

## Moving the Genocide Debate Beyond the History Wars\*

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The “History Wars” have paralysed the scholarly discussion on genocide in Australian history, because genocide is regarded as a politicized concept that distorts historical understanding. Both the public sphere and much historiography continue to regard genocide as a synonym for the Holocaust, framing public discussion of genocide in Australia as well as discouraging historians from engaging with the international comparative literature on colonial genocides. This article aims to stimulate reflection on these issues by explaining the origin and meaning of the term in intellectual and legal history. It suggests that thinking of genocide as a form of extreme counter-insurgency helps us comprehend how colonial violence unfolds. Finally, it highlights some potential limitations of the concept in understanding the Indigenous experience of colonial genocide, before suggesting how historians can deploy it in the service of scholarship rather than “History Wars”.

### Introduction

The predictable polarisation of the “History Wars” has framed the scholarly and public discussion of genocide in Australian history. On the one hand, conservatives such as the former Prime Minister John Howard and writer Keith Windschuttle, as well as liberals like historian Inga Clendinnen, have complained of excessive talk about genocide and “Holocaust” in the national past. Clendinnen objected to the linking of the Holocaust of European Jewry with the Stolen Generations of Indigenous children by an “activist Left”, while Windschuttle lamented the “view that Australian history amounted to a long trail of Aboriginal blood that ended in a cesspit of massacres and genocide”.<sup>1</sup> Making plain the Howard government’s interest in shaping national memory, the Prime Minister leapt to defend Windschuttle and Geoffrey Blainey from “the posesses of political correctness” and “the fangs of the left” who he thought “regard Australian history as little more than a litany of sexism, racism and class warfare”.<sup>2</sup>

On the other hand, many other liberals and leftists thought that Howard, Windschuttle and their ilk engaged in the pernicious “denial” of both frontier violence and the Stolen Generations, the two dimensions of genocide in Australia.<sup>3</sup>

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<sup>1</sup> Inga Clendinnen, “Who Owns the Australian Past?”, *Quarterly Essay*, 23 (2006), p. 43; Keith Windschuttle, “Long May Open Debates Continue”, *The Australian*, 14 December 2007.

<sup>2</sup> John Howard, “A Tribute to *Quadrant*”, *Quadrant* (November 2006), p. 23.

<sup>3</sup> Robert Manne, “The Cruelty of Denial”, *The Age*, 9 September 2006; Adam Jones, *Genocide: A Comprehensive Introduction* (London, 2006), p. 92; Ben Kiernan, “Cover-Up and Denial: Australia, the USA, East Timor, and the Aborigines”, *Critical Asian Studies*, Vol. 34, 2 (2002), pp. 163-192; Henry Reynolds, “From Armband to Blindfold”, *The Australian Review of Books*, 9 March 2001.

Conservatives naturally bristled at such a suggestion. “Once he [Windschuttle] exposed the doyens of Australian history [...] for telling fibs about so-called massacres, he copped abuse as the equivalent of a Holocaust denier”, declaimed columnist Janet Albrechtsen, echoing Frederick Töben of the Adelaide Institute, who wrote that “denier” is a “shut up” word used by Marxists to discredit their opponents.<sup>4</sup>

It is not difficult to understand why discussing genocide in Australian history is so controversial. Originating in international law, the concept of genocide implies a moral judgment. To conclude that Australia’s past contains genocidal aspects or “moments” may seem to criminalize it.<sup>5</sup> What is more, because most non-specialists equate genocide with the Holocaust of European Jewry, the debate is often simultaneously about whether such a Holocaust occurred here. These features make genocide central to the “history wars”, themselves a battlefield in the broader “culture wars” waged more by media commentators than by academics. And yet, the role of historians in particular has become a central issue in these disputes because some newspaper editors and columnists have convinced themselves that vaguely defined cultural values are being traduced in the history curricula of schools and universities. These institutions, in thrall to postmodern relativism, *The Australian* worried, are corrupting the youth of Australia: “for too long Australian history [...] has been used as an excuse to indoctrinate students in politically correct fads rather than give them a solid grounding in the factual and narrative history of their nation”.<sup>6</sup>

More than the national past is at stake. For the editors of *The Australian*, the fate of western civilization hangs in the balance. They accused the “publicly funded intelligentsia” of “woolly-mindedness” and lacking a “moral compass” for not signing up to the so-called “war on terror”. “Having long ago substituted ‘critique’ for reason, and even after everything that has happened during the past 3½ years”, the newspaper’s editors wrote in 2005, “the intellectuals cannot grasp that the West and its democratic values are under attack from an insidious new fascism.”<sup>7</sup>

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<sup>4</sup> Janet Albrechtsen, “Asking the Right Questions: Geoffrey Blainey, Keith Windschuttle and co have Undermined the Progressive Establishment”, *The Australian*, 23 August 2006; Frederick Töben, “Australian Democracy, History, and the ‘Holocaust’: An Attempt at an Overview with a Question: Do Revisionists Need Orthodox Historians?”, 21 September 2003, with additional material 11 October 2003, Adelaide Institute, <<http://www.adelaideinstitute.org/Dissenters/toben2.htm>> [viewed 24 November 2006].

<sup>5</sup> This implication is probably the reason for Prime Minister Kevin Rudd’s decision to avoid the term in his formulation of the Commonwealth Parliament’s apology to the Stolen Generations of Indigenous Children. See his tortured answer to journalist Tony Jones on the ABC television show “Lateline”: “The term has a specific definition in international law and I don’t believe is either appropriate or helpful in describing the event as they occurred or taking in taking the country forward. You’ll know there’s a great debate about the accuracy of the particular use of that occurred as it occurred in the ‘Bringing Them Home’ report itself. And the conclusion I reached and I’ve read some international law on these questions. I’m familiar with international humanitarian law. I’m familiar with the content of what these words mean. But I’m also acutely conscious of how do we best summarise this, you know, appalling reality in a way which is meaningful to the Stolen Generations themselves, meaningful to non-Indigenous Australia who are only fleetingly aware often of the details of this and most critically build a bridge to move on? And that is why I crafted the speech in the way that I did”. “Lateline”, 14 February 2008: Tony Jones talks to Prime Minister Kevin Rudd, <<http://www.abc.net.au/lateline/content/2007/s2163296.htm>>.

<sup>6</sup> *The Australian*, Editorial. “The Past is Prologue: Australian History Should not be Taught as Tragedy or Farce”, 17 August 2006; Keith Windschuttle, “The Return of Postmodernism in Aboriginal History”, *Quadrant* (April 2006).

<sup>7</sup> *The Australian*, Editorial, 16 March 2005.

In reply, some of these intellectuals felt that a real danger to Australian democracy was the former federal government and its media supporters, which sought to enforce public conformity to official policy by demonising dissent, incarcerating asylum seekers and circumscribing civil liberties. At times, the attack on historians' discussion of genocide seemed reminiscent of the Turkish state's persecution of writers who "insulted Turkishness" by daring to mention the terrible fate of the Armenians in 1915. Intellectuals there do not have the luxury of drinking hemlock as punishment for their corrupting influence. They can be shot in the street.<sup>8</sup> On other occasions, the state and media policing of academic work resembled the ham-fisted attempt of the French government to prescribe a positive image of the nation's colonial past.<sup>9</sup>

Scholars certainly need to be aware of genocide's many connotations, as well as of the concern that they may be "insulting Australianness", but must research agendas be so thoroughly politicized? Is there not a way of operationalising the concept that helps reveal important dimensions of Australian history without criminalizing it *in toto*? Can we discuss genocide in Australia non-polemically? In answering these questions, we cannot proceed only empirically by reconstructing instances of settler violence against Aborigines.<sup>10</sup> It is essential to understand how a generic concept like genocide organises and filters our understanding of the past. Consequently, it is necessary to begin by examining its use in public and academic discourse before briefly explaining its origin and meaning in intellectual and legal history. Thinking of genocide as a form of extreme counter-insurgency helps us comprehend how colonial violence unfolds. It is as much a product of security fears as of racism, I would like to suggest. Finally, this article highlights some potential limitations of the concept in understanding the Indigenous experience of colonial genocide before reflecting briefly on the role of academic discourse in such contentious questions.

### The Claim of Genocide

The usual objection to the genocide concept is a historicist one: Australian colonial history should not be analysed with twentieth-century concepts. Terms such as genocide may be useful to pursue political justice, but historical scholarship has other aims. The discipline of history approaches the past on its own complex, nuanced terms rather than deploying morally-driven interpretations in the present. Conflating these two types of enquiry is not only to engage in anachronism but also to employ a "blunt instrument" that distorts "historical understanding". What is more, historians wonder

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<sup>8</sup> On 19 January 2007, the Armenian-Turkish journalist Hrant Dink was murdered in Istanbul by a Turkish nationalist for raising the issue of the Armenian Genocide. The Turkish writer Orhan Pamuk was prosecuted but not convicted for "insulting Turkishness" for raising the Armenian genocide. See Can V. Yeginsu, "The Trials of Orhan Pamuk and Turkey", *The Times*, 1 February 2006. The crime of "insulting Turkishness" is set out in article 301 of the Turkish penal code. See Miklos Haraszti, *Review of the Draft Turkish Penal Code: Freedom of Media Concerns*, Organization for Security and Co-operation in Europe (Vienna, May 2005) at <[http://www.osce.org/documents/rfm/2005/03/14223\\_en.pdf](http://www.osce.org/documents/rfm/2005/03/14223_en.pdf)>. Further information is available in the Amnesty International statement, "Turkey: Article 301 is a threat to freedom of expression and must be repealed now!", at <<http://www.amnesty.org/en/report/info/EUR44/035/2005>>.

<sup>9</sup> Robert Aldrich, "Colonial Past, Post-Colonial Present: History Wars French-Style", *History Australia*, Vol. 3, 1 (June 2006), pp. 14.1-14.10.

<sup>10</sup> E.g. Ben Kiernan, *Blood and Soil: Genocide and Extermination in World History from Carthage to Darfur* (New Haven, 2007); Mark Levene, *Genocide in the Age of the Nation State*, 2 vols (London, 2005); Henry Reynolds, *An Indelible Stain? The Question of Genocide in Australian History* (Melbourne, 2001).

whether the genocide concept revives what they regard as the one-dimensional race and frontier conflict research paradigm of the 1970s, with its Eurocentrism and patronizing attitude towards the Aboriginal victims of British colonialism.<sup>11</sup>

It is true that Raphael Lemkin (1900-1959), the jurist who invented the genocide term in the 1940s, enjoined what one might call a “humanitarian” historical perspective.<sup>12</sup> Historians, he thought, were in thrall to the Rankean fascination with inter-state relations at the expense of “the role of the human group and its tribulations”.<sup>13</sup>

Maybe [...] historians are somewhat guilty because they are used to present[ing] history in most cases from the point of view of wars for territorial expansion, of royal marriages, but they did not stress enough the death of civilizations as a result of genocide.<sup>14</sup>

It was time to regard history in terms of human group survival, he implored: “The fight against the destruction of the human group has a more profound moral significance than the fight between states.”<sup>15</sup> Lemkin’s intention to reorient historical study was therefore explicitly activist: historical knowledge was to serve consciousness-raising in the present.

Historians are not obliged to follow him in this mission, but what does understanding the past “on its own terms” really mean? Hayden White and Charles Taylor are two of the many who have challenged the philosophical coherence of this conventional historicist epistemology. To claim to be able to view the past on its own terms implies an aperspectival objectivity — Taylor calls it “the view from nowhere” — that is no longer tenable for many outside traditionalist historiography. In fact, the viewpoint — or subject position — of the historian is not only inescapable but the very ground from which historical questions are formed and posed. The past is not reconstructed mimetically as a copy of a lost reality but interrogated by historians — and by anyone with an interest in the past — with contemporary rather than antiquarian interests.<sup>16</sup> The constructivism of this necessarily presentist starting point is limited by the sources, which will not admit of certain interpretations, and that are, in any event, always open to scrutiny and contestation.<sup>17</sup> The documentary positivism to which the “on-its-own-terms” school of historiography is indentured all too often conceals from

<sup>11</sup> E.g. Andrew Markus, “Genocide in Australia”, *Aboriginal History*, Vol. 25 (2001), pp. 57-69; Bain Attwood, *The Making of the Aborigines* (Sydney, 1990), p. 136; *idem*, *Telling the Truth about Aboriginal History* (Sydney, 2005).

<sup>12</sup> See the special issue of the *Journal of Genocide Research*, Vol. 7, 4 (2005) devoted to Lemkin as historian. See also John Docker, “Are Settler-Colonies Inherently Genocidal? Re-reading Lemkin” in A. Dirk Moses, ed., *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (New York, 2008), pp. 81-101.

<sup>13</sup> Raphael Lemkin, “War Against Genocide”, *Christian Science Monitor*, 31 January 1948, p. 2.

<sup>14</sup> “Genocide (the Newest Soviet Crime)”, as discussed by Professor Raphael Lemkin and Joseph P. Burns, WHHC-TV College Roundtable, 30 January 1953. Jacob Rader Marcus Center of the American Jewish Archives, Collection 60, Box 4, Folder 2.

<sup>15</sup> Lemkin, “War Against Genocide”, p. 2.

<sup>16</sup> A. Dirk Moses, “Hayden White, Traumatic Nationalism, and the Public Role of History”, *History and Theory*, Vol. 44, 3 (2005), pp. 311-32, and *idem*, “The Public Relevance of Historical Studies: A Rejoinder to Hayden White,” *ibid.*, pp. 339-48; Charles Taylor, “Interpretation and the Science of Man”, *Review of Metaphysics*, Vol. 25, 1 (1971), pp. 3-51; Rebecca Collin, “Concealing the Poverty of Traditional Historiography: Myth as Mystification in Historical Discourse”, *Rethinking History*, Vol. 7, 3 (2003), pp. 341-65.

<sup>17</sup> Reinhart Koselleck, *Future’s Past: On the Semantics of Historical Time* (Cambridge, Mass., 1985).

the writer his or her own biases and prejudices.<sup>18</sup> Might, then, the choice to reject the genocide concept be as “political” as the decision to use it?

For all that, the genocide concept is not as removed from the sources as colonial historians may think; if contemporaries did not use that word, they regularly referred to approximate synonyms, such as destruction, extermination and extirpation as well as associated terms like extinction. Consider Charles Dilke, the English radical and later politician who wrote about his travels in 1866 and 1867 in *Greater Britain*. “The Saxon is the only extirpating race on earth”, he proclaimed, observing “the now inevitable destruction of the Red Indians of Central North America, of the Maories [*sic*], and of the Australians by the English colonists.” Hitherto, “no numerous race had ever been blotted out by an invader”.<sup>19</sup> Writing some twenty years later, the future US President Theodore Roosevelt likewise distinguished the English Teuton from the Spanish and French by the nature of his ruthless nation building. “The English had exterminated or assimilated the Celts of Britain, and they substantially repeated the process with the Indians of America.”<sup>20</sup>

As Marilyn Lake has recently shown, such ideas circulated throughout the empire and influenced Australian intellectuals and politicians.<sup>21</sup> Though himself a Celt, Australian Prime Minister Billy Hughes echoed Dilke and Roosevelt, proudly telling the assembled dignitaries at the inauguration of the national capital in 1913 that this “first historic event [*sic*] in the history of the Commonwealth” was taking place “without the slightest trace of that race we have banished from the face of the earth”, namely, the Indigenous peoples. Australia and the United States were two nations “destined to have our own way from the beginning” because they had “killed everybody to get it!”<sup>22</sup> White Australia was predicated not only in keeping out Asians but also on replacing Indigenous societies with its own.

Despite the prevalence of such a “genocidal consciousness”, very few historians make the destruction of peoples the animating question of their research, and fewer still claim that genocide was integral to Australian history. Together, their number can be counted on less than two hands, a paltry figure in view of the hundreds of professional historians in Australia. Overseas historians have been more inclined to focus on genocide, particularly in relation to Tasmania, which is routinely counted among the

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<sup>18</sup> Symptomatic is Keith Windschuttle. See the analysis in A. Dirk Moses, “Revisionism and Denial” in Robert Manne, ed., *On Kieth Windschuttle’s Fabrication of Aboriginal History* (Melbourne, 2003), pp. 337-70.

<sup>19</sup> Charles Wentworth Dilke, *Greater Britain: A Record of Travel of English-Speaking Countries During 1866 and 1867* (London, 1868), pp. 308-9. These quotations are not included in the abridged version of this book edited by Geoffrey Blainey. “We should not be unduly worried that some of his opinions are strange or even outrageous by today’s fashions”, he wrote in 1985. “That will also be our fate, a hundred years hence”. Blainey continued by expressing his admiration for Dilke’s book, which he had “tried to edit and abridge it in such a way that it can be born again for another generation of readers”: Charles Dilke, *Greater Britain*, ed. and abridged Geoffrey Blainey (Sydney, 1985), p. 199.

<sup>20</sup> Theodore Roosevelt, *The Winning of the West*, Vol. 1 (New York and London, 1889), pp. 6, 11-12.

<sup>21</sup> Marilyn Lake, “The White Man under Siege: New Histories of Race in the Nineteenth Century and the Advent of White Australia”, *History Workshop Journal*, Vol. 58 (2004), pp. 43-62; Paul A. Kramer, “Empires, Exceptions, and Anglo-Saxons: Race and Rule between the British and United States Empires, 1880-1910”, *Journal of American History*, Vol. 88, 4 (2002), pp. 1315-53.

<sup>22</sup> Cited in Raymond Evans, “‘Pigmentia’: Racial Fears and White Australia” in A. Dirk Moses, *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York, 2004), p. 108.

more significant genocides in world history.<sup>23</sup> Lemkin himself regarded Tasmania in these terms, and likely the Australian continent as well.<sup>24</sup> Some writers who are not professional historians have followed suit, such as the journalist Phillip Knightley.

It remains one of the mysteries of history that Australia was able to get away with a racist policy that included segregation and dispossession and bordered on slavery and genocide, practices unknown in the civilized world in the first half of the twentieth century until Nazi Germany turned on the Jews.<sup>25</sup>

On the whole, however, historians, whatever their political stripe, have been wary of the genocide term because they think it flattens out the complexities of the past by implying “an apparently unitary mode to British colonization”. Using the genocide concept “comes at a price”, wrote one critic, “and that is the understanding of nineteenth century colonial entanglements on their own terms, with all their ambivalences, multiple colonial and indigenous agencies, negotiations, accommodations and compromises, as well as their exactions, suppressions and downright horrors”.<sup>26</sup> The postcolonial sensibility is uneasy about seemingly simplistic associations between colonialism and genocide, emphasizing instead many colonial projects, contingently pursued and contested across the empire.<sup>27</sup>

This recent objection was anticipated in the 1980s by historians who wanted to augment or replace the research paradigm of frontier conflict and racism with one of Aboriginal survival, “accommodation” and co-operation with British settlers.<sup>28</sup> Windschuttle places himself in this historiographical tradition so he can claim that British colonialism has benefitted Aborigines by introducing them to western civilisation. He also refers explicitly to Inga Clendinnen’s equation of genocide with mass murder. Defining genocide so that it becomes a synonym for the Holocaust makes it virtually impossible to claim it has occurred in Australia.<sup>29</sup> She wrote:

when I see the word ‘genocide’, I still see Gypsies and Jews being herded into trains, into pits, into ravines, and behind them the shadowy figures of Armenian women and children being marched into the desert by armed men. I see deliberate mass murder: innocent people identified by their killers as distinctive entities being done to death by organised authority. I believe that to take the murder out of genocide is to render it vacuous.<sup>30</sup>

<sup>23</sup> E.g. Michael Mann, *The Dark Side of Democracy: Explaining Ethnic Cleansing* (Cambridge, 2004).

<sup>24</sup> Raphael Lemkin, “Tasmania” in A. Dirk Moses and Dan Stone, eds, *Colonialism and Genocide* (London, 2007); Ann Curthoys, “Lemkin’s Tasmania”, in *ibid.*; and Curthoys, “Genocide in Tasmania: The History of an Idea” in Moses, *Empire, Colony, Genocide*.

<sup>25</sup> Phillip Knightley, *Australia: Biography of a Nation* (London, 2000), p. 107.

<sup>26</sup> Alan Lester, review of A. Dirk Moses, ed. *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History* (New York, 2004), in *borderlands e-journal* 2006 Vol. 5, 1, at <[http://www.borderlandsejournal.adelaide.edu.au/vol5no1\\_2006/lester\\_moses.htm](http://www.borderlandsejournal.adelaide.edu.au/vol5no1_2006/lester_moses.htm)> [24 November 2006]; cf. Attwood, *Telling the Truth about Aboriginal History*.

<sup>27</sup> Nicholas Thomas, *Colonialism’s Culture: Anthropology, Travel, and Government* (Cambridge, 1994); Robert J.C. Young, *Postcolonialism: An Historical Introduction* (Oxford, 2001).

<sup>28</sup> Bob Reece, “Inventing Aborigines”, *Aboriginal History*, Vol. 11 (1987), pp. 14-23; Ann McGrath, *“Born in the Cattle”: Aborigines in the Cattle Country* (Sydney, 1987); Marie Fels, *Good Men and True: The Aboriginal Police of the Port Phillip District, 1837-1853* (Melbourne, 1988).

<sup>29</sup> Windschuttle, “The Return of Postmodernism in Aboriginal History”, p. 12.

<sup>30</sup> Inga Clendinnen, “First Contact”, *The Australian Review of Books*, 6-7 May 6-7 2001, p. 26. This view is shared by historian Peter Read, “A Wonderful Start, But Compensation?”, *The Age*, 9 February 2008.

As it happens, no historian I know has claimed the colonization of Australia was akin to the Holocaust of European Jewry, that is, a centrally-directed, bureaucratically- and militarily-driven campaign of mass murder.<sup>31</sup> To be sure, the pre-Second World War meaning of the term — violent catastrophe occasioning great suffering, indicated by the use of the small “h”, as in “holocaust” — has been invoked once or twice to highlight the impact of British settlement on the Indigenous population. “For the foreseeable future”, noted Bain Attwood,

the fate of reconciliation will also rest on recognition of the severe historical impact the various dimensions of colonisation have had upon Aborigines and Torres Strait Islanders — what can and should be called a holocaust given the scale of loss and the trauma that has been suffered; for example, Aboriginal people probably numbered between 750,000 and 1.25 million in 1788 but the European invasion brought decimation in its wake, destroying hundreds of communities and leaving only 75,000 by 1900.<sup>32</sup>

Given these statistics, and considering the Aboriginal perspective, what reasonable objection can there be to such use of the term “holocaust”? Such employment is common outside Australia and evokes no discernible controversy.<sup>33</sup>

In his indignation at this type of reference, Keith Windschuttle does not ask whether it possesses any validity; nor does he consider the perspective of Indigenous peoples.<sup>34</sup> Simply associating Australian and German history in any manner is denounced as an intellectual crime.<sup>35</sup> There is no dialogue about genocide with Indigenous scholars, such as Larissa Behrendt, whose observation that “the political posturing and semantic debates do nothing to dispel the feeling Indigenous people have that this is the word that adequately describes our experience as colonized people” is ignored.<sup>36</sup> Windschuttle is not alone in this stance. As far as I can tell, only one non-Indigenous historian has devoted sustained attention to the sentiment expressed in Behrendt’s statement.<sup>37</sup>

The aversion to the genocide and Holocaust vocabulary leads Windschuttle and other conservatives to misunderstand the point of comparative history. It is to highlight similarities as well as differences between cases. To compare is not to equate. Where historians have highlighted genocidal discourses in both Australia and Germany in the nineteenth and first half of the twentieth century, for example, they are not saying that Australia was Nazi Germany. They were saying that Imperial Germany and the Weimar Republic shared with the early Australian state a remarkable preoccupation with racial homogeneity, which they were prepared to enforce with authoritarian administrative measures and some degree of violence.<sup>38</sup> Because Australia was still a frontier society in some respects, violence against Indigenous peoples was possible in

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<sup>31</sup> Cf. Markus, “Genocide in Australia”.

<sup>32</sup> Bain Attwood, “The Burden of the Past in the Present” in Michelle Grattan, ed., *Reconciliation: Essays on Australian Reconciliation* (Melbourne, 2000), p. 158.

<sup>33</sup> Mike Davis, *Late Victorian Holocausts: El Niño Famines and the Making of the Third World* (London, 2001).

<sup>34</sup> Windschuttle, “The Return of Postmodernism in Aboriginal History”, pp. 11-16.

<sup>35</sup> Neil Levi, “‘No Sensible Comparison?’ The Holocaust in and out of Australia’s History Wars”, *History and Memory*, Vol. 19, 1 (2007), pp. 124-156.

<sup>36</sup> Larissa Behrendt, “Genocide: The Distance Between Law and Life”, *Aboriginal History*, Vol. 25 (2001), p. 132.

<sup>37</sup> Attwood, *Telling the Truth about Aboriginal History*.

<sup>38</sup> Tony Barta, “Discourses of Genocide in Germany and Australia: A Linked History”, *Aboriginal History*, Vol. 25 (2001), pp. 37-56.

ways that were impossible to perpetrate against Jewish Germans. Few if any Jews were murdered in ethnic hate crimes in Germany in the century before the First World War, and there were no massacres of German Jews in the 1920s, when Aborigines could be shot in outback hunting parties.<sup>39</sup> The similarities and differences between Australia and Germany, let alone Australia and North America, are lost only on those who think that the White Australia Policy was not racist.<sup>40</sup> For scholars, such comparisons stimulate transnational perspectives that situate the Australian experience of nation building in an international context which reveal the circulation of racist as well as humanitarian discourses.<sup>41</sup>

### What is Genocide?

An inhibition to the scholarly use of genocide is its popular equation with the Holocaust. Clendinnen's statement, cited above, typifies this stance which ignores the official, internationally accepted definition — the United Nation's Declaration on the Punishment and Prevention of Genocide. Rather than ask whether past policy and practice in Australia approximates to the UN's or Raphael Lemkin's original definition, they invent ones that exclude anything in Australian history. If they are correct in arguing that, as historians, they are not bound to accept the definitions of Lemkin or the international community, they at least need to engage systematically with the extensive literature on the subject rather than appeal to "common sense" and widespread (mis)conceptions about the term that lack philosophical coherence. Such an engagement would reveal, among other things, that Lemkin was not thinking of the Holocaust when he invented the concept. In fact, he was moved by the destruction of many groups in world history, and had begun formulating prototypes of genocide in the 1930s that included attacks on culture as well as biological existence, because he thought they all were integral to group life. And the UN followed him on many points.<sup>42</sup>

Why was culture so central to Lemkin's conception of genocide? Drawing on the functionalist anthropology of Sir James Frazer and Bronislaw Malinowski, he argued that culture, which he called "derived needs" or "cultural imperatives", was as constitutive for human group life as individual physical well-being (i.e., basic needs). Culture integrated society and enabled the fulfillment of individual basic needs. These "so-called derived needs", Lemkin wrote, "are just as necessary to their existence as the basic physiological needs". He elaborated this point thus: "These needs find expression in social institutions or, to use an anthropological term, the culture ethos. If the culture of a group is violently undermined, the group itself disintegrates and its members must either become absorbed in other cultures which is a wasteful and painful process or succumb to personal disorganization and, perhaps, physical destruction".<sup>43</sup> For these reasons, he concluded, "the destruction of cultural symbols is genocide". To

<sup>39</sup> See Richard S. Levy, "Continuities and Discontinuities of Anti-Jewish Violence in Modern Germany, 1819-1938" in Christhard Hoffmann, Werner Bergmann and Helmut Walser Smith, eds, *Exclusionary Violence: Antisemitic Riots in Modern German History* (Ann Arbor, 2002), pp. 185-202.

<sup>40</sup> Keith Windschuttle, *The White Australia Policy* (Sydney, 2004).

<sup>41</sup> Ann Curthoys and Marilyn Lake, eds, *Connected Worlds: History in Trans-National Perspective* (Canberra, 2006).

<sup>42</sup> A. Dirk Moses, "The Holocaust and Genocide" in Dan Stone, ed., *The Historiography of the Holocaust* (Houndsmills, 2004), pp. 533-55.

<sup>43</sup> Raphael Lemkin, "The Concept of Genocide in Anthropology".

destroy their function “menaces the existence of the social group which exists by virtue of its common culture”.<sup>44</sup>

Closer inspection of his writings reveals that, true to his concept of group life, he did not consider cultural destruction in isolation from attacks on the physical and biological elements of a group. In the cases of genocide he studied, attacks on culture were inextricably interwoven with a broader assault encompassing the totality of group existence: “Physical and biological genocide are always preceded by cultural genocide or by an attack on the symbols of the group or by violent interference with religious or cultural activities. In order to deal effectively with the crime of Genocide one must intervene at the very inception of the crime.”<sup>45</sup>

It is important to note that Lemkin thought genocide occurred even if a remnant of the oppressed population survived. Genocide meant group destruction, but it did not have to entail physical extermination of all the group’s individuals. Genocide also entailed “permanently crippling” a group, as he put it, which meant that it was effectively destroyed if no collective spirit or identity could be transmitted any longer. By the time he wrote his *Axis Rule and Occupied Europe* (1944), the book that introduced the concept, he regarded genocide as a complex of policies that affected all aspects of group life. Genocide comprised eight “techniques of group destruction”. They warrant listing in full because they illustrate his holistic conception.<sup>46</sup>

*Political*: refers to the cessation of self-government and local rule, and their replacement by that of the occupier. “Every reminder of former national character was obliterated.”

*Social*: means attacking the intelligentsia, “because this group largely provides the national leadership and organizes resistance against Nazification”. The point of such attacks is to “weaken the national, spiritual resources”.

*Culture*: entails bans on use of language in education, the inculcation of youth with propaganda, and restrictions on native education.

*Economic*: means shifting economic resources from the occupied to the occupier, but it need not lead to starvation. Peoples that the Germans regarded as “related blood”, like those of Luxembourg and Alsace-Lorraine, were given incentives to recognize this kinship. There were also disincentives: “If they do not take advantage of this ‘opportunity’ their properties are taken from them and given to others who are eager to promote Germanism.”

*Biological*: involves decreasing the birth rate of the occupied. “Thus in incorporated Poland marriages between Poles are forbidden without special permission of the Governor [...] of the district; the latter, as a matter of principle, does not permit marriages between Poles.”

*Physical*: means the rationing of food, endangering of health, and mass killing in order to accomplish the “physical debilitation and even annihilation of national groups in occupied countries”.

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<sup>44</sup> *Ibid.*

<sup>45</sup> Lemkin, “Memorandum on the Genocide Convention”. I have corrected his spelling of “proceeded”. Because attacks on cultural symbols were embedded in a general attack, “where cultural genocide appears to be merely a step towards physical extermination, there will certainly be no difficulty in distinguishing it from diffusion”. Lemkin, “The Concept of Genocide in Anthropology”.

<sup>46</sup> Raphael Lemkin, *Axis Rule in Occupied Europe* (Washington, 1944), pp. 82-90.

*Religious*: means the disruption of the Indigenous national and religious influences of the occupied people. In Luxembourg, the method entailed enrolling children in “pro-Nazi youth organizations” so as to loosen the grip of Roman Catholic culture. Alternatively, in Poland, where no such assimilation was possible, the Germans conducted “the systematic pillage and destruction of church property and persecution of the clergy”, in order to “destroy the religious leadership of the Polish nation”.

*Moral*: are policies “to weaken the spiritual resistance of the national group”. This technique of moral debasement entails diverting the “mental energy” of the group from “moral and national thinking” to “base instincts”, that is, “the desire for cheap individual pleasure be substituted for the desire for collective feelings and ideals based upon a higher morality”. Lemkin mentioned the encouragement of pornography and alcoholism in Poland as an example.

Moreover, these techniques of genocide were applied to most of the nations occupied by the Germans, not just Jews. The Nazis were attempting genocide on many of Europe’s peoples, he thought. Genocide was never a synonym for the Holocaust, let alone mass killing.

Lemkin called his book *Axis Rule in Occupied Europe* in order to associate the Nazi empire with brutal conquest. For Lemkin thought that genocide was an especially virulent form of foreign conquest and occupation, which was necessarily imperial and colonial in nature. In particular, genocide aimed to permanently tip the demographic balance in favor of the occupier. In relation to the Nazi case, he wrote: “In this respect genocide is a new technique of occupation aimed at winning the peace even though the war itself is lost.”<sup>47</sup> For that reason, settler colonialism in particular was essential to genocide. He wrote:

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the *colonization* of the area by the oppressor’s own nationals.<sup>48</sup>

The United Nations *Convention on the Prevention and Punishment of Genocide* of 1948 omitted what is sometimes called “cultural genocide”, as well as the destruction of political groups and reference to colonization. Other aspects of his definition were retained.<sup>49</sup> Killing is only one of five techniques of destruction, and the state is not named as the only possible perpetrator. Private individuals can also be guilty of genocidal acts. Moreover, the intention to permanently cripple a group is reflected in the Convention’s wording that aiming to destroy a group even “in part” can be genocidal. Article II defines genocide as

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 transferring children of the group to another group.

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<sup>47</sup> Lemkin, *Axis Rule in Occupied Europe*, p. 81.

<sup>48</sup> *Ibid.*, p. 79.

<sup>49</sup> Robert van Krieken, “Rethinking Cultural Genocide: Aboriginal Child Removal and Settler-Colonial State Formation”, *Oceania*, Vol. 7, 2 (2005), pp. 125-51.

Even in the limited legal definition, the congruence of these techniques with those of European colonial rule is striking. Food rationing, forced conversion, the coercive inculcation of the new ruling culture, restrictions on marriage and reproduction, the sequestration of economic resources, and introduction of European vices: all these and other measures have visited terrible cultural and physical devastation on Indigenous peoples. Killing them was only part of the experience. Critics of British settlers in London listed abuses that largely replicate Lemkin's techniques of genocide. For instance, the *Report of the Select Committee on Aborigines (British Settlements)* in 1837 complained that

Too often, their [Aborigines'] territory has been usurped; their property seized; their numbers diminished; their character debased; the spread of religion impeded. European vices and diseases have been introduced amongst them, and they have been familiarized with the use of our most potent instruments for the subtle or the violent destruction of human life, viz. Brandy and gunpowder.<sup>50</sup>

The Lemkian sense of demographic replacement is captured well by Charles Darwin in his observations about Van Diemen's Land.

All the aborigines have been removed to an island in Bass's Strait, so that Van Diemen's Land enjoys the great advantage of being free from a native population. This most cruel step seems to have been quite unavoidable, as the only means of stopping a fearful succession of robberies, burnings, and murders, committed by the blacks; but which sooner or later must have ended in their utter destruction. I fear there is no doubt that this train of evil and its consequences, originated in the infamous conduct of some of our countrymen. Thirty years is a short period, in which to have banished the last aboriginal from his native land, — and that island is nearly as large as Ireland. I do not know a more striking instance of the comparative rate of increase of a civilised over a savage people.<sup>51</sup>

Given their shared understanding of the multi-dimensional nature of group life, it is no coincidence that the perceptions of Indigenous people about their experiences accord with Lemkin's adumbration of genocide's elements. Consider this summary by an Indigenous Australian leader, Patrick Dodson.

While the 1788 invasion was unjust, the real injustice was the denial by [Governor] Phillip and subsequent governments of our right to participate equally in the future of a land we had managed successfully for millenniums [*sic*]. Instead, the land was stolen, not shared. Our political sovereignty was replaced by a virulent form of serfdom; our spiritual beliefs denied and ridiculed; our system of education undermined. We were no longer able to inculcate our young with the complex knowledge that is acquired from intimate engagement with the land and its waterways. The introduction of superior weapons, alien diseases, a policy of racism and enforced biogenetic practices created dispossession, a cycle of slavery and attempted destruction of our society. The 1997 report *Bringing them Home* highlighted the infringement of the UN definition on genocide and called for a national apology and compensation of those Aborigines who had suffered under

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<sup>50</sup> Quoted in Bernard Porter, *Critics of Empire: British Radical Attitudes to Colonialism in Africa 1895-1914* (London, 1968), p. 22. The report was referring to Indigenous peoples in all parts of the British Empire. Although it did indeed condemn settler actions in Australia, in terms that resemble Lemkin's descriptions of genocide in some respects, it did so in order to propose an alternative, evangelical Christian model of colonialism that might equally be accused of advocating the cultural genocide of indigenous societies through assimilation.

<sup>51</sup> Charles Darwin, *Narrative of the Surveying Voyages of His Majesty's Ships Adventure and Beagle, between the years 1826 and 1836, Describing their Examination of the Southern Shores of South America, and the Beagle's Circumnavigation of the Globe, in Three Volumes, Volume III: Journals and Remarks, 1832-1836* (London, 1839), p. 530. Thanks to Shino Konishi for suggesting this quotation.

laws that destroyed indigenous societies and sanctioned biogenetic modification of the Aboriginal people.<sup>52</sup>

Future research would have to interrogate these claims, particularly in relation to the various Protection Acts passed in the late nineteenth century and sharpened during the interwar years. They inaugurated extremely authoritarian regimes of control that targeted many of the areas of group life adumbrated by Lemkin, including the removal of children, but were also subject to chronic underfunding. Neglect could be as destructive as intensive policy activism, both aiming, consciously or unconsciously, “to eradicate Aboriginal culture”.<sup>53</sup>

### Genocide and Colonial Counterinsurgency

Sceptics may object to the colonial dimension of genocide by insisting that it is a crime of intention, and that colonial *states* did not intend to destroy the Indigenous inhabitants. Indeed, as many scholars have pointed out with some justification, states often tried to protect Aborigines from settlers, at least rhetorically, with disease accounting for most fatalities.<sup>54</sup> Moreover, in *Axis Rule*, Lemkin mentioned a “coordinated plan of different actions” that attacks groups “with the aim of annihilating” them, and the UN Convention emphasises intention, as well. Indeed, what kind of intent can be discerned in processes so haphazard and uncoordinated as imperial and colonial expansion, particularly on frontiers that often extended beyond the reach of the state, as in Australia?

For all that, the Convention does not stipulate a requirement to prove the existence of a genocidal *plan* and, in his unpublished writings on colonial cases, Lemkin never spoke of a plan either. He discerned genocidal intentions in colonists by considering the terms of their conquest and the violent logic implicit in it. With regard to the Spanish conquest of the Americas, for example, the officially announced will of the Spanish crown to claim the land manifested a *de facto* genocidal intention. The proclamation to the Mayans about the Spanish right to their country was: “If you do not [‘recognize the Church and his Majesty the king as your rulers’], we will war on you, take your wives and children away, dispose of your property and harm you’ like ‘vassals who will not obey and refuse to receive their lord.’” The reading of the Spanish proclamation of sovereignty, whether or not natives were present or understood it, Lemkin observed, “seemed quite sufficient, in the eyes of the Spaniards, to produce obedience and justify genocide”. Elsewhere, he wrote that the “motivation” of the Spanish in killing “rebellious Indians” was the “self-righteous attitude towards the Indians as Spanish property”.<sup>55</sup>

Lemkin was effectively arguing that occupations and settlements conducted on terms that neither recognized Indigenous rights nor engaged in subsequent negotiations were bound to issue in genocide because resistance and its brutal suppression — that is, counter-insurgency — was inevitable. The *terra nullius* assumption, then, was

<sup>52</sup> Patrick Dodson, “Short-Term Fix Demeans Nation: We have Proved Incapable of Confronting Our Past”, *The Australian*, 26 May 2006.

<sup>53</sup> Richard Broome, *Aboriginal Australians*, 2<sup>nd</sup> ed. (Sydney, 1994), p. 162.

<sup>54</sup> Steven T. Katz, “The Uniqueness of the Holocaust: The Historical Dimension” in Alan S. Rosenbaum, ed., *Is the Holocaust Unique? Perspectives on Comparative Genocide* (Boulder, CO, 1996), p. 21.

<sup>55</sup> Quoted in Michael A. McDonnell and A. Dirk Moses, “Raphael Lemkin as Historian of Genocide in the Americas”, *Journal of Genocide Research*, Vol. 7, 4 (2005), pp. 501-529.

ultimately a pretext to kill, a posture inherited by subsequent English thinkers such as John Locke, who wrote that rebellious natives had

declared war against all mankind, and therefore may be *destroyed as a lion or tiger, one of those wild savage beasts with whom men can have no society or security*. And upon this is grounded that great law of Nature, ‘Whoso sheddeth man’s blood by man shall his blood be shed’. Also Cain was so fully convinced that every one had a right to destroy such a criminal, that, after the murder of his brother, he cries out, ‘Every one that findeth me shall slay me,’ so plain was it writ in the hearts of all mankind’.<sup>56</sup>

Locke and the Spanish before him were expressing the common European perspective on warfare and rebellion. By the early seventeenth century, the informal “law of nations” limited legitimate hostilities to sovereign nations; wars should be just, that is, in self-defence or for vengeance. Captured soldiers should be spared and exchanged, and civilians spared. These restraints did not apply to unconventional warfare against non-sovereigns, as in insurrections, guerilla warfare, and wars of conquest. The soldier’s honour was not extended to rebels or traitors, whose women and children were fair game. The deployment of “terror” — a term common in early modern sources — was a conscious policy of occupying powers, such as the English in Ireland.<sup>57</sup> Governor Phillip of New South Wales, for instance, thought the collective punishment of random Aboriginal men through the infusions “of a universal terror” would prevent “farther mischief”, such as the spearing of his gamekeeper.<sup>58</sup> In 1828, Governor Arthur’s executive council in Van Diemen’s Land supported his measures against the local tribes by noting: “To inspire them with terror will be found the only effectual means of security for the future.”<sup>59</sup> Terror was a weapon of state.

What made these Christian laws of war potentially genocidal was the Eurocentric perspective that interpreted indigenous resistance as rebellious and traitorous — i.e., illegitimate — and that therefore permitted civilians to be vanquished as well. Colonial wars — which were usually counter-insurgencies — against real or imagined resistance to imperial or national rule could radicalize a policy of conquest or “pacification”. Resistance leads to reprisals and counterinsurgency that can be genocidal when it is designed to ensure that never again would such resistance occur.<sup>60</sup> In the words of one scholar, such practices possess a “strategic logic” that can culminate in “final solutions”.<sup>61</sup>

Colonial and imperial wars are not usually considered genocidal. Once regions are “pacified” — that is, armed resistance is broken — the occupiers settle down to the business of governing. This rather benign view of such conflicts precludes the question of genocide by equating it with the Holocaust of European Jewry: where no death camps can be found, genocide cannot be said to have occurred. Leaving aside the issue

<sup>56</sup> John Locke, *Two Treatises on Civil Government* (London, 1884), pp. 196-97. Emphasis added.

<sup>57</sup> See the excellent discussion of the literature in Ronald Karr, “‘Why Should You Be So Furious’: The Violence of the Pequot War”, *Journal of American History*, Vol. 85, 3 (1998), pp. 876-909.

<sup>58</sup> Quoted in Shino Konishi, “The Father Governor: The British Administration of Aboriginal People at Port Jackson, 1788-1792” in Matthew McCormack, ed., *Public Men: Political Masculinities in Modern Britain* (Houndmills, Basingstoke, 2007), p. 66.

<sup>59</sup> Quoted in Henry Reynolds, “Genocide in Tasmania?” in Moses, *Genocide and Settler Society*, p.135.

<sup>60</sup> Benjamin A. Valentino, Paul Huth and Dylan Balch-Lindsay, “‘Draining the Sea’: Mass Killing and Guerrilla Warfare”, *International Organization*, Vol. 58 (Spring 2004), pp. 375-407.

<sup>61</sup> Benjamin A. Valentino, *Final Solutions: Mass Killing and Genocide in the Twentieth Century* (Ithaca, NY, 2004).

of whether the Holocaust unfolded in the clockwork fashion entertained in popular consciousness, and whether it can be understood apart from the Nazi imperial project in Europe, colonial conquest and warfare possess a number of potentially genocidal dimensions. In the first place, the aim of the colonizer was not just to defeat military forces but to annex territory and rule over a foreign people. War aims were not limited, as they customarily were in intra-European wars; they were absolute. "Colonial conquerors came to stay". Secondly, the coloniser often ended up waging war against the entire population because it was difficult to distinguish between civilians and combatants, especially when guerrilla style resistance ensued. The often flat political structures of Indigenous peoples meant that the coloniser could not easily identify leaders and "decapitate" the local polity.<sup>62</sup> Colonial war could mean total war on a local scale. In the main, imperial troops prevailed over numerically superior opponents because they were regularly paid, well supplied and trained. The ability to concentrate forces at one point was more decisive than technological superiority alone, especially if Indigenous agents could be conscripted, such as the Native Mounted Police in colonial Queensland.<sup>63</sup>

Imperial thinkers devoted considerable thought to the problem of "small wars" with their pattern of conquest followed by resistance. Although they advised against exasperating the conquered population, the destruction of villages and crops was countenanced if necessary. Certainly, French and Russian authorities were happy to indulge in such scorched-earth tactics in their respective North African and Caucasian conquests during and after the 1830s.<sup>64</sup> Alexis de Tocqueville's liberal scruples were not shared by many French in Algeria, as he reported in 1833. On one view,

to subjugate the Arabs, we should fight them with the utmost violence and in the Turkish manner, that is to say, by killing everything we meet. I have heard this view supported by officers who took it to the point of bitterly regretting that we have started to take prisoners in some places, and many assured me that they encouraged their soldiers to spare no one. For my part, I returned from Africa with the distressing notion that we are now fighting far more barbarously than the Arabs themselves. For the present, it is on their side that one meets with civilization.

At the same time, he regarded burning harvests, emptying silos, and interning civilians as "unfortunate necessities, but ones to which any people that wants to wage war on the Arabs is obliged to submit". Perceived "necessity" could compel liberals like de Tocqueville to defend wars against populations, when colonial wars became racial conflicts.<sup>65</sup> The British inherited this tradition in colonizing Australia. Tactics of

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<sup>62</sup> H.L. Wesseling, "Colonial Wars: An Introduction" in J.A. de Moor and H.L. Wesseling, eds, *Imperialism and War: Essays on Colonial Wars in Asia and Africa* (Leiden, 1988), p. 3; Peter Paret, "Colonial Experience and European Military Reform at the End of the Eighteenth Century" in Douglas M. Peters, ed., *Warfare and Empires* (Aldershot, 1997), pp. 357-70.

<sup>63</sup> Michael Howard, "Colonial Wars and European Wars" in de Moor and Wesseling, *Imperialism and War*, pp. 218-23; George Raudzens, "Why did the Amerindian Defences Fail? Parallels in the European Invasions of Hispaniola, Virginia and Beyond", *War in History*, Vol. 3, 3 (1996), pp. 331-52; Luke Godwin, "The Fluid Frontier: Central Queensland, 1845-63" in Lynette Russell, ed., *Colonial Frontiers: Indigenous-European Encounters in Settler Societies* (Manchester, 2001), p. 112.

<sup>64</sup> C.E. Callwell, *Small Wars: A Tactical Textbook for Imperial Soldiers*, 3<sup>rd</sup> ed. (London, [1906] 1990), pp. 26-27, 45, 145; Peter Holquist, "To Count, to Extract, and to Exterminate: Population Statistics and Population Politics in Late Imperial and Soviet Russia" in Ronald Grigor Suny and Terry Martin, eds, *A State of Nations* (Oxford, 2001), pp. 111-44.

<sup>65</sup> Alexis de Tocqueville, *Writings on Empire and Slavery*, ed. Jennifer Pitts (Baltimore and London, 2001), pp. 70, 87; Paul A. Kramer, "Race-Making and Colonial Violence in the US Empire: The Philippine-American War as Race War", *Diplomatic History*, Vol. 30, 2 (2006), pp. 169-210.

preventative counter-insurgency characterised the Mounted Native Police in Queensland, leading to the decimation of Indigenous peoples there. Fearing that “any large assemblage of blacks” entailed a conspiracy to massacre settlers, the Queensland government authorised their “dispersal” — which meant shooting — by the Native Police. This policy, too, was “justified by the extreme necessities of the case”, as the Premier Arthur Palmer told parliament in 1878.<sup>66</sup> For its indiscriminate slaughter of Indigenous people — men, women and children — some historians have argued that this policy, rather than the Tasmanian campaign, is the most obvious case of state-sanctioned, systematic genocide in Australian history.<sup>67</sup>

Restraint was also possible within this tradition. The conduct of the campaign against the Tasmanian Aborigines in the late 1820s is a good example. Despite the urging of leading settlers to mount a “war of extirpation” against them, the military governor, guided by humanitarian authorities in London, treated the Indigenous groups, whose resistance in the so-called settled districts had resulted in many killings of British settlers, as effectively soldiers of a foreign power, rather than as rebels or traitors. Consequently, the laws of war applied, and the governor instructed that “defenceless women and children be invariably spared” and prisoners taken. The governor certainly envisaged the possibility of a “war of extermination” if “necessity” — that is, the failure of less extreme measures — drove him to it, but he hoped such a policy could be avoided. He was perhaps restrained by his acknowledgement that the locals had been provoked by British encroachment, as well as an awareness that their extinction would leave an “indelible stain” on the reputation of the empire. Such inhibition did not apply, therefore, to his ruthless suppression of bushranging in 1825 and 1826.<sup>68</sup> This pattern of events challenges the liberal view that Indigenous people were regarded automatically as subjects and therefore treated humanely under the law. In fact, it was probably far more dangerous to be a subject because you could then be treated as a rebel rather than as a hostile nation.

The link between colonialism and counter-insurgency has been implicitly recognised in recent debates. John Hirst, in countering what he calls the “liberal fantasy” of Australian colonization — the view that colonization could have occurred on just terms without violence had the settlers not been racist — states bluntly that we should accept that the Aborigines were conquered, that conquests are always violent because the Aborigines would nearly always defend their lands, and that their resistance would be crushed by the settlers.<sup>69</sup> Inga Clendinnen’s attempt to defend the liberal fantasy against Hirst founders on an inability to understand how the colonial system functioned. Her focus on individual moral choice — why did some squatters kill the Aborigines in their vicinity while others did not? — ignores the underlying imperatives of settler colonialism.<sup>70</sup> As historian Patrick Wolfe has written, such

<sup>66</sup> Report of the Select Committee on the Native Police, “Instructions of Commandant to Officers and Camp Sergeants of Native Police”. Appendix A, Queensland Votes and Proceedings, 1861, p. 152; W. Ross Johnston, *The Long Blue Line: A History of the Queensland Police Force* (Brisbane, 1992), p. 92.

<sup>67</sup> Alison Palmer, *Colonial Genocide* (Adelaide, 1999); A. Dirk Moses, “An Antipodean genocide? The Origins of the Genocidal Moment in Australian History”, *Journal of Genocide Research*, Vol. 2, 1 (2000), pp. 89-105; Reynolds, *An Indelible Stain?*

<sup>68</sup> Reynolds, “Genocide in Tasmania”, pp. 127-49.

<sup>69</sup> John Hirst, *Sense and Nonsense in Australian History* (Melbourne, 2005), pp. 81-87.

<sup>70</sup> Clendinnen, “Who Owns the Australian Past?”, pp. 49-53; Clendinnen, “The Unimaginable Blood of Others”, *Australian Literary Review*, 6 February 2008.

colonialism is structured by a “logic of elimination” because the land rather than the labour of the Indigenous peoples was coveted. These peoples had to be detached from the land, whether by violence or removal, if the settler colonial project was to succeed.<sup>71</sup> If an Aboriginal presence made it difficult to hire shepherds, for example, then it had to be eliminated. In other words, settler colonialism could not succeed unless it crushed Indigenous resistance. Wolfe is aware that labour exploitation of Aborigines, especially in northern and western Australia, was crucial for the pastoral economies there, and that Indigenous relations to their land could persist, but his point is that such a relationship was “subordinate to the primary project of territorial acquisition”.<sup>72</sup> To that extent, the logic of elimination encompasses the insights of the accommodationist school of interpretation that emphasises white governance and economic interpenetration of European and Indigenous societies.<sup>73</sup>

There is no need, then, to become fixated on large-scale massacres and “body counts” (though they must be carefully researched) in considering this process. Across the country, squatters, and the Native Police in Queensland, destroyed Aboriginal communities by shooting small groups in countless incidents.<sup>74</sup> I have called this violence a manifestation of the “deep structure of settler society” because it is *intrinsic* to colonization conducted on the assumption of superior European rights to the land. Windschuttle objects to the deep structural approach because it supposedly expands the concept of genocide, but the point is the relationship between structure and agency.<sup>75</sup> The agency of colonial actors was constrained by the nature of the society they were establishing, a settler colony, which was both a process and a structure. The constant reference to the “painful” or “unfortunate necessity” of counter-insurgency measures that were “forced upon” the settlers and authorities testifies to the existence of a colonization process they felt they could not control. The deep structure accounts for the pattern and extent of violence, which is not explicable by reference to individual intentions alone.

What genocide adds to this structuring notion and Wolfe’s “logic of elimination” and Tony Barta’s “relations of genocide” is the agency of settlers. The deep structure of settler colonialism becomes incarnated in settler consciousness when security fears are triggered by the inevitable indigenous resistance. The statements of senior Tasmanian settlers urging the expulsion or extermination of the Aborigines reveals how the genocidal implications of settler colonialism became expressed through security anxieties. Thus, in March 1830, William Barnes wrote to the Governor about the conflict with Aborigines, noting that “the dreadful alternative only remains of a general extermination by some means or other”. Another landowner, George Espie, told the government that he could see “no other remedy but their [the Aborigines’] speedy capture or extermination”. Yet another leading settler, Temple Pearson, informed the Colonial Secretary: “Total extermination however severe the measure, I

<sup>71</sup> Patrick Wolfe, “Settler Colonialism and the Elimination of the Native”, *Journal of Genocide Research*, Vol. 8, 4 (2006), pp. 387-409.

<sup>72</sup> Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London, 1999), p. 29; *idem*, “Nation and MiscegeNation: Discursive Continuity in the Post-Mabo Era”, *Social Analysis*, Vol. 36 (1994), p. 100.

<sup>73</sup> Tim Rowse, *White Flour, White Power: From Rations to Citizenship in Central Australia* (Cambridge and Melbourne, 1998); Mary Ann Jebb, *Blood, Sweat and Welfare: A History of White Bosses and Aboriginal Pastoral Workers* (Nedlands, 2002).

<sup>74</sup> Kiernan, *Blood and Soil*; Levene, *Genocide in the Age of the Nation State*.

<sup>75</sup> Windschuttle, “The Return of Postmodernism in Aboriginal History”, p. 12.

much fear will be the only means left to the Government to protect the Whites.” And the Director of the Van Diemen’s Land Company, Edward Curr, expressed the zero-sum game of the settlement project when he observed: “If they [the settlers] do not abandon the Island [and will not] submit to see the white inhabitants murdered one after another [...] they must undertake a war of extermination on principles of which many will be disposed to question.”<sup>76</sup>

Such genocidal-like statements did not originate in the evil intentions of random individuals, as Clendinnen seems to think, and consequently “outrage” (her term) need not be the only emotion provoked by a realisation of Australia’s genocidal past.<sup>77</sup> A historical, as opposed to moralistic, consideration of facts would see that those settler intentions were formulated in response to a crisis that threatened the viability of the settlement project. The origin of such sentiments, then, is the settlement project itself rather than the outrageous perfidy of specific men or tragic cultural misunderstandings between them and Aborigines. The formula that links colonialisms, including the Holocaust, in terms of “race and space” needs to be revised to include the dynamism of the security imperative. The formula should be “security in space”.<sup>78</sup> Genocide is as much an act of security as it is racial hatred. The priority of security was realised by subsequent colonisers who surveyed the frontier conflict of the nineteenth century when considering their dilemmas. Zev Jabotinsky, the revisionist Zionist, drew the realistic conclusions in his advocacy of a Jewish military capacity in Palestine in the 1920s. “Zionism is a colonizing adventure and therefore stands or falls by the question of armed force. It is important to build, it is important to speak Hebrew, but, unfortunately, it is even more important to be able to shoot — or else I am through with playing at colonization.”<sup>79</sup>

Unfortunately, the illusion that genocide must resemble the Holocaust obscures this insight. Consider this account of colonization in south-eastern Australia.

The wild times, which ended around 1850, spelt tragedy for Aboriginal people. However, it was not a story of genocide, as is often claimed, at least not according to the formal meaning of the word — that is, of official, intentional, premeditated killing. Intentional killing was carried out by settlers on a private and local level, however, leading to perhaps hundreds of deaths. Other deaths came from impulse and rage over property losses felt by possessive and fearful men. But there was never an official policy of killing Aborigines. Indeed, the British Government that held power during the era abhorred such violence and vainly tried to end it.<sup>80</sup>

These events exemplify the logics of colonial genocides to which Wolfe, Barta and I have been pointing, but the reluctance to join the dots continues. Intentional killing on a large scale is conceded in this quotation but conceptual blockages prevent the

<sup>76</sup> Quoted in Reynolds, “Genocide in Tasmania?”, p. 141.

<sup>77</sup> Cf. Inga Clendinnen, “The View from Outside”, *The Australian*, 2 May 2007.

<sup>78</sup> For the formulation of “race and space”, see Jürgen Zimmerer, “Colonialism and the Holocaust: Towards an Archeology of Genocide” in Moses, *Genocide and Settler Society*, pp. 49-76. Cf. A. Dirk Moses, “Colonialism” in Peter Hayes and John K. Roth, eds, *The Oxford Handbook of Holocaust Studies* (New York and Oxford, 2009).

<sup>79</sup> Quoted in Lenni Brenner, *The Iron Wall: Zionist Revisionism from Jabotinsky to Shamir* (London, 1984), p. 78.

<sup>80</sup> Richard Broome, *Aboriginal Victorians: A History Since 1800* (Sydney, 2005), p. 84. Broome seems to have revised his views on these matters, as in 1995 he was prepared to refer to the “clash of two incompatible economic systems” as “genocide”: “Victoria” in Ann McGrath, ed., *Contested Ground: Australian Aborigines under the British Crown* (Sydney, 1995). His emphasis on the state led him, at least in 1994, to regard the absorption policies of the interwar years as “benign genocide”: *Aboriginal Australians*, p. 161.

recognition — or at least systematic consideration of the proposition — that it might be genocidal in character and what such events may reveal about the nature of the settler project.<sup>81</sup>

If Hirst's hard-nosed pragmatism is better able to grasp the inner dynamism of this pattern of events than Clendinnen's moral scruples, it is an approach that still does not admit the truth that dares not speak its name. Although the numbers in each violent incident were small by comparison with the pitched battles of the so-called "Zulu Wars" of the late 1870s, the involved settlers were still committing acts of genocide. Recall that genocide is not only a crime of state, but can be committed by individuals, as well. Remember, too, that the intentional destruction (even in part) of an ethnic, religious or racial group is genocide. If Indigenous Australian groups with distinct identities were smaller than, say, the Indian Nations or Mayans or Aztecs, that does not make them insubstantial or their destruction non-genocidal. After all, as Bain Attwood has shown, "the Aborigines" as a putative homogeneous ethnic group is a historically evolving identity contingent upon the meeting of European governance and Indigenous responses. Preceding this pan-Indigenous identity were "small groups and narrow division [...] [that] [...] defined themselves in terms of their specific relationships with the land and other Aborigines. Across the continent they used various names for themselves which generally signified that they thought of themselves as a particular group and considered other Aborigines to be strangers and savage."<sup>82</sup> In other words, the Australian continent comprised many peoples. Genocide referred to what Lemkin called *genos*, which he defined as "race" or "tribe", and judging by his work on Tasmania and other indigenous cases, he would have regarded these Australian "tribes" as possessing the social ontology requisite for identification as a "group."<sup>83</sup> That is why I have suggested that many genocides have occurred here, perhaps more than in other countries.<sup>84</sup>

Because of the common misunderstandings regarding genocide, especially the Eurocentric view that any genocidal intention must pertain to the entire Indigenous population (rather than to one of the hundreds of peoples who lived here), this argument was met with incredulity and even outrage by populist commentators.<sup>85</sup> They preferred to suggest that Indigenous society was genocidal, or at least riven by warfare, before European settlement, and that European civilization had brought the benefits of the laws of nations to the continent.<sup>86</sup> Warfare between Indigenous groups was indeed common in the most densely populated regions, like the shores of the Murray River. But such warfare became genocidal only when the pastoral encroachment displaced groups, increasing disputes over land, resources, women, and ceremonial practices. In her book, *Hidden Histories*, Deborah Bird Rose suggests that "traditional methods of conflict resolution" broke down under this external pressure, leading in at least one

<sup>81</sup> A. Dirk Moses, "Conceptual Blockages and Definitional Dilemmas in the 'Racial Century': The Holocaust and Genocide of Indigenous Peoples" in Moses and Stone, *Colonialism and Genocide*, pp.148-80.

<sup>82</sup> Attwood, *The Making of the Aborigines*, p. 149.

<sup>83</sup> Lemkin, *Axis Rule in Occupied Europe*, p. 79. See the elaboration by Wolfe, "Settler Colonialism and the Elimination of the Native", p. 398.

<sup>84</sup> Moses, "An Antipodean Genocide?"

<sup>85</sup> Windschuttle, "The Return of Postmodernism in History"; Michael Duffy, "Racism Phobia can Muzzle the Truth", *Sydney Morning Herald*, 15 April 2006.

<sup>86</sup> Cf. Keith Windschuttle reference to Lawrence H. Keeley's *War Before Civilization* (1996) in his *The Fabrication of Aboriginal History* (Sydney, 2002), p. 382, n 106.

case to the genocidal destruction of a people: the Nyiwanawu people by the Ngarinman in the Northern Territory in the first decade of the twentieth century.<sup>87</sup> These dynamics are typical of Indigenous communities disrupted by European settlement.<sup>88</sup>

### Insights and Blindnesses

For all its advantages in helping us uncover the dynamics that led to violence on the colonial frontier, the concept of genocide has some problems. Lemkin tended to regard the encounter between European and Indigene as grossly asymmetric, thereby playing down both Indigenous agency and the often tenuous European grip on power in colonies, particularly in the initial stages of occupation. In German Southwest Africa, for instance, he did not see that the German governor was initially reliant on local chiefs. Nor did Lemkin appreciate that some Herero survived the German genocide of 1904-1905.<sup>89</sup> In regarding “the Herero as helpless victims whose fate was sealed for all time”, he was participating unwittingly in the discourse on Indigenous extinction common in the cultural evolutionism of anthropology since the nineteenth century.<sup>90</sup> Such pessimism about the “disappearing savage” and “fatal impact” of western colonization conveniently left the Europeans in sole occupation of the land, and worked against the interests of Indigenous groups who had partly survived genocidal assaults and later made claims for recognition and recompense. Recent research contests the myth of the “disappearing savage” by arguing that North American Indigenous peoples creatively adapted to new circumstances.<sup>91</sup>

Lemkin’s blindness to the question of survival and adaptation was rooted in his particular concept of culture. Despite his anthropological reading, he seems to have equated national culture with high culture. Genocide could occur not only when people were exterminated but also when libraries, houses of religious worship, and other elite institutions of cultural transmission were destroyed, he suggested, even if the mass of the population survived and maintained some hybrid popular culture. White perceptions that “natives” must be “pure” prevented Europeans seeing that “Indigeneity” was retained even while Indigenous people adapted their culture and intermarried with others, including with the newcomers. In this regard, Gillian Cowlishaw has pointed out that the retrospective reconstructions of historians can often violate the experience of indigenous people who did not necessarily feel oppressed or

<sup>87</sup> Deborah Bird Rose, *Hidden Histories: Black Stories from Victoria River Downs, Humbert River and Wave Hill Stations* (Canberra, 1991), pp. 105-111.

<sup>88</sup> Jeffrey P. Blick, “Genocidal Warfare in Tribal Societies as a Result of European-Induced Culture Conflict”, *Man*, New Series, Vol. 23, 4 (1988), pp. 654-70; *idem*, “The Iroquois Practice of Genocidal Warfare (1534–1787)”, *Journal of Genocide Research*, Vol. 3, 3 (2001), pp. 405-429.

<sup>89</sup> Dominik J. Schaller, “Raphael Lemkin’s View of European Colonial Rule in Africa: Between Condemnation and Admiration”, *Journal of Genocide Research*, Vol. 7, 4 (2005), pp. 531-538.

<sup>90</sup> Maximilian C. Forte, “Extinction: The Historical Trope of Anti-Indigeneity in the Caribbean”, *Issues in Caribbean Amerindian Studies*, Vol. 6, 4 (2004-2005); Patrick Brantlinger, *Dark Vanishings: Discourse on the Extinction of Primitive Races, 1800-1930* (Ithaca, NY, 2003); John W. Burton, “Disappearing Savages? Thoughts on the Construction of an Anthropological Conundrum”, *Journal of Asian and African Studies*, Vol. 34, 2 (1999).

<sup>91</sup> Frederic W. Gleach, *Powhatan’s World and Colonial Virginia: A Conflict of Culture* (Lincoln, NB, 1997); Jean M. O’Brien, *Dispossession by Degrees: Indian Land and Identity in Natick, Massachusetts, 1650-1790* (Cambridge, 1997); Noenoe K. Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism* (Durham, NC, 2004).

exploited all the time.<sup>92</sup> Lemkin does not seem to have considered the possibility that genocide could be attempted, that much destruction could occur, and that cultural diffusion could take place among survivors afterwards. This blindness is common. The popular understanding that genocide means *total physical destruction* has prevented more historians from using the concept in their research.

Lemkin was plainly a proponent of what the sociologist Rogers Brubaker calls “groupism”: “the tendency to treat ethnic groups, nations, and races as substantial entities to which interests and agency can be attributed”, that is, to regard them as “internally homogeneous, external bounded groups, even unitary collective actors with common purposes”.<sup>93</sup> His celebration of cultural difference meant he had difficulties in conceiving of cultural hybridity and adaptation. Drawing on Malinowski’s theory of cultural change, Lemkin favored what he called “cultural diffusion” via intercultural exchange. It comprised

gradual changes occur[ing] by means of the continuous and slow adaptation of the culture to new situations. The new situations arise from physical changes, creative energies within the culture and the impact of outside influences. Without them the culture becomes static; if they appear but are not met with adaptation of the whole culture pattern, the culture becomes less integrated. In either case, it becomes weaker and may disintegrate entirely when exposed to strong outside influences. The rise and fall of civilizations have been explained on this general basis.<sup>94</sup>

Like Malinowski, Lemkin thought that cultural change was induced by exogenous influences, as weaker societies adopt the institutions of more efficient ones or become absorbed by them because they better fulfill basic needs. “Diffusion is gradual and relatively spontaneous”, Lemkin wrote, “although it may lead to the eventual disintegration of a weak culture”.<sup>95</sup> He seems unable to conceive of cultural options other than genocide or total assimilation. A cognitive theory of ethnicity, by contrast, would show how that category is a perspective on the world rather than a primordial, fixed, entity that engages in zero-sum relations with other ethnicities.<sup>96</sup> Historians need to beware of the ontological claims that can come with the genocide concept.

Historians would do well to consider other pitfalls inherent in genocide studies. Because genocide was originally conceived as a legal concept and crime in international law, the temptation is great to “catch a crook” rather than “write a book”.<sup>97</sup> If the moral and emotional satisfaction of identifying and excoriating the evildoers strikes a symbolic blow for surviving victim communities, writing as a hanging judge brings with it the danger of over-simplifying the historical record by casting each genocidal conjuncture as a tidily organized drama of passive victims, wicked perpetrators and craven bystanders. The complexities of empire, such as the tensions between indirect rule and authoritarian administration, resource exploitation and

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<sup>92</sup> Gilian Cowlshaw, “On ‘Getting it Wrong’: Collateral Damage in the History Wars”, *Australian Historical Studies*, Vol. 37 (April 2006), pp. 181-202.

<sup>93</sup> Rogers Brubaker, “Ethnicity without Groups” in Andreas Wimmer, *et al.*, eds, *Facing Ethnic Conflicts: Towards a New Realism* (Lanham, MD, 2004), p. 35.

<sup>94</sup> Raphael Lemkin, “The Concept of Genocide in Anthropology”, LCNYPL, Box 2, Folder 2.

<sup>95</sup> *Ibid.*

<sup>96</sup> Rogers Brubaker, Mara Loveman and Peter Stamatov, “Ethnicity as Cognition”, *Theory and Society*, Vol. 33, 1 (2004), pp. 31-64; Henry E. Hale, “Explaining Ethnicity”, *Comparative Political Studies*, Vol. 37, 4 (2004), pp. 458-85.

<sup>97</sup> Raymond Evans, “‘Crime Without a Name’: The Case for ‘Indigenocide’” in Moses, *Empire, Colony, Genocide*.

economic modernization, settler foundations and Indigenous cultural adaptation cannot be reduced to the simple question: was there a genocide?

And yet, it remains an important question, not least because it is posed by Indigenous people themselves<sup>98</sup>; but also because the trauma of colonization and Australian governmentality is consistently underplayed by contemporary commentators. The editors of *The Australian* continue to refer to the Stolen Generations of Indigenous people as “a fiction” and the removal policy as an essentially sound if occasionally misapplied practice — ignoring empirical research that demonstrates its racist and at times genocidal motivation.<sup>99</sup> Despite massive Indigenous population decimations due to disease, frontier violence, inter-tribal conflict and decreased birthrate, followed by effective incarceration in reserves, Clendinnen sums up this experience as a case of unfulfilled liberalism: “Since our coming to Australia, the Aborigines have suffered serial expropriations of land, of family integrity, of opportunities for effective choice.”<sup>100</sup> The question of genocide can shatter the theodicy of such anodyne developmentalism that thinks its promises can be extended to all, at no great cost to anyone, so long as the rules of modernization are generally observed — especially by Indigenous people whose recalcitrant behavior all too often frustrates the good intentions of whites.

The historiography need not confine itself to stark alternatives. Ascribing agency to the colonized does not mean colonialism needs to be seen only as a more or less symmetrically structured opportunity for cultural exchange or the “civilizing of the natives”, as Windschuttle and others want. Remaining faithful to the complexity and contingency of the past need not entail abandoning the search for patterns or logics. Rather, the object of inquiry is the sum total of economic, social and political relations between people in a colonial situation, the various bids for power and the resistances to them, the processes of escalation brought on by real, contrived or perceived security crises, the success of the colonial state in “pacifying” and either absorbing or expunging the “native”, the conscription of parts of Indigenous society in such projects, as well, equally, as the failure of metropolises to realize their ambitions. Far from taking colonial historiography back to the race and frontier conflict paradigm of the 1970s, the genocide studies agenda emphasises logics, processes and structures. Not all forms of colonialism are marked by a deep genocidal structure of logic of elimination; only settler colonialism. Contra Clendinnen, genocide is to be explained as the outcome of complex processes rather than as ascribable solely to the evil intentions of wicked men. To write history is not to tell a morality tale. It is the job of historians to trace how highly structured relationships between geopolitics and states, states and subaltern groups, elites and their bureaucracies become incarnated in and are themselves affected by the agency of individuals in particular situations.

## Conclusion

According to critics of historians, such as Windschuttle, Australian universities are ill-equipped to perform such a task because they are in thrall to “political correctness”:

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<sup>98</sup> Maykutenner (Vicki Matson-Green), “Tasmania: 2” in McGrath, *Contested Ground*, pp. 338-39.

<sup>99</sup> Editorial, “Fiction of Stolen Generation Haunts Us”, *The Australian*, 17 December 2007; Robert Manne, “Aboriginal Child Removal and the Question of Genocide, 1900-1940” in Moses, *Genocide and Settler Society*, pp. 217-44.

<sup>100</sup> Inga Clendinnen, “The Power to Frustrate Good Intentions. Or the Revenge of the Aborigines”, *Common Knowledge*, Vol. 11, 3 (2005), p. 431.

If you made any disparaging remarks about groups favoured by the Left, especially feminists, gay liberationists, multiculturalists or Aborigines, you were branded a racist redneck and you became persona non grata, not only in the mainstream news media but in the one institution that was supposedly our last bastion of independent thought and free speech, the university.

As a consequence, he continued, the universities now exclude “dissenting voices” — such as his own, presumably.<sup>101</sup>

It would be foolish to deny that the criminalisation of Indigenous people by historians has happily ceased.<sup>102</sup> It is a mark of progress that the university’s independence is not indicated by its encouragement or tolerance of “disparaging remarks” about marginalised social groups. Who can be surprised that “disparaging remarks” about any group would be unwelcome in a university environment where open debate on the basis of adduced evidence and announced premises is the norm? Still, the insinuation that universities have been captured by a “black armband” view of history is inaccurate. Windschuttle agrees explicitly with the prize-winning historian Inga Clendinnen on the genocide question, and the accommodationist trend in the historiography to which he subscribes is far stronger than the genocide paradigm.

His hostility to the academy is revealing in another way: it lays bare the social function of universities at a time of “paranoid nationalism”.<sup>103</sup> Useful terms for understanding this democratic function have been provided by Eli Sagan in his book, *The Honey and the Hemlock: Democracy and Paranoia in Ancient Athens and Modern America*. Advancing a psychological-evolutionary argument reminiscent of Norbert Elias’s “civilizing process”, Sagan postulates that democracies are political miracles because citizens surmount the “paranoid position” typical of most societies. Rather than fear that catastrophe is imminent because fellow citizens are threatening strangers conspiring to dominate or destroy one another, they develop sufficient mutual trust to tolerate difference and engage in non-violent competition. A loyal opposition is possible. Despite or perhaps because of this achievement, however, democracies tend to regard neighbouring states as enemies that must be subdued. Ironically, then, democracy can incline to imperial domination and jettison civilizational restraints in the name of defending civilization. The “paranoid style” of politics can debase democracies, as Sagan suggests occurred during the McCarthy years in the United States, by destroying tolerance and increasing mutual fear among citizens.<sup>104</sup> Sagan published his book in 1991, but his analysis seems uncannily prescient about the so-called “war on terror” in which academics have been called to enlist. Only political paranoia could claim that western civilization in Australia is imperilled by teachers of history at schools and universities.<sup>105</sup>

What prevents democracies from succumbing to such a mentality, Sagan continues, is law and education. They provide the accountability necessary to curb the arrogance

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<sup>101</sup> Windschuttle, “Long May Open Debates Continue”, *The Australian*, 14 December 2007.

<sup>102</sup> Cf. Stephen Roberts, *The Squatting Age in Australia, 1835-1847* (Melbourne, 1935), pp. 404-11, and the forthcoming second volume of Keith Windschuttle, *The Fabrication of Aboriginal History* (Sydney).

<sup>103</sup> Ghassan Hage, *Against Paranoid Nationalism: Searching for Hope in a Shrinking Society* (Sydney, 2003).

<sup>104</sup> Eli Sagan, *The Honey and the Hemlock: Democracy and Paranoia in Ancient Athens and Modern America* (Princeton, 1991).

<sup>105</sup> Symptomatic: Miranda Devine, “More like a leaking reactor than a liberal arts faculty”, *The Sun-Herald*, 30 January 2005; Keith Windschuttle, “Tutorials in Terrorism”, *The Australian*, 16 March 2005.

of executive power that degrades a polity. Sagan follows Aristotle in advocating “education for justice”.<sup>106</sup> A modern rendition would stress less the content of education and its supposed democratic spirit than the culture of universities; as institutions dedicated to communicative rationality and intellectual innovation, they are the opposite of, and antidote to, the paranoid style of politics. Claims are scrutinised and tested rather than proffered for demagogic acclamation. Because they are bastions of free thinking and independence, universities are one of the first institutions targeted after anti-democratic coups. If, as *The Australian* presumed, the “publicly-funded intelligentsia” did not support the war on Iraq, that may be because its members were unconvinced by the claim that Iraq posed a mortal threat to the west. The evidence was inadequate; and they were right.

Those who are unable to adhere to these norms may style themselves as dissenters, complain about discrimination and ally themselves with governments and media in thrall to the paranoid position. Ultimately, though, non-scholarly interventions are absorbed by the broader discussion of historians who, accountable to an international academic public sphere, sift the tendentious from empirically grounded and conceptually interesting claims. For those inclined to disparage fellow citizens and to view the world in terms of friends and enemies, this reflective practice will be an anathema, but only on these terms can a scholarly, as opposed to polemical, discussion about genocide in Australian history take place.

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<sup>106</sup> Sagan, *The Honey and the Hemlock*, p. 330.