

# Australia's Genocidal Past

## Keith Windschuttle, denialism and the truth of the whole

Robert Corr, 19 December 2002

In recent years, Keith Windschuttle has devoted his time to attacking what is sometimes described as the “black armband” view of Australian history. He believes that “Over the past twenty years, Australian historians have constructed a story of widespread massacres on the frontiers of the expanding pastoral industry that carried off between five and twenty per cent of the Aboriginal population and up to seventy per cent of indigenes in Tasmania”,<sup>1</sup> and “that most of the story is myth piled upon myth”.<sup>2</sup> His greatest concern is to defend Australia's history against “writers [who] now routinely compare the actions of the British in Tasmania [and on the mainland] with the Spaniards in Mexico, the Belgians in the Congo, the Turks in Armenia and Pol Pot in Cambodia.”<sup>3</sup> That is, he wishes to disprove the charge that a genocide was perpetrated against the Australian Aborigines.

This is a question that has not been settled since it was first raised several decades ago. Curthoys and Decker note that it is particularly problematic due to the lack of a settled definition of the term: “the genocide debate has already revealed itself to be difficult and confused, in large part because legal, academic and popular understandings of the word differ.”<sup>4</sup> Before we can evaluate the Australian situation, then, we must formulate an acceptable definition of genocide. Windschuttle seems to endorse the view that genocide is limited to the most extreme examples, such as the Nazi Holocaust of the Jews:

The claim made by the majority position, that you can compare the Australian colonies of the nineteenth century with Nazi Germany in the twentieth, is absurd. The notion is wildly anachronistic, conceptually odious and historically false. Those historians who have erected this mythical

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<sup>1</sup> Windschuttle, K. 'The myths of frontier massacres in Australian history, Part I: The invention of massacre stories.' *Quadrant*, October 2000. Available online: <<http://www.sydneyle.com/Massacres%20Part%20One.htm>>

<sup>2</sup> Windschuttle, K. 'History as a travesty of truth.' *The Australian*. 9 December 2002.

<sup>3</sup> Windschuttle, K. 'History as a travesty of truth.' *The Australian*. 9 December 2002.

<sup>4</sup> Curthoys, A. & Docker, J. 'Genocide: definitions, questions, settler colonies.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p1, at p3.

edifice should stand back for once and look at their creation with a critical eye. They should admit what a grotesque distortion of the truth it is.<sup>5</sup>

That is, he adopts the popular view of genocide as Holocaust. Helen Fein notes the danger in adopting such a view:

Because the Holocaust is often regarded as the apotheosis of genocide and is the best known genocide in the western world, it is the paradigmatic genocide for political manipulation of images and revising the past... Comparisons based on either the Holocaust or the Gulag Archipelago as a single archetype which assume there is one mechanically recurring script are bound to be misleading.<sup>6</sup>

The vast majority of legal and academic definitions of genocide are far broader. The word was coined by Raphael Lemkin in *Axis Rule in Europe*, and “Even nonlethal acts that undermined the liberty, dignity, and personal security of members of a group if they contributed to weakening the viability of the group.”<sup>7</sup> The United Nations Convention on Genocide outlaws not only mass killing of members of a group, but also causing serious physical or mental harm, inflicting conditions of life calculated to destroy the group, preventing births within the group, and removing children from one group to another.<sup>8</sup> It is broadly accepted that genocide comes in many shapes and sizes. Kuper “covers a wide range of genocide in its many forms: religious, racial, ethnic; on colonisation and decolonisation; in struggles for power or against defenceless groups, as scapegoats; against hunters and gatherers, and against assimilated urban populations; bureaucratic mechanised genocide, or more spontaneous and pre-industrial.”<sup>9</sup> Even though the experience of the Aborigines was vastly different to that of the Jews, that does not preclude it from being labelled genocide.

In her keynote address to the Museums Australia National Conference in 2001, Curthoys noted that

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<sup>5</sup> Windschuttle, K. National Press Club debate, 19 April 2001. Available online: <<http://www.sydneyline.com/National%20Press%20Club%20debate.htm>>

<sup>6</sup> Fein, H. *Genocide: a sociological perspective*. Sage: London, 1993. pp55-56.

<sup>7</sup> Chalk, F. & Jonassohn, K. *The History and Sociology of Genocide: Analyses and Case Studies*. Yale: London, 1990. pp8-9.

<sup>8</sup> Article II. *Convention on the Prevention and Punishment of the Crime of Genocide*. United Nations, 9 December 1948.

<sup>9</sup> Kuper, L. *Genocide: Its Political Use in the Twentieth Century*. Yale: London, 1981. p9.

The question of genocide has been raised frequently in our current debates. ... Some have found this suggestion abhorrent, either because they think any comparison between Holocaust and Australian history reveals a failure to understand the unique horrors of the holocaust [*sic*], or because they think Australian history witnessed few atrocities and no desire to exterminate Aboriginal people. ...

It seems to me perfectly reasonable to discuss when and who and to what degree the settlers on the frontier in the Australian colonies wanted to destroy Indigenous groups, in whole or in part, or to debate whether the policy of child removal was motivated by a desire to destroy Aboriginal identity through the raising of children within white rather than Aboriginal communities.<sup>10</sup>

Windschuttle falls into both categories of genocide-deniers. He is affronted by the comparison with Germany, Armenia or Cambodia, and so seeks to minimise the extent of Aboriginal suffering on the frontier.

Windschuttle's argument about frontier violence rests on three main points: First, that massacres of Aborigines were few and far between; second, that the number of Aborigines killed on the frontier is much lower than the "orthodox" historians claim; and finally, that Aborigines contributed significantly to their own decline. However, his narrow focus is designed to draw attention away from a broader view of history. It ignores, for instance, the Stolen Generations. It appears that Windschuttle cannot see the forest for the trees, so to speak.

### **In twos or twenties, the result is the same**

In his attempt to disprove the charge of genocide, "Windschuttle's first targets are massacres."<sup>11</sup> Essentially, as he argued in the *Sydney Morning Herald*, his contention is that

the colonial frontier was not defined by mass murder of Aborigines. Most killings of Aborigines occurred not in large numbers but in ones and twos.

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<sup>10</sup> Curthoys, A. 'History for the Nation, or for the World?' Keynote address. *Australian Collections, Australian Cultures: museums and identities in 2001*. Museums Australia, Sixth National Conference, Canberra, 24 April 2001. p10. Available online (pdf): <<http://www.museumsaustralia.org.au/conference/papers/keynote-curthoys.pdf>>

<sup>11</sup> Stevenson, A. 'A voice from the frontier.' *Sydney Morning Herald*. 22 September 2002. Available online: <<http://old.smh.com.au/news/0109/22/spectrum/spectrum2.html>>

There were individual causes involved in each case that do not allow for an easy generalisation, let alone the accusation of wilful genocide that is now thrown about.<sup>12</sup>

This is not a great revelation. As Reynolds pointed out in a reply to Windschuttle's column, the fact that “most Aborigines were not killed in massacres but in ones and twos... has been obvious to anyone who has worked in the field.”<sup>13</sup> It is the contention that the “individual causes” for killings rule out genocide that is of greater concern. Windschuttle is effectively demanding a unified, centrally organised plan for the perpetration of a genocide. Anything less can be explained away by reference to “individual causes”.

However, a more practical and universal conception of genocide acknowledges that such a centralised structure is not necessary. For instance, Curthoys and Docker note that as it was initially formulated,

Genocide was to be considered as manifold and wide-ranging, a composite of actions rather than one single defining act or mode by which the destruction of a nation or group's foundations of life was to be secured.<sup>14</sup>

Barta has proposed a very broad “conception of genocide which embraces *relations* of destruction and removes from the word the emphasis on policy and intention which brought it into being”.<sup>15</sup> Even if this is too broad, there is reason to believe that the “individual causes” discussed by Windschuttle are not sufficient to rebut claims of genocidal intent.

The “individual causes” to which he refers are crimes against the white settlers. In a review of Windschuttle's recently released book, *The Fabrication of Aboriginal History*, Robert Manne summarises the argument:

[Windschuttle denies] that Aboriginal violence occurred because they

<sup>12</sup> Windschuttle, K. 'Exposing academic deception of past wrongs.' *Sydney Morning Herald*. 19 September 2000.

<sup>13</sup> Reynolds, H. 'The perils of political reinterpretation.' *Sydney Morning Herald*. 25 September 2000.

<sup>14</sup> Curthoys, A. & Docker, J. 'Genocide: definitions, questions, settler colonies.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p1, at p6.

<sup>15</sup> Barta, T. Cited in Fein, H. *Genocide: a sociological perspective*. Sage: London, 1993. p16.

resented the British occupation. According to him, the Aborigines had no sense of 'belonging to the land' or of 'trespass'. Why, then, did they attack the British? According to Windschuttle, because they were criminally inclined. 'Far from generating black resentment, the expansion of settlement instead gave the Aborigines more opportunity and more temptation to engage in robbery and murder, two customs they had come to relish.'

The criminal behaviour of the Aborigines, he argues, posed for the British a painful 'moral dilemma'. The early 'humanitarianism' displayed by Governor Arthur (a fact which both Windschuttle and his enemy, Henry Reynolds, accept) only tempted the blacks to further outrages. There was no alternative to the ultimate policy of military toughness – martial law, attempted capture, expulsion.<sup>16</sup>

Disturbingly, Windschuttle's reasoning here follows the logic of the racist settlers – the Aborigines were innately criminal or savage, and only by acts of extreme violence could they be trained to restrain themselves. As one 1864 editorialist wrote, there was “but one law for them that they will ever respect – the bullet; the sole logic, the cock of the rifle.”<sup>17</sup> The general policy of colonial authorities was “to infuse a universal terror”, and the punishment for injuring or killing a settler would “be both grossly disproportionate and indiscriminate”.<sup>18</sup> It was not only the police or the military who were to engage in such here is extensive evidence that colonial authorities encouraged vigilantes to enforce their version of the law against the blacks. Governor Darling commented in 1826 that “I therefore, strongly recommend you to take measures for your own defence, and you may be satisfied that in any exertion you may make, you shall receive every necessary support.”<sup>19</sup> This support was generally given, and that places in doubt official recognition of Aborigines as subjects deserving equal protection before the law.

Genocide was never the policy of the state. It could be argued it was the *effectual* policy of the state, because so little was done to restrain the settlers. Certainly, protectors were appointed, and severe warnings were issued. But only in a few cases were perpetrators of a massacre brought to justice. The dispersal campaigns of the mounted police came close to being official policy to kill the blacks.<sup>20</sup>

<sup>16</sup> Manne, R. 'Blind to truth, and blind to history.' *Sydney Morning Herald*. 16 December 2002.

<sup>17</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p42.

<sup>18</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p33, pp38-39.

<sup>19</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. pp39-40.

<sup>20</sup> Barta, T. 'Discourses of genocide in Germany and Australia.' *Aboriginal History*. Vol 25. Aboriginal History:

If massacres were rarely persecuted, the shootings of one or two Aborigines at a time were even less likely to attract reprimand. While each individual case can be explained away as something else – disproportionate revenge for killing a white settler, punishment for spearing a sheep – the underlying reason for the murder of thousands of Aborigines is that they were Aboriginal. As Reynolds pointed out in debate with Windschuttle, in reference to an incident that took place at Pinjarra that left up to 40 Aborigines dead, “I don't think in any way you would expect armed people, soldiers and police and settlers to ride into an Aboriginal camp, [I don't think] that this sort of action would be taken if the presumed murderer was a white person.”<sup>21</sup> The belief that the whole race needed to be taught to respect law and order – a Victorian squatter opined that they would remain savage until they were “one half destroyed”<sup>22</sup> – meant that the punishment for Aborigines for even minor crimes was often fatal. Indeed, the settlers “exact[ed] revenge out of all proportion to the number of settlers killed”.<sup>23</sup>

### **Lies, damned lies and statistics**

Windschuttle's purpose in minimising the number and scale of massacres perpetrated against the Aborigines is revealed in the second of a series of articles he wrote for *Quadrant*. Entitled *The Fabrication of the Aboriginal Death Toll*, it argues that the widely accepted figure of 20000 Aborigines killed by violence across Australia is too high:

When you trace the references from which the overall estimates are calculated, you find that the original sources on which they are based themselves openly admit that they have little idea what the actual figures were and that they are doing no more than guessing what they might have been. Moreover, when you look at the arithmetic behind the national calculation you find its assumptions are designed to produce not an impartial figure but as large a total as possible, no matter how much fudging is required.<sup>24</sup>

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Canberra, 2001, p37, at p42.

<sup>21</sup> 'Debate rages over “peaceful” white settlement.' *Lateline*. ABC, 16 April 2001. Available online: <<http://www.abc.net.au/lateline/s277827.htm>>

<sup>22</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p41.

<sup>23</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p48.

<sup>24</sup> Windschuttle, K. 'The myths of frontier massacres in Australian history, Part II: The fabrication of the Aboriginal death toll.' *Quadrant*, November 2000. Available online: <<http://www.sydneynline.com/Massacres%20Part%20Two.htm>>

Reynolds is the primary target of this accusation. It remains unclear, though, how the allegation that he deliberately inflated figures can be maintained, when Windschuttle also notes that Reynolds revised downwards Lyndall Ryan's estimate of the number of violent Aboriginal deaths in Tasmania.<sup>25</sup> Reynolds has convincingly defended his estimate on a number of occasions,<sup>26</sup> and the process by which he arrived at it seems entirely reasonable and deserves to be quoted at length:

[The estimate] was based on research over the previous 10 years in all Australian states and overseas. It was aimed more at those who exaggerated the death toll than those who diminished it and was deliberately modest and I thought defensible.

Knowing that it was impossible to count Aboriginal bodies with any certainty, a colleague and I counted those fruit of frontier conflict which could be enumerated in Queensland between 1840 and the 1890s – settlers killed, sheep, cattle and horses speared or run off, huts robbed and so on. We assumed there was a close correlation between the extent, duration and intensity of conflict and the Aboriginal death toll. I still believe that is the case. We compiled lists and concluded that about 850 settlers were killed. We came across voluminous evidence for Aboriginal attacks on European property, for the fear and anxiety this caused among the settlers and the tradition of always going well armed while on the frontier. We assumed that as many Europeans were wounded as were killed, given the nature of Aboriginal weapons and subsequent research bore this out. So we had as many as 2000 attacks on the settlers and hundreds of other incidents involving the loss or damage of property. Given the level and longevity of conflict, the vast superiority of European weapons and the overwhelming determination to avenge any attack on a settler, we conclude that the Aboriginal death toll must have been considerable. This was the conviction also of innumerable contemporaries who said so in letters, speeches, books and diaries, and in discussion in the press.<sup>27</sup>

He goes on to discuss the actions of, and the considerable number of deaths caused by the paramilitary Queensland Native Police who travelled the frontier for about forty years with official instructions to “disperse” Aborigines by force.<sup>28</sup> The estimate of

<sup>25</sup> Reynolds, H & Windschuttle, K. Debate in Gould's Book Arcade, Sydney, 12 November 2000. Available online: <<http://www.sydneyline.com/Gould%27s%20Book%20Arcade%20Debate.htm>>

<sup>26</sup> For example, Reynolds, H & Windschuttle, K. Debate in Gould's Book Arcade, Sydney, 12 November 2000. Available online: <<http://www.sydneyline.com/Gould%27s%20Book%20Arcade%20Debate.htm>>; Reynolds, H. 'The perils of political reinterpretation.' *Sydney Morning Herald*. 25 September 2000; Reynolds, H. 'From armband to blindfold.' *The Australian's Review of Books*. April 2001. Available online: <<http://www.ingarnendi.samuseum.sa.gov.au/db/features/story.php?primKeyPost=30>>

<sup>27</sup> Reynolds, H. 'From armband to blindfold.' *The Australian's Review of Books*. April 2001. Available online: <<http://www.ingarnendi.samuseum.sa.gov.au/db/features/story.php?primKeyPost=30>>

<sup>28</sup> Reynolds, H. 'From armband to blindfold.' *The Australian's Review of Books*. April 2001. Available online: <<http://www.ingarnendi.samuseum.sa.gov.au/db/features/story.php?primKeyPost=30>>

twenty thousand dead would appear to be a modest figure, but in any event Windschuttle is merely obfuscating. In his conflation of genocide with Holocaust, he sees a large number of dead as an integral part of genocide. Tatz points out that “Neither the volume nor the mass of death makes genocide. While numbers are hardly inconsequential, tallies are not the essence of the crime, as Australian denialists assert.”<sup>29</sup> It is not sufficient to revise downward the scale of death to disprove a charge of genocide. Whether the group is completely eradicated or merely destroyed “in part”, the crime remains the same.

### **God-fearing, law abiding, racial Crusaders**

Windschuttle contends that despite the official sanction for vigilanteism, and considerable evidence of brutality, the settlers were averse to killing Aborigines:

Ever since they were founded in 1788, the British colonies in Australia were civilised societies governed by both morality and laws that forbade the killing of the innocent. The notion that the frontier where white men could kill blacks with impunity ignores the powerful cultural and legal prohibitions on such action. For a start, most colonists were Christians to whom such actions were abhorrent. But even those whose consciences would not have been troubled knew it was against the law to murder human beings, Aborigines included, and the penalty was death.<sup>30</sup>

It is not difficult to see what Windschuttle is attempting here – to portray the whites as civilised, moral Christians and the blacks as savage, amoral brutes. Unfortunately, the realities of the colonial frontier forced high Christian morals to take a back seat to what was seen as the necessary action. In a letter home to England, William Howitt wrote that although it may seem “very dreadful to you this hunting blackfellows”, it was “in fact the kindest in the end”.<sup>31</sup> Reynolds notes that the “overwhelming view of the colonial clergymen, missionaries and Aboriginal Protectors was that Christianity had failed to provide the protection to the Aborigines that might be expected. And they

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<sup>29</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p21.

<sup>30</sup> Windschuttle, K. 'The myths of frontier massacres in Australian history, Part II: The fabrication of the Aboriginal death toll.' *Quadrant*, November 2000. Available online: <<http://www.sydneyline.com/Massacres%20Part%20Two.htm>>

<sup>31</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p42.

spoke from experience having seen members of their own flock become involved in the violent business on the frontier.”<sup>32</sup>

If the moral and legal prohibition was on murdering human beings, many settlers neatly sidestepped the problem by dehumanising Aborigines. Kuper describes this process as a “Warrant for Genocide”, suggesting that while “massive slaughter of members of one's own species is repugnant to man”, frequently he can find an “ideological legitimisation” that overcomes his objections.<sup>33</sup> He follows Legum, who claims that “The danger signal is when there is official sanction for talking about a minority group in non-human terms. This process seems essential to provide some kind of justification for dealing with other human beings as one would treat dangerous animals – exterminate them.”<sup>34</sup> Such non-human description of Aborigines was common in colonial Australia. Barta notes the similarities between the discourse on the frontier and in Nazi Germany. He points out that, like references to Jews in Germany, “The extermination of pests is also familiar in the language of the Australian frontier.”<sup>35</sup> Tatz notes that because Aborigines were “Considered to be wild animals, vermin, scarcely human, hideous to humanity, loathsome, and a nuisance, they were fair game for white 'sportsmen'.”<sup>36</sup>

### **Swimming against the tide of progress**

With the growth in popularity of social darwinism, the early belief that Aborigines were, in the words of a settler in 1841, “at the very zero of civilisation, constituting in a measure, the connecting link between man and the monkey tribe”<sup>37</sup> was confirmed by science. Furthermore, the concept of the survival of the fittest swept away any moral reservations settlers may have had about killing blacks. From now on, they were doing their racial duty by safeguarding the survival of the Europeans.

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<sup>32</sup> Reynolds, H. 'From armband to blindfold.' *The Australian's Review of Books*. April 2001. Available online: <<http://www.ingarnendi.samuseum.sa.gov.au/db/features/story.php?primKeyPost=30>>

<sup>33</sup> Kuper, L. *Genocide: Its Political Use in the Twentieth Century*. Yale: London, 1981. p84.

<sup>34</sup> Legum, C. Cited in Kuper, L. *Genocide: Its Political Use in the Twentieth Century*. Yale: London, 1981. pp84-85.

<sup>35</sup> Barta, T. 'Discourses of genocide in Germany and Australia.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p37, at p40.

<sup>36</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p23.

<sup>37</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p110.

In colonial discussions about the Aborigines references to racial struggle and the survival of the fittest became commonplace from the 1860s onwards. The South Australian politician JH Barron told the local parliament in 1866 that he believed that 'all inferior races must disappear before the superior nation'. Humanity was progressing 'and he did not think it was undesirable that the lowest types should be supplanted by the highest. It was so with animals, and no one regretted it, and so it would be with men. Progress was the law of the world, and in obedience to that law the inferior must give place to the superior.'<sup>38</sup>

Indeed, Windschuttle seems to endorse some of the 'doomed race' theory propounded by the settlers. When you put together the claims he makes – that massacres were few and far between, that the Aboriginal death toll was far less than is commonly believed, and most recently that (in Tasmania at least) more whites were killed by Aborigines than *vice versa*<sup>39</sup> – the conclusion he intends the reader to draw is clear: the Aborigines were decimated at their own hands. Faced with the arrival of a superior race, they were swept aside by the progressive tide of history.

It is certainly true that the vast majority of Aborigines did not die by violence -- the impact of illness and a plummeting fertility rate were significant. However, the "orthodox school" that Windschuttle criticises has never made such a claim. Bodley, in *Victims of Progress*, estimates that there was a pre-contact Indigenous population of about 300 000. Some time later, the lowpoint was 60 500. That is, there was a depopulation of some 239 500 Indigenous Australians following the arrival of Europeans.<sup>40</sup> The 20 000 Aborigines claimed to have been killed by white settlers are but a fraction of the total decline in population.

Does that mean that genocide did not occur? No. As we have already seen, genocide requires merely an intention to destroy the group *in part*, so whether 10 000, 20 000 or 200 000 were killed the case for genocide might be successfully argued. Furthermore, there are some theories which suggest disease spread from colonisers to colonised might be considered genocidal. In the Americas,

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<sup>38</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p118.

<sup>39</sup> Sheehan, P. 'Our history: not rewritten, but put right.' *Sydney Morning Herald*. 25 November 2002. Available online: <<http://www.smh.com.au/articles.2002/11/24/1037697982065.html>>

<sup>40</sup> Bodley, J. Extracted in Hinton, A. *Genocide: An Anthropological Reader*. p158.

Many died from disease and starvation. Such means of death, loss and sometimes extinction was and still is, Churchill argues, the responsibility of the European invaders and settlers. He observes that a considerable portion of those who died in the Nazi death camps as well as in forced marches died from starvation as well as epidemics of diseases like dysentery and typhus. Yet the Nazis were nonetheless found culpable under international law after the war for such deaths by deliberately imposing the conditions which led to the spread of starvation and sickness among them. ... [Churchill] suggests that the crime of genocide should include not only forms of systematic economic deprivation leading to starvation and other deterioration in the physical wellbeing of group members but also denial of fundamental medical attention to a group.<sup>41</sup>

In Australia, both economic deprivation leading to starvation and the denial of medical attention to Aborigines were present.

### **The economic value of death**

Windschuttle believes that the “Aborigines did not make 'productive' use of the country on which they hunted and gathered. Over these lands they had no legitimate claim, according to both reason and law. ... According to him, the Aborigines had no sense of 'belonging to the land' or of 'trespass'.”<sup>42</sup> In other words, he attempts to discount the relationship between dispossession and death.

In truth, the Aborigines had a strong relationship to the land on which they lived and subsisted. Reynolds notes that early settlers acknowledged this connection,<sup>43</sup> and that as time went on

the more perceptive settlers were aware that the Aboriginal relationship with the land was much more complex than theories of wandering savages suggested. They could see that clans carefully and systematically exploited the food resources of their territory; 'every forest ... every valley, every plain and sheet of water furnished its number of repasts at the proper season'. ... Observant settlers came to see how narrow was the gulf between Aboriginal gathering and European agriculture.<sup>44</sup>

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<sup>41</sup> Curthoys, A. & Docker, J. 'Genocide: definitions, questions, settler colonies.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p1, at p13.

<sup>42</sup> Manne, R. 'Blind to truth, and blind to history.' *Sydney Morning Herald*. 16 December 2002.

<sup>43</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. pp138-141.

<sup>44</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. pp140-141.

As the frontier pushed further and further into the country, the Aborigines were increasingly excluded from their traditional sources of food. Although the “idea, often heard, that pastoralism and hunter-gathering are incompatible is disproved by many contrary example in Australia and elsewhere”,<sup>45</sup> the zealous European commitment to private property meant that an “attempt to impose a strictly limited form of tenure, allowing for coincident usufructuary rights, was almost completely ignored.”<sup>46</sup> As “the Merinos spilled out across inland Australia”,<sup>47</sup> native animals were destroyed as pests, and when the natives tried to eat the livestock that replaced their usual diet, they were met by a violent enforcement of settlers' rights.

It is suggested by Windschuttle that the Aborigines chose to abandon their traditional culture, that “All the evidence at the time, on both the white and black sides of the frontier, was that their principal objective was to acquire flour, tea, sugar and bedding, objects that to them were European luxury goods.”<sup>48</sup> Whether they chose the white economy or were forced into it, there is significant evidence that integration into the white economic system was fatal to Aborigines. Manne notes that this is a contradiction in Windschuttle's work. “He argues that the obvious solution to the Aboriginal problem was speedy assimilation into British settler society. At the same time he argues that the most important cause for the destruction of Aboriginal society was their lack of immunity to European disease. The kind of assimilation Windschuttle advocates would have proven deadly to the Aborigines, literally.”<sup>49</sup> Rose argues that they also faced more overtly destructive situations, pointing to the brutal treatment of blacks on remote properties:

On many of the enormous cattle stations in the Victoria River District of the [Northern Territory], Aboriginal blood was let fall in direct killings, and then was allowed to bleed out during a long period in which settlers effectively worked people to death. Keeping them long enough to make good use of their labour was actually not a goal on many stations, as there was also a belief that there existed in the bush a continuing reservoir of

<sup>45</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p190.

<sup>46</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p191.

<sup>47</sup> Reynolds, H. *Frontier*. Allen & Unwin: Maryborough, 1996. p193.

<sup>48</sup> Windschuttle, K. 'History as a travesty of truth.' *The Australian*. 9 December 2002.

<sup>49</sup> Manne, R. 'Blind to truth, and blind to history.' *Sydney Morning Herald*. 16 December 2002.

Aboriginal people who could be brought in and forced to work their lives away.<sup>50</sup>

The choice offered by the settlers was between eking out a marginal traditional existence on the fringes of the frontier, risking starvation or “dispersal”; or an overworked and brutal existence on the fringes of white society. It was “progress”, not the colonisers, that killed the Aborigines. The same defence has been offered by South American nations. For instance, Paraguay “denied that the Ache were killed because they were Ache: they died because of 'progress', not because of who they were.”<sup>51</sup>

Kuper suggests that if the Aborigines were indeed swept aside in the name of “progress”, then the crime is even more terrible:

the crime is committed by the deliberate extermination of a group, whatever the further goal – economic progress, or a racially ordered hierarchy, or a utopian society. ... Indeed the crime seems more horrifying when the crime is carried out, not in blind hatred, but in pursuance of some further purpose, the victims being cast in a purely instrumental role. This is the ultimate point in the denial of human individuality and significance.<sup>52</sup>

### **Wilful neglect – at the least**

Noting a contradiction in Windschuttle's work, Manne points out that “He argues that the obvious solution to the Aboriginal problem was speedy assimilation into British settler society. At the same time he argues that the most important cause for the destruction of Aboriginal society was their lack of immunity to European disease. The kind of assimilation Windschuttle advocates would have proven deadly to the Aborigines, literally.”<sup>53</sup> Markus suggests that the authorities are guilty of ignoring the problems of Aboriginal communities. He contends “that in the first four decades of the twentieth century (and in earlier periods) governments pursued a policy of 'calculated neglect' in remote regions, failing to provide for Aboriginal needs at a level that was

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<sup>50</sup> Rose, D. 'Aboriginal life and death in Australian settler nationhood.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p148, at p153.

<sup>51</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p22.

<sup>52</sup> Kuper, L. *Genocide: Its Political Use in the Twentieth Century*. Yale: London, 1981. p87.

<sup>53</sup> Manne, R. 'Blind to truth, and blind to history.' *Sydney Morning Herald*. 16 December 2002.

considered adequate for white communities.”<sup>54</sup> Of particular concern is the fact that “Medical problems – such as yaws, tuberculosis, trachoma, leprosy, venereal disease – were often drawn to government attention, without evoking much concern, except in the case of diseases which threatened to spread to the white population.”<sup>55</sup> The implication is that the decimation by disease that Windschuttle uses to acquit the colonisers might well be a product of their deliberate disregard for the health of the Aborigines. Markus suggests that a “comparison can be made with the fourth stage of the Holocaust, the ghetto period, when deliberate policies to limit food and withhold medical supplies led to a rapid increase in mortality.”<sup>56</sup>

There are also suggestions that there was an active effort on the part of the newcomers to subject the Aborigines to disease. Butlin suggests that “it is possible and, in 1789, likely that infection [smallpox] of the Aborigines was a deliberate exterminating act.”<sup>57</sup> Tatz notes that “no one has refuted the hypothesis”,<sup>58</sup> and attempts to do so himself, contending that “It isn't feasible that a fleet of soldiers and settlers, themselves suffering huge losses from a disease they didn't understand, ignorant of the germ theory that would explain such diseases nearly 100 years later, could conceive of extermination by deliberately inflicting 'variolous matter' on the native peoples.”<sup>59</sup> However, even without knowledge of germ theory, the settlers knew enough to store and study the “variolous material”.<sup>60</sup> They must have known that it was responsible for the spread of disease, even if they did not know by what mechanism it did so. The evidence that this occurred remains weak, but further research into the claim is certainly warranted. Likewise,

From time to time allegations surface that State medical services engaged or

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<sup>54</sup> Markus, A. 'Genocide in Australia.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p57, at p64.

<sup>55</sup> Markus, A. 'Genocide in Australia.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p57, at p65.

<sup>56</sup> Markus, A. 'Genocide in Australia.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p57, at p64.

<sup>57</sup> Butlin, N. Cited in Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p23.

<sup>58</sup> Tatz, C. *Genocide In Australia*. AIATSIS Research Discussion Papers No 8. Australian Institute of Aboriginal and Torres Strait Islander Studies: Canberra, 1999. p11. Available online: <[http://www.aiatsis.gov.au/rsrch/rsrch\\_dp/genocide.htm](http://www.aiatsis.gov.au/rsrch/rsrch_dp/genocide.htm)>

<sup>59</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p23.

<sup>60</sup> Surgeons on the First Fleet brought bottles of “variolous matter” with them to Australia. Tatz, C. *Genocide In Australia*. AIATSIS Research Discussion Papers No 8. Australian Institute of Aboriginal and Torres Strait Islander Studies: Canberra, 1999. p12. Available online: <[http://www.aiatsis.gov.au/rsrch/rsrch\\_dp/genocide.htm](http://www.aiatsis.gov.au/rsrch/rsrch_dp/genocide.htm)>

engage in administering contraceptive 'therapy' without informing the women of its purpose: in Western Australia, the use of Depo-Provera, producing three-to-six month infertility. ... Another allegation is the permanent sterilisation of Aboriginal women: in Queensland, a series of 'non-explained' tubal ligations. These birth prevention issues need careful research.<sup>61</sup>

Preventing births within a group is of course a direct breach of the Genocide Convention, and if these allegations prove well founded then there is no doubt that Australia is a nation built by genocide.

### **Saving them from themselves**

Even if the medical prevention of births has not been investigated fully, the regulation of Aboriginal and half-caste births was integral to a genocidal policy that Windschuttle does not address, perhaps because it is closely related to the assimilationism that he endorses. In 1933, the Administrator of the Northern Territory wrote that

In the Territory the mating of an Aboriginal with any person other than an Aboriginal is prohibited. The mating of coloured aliens with any female of part-Aboriginal blood is also forbidden. Every endeavour is being made to breed out the colour by elevating female half-castes to the white standard with a view to their absorption by mating into the white population.<sup>62</sup>

According to the Chief Protector of WA, AO Neville, there were three elements to the plan for racial purity. First, the "full-blooded" blacks would die out, assisted by the deliberate neglect outlined above. Second, mixed-race children would be taken away from their mothers. Third, intermarriage of half-castes into the white community was encouraged, so that it would eventually be possible to "eventually forget that there were ever any Aborigines in Australia."<sup>63</sup> Tatz notes that a significant element of this policy was to prevent births "within the half-caste, quadroon and octoroon societies because their offspring would henceforth be non-Aboriginal."<sup>64</sup> As we have seen, the restriction

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<sup>61</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p24.

<sup>62</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p25.

<sup>63</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p25.

<sup>64</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001,

of births within a racial group is a direct contravention of the Genocide Convention.

So, too, is the transfer of children from one group to another, with the intention of destroying the former group. “Forced assimilation also meant the forcible removal of children from the parents and family and 'relocation' to white foster parents, white adoptive parents, or to special 'half-caste' or 'assimilation' homes.”<sup>65</sup> The *Bringing Them Home* report notes that “Indigenous children have been forcibly separated from their families and communities since the very first days of the European occupation of Australia.”<sup>66</sup> In NSW, by 1890 “the Aborigines' Protection Board had developed a policy to remove children of mixed descent from their families to be 'merged' into the non-Indigenous population.”<sup>67</sup> In the twentieth century, the relatively benign concept of “merging” was replaced by the active “assimilation” of half-castes, quadroons and octoroons. In 1937 the first Commonwealth-State Native Welfare Conference concluded that “the destiny of the natives of aboriginal origin, but not of the full blood, lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end.”<sup>68</sup> The report estimated “with confidence that between one in three and one in ten Indigenous children were forcibly removed from their families and communities in the period from approximately 1910 until 1970.”<sup>69</sup>

Debate over the policy of transfer of children centres around this estimate, and whether the proportion was high enough to warrant the label “Stolen Generation”. However, it is impossible to deny that such a policy existed and that a large number of Aboriginal

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p16, at p25.

<sup>65</sup> Tatz, C. *Genocide In Australia*. AIATSIS Research Discussion Papers No 8. Australian Institute of Aboriginal and Torres Strait Islander Studies: Canberra, 1999. p24. Available online: <[http://www.aiatsis.gov.au/rsrch/rsrch\\_dp/genocide.htm](http://www.aiatsis.gov.au/rsrch/rsrch_dp/genocide.htm)>

<sup>66</sup> Human Rights and Equal Opportunity Commission. *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*. Commonwealth of Australia: Canberra, April 1997. p27.

<sup>67</sup> Human Rights and Equal Opportunity Commission. *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*. Commonwealth of Australia: Canberra, April 1997. p40.

<sup>68</sup> Human Rights and Equal Opportunity Commission. *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*. Commonwealth of Australia: Canberra, April 1997. p32.

<sup>69</sup> Human Rights and Equal Opportunity Commission. *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*. Commonwealth of Australia: Canberra, April 1997. p37.

children were affected by it. Despite Brunton's criticism of *Bringing Them Home's* methodology, he nonetheless concludes that “It is undeniable that at various times and places over the past century, an unknown but significant number of part-Aboriginal children were wrongly taken from loving families.”<sup>70</sup> However, he can “not accept that 'breeding out the colour' was genocidal, at least as expressed in actual policies.”<sup>71</sup> It is difficult to see how a coordinated plan to remove Aborigines from the face of the earth can be considered anything else. “Neville, Bleakley and Cook certainly intended the disappearance of the 'part-Aboriginal' population by 'eugenicising' many of them. This was a clearly articulated intent to commit what would come to be called genocide.”<sup>72</sup>

It is occasionally alleged that the “benevolent” nature of the forced removal policy precludes genocidal intent. Expressing a view similar to Windschuttle's, the Chief Protector of Aborigines in Queensland defended the policy: “if left to themselves [the] half-caste girls become prostitutes and the boys cattle thieves”.<sup>73</sup> Brunton argues that the Genocide Convention should not apply “when those carrying out the offending policies believed they were acting in the best interest of the children concerned”.<sup>74</sup> Indeed, “We always assume that 'with intent to destroy' means intent with *male fides*, bad faith; with evil intent. Nowhere does the Convention implicitly or explicitly rule out intent with *bona fides*, good faith, 'for their own good' or 'in their best interests’.”<sup>75</sup> Brunton's is a disturbingly relativist argument that suggests breeding a racial group out of existence can be in its members' best interests.

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<sup>70</sup> Brunton, R. 'The Stolen Reputation.' *The Age*. 4 April 2001. Available online: <<http://www.ipa.org.au/Media/rbta040401.html>>

<sup>71</sup> Brunton, R. 'The Stolen Reputation.' *The Age*. 4 April 2001. Available online: <<http://www.ipa.org.au/Media/rbta040401.html>>

<sup>72</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p25.

<sup>73</sup> Tatz, C. *Genocide In Australia*. AIATSIS Research Discussion Papers No 8. Australian Institute of Aboriginal and Torres Strait Islander Studies: Canberra, 1999. p24. Available online: <[http://www.aiatsis.gov.au/rsrch/rsrch\\_dp/genocide.htm](http://www.aiatsis.gov.au/rsrch/rsrch_dp/genocide.htm)>

<sup>74</sup> Brunton, R. 'The Government Runs Foul of an Emotive Weapon.' *Australian Financial Review*. 4 April 2001. Available online: <<http://www.ipa.org.au/Media/rbaf040401.html>>

<sup>75</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at p24.

### Putting together a loathsome picture

Tatz sees in Australia “a very small but vocal group who behave in the manner of genocide denialists generally: either asserting that genocide never occurred here, could never occur here, or more commonly, nibbling at the edges, sniping at the weaker points, in the hope (or belief) that if they can demonstrate one error of fact or figure the central essential 'contention' of genocide will fall apart.”<sup>76</sup> Through his 'battle of the footnotes', Windschuttle places himself firmly in that group. His mission is more about perceptions than reality – by casting doubt on a few massacres, he attempts to draw people's attention away from the big picture. Ryan posits that Windschuttle tries to “put all historians on the one bench and find a couple of mistakes and imply that we're all in the one group.”<sup>77</sup> Atkinson believes Windschuttle is claiming more than he has actually established:

He says the debate is about the way history is being practiced, but I'm not sure he's very consistent about that. He says we do not know how many Aborigines were killed and that historians tend to assume there were rather more deaths than there's evidence of ... He hasn't proved that at all – just that we don't know. In spite of his qualifications, Keith seems to be assuming that because he understands little bits, he understands the lot.<sup>78</sup>

In a selective focus on a few events or themes, Windschuttle has blinkered himself – and his readers – from the wider reality of race relations in Australian history. He is concerned that comparison with the Holocaust is unjustified, but it is precisely in such a comparison that the true horror of Australia's past is revealed. Tatz explains that when the Holocaust is seen as a process that went beyond the gates of Auschwitz, the similarities are clear:

In 1986, I studied the official records and archives of Holocaust history at Yad Vashem in Jerusalem. In lectures there, fleeting mention was made of Gipsy children removed from their parents in Switzerland, of some 200 000 Polish children considered Aryan enough in looks to be stolen and taken to

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<sup>76</sup> Tatz, C. *Genocide In Australia*. AIATSIS Research Discussion Papers No 8. Australian Institute of Aboriginal and Torres Strait Islander Studies: Canberra, 1999. p39. Available online: <[http://www.aiatsis.gov.au/rsrch/rsrch\\_dp/genocide.htm](http://www.aiatsis.gov.au/rsrch/rsrch_dp/genocide.htm)>

<sup>77</sup> Ketchell, M. 'Story of a nation's birth turns spiteful.' *Sydney Morning Herald*. 16 December 2002.

<sup>78</sup> Stevenson, A. 'A voice from the frontier.' *Sydney Morning Herald*. 22 September 2001. Available online: <<http://old.smh.com.au/news/0109/22/spectrum/spectrum2.html>>

Germany as future soldiers of the Thousand Year Reich. I can't and don't speak for others, but in my case the synapses finally connected a variety of concepts and realities: irrational prejudice acted upon; scientific racism; nationalism; physical killing; Native Police 'dispersing' Aborigines; the eugenics movement; doctrines of racial purity; obsession with degrees of 'bloodness'; all that Australian legal and administrative language – mixed blood, half-caste, quadroon and octoroon; forced assimilation; systematic destruction of the essential institutions and foundations of particular societies; causing serious mental and bodily harm to particular groups; transfer of children and their 'socialisation away from Aboriginality'; official policies which aimed at 'eventually forgetting that there were ever any Aborigines in Australia', and so on. If we add together each of these factors, the answer comes out as genocide.<sup>79</sup>

The truth of Australian history is a long, protracted genocide against the Aboriginal people through violence and social darwinism. Even if you remove a few pieces from the puzzle, the picture remains the same. Windschuttle might be “willing with Sysephean doggedness to push his own stories uphill against the lie of the historical landscape”,<sup>80</sup> and he might succeed in grabbing headlines and besmirching historians, but his marginal attack on a handful of facts can not alter that truth.

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<sup>79</sup> Tatz, C. 'Confronting Australian Genocide.' *Aboriginal History*. Vol 25. Aboriginal History: Canberra, 2001, p16, at pp19-20.

<sup>80</sup> Reynolds, H. 'Historians at War.' Review. *The Weekend Australian*. 14-15 December 2002.

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