with the Genocide Convention, genocide includes tangible “bodily harm” together with psychological toll and “mental harm” (United Nations).

Notwithstanding, there is one fundamental feature that is explicitly present in both statements and can be regarded as the kernel of genocidal behaviour. As Tatz indicates, the phrase “as such” is a focal point in the convention, it discloses that the indicted party’s main aim is not just to target and destroy a particular group of people, but to eradicate those people particularly (probably solely) because they belong to that group (22). Lemkin’s concept leads to the same deduction, he concludes that genocide occurs when it targets a “group as an entity”, and the committed crimes affect these entities as a consequence of being part of a specific group regardless of “their individual capacity” (79). Tatz, however, suggests that the official framing is gravely inaccurate and fallacious since it does not mention “political groups” as possible casualties and what is more crucial, it entirely neglects the responsibility of the “state” for genocidal perpetrations (21). These slight, nonetheless rather consequential alterations and exclusions place a new focus and prospect on the retrospective search for genocide.

1.2. Dispute of genocide

The employment of the word genocide entails the evocation of guilty consciousness, culpability, and self-righteousness, inducing the intricate subject of frontier violence (Dwyer and Ryan 344). Scholars of Australian history, who engage in frontier conflicts, are apt to avoid or be extremely cautious about the subject of genocide (336). Similar speculations continuously arise in connection with the controversy which surrounds its implication, definition, and relevancy “to national cases” (336). Dwyer and Ryan indicate that scholars scarcely raise the question why the topic of genocide causes more heightened arguments in

Australia than in any other settler colony (336). One segment of the disputation concerns terminology and “genocidal intent” (339). Scholars distinguish between two usages of the notion of genocide: the primary employment of the word applies to colonial frontier massacres and the murder of Indigenous Australians from the end of the eighteenth century till the middle of the twentieth century (337). This usage has been employed in the academic sphere and mass communication since the seventies, however, it only surfaced in public dialogue around the end of the eighties (337). The other utilization is with regard to assimilating measures and the forced separation of Indigenous children from their families, which gained comprehensive attention after the publishing of the *Bringing them Home* report by the National Inquiry in 1997 (337).

Correspondingly, Robert van Krieken introduces the idea that there is a wider and a more limited comprehension on the frame of genocide and there is a disaccord between the two rationales (125). The confined version incorporates the above-mentioned mass killings and diverse modes of extermination, while the extended adaptation acknowledges extensive processes which lead to the destruction of national groups, such as sabotaging their “culture and physical environment” (125). However, the former restrained version of genocide did not meet the stimulus threshold of judicial levels (126). The Australian High Court decision rejected the idea according to which the Ordinance could have been regarded as susceptible to being engrossed in the aim to “destroy” the Indigenous population (126). Scholars of Australian studies have not yet come up with a consistent and concordant solution. From one perspective, there is an academic circle which maintains the claim that frontier violence embodies genocidal acts (Dwyer and Ryan 337). From the other perspective, a circle of scholars has oriented their focus on alternative directions and composed adaptations on the “thesis” of genocide (338). For instance, settler colonialism is depicted as the “logic of elimination” by Patrick Wolfe; some scholars, for example, Raymond Evans developed a new

phrase, “indigenocide” to describe the brutality which took place on the frontier; while Richard Broome identifies the past as “unintended genocide” (338). An additional aspect is that the presence of genocide might be applicable to Tasmania, but it was not palpable on the “mainland” (Tatz 18). Notwithstanding, this argument completely overlooks the cultural element of genocide which was proposed by Lemkin. As Short indicates, Lemkin’s wording equates “physical genocide” with “cultural genocide”, hence Short suggests that recognizing only massacres as a genocidal act is a sociological dead end (833-837). Scholars also endeavoured to overcome obstacles of the term’s applicability by filtering murders on the basis of categories: introducing the words “politicide”, “democide”, and “ethnocide” (Dwyer and Ryan 343). Leo Kuper formulated the term “genocidal massacre” to offer a middle ground in the jungle of terminologies, yet this expression clouds the issue even more (343). In the Australian frontier context “genocidal massacre” has the impression to function as an umbrella term, it throws a veil over two highly important terms; genocide alone holds multiple meanings and interpretations and the combination of the two can unsettle the already fragile manifold of categorizations.

In spite of the differing views and lack of consent, one segment that ‘genocide scholars’ and those who engage in the history of frontier violence generally agree on is that “racism, prejudice and dehumanisation” are the *sine que non* of genocidal acts (or violent massacres) in the frontier period (Dwyer and Ryan 343). Nevertheless, this seemingly solid diagnosis has been opposed by the ‘second generation’ scholars of genocidal studies, such as Benjamin Valentino, who argues that racial discrimination and abhorrence are common occurrences in a society, yet they do not necessarily precipitate genocide (343). In this respect, the nucleus of genocidal behaviour lies in the degree of any hate crime, whether it is acted upon or ‘just’ remains an attitude or view. Nonetheless, if a misconduct does not include racial prejudice and dehumanising acts then it ceases to be a deed of genocide as it is carried

out without discriminatory intent. In compliance with Valentino's aspect, Leo Kuper dissuades from overemphasizing the inclination of comparing colonial processes to genocide, although, it is indubitable that the effects of colonising operations on several occasions led to genocide, still it was not the "universal feature" of it, furthermore, Kuper also claims that a major part of colonialism was performed "without genocidal conflict" (345). A supplementary concept was proposed by Dwyer and Ryan; they suggest that the form of genocide denotes a comparatively detached mode of murder (344). On the frontier, offenders were usually familiar with their casualties, particularly on the "pastoral frontier" where they possibly shared labour and their meals with each other (344). Therefore, the escalated conflicts on the frontier embody a rather personal and "intimate" way of destruction compared to genocide which invokes an "impersonal process" (344).

1.3. Denial of genocide

Tatz observes that in Australia the denial of genocide materializes in diverse patterns (29). The primary instance is the straightforward rejection of any former historical breach (29). The secondary, relatively grotesque proposition is that white settlers were the de facto sufferers of colonisation (29). Additionally, the supposition that paying attention to the "unmitigated gloom" of the past overshadows the "reality": that the 'benefits' brought by colonisation outweigh the caused damage (29). As Tatz phrases it, refusal of the presence of genocide is backed by, or founded on multiple unrighteous equalisation (29). For example, Minogue asserts that the "pluses" in Aboriginal affairs outbalance the "minuses" (qtd. in Tatz 29). Furthermore, he claims that discrimination against the Indigenous population was merely a "sentiment rather than a belief, involving rejection of, or contempt for, or simply unease in the presence of, people recognised as different" (qtd. in Tatz 29-30).

To acquire a comprehensive picture of the occurrence of genocide, the ‘traditional’ connotation needs to be reconstituted. Tatz recommends that those who venture to exempt Australia from genocidal history need to break the association of “gas chambers” with child removal — which is only one element on the list of misdeeds — in view of the fact that the psyche cannot identify the two as equivalent (21). By comparing genocidal operations in other countries to Australia’s past can disparage and minimize, unequivocally unjustly, the torment which Aboriginal people have suffered, furthermore, it can entail an excuse for the scale of preceding conducts. There is a thought-provoking conviction nationwide which fuels the creed that merely being born as an Australian makes one armed with ample immunity in contact with immoral and inequitable demeanour (Tatz 17). The impression of a national denial can be perceived through the presence of avoidance and abstention in regard to the topic. Grieves implies that colonisation in Australia is dominantly accompanied by disavowal (194). There is a presumed allegation that those who engage with the analysis of Indigenous relations in Australia’s history tend to deliberately falsify and misrepresent historical facts for the sake of politics or ideologies; contrariwise, provided that they are not involved in any analogous conduct, they are being “‘duped’ by those” who have such interests (Harris 79).

One of the leading propagators of genocide denialism is Keith Windschuttle. He claims that he himself was teaching famous genocide scholars’ studies as part of a higher education framework and he was a “true believer” of the “story”, as he labels it (Windschuttle 21). Windschuttle argues that scholars of Indigenous Australia have established a theory of high-scale massacres and mass killings of Aborigines and this course of action simply proceeded without any kind of retribution, furthermore, it was also secretly promoted by governmental assistance (21). According to Windschuttle, the process of reviewing Rod Moran’s book, which attempts to investigate the Forest River Massacre, has opened up his

eyes and he came to the realisation that no blood was shed there (21). The rationale for this conclusion is the absence of corpses and witnesses from the site of the killings (21).

Windschuttle implies that unregistered fatality is not legitimate (Harris 84). He did admit that the Indigenous population of Tasmania ceased to exist and he came up with two reasons for this tremendous decline (Windschuttle 26). He claims that the first cause was the ten thousand years of isolation which exposed Tasmanian Aborigines to maladies brought by the settlers; his second explanation was the prostitution and abuse of women by Indigenous men which resulted in the failure of procreation (26). Consequently, according to Windschuttle, on the island of Tasmania there were only minor cases of premeditated killings and in spite of the land's contemptible distinction, genocide was not present there (26). As he claims, the Tasmanian "Black Line" is generally portrayed as a conduct of "ethnic cleansing", nonetheless he insists that the sole objective was to relocate natives from the "settled districts", merely two out of nine ethnic groups, to desolated areas (26). Windschuttle claims that the restraining of Indigenous people was necessary in order to stop them from 'abusing' and 'violating' settler families (26). According to Henry Reynolds, in the decade after 1820, colonists were discussing and encouraging the killings of Indigenous people (Windschuttle 26). Yet Windschuttle advocates that only the minority of colonisers had such views, moreover, he justifies the promotion of killing natives by claiming that only revenge killings took place (26). Beside the "Black Line", his other allegation concerns the "Black War" in the early nineteenth century, since these two occurrences are considered to be the most flagrant "events in the history of the British Empire" (22). Following a meticulous search for archived records and counterchecking sources of respectable history scholars, he drew the inference that the majority of these events are "myth piled upon myth" (22). The foundation of his claims is built on refuting studies of other Australian historians asserting that they incorrectly reference their own literature and he insists on prioritizing white "corporeal" testimonies (22-

23). In his opinion, the poisoning of Aboriginal people was also an incorrect affirmation, it was nothing more than an “ambiguous statement” uttered by a governor, who did not provide poisonous substances to shepherds in the fear that they might merge it with the native population’s food (24). Windschuttle’s ultimate assertion is that records by clergymen gave untrustworthy reports on the Aboriginal population’s condition and state (27). As he states, the record of those Indigenous people who disappeared from missions and were presumed to be assassinated, happened to be a fraud, a made-up narrative by a “white clergyman” who was in charge of the organization (21-22). He concludes that history scholars have a collective obligation and liability to communicate historical phenomena authentically and to refer to studies unerringly for the reason that drawing inferences from ‘inaccurate’ and ‘phantasmal’ proofs is equal to relinquishing the vocation of “historical truth altogether” (29). Lastly, he accuses history scholars of seeking to equate Australia’s past with other countries where the presence of genocidal acts was unmistakable (29). Nonetheless, he admits that every person has the right to hold their own belief, though they should not be empowered to make up evidence as the foundation of their opinion (29).

According to Grieves, Windschuttle’s narrative is a predominantly disapproving assessment which takes the initiative to criticise actual historical facts (194). As Harris points out, Windschuttle’s primary argument is that contemporary scholars of Australian history and missionary people substantially magnified the list of deceased in the Indigenous population and they persist to “fabricate massacre stories” to corroborate a method of Indigenous “policy-making” predicated on pseudo wrongdoings of the past to assist their self-governance, while the Aboriginal community would be in favour of assimilation (79). Therefore, Windschuttle suggests that initial steps must be taken to bring to light the “massacre myths” which have been deceiving people for centuries now (79). Macintyre demonstrates that Windschuttle’s account has two functions: firstly, to question the credibility of history

scholars, secondly, to introduce a counter-history about the white settlement (213).

Windschuttle proves his point by scratching the surface of certain collections of evidence and takes no notice of counter-arguments while diving deeply into those observations which serve his purpose (213). Then he continues to degrade notorious massacre sights as a mere “fabrication” and repudiates the broadly acknowledged, but rather depreciated number of twenty thousand victims (Harris 83-84). He formulated his principal antithesis in the ‘Myths’ essays in which he argues that the immensely high numbers of massacre victims are invented outcomes created by “neurotic” or “self-interested 19th century Christian missionaries” along with left-wing history scholars (83). Windschuttle was in favour of “direct evidence” which should incorporate: “eye witness reports”, “subsequent body counts”, and “confessions by the guilty” (Harris 84). Needless to say, the numerous massacres generated settler casualties as well, essentially the majority of them can be identified, whereas only an inconsiderable number of Indigenous victims can be named (84). It is crucial to note that Indigenous people did not write documents of the deceased or injured victims (84). Moreover, a provocative and peculiar fact is that Aboriginal people were prohibited from juridical procedures, they were not granted the fundamental right to testify in courts (Moses 7). Therefore, an alternative plausibility is that perpetrators could easily conceal the ferocity with which they executed the Aboriginal community, without witnesses, no one would report the Indigenous narrative (Dwyer and Ryan 347). Consequently, the feasibility of recognizing past events from one perspective, the white perspective, implicates partiality and a “dehumanised” way of giving an account (347). In Windschuttle’s narration, Aboriginal Australians, particularly Tasmanian people are approached from the “Darwinist” perspective (Grievés 196), they are depicted as uncivilised savages who were on the periphery of decline chiefly for their barbaric behaviour towards females which damaged the birth rate and endangered their population growth (Macintyre 214). Furthermore, Windschuttle shames Indigenous women as well and claims

that their ‘licentious’ behaviour and their ‘affection’ towards white men also contributed to the population decline (214). As Grieves indicates, Windschuttle neglects historians who articulated their apprehension regarding the violence with which Indigenous people were treated and their destruction was described as sporadic, “incidental” events in his report (195). By the same token, he describes patrol troops as vigilante and humane forces, who served with “care and integrity”, since they were ‘civil’ and ‘cultured’ Europeans advocating cultivated, lawful manners (Harris 88). In his depiction, police forces were executing “textbook raids”: encircling the natives’ campsites, cross-examining convicts with the aid of Indigenous translators, investigating the area for *corpus delicti*, and arresting suspected individuals (88). Regardless of the fact that this was the real scenario or not, colonisation took lives, and the certitude that the proprietorship of the land was transferred to unwished-for Europeans is unmistakable (Macintyre 215).

2. Means of elimination

According to Harris, Christian missionaries were the immediate reporters of the decrease in the Indigenous population (83). Irrespective of each other’s accounts, from various territories, mission representatives collectively resolved that the prime triggers of Aboriginal and Torres Strait Islander depopulation were “massacre, sexual abuse, and disease” (83). The “disease-as-genocide thesis” has emerged in various studies (Tatz 23). It is certain that viruses brought by the settlement delivered a deathblow to the natives. Nonetheless, as Tatz argues, “accident is not genocide and genocide is never accident” (23). As he indicates, death caused by diseases was a devastating “by-product” of colonisation, however, it is not likely that it was a conscious or designed act (23) contrary to other eliminating processes.

2.1. Massacres

In the second half of the twentieth century, massacres gained a prominent place on research fields and by the millennium, it became a part of the genocide debate (Moses 13). The word massacre is typically accepted as large-scale killings which target a group of unmalicious people (Harris 86). In practice, it is primarily a debate concerning wording that counts as a large-scale or “large number”, in what interval it occurred, and where it took place (86). Still, the main controversy which typifies massacres is the volume of bloodshed (83). The white settlement brought many events which resulted in the Indigenous depopulation but brutal mass murders carried out by settlers was the most striking (83). Tatz indicates that the presence of violent actions was beyond doubt, although it did not have a semblance of genocide in any way the public was familiar with from other historical occurrences, since it supposedly happened in an unsystematic and scattered mode as the “killings were in twos, threes, even dozens” (18). Consequently, there is persistent disengagement which separates genocide research and frontier violence (Dwyer and Ryan (349).

Undoubtedly, not all settlers shared the same views on violence, albeit their indifference and passiveness provided the means for the continuing hostility (349). Nevertheless, as Dwyer and Ryan suggest, the doubt whether their apathy was nurtured by racial prejudice or ideological selectivity still lingers around (349). The majority of massacre research entails that the murdering of Indigenous people was a form of retribution for stealing livestock, killing settlers, and the groundless conviction that Indigenous men captured and violated European women (346). Dwyer and Ryan highlight that this is a far more serious issue which should not be narrowed down to ‘an eye for an eye and a tooth for a tooth’ form of punishment (346). Furthermore, they call attention to a crucial point by inquiring why Europeans massacred not just Aboriginal men, but “women and children” as well (346). A tentative attempt to offer an answer to this question would suggest that the central reason of massacres was not revenge, but ideology-based ignorance accompanied by murderous intent

disguised as vengeance. Tatz suggests that mass murders and systematized carnages were filled with annihilating intent, they were carried out to destroy Indigenous people for being who they are, for being Indigenous (23). Butchers Creek, Slaughterhouse Swamp, Mt Arsenic, Bony Point, and Skull Creek are just a couple of Australian sight names (Harris 89), bespeaking the imprint of violent actions. Waterloo Creek, Forest River, Myall Creek, Coniston Station are a few examples of the abundant and notorious massacre scenes (Tatz 18). Out of these incidents, the Myall Creek massacre (1838) became the most influential as it gave rise to hesitant but initiating steps towards the acknowledgment of violence on the frontier (National Museum of Australia). It was a unique case as this was the first time Europeans were condemned by law for murdering Indigenous people (NMOA). Seven white men were hanged for carrying out the massacre (Moses 7). However, this result was not a smooth process, and not the entire group of perpetrators were punished since the court did not take into account Indigenous eyewitnesses “who could not swear an oath on the Bible” (Harris 85). The decision of the court and the execution of Europeans caused a public hysteria among settlers, while the massacre of Indigenous families left the majority of whites unfazed (National Museum of Australia).

After more than half a decade of attentive and methodical research, an “interactive digital map” was created to catalogue the occurrences of massacre and their consequences on the Indigenous people in the frontier period (University of Newcastle). This map was designed by members of the Centre for 21st Century Humanities; and it registers the area, the timeframe, and circumstances of each massacre as well as providing substantial data for proof (UON). The group of researchers utilized a broad spectrum of resources to authenticate mass murders, these resources comprise of colonizers’ written records, voyagers’ records, journal articles, the surviving victims’ attestation, governmental documents, judicial statements, and governmental repositories (UON). The research team has determined “frontier massacre” as

the “indiscriminate killing of six or more undefended people in one operation” (UON). By relying on this interpretation, the research group was able to recover and confirm that more than eight thousand individuals were murdered in the course of three hundred massacres since the first fleet; overwhelmingly, the percentage of Indigenous casualties was disproportionately more, ninety-seven percent of the total deaths (UON).

Furthermore, the project’s creators have distinguished between two types of massacres, “reprisal” and “opportunity” (University of Newcastle). The former category is a “response” to presumed allegations (UON), also called as revenge killings by certain historians. The latter form of massacre’s main aim is not just retribution, but to ‘cleanse’ Indigenous people from certain areas, to prevent their access to water supplies, and to restrain them from Indigenous “ceremonial ground”, to intentionally eliminate them from the territory (UON). Restricting Indigenous people from their sacred sites was causing bodily and mental harm as well. Aboriginal people share a unique attachment towards their land, as Wilson affirms, it is their “heart”, “soul”, “sustenance”, “Mother”, and “life” (200). The Genocide Convention clearly states that annihilating certain groups with an “intent to destroy”, “causing serious bodily or mental harm”, and to purposefully impose “on the group conditions of life” is a genocidal act (United Nations). In light of the available evidence and reliable sources provided by researchers, frontier violence contained all of the above mentioned conditions of the Genocide Convention.

2.2. Violation of fundamental rights

From the nineteenth century till the twentieth century, the original owners of the land were deprived from their lands and involuntarily pushed to “missions, reserves or stations” (Australian Institute of Aboriginal and Torres Strait Islander Studies). In 1869, the Aboriginal Protection Act was enacted in the colony of Victoria to restrict Indigenous people’s ways of

life (Museum of Australian Democracy). The Act empowered the Victorian Board for the Protection of Aborigines with total authority, the natives could not have a say in who they could marry or where they could reside (MOAD). Within these reserved sites Indigenous people were prohibited from using their mother tongue, pay respect to ethnic rituals or pass it on to the younger generation (Australian Institute of Aboriginal and Torres Strait Islander Studies). These settlements were created with the intent to ‘safeguard’ the natives who were considered to be an already declining ethnic group (Australian Institute of Aboriginal and Torres Strait Islander Studies). Nonetheless, Indigenous people did not pass away as rapidly as the whites prognosticated (van Krieken 127). Near the end of the nineteenth century, settlers had to face the “‘half-caste’ problem” (127). The colonisers’ concept was that the descendants of white and Indigenous parents could be rescued by ‘civilisation’ (Australian Institute of Aboriginal and Torres Strait Islander Studies). Consequently, bloodline and lineage became a prioritized issue (AIATSIS) and the extent of native blood became the main concern of whites (van Krieken 127). In 1886, a supplementary Act was enacted also in Victoria which promoted the removal of children “of mixed descent” (Museum of Australian Democracy).

2.3. Dehumanisation of Aborigines

At the same time, eugenic views have emerged in the continent. The pejorative expression ‘breed out the colour’ was invented by Dr Cecil Cook who was assigned to the role of Protector of Aborigines in the “Northern Territory” (Rowse and Leithhead 117-118). The “guardianship” of Indigenous children was at the hand of ‘protectors’, the natives had no legal power over the custody of their own children (Faulkner 2014). By the nineteen-thirties, the Commonwealth became the legal guardian of essentially every Indigenous child (van Krieken 127). Settlers were convinced that the cultural inheritance of Aboriginal people had no intrinsic merit (van Krieken 128). Therefore, they propagated the notion that it is in the

interest of the young Indigenous population to remove them from their families and entirely erase their “Aboriginality” (128). One of the main promoters of assimilation programs of native children was Auber Octavius Neville, who was appointed as Chief Protector of Aborigines in Western Australia (Kubergovic and Leung 2013). A. O. Neville documented the success of solving the ‘half-caste problem’ in his book entitled: *Australia’s Coloured Minority: Its Place in the Community* (Museums Victoria Collections). He came up with insulting terms to describe the changes in skin colour from generation to generation, showcasing the successful operation of assimilating processes (Museums Victoria Collections).

The exact number of stolen children is unknown (van Krieken 127). According to the Human Rights and Equal Opportunity Commission nearly “one in three and one in ten” Aboriginal children were forcefully taken from their families and environments (Bringing them Home Report 1997). Interestingly, Australia ratified the Genocide Convention in 1949, yet even in the nineteen-seventies non-consensual child removal was supported by law (Bringing them Home Report 1997). The controversy of the situation was evident. While “forcibly transferring children of the group to another” and “imposing measures intended to prevent births within the group” was condemned in Article II, (Genocide Convention) legal procedures still gave space to such acts even after endorsing the Convention. As Tatz emphasizes, the elimination of Aboriginality was filled with the “intent to destroy” natives (Genocide Convention), therefore it can be concluded that it was a conscious and calculated attempt to genocide (Tatz 25).

3. The white perspective of Indigenous Australians

The original owners of the land were characterized by voyagers as the most “degraded of the human race” (Report 10). By the end of the nineteenth century, it was a broadly

recognized concept by settlers that Aboriginal and Torres Strait Islander people were destined to demise and it was an inevitable process (van Krieken 126). The explanation for their disappearance was based on ‘natural selection’, it was a common misbelief that the ‘uncivilized’ and ‘barbarous’ Indigenous population is doomed to vanish as a “‘natural’ consequence of the advance of civilization” (Barta 116). Therefore, Aboriginal extermination was a logical outcome in the Europeans’ eyes (van Krieken 126). As Bates denotes, the only thing that settlers could do was to “smooth the dying man’s pillow” (qtd. in van Krieken 127).

Furthermore, settlers did not restrain from accelerating Indigenous deaths. The natives were considered to be an inferior race, not even a part of humanity. Their cruel and inhumane view of Indigenous people was evident, the majority of colonisers thought that it was an absurd and outrageous supposition that the natives “had souls” (Aborigines Protection Society 10). Many Europeans shared the view that it is the moral duty of a ‘civilised’ nation to eradicate ‘savages’ from the territory so that it can be populated with a ‘cultured’ society (Moses 6). They also held the assumption that Indigenous decline was a divine completion, Aborigines should perish before Europeans, and “the sooner the process was carried out the better for all parties” (Aborigines Protection Society 10). Therefore, they set on a ‘holy quest’ to precipitate the death of Aborigines. Archbishop John Bede Polding attests in the *Report from the Select Committee on the Condition of the Aborigines* the mistreatment of Indigenous people. In his recollection, he describes a case when he overheard settlers talking about the Indigenous population, and they argued that there was “no more harm in shooting a native, than in shooting a wild dog” (Report 10). Moreover, even those who were supposed to represent impartiality and justice were advocating a racist attitude. One of the judges of the Myall Creek massacre trial declared that he considers Aboriginal people as “a set of monkeys, and the earlier they are exterminated from the face of the earth the better” (qtd. in Korff 2020).

The dehumanisation and humiliation of natives was also promoted by legislative processes. The Australian Constitution of 1901 completely omitted Aboriginal and Torres Strait Islander people (Wilson 200-201). Section 127 explicitly stated that Indigenous people should not be recorded in the census (Arcioni 2). It was not until the referendum of 1967 that the Constitution was altered and Indigenous people gained the fundamental right to be part of the census (Australian Human Rights Commission). However, this change still did not give adequate recognition of Aboriginal proprietorship and their rights still not reached the margin of equality (Wilson 201).

Conclusion

The endorsement of the Genocide Convention paved the way for the acknowledgement of the genocidal past in Australia and brought to light the issue that settler colonialism violated several conditions of the convention. Despite of being one of the first signatory countries, Australian policymakers enabled genocidal operations to proceed till the second half of the twentieth century. The debate whether genocide took place in colonial Australia remained an undecided dispute between those who recognized and admitted historical breaches and those who persevere in dismissing the presence of genocide. The continuing disagreement revolves around the amplitude of depopulation caused by the settlement and if that decline in the population can amount to genocide (Harris 81). However, the catastrophic dispossession and extermination of Indigenous and Torres Strait Islander people, in any way, is a much greater problem than the controversy around the ways of destruction (Harris 83). The main methods which led to the elimination of Indigenous people were systematized and intentional procedures. This sequence of actions involved massacres, severe deprivation of elemental human rights, and the absolute dehumanisation of natives. To find an answer to the unresolved genocide debate, long-abandoned voices of Indigenous and

Torres Strait Islander people must be heard as they are the victims who still suffer from the ripple effect of a bloodstained colonisation.

Works Cited

- Aboriginal and Torres Strait Islanders: Australia's First Peoples*. Australian Human Rights Commission, www.humanrights.gov.au. Accessed 16 Nov. 2022.
- Aboriginal Protection Act 1869 (Vic)*. Australian Museum of Democracy. www.foundingdocs.gov.au. Accessed 16 Nov. 2022.
- Aborigines Protection Society. *Report of the Parliamentary Select Committee on Aboriginal Tribes (British Settlements)*. Hatchard and Son, 1837.
- About Constitutional Recognition*. Australian Human Rights Commission, www.humanrights.gov.au. Accessed 21. Nov 2022.
- Arcioni, Elisa. "Excluding Indigenous Australians from 'The People': A Reconsideration of Sections 25 and 127 of the Constitution." *Federal Law Review*, vol. 40, no. 3, 2012. p. 2. Accessed 16 Nov. 2022.
- Australia's Frontier Violence Exposed*. The University of Newcastle. www.newcastle.edu.au. Accessed 16 Nov. 2022.
- Barta, Tony. "Mr Darwin's shooters: On Natural Selection and the Naturalizing of Genocide." *Patterns of Prejudice*, vol. 49, no. 2, 2005, p. 116. <https://doi.org/10.1080/00313220500106170>
- Bringing them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*. Human Rights and Equal Opportunity Commission. Sydney, 1997.
- Dwyer, Philip, and Lyndall Ryan. "Reflections on Genocide and Settler-Colonial Violence." *History Australia*, vol. 13, no. 3, 335–349. <http://dx.doi.org/10.1080/14490854.2016.1202336>.

Evidence of First Peoples. National Museum of Australia, 2022, www.nma.gov.au. Accessed 16 Nov. 2022.

Faulkner, Joanne. *Stolen Generations*. Eugenics Archive, 2014, <http://eugenicsarchive.ca/discover/tree/53d8321a4c879d0000000012>. Accessed 16 Nov. 2022.

Grieves, Vicki. "Windschuttle's Fabrication of Aboriginal History: A View from the Other Side." *Labour History*, no. 85, 2003, pp. 194–96. *JSTOR*, <https://doi.org/10.2307/27515935>. Accessed 8 Nov. 2022.

Harris, John. "Hiding the Bodies: The Myth of the Humane Colonisation of Aboriginal Australia." *Aboriginal History*, vol. 27, 2003, pp. 79–89. *JSTOR*, <http://www.jstor.org/stable/24054261>. Accessed 8 Nov. 2022.

Kubergovic, Erna and Colette Leung. *Neville, Auber O.*. Eugenics Archive, 2013, <https://eugenicsarchive.ca/discover/tree/5232aa925c2ec50000000027>. Accessed 16 Nov. 2022.

Lemkin, Raphael. *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*. Washington: Carnegie Endowment for International Peace, Division of International Law, 1944.

Macintyre, Stuart. "Reviewing the History Wars." *Labour History*, no. 85, 2003, pp. 213–15. *JSTOR*, <https://doi.org/10.2307/27515939>. Accessed 8 Nov. 2022.

Missions, Stations and Reserves. Australian Institute of Aboriginal and Torres Strait Islander Studies, 2022, www.aiatsis.gov.au. Accessed 16 Nov. 2022.

Moses, A. Dirk, editor. *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History*. 1st ed., Berghahn Books, 2012. *JSTOR*, <http://www.jstor.org/stable/j.ctt9qdg7m>.

Museums Victoria Collections. <https://collections.museumsvictoria.com.au/items/1496210>.

Accessed 16 Nov. 2022.

Myall Creek Massacre. National Museum of Australia, 2022, www.nma.gov.au. Accessed 16

Nov. 2022.

Office of the UN Special Adviser on the Prevention of Genocide (OSAPG). United Nations,

www.un.org. Accessed 16 Nov. 22.

Report from the Select Committee on the Condition of the Aborigines. Sydney, 1845.

Rowse, Tim, and Barry Leithhead. “‘The Ordered Behaviour of the Individual Himself’: Cecil

Cook’s Biological Politics.” *Aboriginal History*, vol. 43, 2019, pp. 117–8. *JSTOR*,

<https://www.jstor.org/stable/27000042>. Accessed 16 Nov. 2022.

Short, Damien. “Cultural Genocide and Indigenous Peoples: A Sociological Approach.” *The*

International Journal of Human Rights, vol. 14, no. 6, 2010, pp. 833–37.

<http://dx.doi.org/10.1080/13642987.2010.512126>.

Tatz, Colin. “Confronting Australian Genocide.” *Aboriginal History*, vol. 25, 2001, pp. 16–

30. *JSTOR*, <http://www.jstor.org/stable/45135469>. Accessed 8 Nov. 2022.

van Krieken, Robert. “Rethinking Cultural Genocide: Aboriginal Child Removal and Settler-

Colonial State Formation.” *Oceania*, vol. 75, no. 2, 2004, pp. 125–27. *JSTOR*,

<http://www.jstor.org/stable/40331967>. Accessed 8 Nov. 2022.

Windschuttle, Keith. “The Fabrication of Aboriginal History.” *The Sydney Papers*, 2003. pp.

20–29. Accessed 16 Nov. 2022.