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An antipodean genocide? The origins of the genocidal moment in the colonization of Australia¹

A. DIRK MOSES

Introduction

Since the release of an Australian government report, in 1996, about the government policies of forcibly removing indigenous children from their families, genocide has been a prominent issue in the nationwide discussion about compensation, an official apology, and “reconciliation” with Aborigines.² At the same time, the historical scholarship of the 1970s and 1980s, which highlighted the hitherto repressed issue of the violent settlement of the Australian continent in the 19th century, became a public issue, especially in relation to the land rights issue, about which the Australian High Court made two landmark rulings in the 1990s.³

The ensuing debate has become starkly polarized. Many Aborigines believe that they were the object of genocidal policies, and historians on the Left tend to agree with them.⁴ Conservative commentators and the current federal government, for their part, vehemently reject this proposition. There is an unfortunate if understandable tendency in the former camp to comb the Australian past in search of evidence of genocide, and a proclivity to interpret any such evidence in the worst light. The latter camp do not deny the killings, but it absolves the colonial and national governments of responsibility, and it insists that while the policies of child removal may have been misguided by today’s standards, they were well intentioned.⁵ One side claims that the European colonization of Australia was genocidal; the other denies it. These undifferentiated terms hinder rather than help the attempt to understand the character of this particular colonization experience.

The issue is so intractable perhaps, because it concerns a complex and unplanned process of colonization, which began, in the immortal words of Sir Robert Seeley, “in a fit of absence of mind.” Seeley’s was an intuitive insight because it identified the salient issue that underlies the controversy over genocide in Australia: the vexed question of intention in such processes. As is well known, intention is the key element in the United Nations definition of genocide. Article II of the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide*, ratified in 1949 by Australia whose delegate was a member of the final drafting committee, defines genocide as “acts committed

with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.” The difficulty in applying the UN definition of genocide to colonial cases of mass death rests on the fact that most of the indigenous fatalities were not usually the direct consequence of an intended policy of extermination. Disease, malnutrition, alcohol, a decreased birth-rate, and increased intertribal warfare accounted, in the main, for the catastrophic decline in the Aboriginal population in colonial Australia, as it did in indigenous populations in other sites of European colonialism.⁶

And yet the destruction of Aboriginal civilization was inevitable once the Europeans determined to occupy the country and develop a pastoral economy. The colonization process undeniably had, so to speak, a “genocidal effect” on Aborigines. Indeed, the destruction of Aboriginal society as a nomadic form of life was in fact an explicit aim of the British colonizers; this is what they meant by “civilizing” the Aborigines.⁷ But can processes *per se* be genocidal? Does not genocide require an agent, or agents, that makes conscious choices and decisions?⁸ The question of the unintended consequences of colonization has exercised as many minds as it has produced unsatisfactory answers.

Two of these answers, inspired by Karl Marx’s formulation of the relationship between structure and agency, sidestep the problem of conscious intention altogether. Jean-Paul Sartre, in the late 1960s, argued that after the Holocaust it could not be expected that a government would announce publicly a policy of genocide. It was necessary, therefore, to study “the facts objectively, to discover implicitly in them such a genocidal intention.” Moreover, the authors of such a genocidal plan would not always be “thoroughly conscious of their intention.” Sartre wrote that the “truth [was] apparent *on the battlefield* in the racism of the American soldiers.”⁹ More recently, the Australian historian, Tony Barta, has drawn an analogy with the Marxist analysis of capitalist production relations, contending that Australians live in objective “relations of genocide” with Aborigines: they occupy the land that was taken violently from the original owners, who henceforth were fated to die by the very terms of European settlement.¹⁰

Such arguments have been criticized—justly in my view—for avoiding, rather than confronting, the problem of intention, agency, and consciousness in genocide.¹¹ Barta even admitted that on his analysis no one may be directly responsible for the mass death. Nonetheless, it cannot be denied that an “objective” or “structural” dimension is a factor in producing situations in which genocidal policies become an option for frustrated governments. Sartre and Barta’s case about “implicit” intention and “relations of genocide” articulate the importance of structures at the expense of human agency. Marx offers necessary but insufficient tools to think through this issue.

Agents as the bearers of an intention cannot be defined away from the requirements of genocide, which is an analogy to homicide. Genocide is the murder, or attempted murder, of groups; not their manslaughter (killing without murderous intent) or accidental death.¹² True, this strict definition of genocide makes it difficult to establish, but the same can be said for murder, and rightly

so. This does not mean that we must accept Steven T. Katz's extremely restrictive formulation, which equates genocide with the Holocaust: the intention to exterminate a group *in its entirety*.¹³ Nor does it mean that genocides cannot take place over the course of decades if the requisite evidence of government intention can be found. But it does cast doubt on the proposition that genocides can be "negligent," in the "second degree," or "glacial" in the sense of an inevitable process that takes place "behind the backs" of men and women.¹⁴ Where agency and intention are lacking, so is the essential prerequisite of genocide.

Does this mean that we must leave the question of mass death that accompanies colonization to the theodicies of the apologists for "economic development"? Can the British and subsequent Australian colonizers, and those today who seek to redeem their memory and realize their ambitions, simply point to the benign intentions of policy makers to excuse them of direct responsibility for the catastrophe that befell the indigenous inhabitants? Not if we can find instances of genocidal policy. To view such policies in isolation, however, reveals very little about the logic of the colonization process as a whole. It is necessary to move beyond the static terms of the debate in which agents are isolated from processes, and processes are evacuated of conscious agents, by linking colonial decision makers to the structures and contexts in which they were embedded. In this article I propose a "dynamic analysis" that links the "objective" dimension of the colonial process, highlighted by Barta, to subjective genocidal policy development and implementation.

A "dynamic analysis"

What does such a "dynamic analysis" look like? The British Colonial Office certainly did not possess a genocidal intention when it sent out the first fleet of convicts and soldiers in 1787. Yet, the assumptions and practice of European settlement—the denial of prior Aboriginal land ownership, the naive Enlightenment assimilation hope, and the rapid spread of a pastoral economy—resulted inevitably in the mass death of Aborigines. In the terminology of the day, they "melted away" and constituted a "dying race." To be sure, such metaphors obscured concrete white behavior against Aborigines, but the fact remains that most Aboriginal deaths and the drastic population decline were attributable to the unintended side-effects of colonization. The objective and inherent character of the British occupation of the Australian continent necessarily entailed the destruction of Aboriginal society as a culture (ethnocide) and vast numbers of Aborigines, even if mass death was not its aim. But this is not genocide.

But how did policy makers respond when Aborigines did not "melt away" and put up sufficient resistance to pastoralists and pastoralism, which was the key sector of the economy, such as to threaten the viability of one of the colonies? The answer is that governments in the metropolis, under intense pressure from the periphery, were prepared to entertain "final solutions" to the "Aboriginal problem." Instead of arguing statically that the colonization of Australia was

genocidal *tout court*, or insisting truculently that it was essentially benevolent and progressive, albeit with unfortunate ramifications, it is analytically more productive to view it as a dynamic process with genocidal potential that could be released in certain circumstances. The place to look for genocidal intentions, then, is not in explicit, prior statements of settlers or governments, but in the gradual evolution of European attitudes and policies as they were pushed in an exterminatory direction by the confluence of their underlying assumptions, the demands of the colonial and international economy, their plans for the land, and the resistance to these plans by the indigenous Australians.

I argue, in other words, that the British colonization of Australia was *objectively* and *inherently* ethnocidal and fatal for Aborigines, and potentially genocidal. Only after the initial illusions of peaceful coexistence had been dispelled with increasing contact between the two sides did the deadly implications *inherent* in the process become apparent to all, and, in a particular constellation of circumstances, its objective intention become *subjectively located* in the consciousness of the colonial agents themselves. In their clamor for government protection and the implementation of exterminatory policies, the Europeans on the frontier articulated the logic of the colonization process in its most pure form: driven by international market forces, they seized the land of Aboriginal groups without compensation or negotiation, and excluded them from their sources of food. A struggle for survival ensued in which the Aborigines had to be subdued, and, if necessary, exterminated. For if the settlers did not get their way and were forced to abandon the land, the economic system would collapse and with it the colonization project itself. In these circumstances, the structure of the process became consciously incarnated in its agents, and this is the moment when we can observe the development of the specific genocidal intention that satisfies the UN definition.

I shall proceed in two stages. First, by examining briefly the process by which the assimilationist optimism of initial contact led to exterminatory attitudes among the settlers. And second, by investigating two cases where Aboriginal resistance to the settlers forced the state's hand. But before doing so, it is necessary to question one of the basic categories of the genocide debate in Australia. It is particularly Eurocentric, because it classes as one people the estimated 300,000 Aborigines who lived on the continent in 1788 in groups of 300 to 500 peoples, speaking as many languages. Even now, as I write, I construct them as an ethnic unity by using the terms "Aborigines" and "indigenous Australians," although they regarded themselves as distinct peoples. Indeed, the British in Australia were perplexed by the belligerence of some Aboriginal groups against others, as well as by the language differences that prevented a pan-Aboriginal consciousness. This is the reason why the British selected Aborigines from different and distant areas in composing the native police detachments. Because of this practice, the black troopers had to communicate with one another in English and felt no bond to the Aboriginal people or group that they were ordered to massacre. The fact is that a clan of indigenous Australians in Tasmania in the far south and a people in Queensland several

thousands miles to the north had as much to do with one another as Slovenians and Irish did at the same time.

This homogenizing discourse is a problem because it leads to the conclusion that as no centrally coordinated plan of extermination for all “Australian Aborigines” can be identified, *ipso facto* there cannot have been a genocidal policy. On this exegesis, local or regional exterminations of Aboriginal peoples are disassociated from the experience on the remainder of the continent, and the claim is made that they were isolated incidents that do not reveal anything about the colonization process as a whole. If, however, we are willing to consider how Aborigines regarded Europeans at the time, the picture changes dramatically. It stands to reason that Aborigines would have been equally astonished by the brutality of intra-European war. And, no doubt, they would have considered all Europeans as essentially the same, irrespective of the fact that Europeans were well aware of their cultural differences. If somehow Aborigines had colonized Europe and attempted to exterminate, say, the Slovenians, every subsequent European scholar of genocide would visit ridicule and scorn on the proposition that no genocide had in fact taken place, and that it was just an isolated incident because no intention could be identified to exterminate *all* Europeans.

If this reasoning holds, then it is possible, by the UN definition, to regard as a genocide each willed act of extermination by settlers and/or the state of an entire Aboriginal group. In that case, Australia had many genocides, perhaps more than any other country. But there is also another way of conceiving the relationship between genocide and state policy: genocide is established when the intention can be identified to exterminate a *part* of a group, as the UN definition clearly states.¹⁵ In what follows, I offer no new facts and make no claim to comprehensiveness. Rather, I try to lay bare the circumstances and logic by which the inherent and objectively ethnocidal and fatal implications of the colonization process became consciously located in the minds of settlers and policy makers.

The inherent, objective implication of Australian colonization

The failure of assimilation

In the first stage of what might be called the “apparent innocence of initial contact,” the subjective intentions of the leaders of the first fleet of convicts and their keepers were relatively benign by the standards of imperialism. Regarding the “natives,” the first governor of the colony in Sydney, Arthur Phillip, had instructions from London to “conciliate their affections”, to enjoin everyone to “live in kindness with them,” and to punish those who would “wantonly destroy them, or give them any unnecessary interruption in the exercise of their several occupations.” He himself wrote that “I shall think it a great point if I can proceed in this business without having any dispute with the natives, a few of which I shall endeavor to persuade to settle near us, and who I mean to furnish with everything that can tend to civilize them, and to give them a high opinion of

their new guests.”¹⁶ As this quotation reveals, the benign intentions of Phillip were loaded with considerable ideological baggage. It is important to examine the cultural-cognitive categories that the colonizers brought with them because they reveal their objective implication.

The British believed in an optimistic Enlightenment anthropology whereby all humans shared a common nature, even if they occupied different levels on the ladder of human development. The Europeans placed Aborigines on the lowest level, classing them as “savages” who lived in a “state of nature,” roaming the land without firm social structures. Hierarchical as this schema was, it was optimistic in that it attributed the civilizational status of peoples to environmental and not racial factors. The Aborigines, so the Europeans thought, were the children of humanity, and with guidance and Christianity, they could be eventually “civilized.” The British intentions were made plain by Governor Gawler in his address to Aborigines in Adelaide in 1835: “Black men. We wish to make you happy. But you cannot be happy unless you imitate white men. Build huts, wear clothes and be useful ... you cannot be happy unless you love God ... Love white men ... learn to speak English. If any white man injure you tell the Protector and he will do you justice.”¹⁷

The main philosophical legitimation of this attitude was provided by John Locke, whose combination of liberal Christianity and private property rights justified colonialism on the grounds that God had commanded men (*sic*) to till the soil and make it fruitful. The British thought that the Aborigines had not fulfilled this commandment because they saw no signs of use or occupation of the land: villages, farms, herds, plantations. Locke explicitly compared the “unproductive” occupation of the Indians of North America with the efforts of the English colonists there. Occupation without labor gave no title to property. International law held that lands “which savages have no special need of and are making no present and continuous use of” might be lawfully seized “without injustice.”¹⁸ Throughout the 19th century, apologists for colonialism argued that the British right to the land lay in the fact that they made it productive and fed millions of people there and abroad. As one British administrator put it in 1826, “the right of wandering hordes to engross vast regions—for ever to retain exclusive property to the soil, and which would feed millions where hundreds are scattered—can never be maintained.”¹⁹

On the basis of such ideas, the British deemed that Australia was legally *Terra Nullius*, belonging to no one, empty, a wasteland that could be claimed without having to acknowledge the native title of the Aborigines. In this regard, the British occupation of Australia was an exception because they had recognized the land rights of the indigenous inhabitants of North America and New Zealand, with whom they signed treaties. No negotiations and treaties were signed with the Aborigines of Australia at the time. Their land was simply declared Crown land and they were treated henceforth as British subjects, equal under the law. No compensation was contemplated or paid. It was not an invasion, so the thinking went, it was a settlement.

How did events unfold in those first years after 1788? As we know, Phillip

wanted to entice the local clans to settle near the newcomers so they could learn the “white man’s ways.” But his plans went awry after several convicts, who had probably provoked the locals, were killed. After failed efforts to establish permanent contact, he ordered a punitive expedition to kill six Aboriginal men, *any six*, after his personal huntsman was speared. He wanted to make an example and instill terror in the locals, but fortunately the expedition was fruitless.²⁰

The assimilationist hopes continued nonetheless. In 1814, Governor Macquarie launched a school to “civilize” native children, a program that entailed teaching them English and religion, and, as far as possible, separating them from their parents. But rising costs and disappointing results led to the closure of the school, which never had more than 20 children. In 1815, Macquarie gave land with provisions, huts, and boats to local Aborigines to encourage them to become farmers. But they sold these items and returned to the bush. Missionaries proceeded along similar lines, and they too were disappointed that the Aborigines only appeared interested when food and shelter were also on offer. At this early stage of contact, Aborigines often visited the small towns of Sydney, and later Melbourne, where food, blankets, and the imported vices of alcohol and tobacco were available. The optimistic assimilationist impulse was consistently disappointed, resting as it did on the illusion that Aborigines wanted to abandon their traditional ways, and that the two ways of life were ultimately compatible.

What can we learn from these first apparently innocent encounters? In the first place, that the occupiers were prepared to use violence and terror in punitive expeditions when they felt provoked; and that they rarely realized that the Aborigines themselves were provoked by their presence. True, the subjective intention of the colonizers was rarely malicious because of the European ignorance of Aboriginal culture, and because the British thought it was possible to share the land as a society of small-scale peasants. In a country as large as Australia there appeared room enough for everyone. Little did the first occupiers realize that within 40 years, extensive pastoralism would come to dominate, and that it would be incompatible with the hunter-gatherer economy of the Aborigines.

From assimilation to extermination

The competition for land characterizes the second stage of the conflict. As more convicts and free settlers arrived and pushed into the interior in search of grazing land, they inevitably came into conflict with the local Aboriginal clans. Already in the 1790s, in the Hawkesbury River area 80 km northwest of Sydney, 400 British occupied both sides of the river, blocking Aboriginal access to water and food sources. Violence erupted and, in the absence of troops, the settlers took matters into their own hands. This pattern repeated itself during the next century. All over Australia, the hunger for land outstripped the resources of state control. Where London and the Australian metropolitan authorities wanted an orderly

procedure in which the interests of the Aborigines would be protected, the local Europeans simply marched inland to select the property they wanted. And where troops were called in, they inevitably sided with the colonists, because their interests had to prevail. Writing of the Hawkesbury clashes in 1795, Captain Peterson noted that “it gives me great concern to have been forced to destroy any of these people, particularly as I have no doubt of their having been cruelly treated by some of the first settlers who went out there.” But he concluded by pointing out that the outlying settlement must be protected since it was an important source of food.²¹

The great increase in white population and pressure on land occurred in the 1820s. The British victory over the French in 1815 had swollen the numbers of city dwellers in England and resulted in a rise in crime. Instead of 500 convicts per year, 2,000 per year began to arrive in the country.²² More significantly, in 1822, the British dropped the duty on Australian wool to one-sixth of that on German wool to encourage local production. This decision fundamentally altered the profile of the young economy and the vision of its land use. Heretofore, the government had wanted small-scale, dense farming, as in England, and it had encouraged Aborigines to participate. Henceforth, large-scale extensive pastoralism was the order of the day, with concomitant incursions into the land held by Aborigines. In all, 200,000 immigrants arrived in Australia between 1832 and 1850, and by 1860, 4,000 Europeans with 20 million sheep occupied 400 million hectares of land from Southern Queensland to South Australia.²³

Not surprisingly, the Aborigines resisted: cultivating and fencing land, and grazing new and strange breeds of animals interfered with their hunter-gatherer economy. Guerilla warfare ensued, and the government authorized self-policing. Aborigines were forbidden to carry weapons near settlements and to form in groups greater than six. At the same time, Aborigines within the frontier who posed no threat to the colonizers moved into Sydney to live off the state, as their hunting lands had been confiscated. Insofar as Aborigines were prepared to submit to the new order and lay down their weapons, they were issued with passes and allowed to move around freely. Insofar as they obstructed the new order, the settlers on the frontier were determined to subdue and even exterminate them, despite government warnings against massacres. Exterminatory attitudes undeniably developed in the frontier milieu.²⁴ Acting on government authorization to repel native attackers themselves, settlers often went a step further and organized posses to wreak vengeance on Aborigines who had killed shepherds, plundered their property, or speared sheep and cattle.

As the logic of the occupation began to unfold, the type of racism changed in character. The attacks on colonizers and their property and the failure of the civilizing experiments convinced the settlers that the natives were irredeemably inferior, indeed vermin that should be exterminated. Condescension was replaced by hatred and contempt. The reception of Darwinian notions of survival of the fittest in the second half of the 19th century lent scientific credibility to their intuitive beliefs that conflict was inevitable and that only the “superior race” would prevail. Simultaneously, the observation of massive population decline in

the older areas of settlement led to the belief, after 1820, that the Aborigines would become extinct by “natural” causes. The “inferior savage” would have to give way to the march of civilization and there was nothing that could be done to prevent their eventual exit from the stage of history. Many humanitarians, who were appalled by frontier violence, also believed the “doomed race” theory, which informed official policy until the 1930s.²⁵

Indeed, the picture of decline was undeniable. Around Adelaide, the population of Aborigines sunk from 650 to 180 between 1841 and 1856. Similar experiences were reported all over Australia. At Port Phillip—today’s Melbourne—the 10,000 Aborigines who lived there originally were reduced to 1907 by 1853, a decline of 80 percent in 18 years.²⁶ In all, 5,000 are said to have died of disease, and 1,000 each by white violence, intertribal clashes, and natural causes. An extremely low birth-rate prevented recovery, and there was evidence of infanticide, which was seen as a symptom of depression and despair.²⁷

Crude as the Darwinian notion of “racial clash” was, it reflected accurately the logic of the colonization project. The genocidal attitude of the settlers was evidence of a keener sense of the reality of the situation than those of the optimistic humanitarians in the metropolis. Aboriginal attacks *were* a problem for the squatters, involving thousand of stock per year, the burning of farm huts, and the killing of workers. It was difficult to attract labor, thus raising costs, and many stations were abandoned, which could lead to the loss of tenure in the land because the only security for a squatter was actual possession.²⁸ The conflict on the frontier had become an existential struggle for survival. It was a direct confrontation between international market forces, incarnated in the pastoralists, and the hunter-gatherers.

But is this genocide? Where whole Aboriginal peoples were exterminated by bands of settlers, the requirements of genocide on a local basis are clearly met. But such genocidal massacres were sporadic and unsystematic and do not license the broader claim that the colonization of the country was “a genocide” *per se*. The situation is complicated by the posture of the state. The killing of Aborigines, except in self-defense, remained a crime, and where colonial authorities, which jealously guarded the state’s monopoly on violence, attempted to prosecute the white murderers of Aborigines, they were invariably frustrated by the solidarity of the settlers. In most parts of Australia, the colonization venture was able to proceed *without* state-sponsored genocidal measures. Even the harsh measures of the native police in the Port Phillip district were retaliatory rather than exterminatory. After Aborigines had been “subdued,” they were often permitted to camp on sheep and cattle stations, eventually becoming an important source of labor in the rural economy. But where settlers could not do the job and colonization was threatened by particularly stiff Aboriginal resistance, calls arose from the frontier for the state to undertake a “final solution.” Let us examine two such state “solutions”: Tasmania in the 1820s and 1830s, and Queensland in the second half of the 19th century. Could the colonial state find itself developing and implementing genocidal policies?

The subjective location of the objective implication

Expulsion from Tasmania

A veritable frontier war was waged in Tasmania in the 1820s. Between 1817 and 1830, the European population increased from 2,000 to 23,500. Large areas of land were granted to pastoralists, and by 1830 one million sheep were being grazed, more even than in New South Wales.²⁹ Whites lived in constant fear of Aboriginal attacks, and many were ruined by them. Sixty British were killed within seven years in the Big River region alone, and 176 overall, while about 700 Tasmanian Aborigines were killed, making the proportions of death 1:4, much deadlier for the British than on the mainland, where it was 1:10. Pastoralism was rendered unviable, so the settlers felt, leading the manager of the Van Diemen's Land Company, Edward Curr, to argue that the attacks would jeopardize the whole settlement unless the Europeans undertook "a war of extermination."³⁰ More moderate voices called for the Aborigines to be expelled from the island, for otherwise they would "be hunted down like wild beasts and destroyed."³¹

How did the government respond? Governor George Arthur arrived in 1824 fresh from experience in the Caribbean. He represented the conciliationist program of assimilation to which Arthur Phillip had subscribed a generation earlier, and it was his intention that a peaceful solution should be found. In fact, he thought that a great deal of the conflict arose from initial white aggression, and he later came to regret that a treaty was not made with the native Tasmanians before his arrival. Similarly, the Colonial Office in London, at the time under the sway of the humanitarian anti-slavery campaigners, opposed the violence because it reduced the possibility of "civilizing the natives" and integrating them into the settlement. What is interesting to observe is the way in which the new enlightened governor was gradually and reluctantly forced to take increasingly radical measures to protect the pastoralists from Aboriginal harassment.

At first, Arthur resisted calls for the extermination or expulsion of the 1,200 or so remaining Aborigines, and he determined instead to settle them on plots of land and encourage farming. As usual, such measures were unsuccessful, and a reserve system on the island eventually presented itself as the only option. By removing Aborigines from the settled districts, it was thought, the whites could graze their sheep in peace, and the Aborigines would be saved from entire extermination by the guns of the settlers. In 1828, all Aborigines were ordered out of settled districts, and the 200 who remained were killed or captured and removed by roving parties of mounted soldiers, police, and civilians. Arthur's attempt to combine conciliation and firmness, velvet glove in iron fist, led inevitably to high casualties among the indigenous Tasmanians.

But hostilities continued unabated, and later that year Arthur was forced to order a three year period of martial law. Forty-three Europeans died in 1830 alone. Exasperated, he appointed an Aborigines' Committee and turned to London for guidance. He was beginning to see that conciliation and British

colonization were incompatible objectives, and so he took the advice of his Executive Council to mount a major military action to expel Aborigines from the settled districts once and for all, and confine them on a small peninsula.³² In October that year, the notorious “Black Line”—a human chain comprising 2,000 free settlers, 500 troops, 700 convicts—combed the settled districts for six weeks. In a spectacular failure, only two indigenous Tasmanians were caught and none hounded into the envisaged catchment area. Still, the settled districts were now relatively safe, and Arthur felt conciliation could be resumed.

By this time, only a few hundred Aborigines had survived the ravages of conflict with the settlers. Consequently, Arthur sponsored the efforts of George Angus Robertson to persuade the local groups to move voluntarily to a reserve. Robertson, who lived with the locals groups and learned at least one of their languages, had already met with success in convincing captured Aborigines to move to small islands off the coast of Tasmania. They had no choice but to trust him; the alternative was to be shot on sight by nervous pastoralists. In the end, about 200 people were placed on Flinders Island where attempts were made to “civilize” them. By 1835, 65 had died, and three years later only 80 remained.³³

The Tasmanian case is often seen as Australia’s only example of genocide.³⁴ In fact, it is an extreme example of the segregationist solution. Because of the small size of the land mass in question—Tasmania is a little smaller than Ireland, and less than half the island is inhabitable—the expulsion option was conceivable. Arthur had been moved successively to increasingly radical solutions: Exclusion of Aborigines from settled districts; secluded confinement on the island; and expulsion from the island altogether.³⁵ The colonial government with strong links to London was a major factor in resisting the radical exterminatory sentiments that obtained among the settlers themselves, who incarnated the logic of colonization in its starkest form. As it turned out, genocide was unnecessary for the colony to flourish. As we will see, this restraining hand was absent in Queensland.

The Native Police of Queensland: government-sponsored genocide

The colony of Queensland, which achieved independence from New South Wales in 1859, was the purest incarnation of the colonization process. Its government represented the interest of the squatter—that is, the priorities of the frontier—without the mollifying factor of control from Sydney or London. Moreover, the colony contained the most Aborigines (about 100,000), who were often aided by very rugged country, especially in the north. The usual conflict ensued, and the casualties were very high. The death rate averaged 15–20 whites per year in the second half of the 19th century, with a high of 46 in 1874 during the northern gold rushes. The year before, the town of Gilberton had been abandoned for fear of Aboriginal attack. During this time on the Palmer goldfield, 500 horses and 100 bullocks were spared, 130 of the horses and 65 of the bullocks dying. At the time, a horse was worth six months’ wages of a laborer. In North Queensland between 1868 and 1870, 299 stock runs (18,094

square miles) were abandoned.³⁶ The debt-ridden colony, whose far-flung frontiers—Queensland is about 2.5 times the size of Texas—were beyond the resources of the state to police with white troops.

The evolution of a genocidal government policy to deal with the frontier crisis can be observed with regard to the Native Police. Comprising units of non-local Aborigines of six to twelve men and led by a white officer, the Native Police was formed in the southern colonies in the 1830s and 1840s to keep law and order on the frontier and prevent the undeclared war that sometimes obtained between settlers and Aborigines.³⁷ A northern force of about 70 troopers was established for pre-independence Queensland in 1848 and Frederick Walker was appointed its commandant. Walker continued the illegal and unofficial practice of collective punishment; that is, attacking whole Aboriginal groups if they were suspected of harboring the perpetrators of crimes, a practice for which he was reprimanded by the Colonial Secretary. Nonetheless, he provoked the ire of the northern pastoralists because he would not expedite what they desired: an outright war of extermination against the Aboriginal peoples in their districts. As one of them complained to his local member of parliament in 1851, the Native Police was “trammled with such restrictive orders from the executive as to render its services useless for the purposes intended, and the sooner we are rid of them and left to manage the savages ourselves the better.”³⁸ The frontier settlers made no bones about their priorities: “let us at once exterminate these useless and obnoxious wretches. It seems that nothing short of extermination will check their animosity to the whites and all that is theirs.” “Desperate diseases call for strong remedies and while we would regret a war of extermination, we cannot but admit that there exists a stern, though maybe cruel necessity for it.”³⁹

While the pastoralists did not shy away from articulating their genocidal intent, Walker felt that the frontier conflict was exacerbated by their practice of excluding Aborigines from traditional hunting grounds on which they grazed sheep and cattle. In practice, “keeping them out” meant that pastoralists would shoot Aborigines on their runs and attack the closest clan in retaliation for speared stock or workers. Needless to say, this policy led to the inevitable starvation of Aborigines, who killed stock for food, thereby invoking white retaliation. Accusing Walker of sympathizing with the hated Aborigines, the northern pastoralists successfully intrigued with the “hawks” in the government in Sydney to have him dismissed in 1855. At the same time, they realized their ambition to wrest control of the Native Police from Sydney and transfer it to local, northern magistrates, who were, of course, themselves pastoralists.⁴⁰

The moderating voice of the humanitarian press was weakened further after the massacre of a European family on the Dawson River in 1857, in which 11 settlers were killed. The fear grew among the Europeans that Aborigines conspired at their large ceremonial meetings to attack isolated settlements in concerted actions. Consequently, a year later, the official instructions of the Native Police were redefined. The force was not just to patrol the frontier and apprehend law-breakers: it was to become proactive; it was “at all times and opportunities to disperse any large assemblage of blacks; such meetings, if not

prevented, invariably lead to depredations or murder.”⁴¹ Like the term “collision,” “dispersal” was a euphemism that officers and politicians employed to describe their violent encounters with Aborigines. The use of explicit language, like “killing,” was forbidden in official reports and correspondence.⁴² One Native Police officer admitted as much when he said told an official inquiry that dispersal meant “firing at them.” When asked whether such a practice was a “very loose way of proceeding,” he answered that “there is no other way.”⁴³ One observer in 1875 described a dispersal in the following terms:

The usual method adopted by the Native Police is to find out the “camp” of the blacks ... and attack them at the break of day, the troopers stripping themselves of everything but their forage caps and cartridge belt, and leave their horses, etc., in charge of the officer in command, and fire a volley into the camp, and afterwards follow up and shoot as many more of the blacks as they can, and the trooper who kills the most is considered the “best man” by his comrades, until the “next hunt”, when some of the others may shoot a greater number. The forage cap is kept on to prevent the troopers shooting one another in the scrub.⁴⁴

The importance of the Native Police to the economy of the state is indicated by its willingness to provide the financial support. An imperially funded force of English troops would have been cheaper for the colony, but less efficient and, above all, independent of local control. The Native Police operated on the nether side of the law and was highly secret. Aborigines were, after all, British subjects and could not legally be shot on sight or subjected to group punishment. And it was precisely the rule of law that the pastoralists insisted got in the way of securing their foothold on the frontier. The Queensland government was regularly attacked by humanitarian lobby groups and the liberal press, which had no doubts that the Native Police was an instrument of an extermination policy.⁴⁵

In order to deflect such criticism, justify the necessity of the Native Police, and stave off imperial interference, the government held an official inquiry in 1861. The parliamentary committee, which was dominated by pastoralist-politicians, invited submissions and witnesses, discrediting those who gave undesirable reports, and encouraging those who toed the government line. In restating the widespread belief that Aborigines were cannibals and beyond the reach of “civilization,” the inquiry reflected the viewpoint of the frontier settlers that Aborigines were unworthy of the protection of the law. Naturally, it could not “countenance the indiscriminate slaughter which appears on more than one occasion to have taken place,” but it blamed violent excesses on the “inefficiency, the indiscretion, and the intemperate habits of some of the Officers, rather than [on] any defects in the system itself.”⁴⁶

This rhetoric would become standard in Queensland for the rest of the century: publicly condemning the “outrages” of the Native Police, while supporting its mission. As the premier and former squatter, Arthur Palmer, told parliament in 1878, the Native Police units “were justified by the extreme necessities of the case.”⁴⁷ And from the perspective of the pastoralists, this was

indeed the case. After the Native Police had done its work, property prices rose and it was possible again to hire labor. The sheep and cattle industry would have been unthinkable without the “pacification” of the Native Police. Where local Aboriginal groups were prepared to acknowledge the new state of affairs, they were even “let in” and eventually became integrated into the local economy. The genocidal moment of colonization passed when the Aborigines were either wiped out or submitted to the new order.⁴⁸

The 1861 inquiry cemented the new government’s policy towards hostile Aborigines on the frontier. Native Police troopers and officers, which soon increased in number, peaking with 206 in 1878, were to be a paramilitary force that roamed the frontier, shooting Aboriginal groups as they came across them, and retaliating for attacks on stock, property, and Europeans. Because of the secrecy of the force, it is difficult to determine how many people it killed, and the disappearance of relevant files from the Queensland State Archives makes impossible the decoding of the official reports.⁴⁹

The argument has been made by some historians that the presence of the Native Police on the frontier actually prevented even more Aboriginal deaths. This was certainly how the government presented its policy.⁵⁰ Some contemporaries agreed. One pastoralist was asked whether he thought that the establishment of the Native Police was an improvement on the former system of self-protection. “I believe it has been,” he answered. “On the Kilcoy Station, owned by Mr. Evan MacKenzie, there were two white men killed, and an imported bull; and their retaliation was very severe on the blacks—they destroyed hundreds of them.” Asked how, the man replied “by shooting and poisoning them” with flour laced with strychnine and arsenic. But other contemporaries insisted the Native Police worsened the situation for Aborigines, because the force could track them down in country that was inaccessible for Europeans.⁵¹

Even if it is true that the numbers of deaths on both sides were reduced by the terror and massacres of the Native Police, it is equally true that the use of government terror transformed local genocidal massacres by settlers into an official state-wide policy. Was this a genocidal policy in terms of the UN definition? The limited resources of the Queensland state meant that the capacity did not exist to exterminate 100,000 Aborigines. Nor was it possible to justify a policy of explicit extermination, even in the Queensland public sphere. But the government’s explicit approval of the Native Police and its proactive “dispersal” policy, which persisted until 1896, indicate a continuing intention to kill Aborigines in large numbers on the frontier until they disappeared or were subdued. The small size of the Native Police should not draw attention away from the fact that they were “mobile death squads aimed at eradicating Aborigines.”⁵² Neither does the extended nature of the killing tell against a genocidal intention. It was, according to Alison Palmer, a “piecemeal” rather than a “wholesale” destruction. The intention to destroy *part* of a group, it should be recalled, is sufficient to establish the necessary *mens rea* for genocide according to the UN definition. And so is the intention to destroy a local people.

Nowhere else in Australia did the objective and inherent implication of colonization become so consciously embodied in government policy.

Conclusion

What are the implications of this “dynamic” approach for structure and agency in the genesis of the genocidal moment in the colonization of Australia? In the first place, it offers an insight into the character of the colonization process itself. The tendency to isolate the Tasmanian and Queensland cases from the rest of the colonization experience and class them as exceptions to the rule can be disposed of by the argument that they are in fact the inevitable consequences of particularly resolute Aboriginal resistance. The extreme measures of those cases did not occur to the same extent elsewhere because they did not need to. Invading whites usually were able to clear the land of Aborigines by other, less-systematic methods; or else disease and other factors did the work for them. The colonization process was objectively lethal for Aborigines, irrespective of initial intentions of the state and settlers, and where they did not “fade” or “melt away,” the settlers, and where necessary the state, ensured that the process was continued by consciously expediting its fatal logic.

Consequently, we must regard as naive the white humanitarians of the 19th century who enjoined other whites to live in peace with Aborigines and entreated them to share the land. These men and women, who were often marginalized by colonial society and suffered personally for their outspokenness, simply did not see the inevitability and necessity of the fight for survival on the frontier.⁵³ In seeking to identify the origins of the genocidal moment in the colonization of Australia, it is not a matter of finding stones to cast in a politically motivated rhetorical war. It is a matter of understanding how and why the developmental priorities of the society in which Australians lived, and continue to live, led to exterminatory policies that no one envisaged when Arthur Phillip and his party landed in Port Jackson in 1788.

Secondly, the “dynamic” approach also moves the focus of genocide research in Australia from Tasmania, where it has customarily been trained, to Queensland. Finally, it enables us also to pose the question about the continuity of structures of international economics and patterns of thought that obtain today. Is it not the case that recent debate about Native Title in Australia, and the call to extinguish it, is a continuation of the 19th century clash of fundamentally irreconcilable interests? Where Aborigines hindered economic development they had to be subdued, and if necessary exterminated. Today, many Australians clamor for the destruction of the newly conferred Aboriginal “right to negotiate” with veto provisions with mining companies. Is it a coincidence that the “extinguishment” of Native Title, as it is called in Australia, is semantically and conceptually so proximate to the term “extermination”? The genocidal moment may have passed in the continuing colonization of Australia, but Aboriginal resistance still dictates the ultimate direction of official policy.

Notes and References

1. This article was originally delivered at the University of Freiburg, Germany, in December 1998, and again at the third international conference of the Association of Genocide Scholars in Madison, Wisconsin, in June 1999. I should like to acknowledge the financial assistance of the History Department, University of California, Berkeley, for making possible my attendance at this conference.
2. Human Rights and Equal Opportunity Commission, *Bringing Them Home. National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (Canberra: Commonwealth Printer, 1996). Robert Manne, *The Way We Live Now* (Melbourne: Text Publishing, 1998), pp 15–41; Colin Tatz, *Genocide in Australia* (Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies, 1999).
3. Bain Attwood, ed., *In the Age of Mabo. History, Aborigines and Australia* (Sydney: Allen & Unwin, 1996). For a survey and analysis of the historiographical literature, see Ann Curthoys, “Aboriginal history,” in Graeme Davison, John Hirst, Stuart MacIntyre, eds., *Oxford Companion to Australian History* (Melbourne: Oxford University Press), pp 3–5.
4. See, for example, Maykutener (Vicki Matson-Green), “Tasmania: 2,” in Ann McGrath, ed., *Contested Ground. Australian Aborigines under the British Crown* (Sydney: Allen & Unwin, 1995), pp 338–359; Human Rights and Equal Opportunity Commission, *Bringing Them Home*, pp 270–275; Raymond Evans, “Keeping Australia Clean White,” in Verity Burgmann and Jenny Lee, eds., *A Most Valuable Acquisition. A People’s History of Australia Since 1788* (Melbourne: McPhee Gribble, Penguin, 1988), pp 170–188; Susan Stanton, “Time for truth: speaking the unspeakable—genocide and apartheid in the ‘lucky’ country,” *Australian Humanities Review*, July 1999: www.lib.latrobe.edu.au/AHR/
5. Ron Brunton, “Genocide, the ‘stolen generations,’ and the ‘unconceived generations,’” *Quadrant*, May 1998, pp 19–24; Kenneth Minogue, “Aborigines and Australian apologetics,” *Quadrant*, September 1998, pp 11–20.
6. For some statistics, see A. G. L. Shaw, *A History of the Port Phillip District. Victoria before Separation* (Melbourne: Melbourne University Press, 1996), pp 139–142. In relation to North America, Paul R. Bartrop judges that despite the massive population loss of the Powhatans of Virginia upon English invasion, no case for genocide can be made. See his “The Powhatans of Virginia and the English invasion of America: destruction without genocide,” in Colin Tatz, ed., *Genocide Perspectives I* (Sydney: Centre for Comparative Genocide Studies, Macquarie University, 1997), pp 66–108.
7. Today, policies motivated by such an intention would be called ethnocide or cultural genocide; they would not have been genocidal. Cultural genocide was explicitly excluded by the UN Convention. See Uriel Tal, “On the study of the Holocaust and genocide,” *Yad Vashem Studies*, Vol 8, 1979, p 14. I follow Tal and Frank Chalk and Kurt Jonassohn in distinguishing ethnocide and genocide on the basis that the physical extermination of a group is analytically distinct from the suppression of a culture. See Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide. Analyses and Case Studies* (New Haven and London: Yale University Press, 1990), p 23. This is how I understand Raphael Lemkin’s statement that genocide aimed ultimately at “annihilating the groups themselves.” See his *Axis Rule in Occupied Europe* (Washington, DC: Carnegie Endowment for International Peace, 1944), p 79.
8. What Mark Levene calls “genocidal processes” are, according to him, in fact “a series of state strategies,” and not abstract processes going on “behind the backs” of policy makers. Levene feels licensed to use the term, because the Bangladeshi state ultimately resorted to outright genocidal measures when its pre-genocidal strategies failed. He bundles all these policies under the rubric of “genocidal processes” and calls it a case of “creeping genocide.” See his excellent analysis: “The Chittagong Hill tracts: a case study in the political economy of ‘creeping’ genocide,” *Third World Review*, Vol 20, No 2, 1999, pp 339–369, which I read just before submitting this article for publication. It makes a similar argument about the developmental and nation-building impulse behind the turn to genocidal policies. For this line of thinking, see also Richard Arens, ed., *Genocide in Paraguay* (Philadelphia: Temple University Press, 1976).
9. Jean-Paul Sartre, *On Genocide* (Boston: Beacon Press, 1968), pp 57f, 78f.
10. Tony Barta, “Relations of genocide. Land and lives in the colonization of Australia,” in Isidor Wallimann and Michael N. Dobkowski, eds, *Genocide and the Modern Age* (New York: Greenwood Press, 1987), pp 237–251. Wallimann and Dobkowski’s introductory essay expresses the view that insisting on the presence of intention in the definition of genocide “seems historically and politically too limiting,” because “anonymous social forces” and their “structural violence” make it difficult to identify concrete agents that can be bearers of intentions. I have criticized this argument in “Structure and agency in the Holocaust: Daniel J. Goldhagen and his critics,” *History and Theory*, Vol 37, No 2, 1998, pp 194–219.
11. Helen Fein, “Genocide: a sociological perspective,” *Current Sociology*, Vol 38, No 1, 1990, pp 15f, 79f.
12. The draft resolution that accompanied the initial request for the UN to formulate a convention on genocide

- argued that genocide is analogous to homicide: "Genocide is the denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings." See Matthew Lippman, "The drafting of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide," *Boston University International Law Journal*, Vol 3, No 1, 1985, pp 5, 7.
13. Steven T. Katz, "The uniqueness of the Holocaust. The historical dimension," in Alan Rosenbaum, ed., *Is the Holocaust Unique? Perspectives on Comparative Genocide* (Boulder: Westview Press, 1996), pp 23f.
 14. Kurt Glaser and Stefan T. Possony, *Victims of Politics: The State of Human Rights* (New York: Columbia University Press, 1979), p 37. But see Henry R. Huttenbach, "Locating the Holocaust on the genocide spectrum," *Holocaust and Genocide Studies*, Vol 3, No 3, 1988, pp 289–304.
 15. Lawrence J. LeBlanc, "The intent to destroy groups in the Genocide Convention: the proposed U.S. Understanding," *American Journal of International Law*, Vol 78, 1984, pp 369–385. Exterminating a large proportion of a group may be prima facie evidence of a genocidal intention: see Paul Starkman, "Genocide and international law: is there a cause of action?," *Association of Student International Law Societies (ASILS) International Law Journal*, Vol 8, No 1, 1984, p 38.
 16. Cited in W. E. H. Stanner, "The history of indifference thus begins," *Aboriginal History*, Vol 1, No 1, 1977, pp 3–26.
 17. Cited in Richard Broome, *Aboriginal Australians. Black Responses to White Dominance, 1788–1994*, 2nd edn (Sydney: Allen & Unwin, 1994), p 27.
 18. A. G. L. Shaw, "British policy towards the Australian Aborigines, 1830–1850," *Historical Studies*, Vol 25, 1992, p 266; A. T. Yarwood and M. J. Knowling, *Race Relations in Australia. A History* (Melbourne: Methuen Australia, 1982), pp 12–21.
 19. Cited in A. G. L. Shaw, *Sir George Arthur, 1784–1854* (Melbourne: Melbourne University Press, 1980), p 124.
 20. Stanner, op cit.
 21. Cited in Broome, op cit, p 29.
 22. Alan Atkinson, *The Europeans in Australia: A History*, Vol 1 (Oxford: Oxford University Press, 1997), p 345.
 23. Broome, op cit, p 37; John C. Weaver, "Beyond the fatal shore: pastoral squatting and the occupation of Australia, 1826 to 1852," *American Historical Review*, Vol 101, 1996, pp 981–1007.
 24. For a case study, see Don Watson, *Caledonia Australis: Scottish Highlanders on the Frontier of Australia*, 2nd edn (Milson's Point: Vintage, 1997).
 25. Russell McGregor, *Imagined Destinies. Aboriginal Australians and the Doomed Race Theory, 1880–1939* (Melbourne: Melbourne University Press, 1997).
 26. Broome, op cit, p 61.
 27. Beverley Nance, "The level of violence: Europeans and Aborigines in Port Phillip, 1835–1850," *Historical Studies*, Vol 19, 1981, pp 532–549.
 28. I agree with Mark Levene that genocide theory has inaccurately depicted indigenous peoples as passive objects of state policies. See his valuable discussion in Levene, op cit, pp 345f.
 29. Lyndall Ryan, *The Aboriginal Tasmanians* (Brisbane: University of Queensland Press, 1981), p 83.
 30. Cited in Henry Reynolds, *Frontier: Aborigines, Settlers and Land* (Sydney: Allen & Unwin, 1987), p 55.
 31. See Shaw, 1980, op cit, p 125.
 32. *Ibid*, p 129.
 33. C. D. Rowley, *The Destruction of Aboriginal Society* (Melbourne: Penguin, 1972), pp 48f.
 34. Raphael Lemkin, for example. See Helen Fein, "Genocide: a sociological perspective," p 11; Israel W. Charny, *Genocide. A Critical Bibliographic Review* (London: Mansell Publishing, 1988), p 53.
 35. M. C. I. Levy, *Governor George Arthur. A Colonial Benevolent Despot* (Melbourne: Georgian House, 1953), p 107.
 36. Reynolds, op cit, pp 21, 30; Noel Loos, *Invasion and Resistance. Aboriginal–European Relations on the North Queensland Frontier, 1861–1897* (Canberra: Australian National University Press, 1982), p 53.
 37. Henry Reynold, *With the White People* (Melbourne: Penguin, 1990), pp 47ff; Margaret Fels, *Good Men and True. The Aboriginal Police of the Port Phillip District, 1837–1853* (Melbourne: Melbourne University Press, 1988).
 38. Margaret Genever, "The road to Lotus Glen. Aborigines and the law, justice, and imprisonment in colonial Queensland," PhD dissertation, James Cook University, Townsville, 1996, p 240.
 39. Cited in Ian Hughes, "'A state of open warfare': frontier conflict in the Cooktown area," in *Lectures on North Queensland*, 2nd Series (Townsville: Department of History, James Cook University, 1975), pp 38, 42.
 40. Geoff Genever, "Prosecutors or protectors? Police and Aborigines in pre-separation Queensland," *Queensland Review*, Vol 4, No 1, 1997, pp 63–70.

41. 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.
42. W. Ross Johnston, *The Long Blue Line. A History of the Queensland Police Force* (Brisbane: Boolarong Publications, 1992), p 92.
43. Report of the Select Committee, op cit, p 17.
44. Johnston, op cit, p 93.
45. See M. Genever, op cit, p 276.
46. Report of the Select Committee, op cit, pp. 2f.
47. Johnston, op cit, p 96.
48. Reynolds, 1990, op cit, pp 65f.
49. Ibid, p 50.
50. Johnston, op cit, pp 95, 97. But see Loos, op cit, p 27.
51. Report of the Select Committee, op cit, pp 19, 83.
52. See Alison Palmer, *Colonial Genocide* (Sydney: Crawford House, forthcoming 1999). This book had not yet appeared at the time of writing. I was able, however, to consult the University of London doctoral dissertation (1993) of the same title, on which it is presumably based, before preparing the final draft of this article. Palmer anticipates my argument that the place to look for a genocide in Australia is not Tasmania, but Queensland.
53. Henry Reynolds, *This Whispering in Our Hearts* (Sydney: Allen & Unwin, 1998).