**Genocide in Australia**

Indeed, in response to the High Court’s Wik decision, the Coalition government under John Howard has introduced amendments to the Native Title Act (known as the 10-point plan), which aim to extinguish native title in all but name, perpetuating the cycle of dispossession and alienation. In what has been described (not only by socialists and Aborigines themselves) as “the biggest land grab since 1788”, Howard’s legislation takes from the Aborigines to give to the richest pastoralists in the land. At the time of writing, the Senate has rejected this legislation for the second time, setting the scene for a double dissolution and a general election.

Howard derides what he calls the “black armband view of history” – that is, a history which tells the truth about what happened to the Aborigines and Torres Strait Islanders and how Australia’s wealth was built on the theft of their land. He does so for both pragmatic and ideological reasons: to advantage his rich mates and make Australia safe for the mining companies, pastoral interests and capitalism generally, and to justify his assault on the gains Indigenous people have made in recent years, meagre as they are.

The Howard government has also given the go-ahead to Energy Resources Australia’s Jabiluka uranium mine, situated on the traditional lands of the Mirrar people in the World Heritage-listed Kakadu National Park, in direct contravention of the wishes of the traditional owners. Once again, the rights of Indigenous people have been trampled over in the rush to make profits.

The government therefore wants to sweep the *Stolen Generations* report under the table. A crucial aspect of its strategy to enrich the miners and pastoralists is to deny any spiritual or traditional connection with the land as the basis for a native title claim – and this is the only kind of claim many of the stolen generations can make.

They must not be allowed to get away with it. In the past, Indigenous people have won rights through struggles – such as the freedom rides, the Gurindji strike and the Aboriginal Tent Embassy – in which they and their supporters took to the streets to gain popular support. Today, we need that kind of fight again.

Opinion polls, the numbers who attend demonstrations in support of Indigenous rights and the establishment of organisations like Defenders of Native Title and the Jabiluka Action Groups show that there is widespread support for justice for Indigenous Australians. That support needs to be mobilised into a powerful movement that can stop Howard and turn the tide against the rising racism that he has fostered.

This pamphlet looks at some of the issues raised by the *Stolen Generations* report – and in particular addresses the criticisms and disclaimers emanating from the Howard government and its supporters in big business – not to mention Pauline Hanson and her racist One Nation organisation. In order to build the kind of movement described above, we need to be able to counter Howard’s arguments with the real facts. Hopefully this pamphlet is a small contribution to building such a movement.

In 1949, Millicent was four years old. That’s when she and five of her siblings were taken from their parents and placed in institutions. She never saw any of them again, apart from one brother who was subsequently removed to another institution.

The authorities told Millicent that her parents didn’t want her, when actually they prevented them from visiting her. After a horrific childhood consisting largely of domestic servitude, beatings and religious indoctrination, Millicent was sent into unpaid domestic service, where she was raped, bashed and slashed with a razor for resisting. On reporting the rape, she was beaten for lying. The resulting pregnancy earned her yet more beatings. Millicent was overjoyed to have a baby – someone she could love – but her joy was shortlived. They took her baby away and told her the infant had died – a lie only revealed when the two were reunited many years later.

The immense human tragedy of the stolen generations is made up of thousands of stories like Millicent’s.

The practice of forcible removal of Indigenous children from their families has a long and dishonourable history, dating back to the very beginning of European settlement in Australia. The early settlers often simply kidnapped children to work for them, as personal or domestic servants, or on the land. They were effectively enslaved: paid no wages and supplied with only the barest necessities of food, shelter and clothing. In the north of Australia, this type of thing was happening up to the early twentieth century.

While settlers stole children purely for personal gain, governments and churches came up with a range of ideological justifications for the practice of systematically removing children from their families. These justifications, though on occasion presented as in some sense “benevolent”, led to the same outcome for their Aboriginal and Islander victims – lives of misery and physical, cultural and spiritual deprivation.

The motivation of the missionaries and governments also reflect a deep underlying racism. Aborigines and Torres Strait Islanders were seen as backward and barbaric, incapable of determining their own future and therefore without rights. They had to be “civilised”, their languages, culture and way of life destroyed, so that they could take their place – a subordinate one, naturally – in European society. Crucially, they were to be inculcated with European values and work habits so that they would be fit for service to the colonial settlers.

You didn’t have to scratch the surface very far to find the real motivations behind seemingly “altruistic” actions. In 1814, for example, Governor Macquarie funded a school for Aboriginal children. Within a few years, however, it became obvious to Indigenous families that the real purpose of the school was to distance the children from their families and communities. This was an essential step in the process of separating Indigenous people from their land, which was necessary to free the land for capitalist exploitation.

Meanwhile, colonial authorities were doing nothing to curb the brutal activities of the settlers. It was the British government, embarrassed by reports of frequent massacres and atrocities, which moved to appoint a Select Committee into the condition of the Aboriginal people. But the result of this, far from providing any relief for Indigenous people, was the establishment of legal mechanisms to control the Indigenous population, restrict their movements and rights and remove their children. All this went on in the name of “protection”.

Along with “protection” went segregation. Many Aborigines, thrown off their land, deprived of the means of subsistence and forced into dependence on government handouts, drifted to the towns and set up camps. The inevitable poverty, malnutrition and disease in the camps made them an embarrassment to the settlers and the colonial governments. So it was planned to remove Indigenous people to reserves in areas the Europeans didn’t want, segregating them from the white population and restricting their movement. By 1911, the Northern Territory and every State except Tasmania had some form of “protectionist legislation”, giving the government-appointed Protection Board or Chief Protector virtually total control over every aspect of Aborigines’ lives, and, crucially, legal guardianship of all the children. The sham of “protection” was indicated by the fact that the enforcement of protectionist legislation was carried out by “protectors” who were usually police officers.

The exception, Tasmania, simply removed all its Aboriginal inhabitants to Cape Barren Island and thereafter claimed it had no Aboriginal population, just a few “half-castes”.

Throughout the nineteenth century, massacres, disease and malnutrition took a heavy toll, leading to a serious decline in the full descent Indigenous population. However, the mixed descent population was increasing, due no doubt to the widespread practice of the rape of Aboriginal women and girls by white settlers. These developments led to a somewhat different approach from the authorities. In social Darwinist “survival of the fittest” terms, the Aborigines and Torres Strait Islanders were “doomed races”, destined to extinction because they couldn’t compete with a more “advanced” society. The task of government and missionaries was therefore to “smooth the dying pillow”. Indigenous people of mixed descent, however, were to be absorbed into European society and forced to join the workforce. This policy of “merging” would both save the government money and provide cheap labour for the developing capitalist economy, and it made the removal of children an even more vital part of the process, to keep full descent and mixed descent Aborigines apart.

Definitions of “Aboriginality” were arbitrarily changed to fit government policy and facilitate the break-up of families and communities. Across the country, there were some 67 definitions of “Aboriginality”, enshrined in over 700 pieces of legislation. People were defined as “full blood” or “half caste” and there were further offensive divisions such as “quadroon” and “octoroon”.

The first national discussion of the “Aboriginal problem” took place in 1937, at a Commonwealth State Native Welfare Conference. It was here that the notion of “merging” became the policy of “assimilation”, which formed the basis for government action right up to the 1970s. The difference between “merging” and “assimilation” was largely one of degree: an intensification and extension of control over the Indigenous population. Though couched in seemingly high-minded phrases about enabling mixed descent Aborigines to “take their place in the white community on an equal footing with the whites” and “improving their lot”, the authorities began from the implicit notion that there was nothing of value in Aboriginal culture. Aboriginality was to be destroyed by removing “half-caste” children from their communities, their language and their cultural heritage. Assimilation was not a sharp break from what had gone before, simply a refinement.

Moreover, the practices which occurred under assimilation were racist through and through. To return to Millicent’s story: the reason given for taking the children was that “the authorities decided us kids could pass as whitefellas”. But at the notorious Sister Kate’s Home in Western Australia where Millicent spent her childhood, she got a very different message:

“They said it was very degrading to belong to an Aboriginal family and that I should be ashamed of myself, I was inferior to whitefellas. They tried to make us act like white kids, but at the same time we had to give up our seat for a whitefella because an Aboriginal never sits down when a white person is present.”

All States had child welfare legislation which allowed children – black or white – to be taken from their parents if the children were deemed to be “neglected”, “uncontrollable” or “destitute”. Prior to 1937, however, most States preferred to use the protectionist legislation when taking Indigenous children, because that way they didn’t have to justify anything before a court. The authority of the Chief Protector or the Board was sufficient.

But even after 1940, when child welfare legislation was used instead, “proof of neglect” could easily be dispensed with. In many cases, “Aboriginality” was sufficient “proof”, and the poverty in which Aborigines were forced to live made them targets because it could be argued the children were “destitute”. Girls who ran away from situations of sexual abuse or got pregnant were labelled “uncontrollable”. The separations were carried out with extreme brutality, traumatising the children and their parents for life.

“Early one morning in 1952 the manager from Burnt Bridge Mission came to our home with a policeman. I could hear him saying to Mum, ‘I am taking the two girls and placing them in Cootamundra Home.’ My father was saying, ‘What right have you?’ The manager said he can do what he likes, they said my father had a bad character (I presume they said this as my father associated with Aboriginal people). They would not let us kiss our father goodbye, I will never forget the sad look on his face…That was the last time I saw my father, he died within two years after…Next morning we were in court. I remember the judge saying, ‘These girls don’t look neglected to me’. The manager was saying all sorts of things. He wanted us placed in Cootamundra Home. So we were sent away…”

Children were routinely taken from their mothers at birth. Her consent was sometimes waived, sometimes forced from her with threats, or she was simply told the child died.

“My mother told us that the eldest daughter was a twin…And in those days, if Aboriginals had twins or triplets, they’d take the babies away. Mum swore black and blue that boy [the twin] was alive. But they told her that he had died. I only found out a couple of years ago – that boy, the nursing sister took him. A lot of babies were not recorded.”

Often, too, the parents and children were tricked:

“I was at the post office with my Mum and Auntie [and cousin]. They put us in the police ute and said they were taking us to Broome…But when we’d gone [about ten miles] they stopped and threw the mothers out of the car. We jumped on our mothers’ backs, crying, trying not to be left behind. But the policeman pulled us off and threw us back in the car. They pushed the mothers away and drove off, while our mothers were chasing the car, running and crying after us…When we got to Broome they put me and my cousin in the Broome lock-up. We were only ten years old. We were in the lock-up for two days waiting for the boat to Perth.”

Children who were left temporarily in “homes” or even hospitals simply disappeared.

“A mother [single teenager] had a child in a home, and went out to provide some sort of basis for rearing the child…when the mother came back, they told her that the child had died. And 25 years later we have a request from a person to find his mother…(she) now has gone through the grieving of the person dying and now coming to terms with his resurrection.”

Siblings who were stolen were often placed separately, or even when placed together, their identities and kinship were not revealed. The inquiry gives the example of one witness who, in a seeming act of gratuitous cruelty, was “introduced to his brother on the day that brother was departing the institution for a foster placement.” At a conference following the release of the report in Melbourne in 1997, an Aboriginal speaker recalled how he, along with an older boy, was summoned one day to the office of the institution in Ballarat where the two of them had lived for several years, introduced to an Aboriginal woman and told she was their mother.

And you didn’t have to be stolen to experience the effects of the practice:

“Every morning our people would crush charcoal and mix that with animal fat and smother that all over us, so that when the police came they could only see black children…We were told always to be on the alert and, if white people came, to run into the bush or run and stand behind the trees as stiff as a poker…and hide…And if the Aboriginal group was taken unawares, they would stuff us into flour bags and pretend we weren’t there. We were told…if we sneezed…we’d be taken off and away from the area…During the raids on the camps it was not unusual for people to be shot – …in the arm or the leg. You can understand the terror that we lived in…”

The pace of removals increased through the 1950s and 1960s. Despite the difficulty in establishing precise numbers (partly because of lack – or falsification – of documentation, partly because many removals were illegal even under the various racist laws in operation) the inquiry concluded that between 1910 and 1970, between one in three and one in ten children were forcibly removed, and “[I]n that time not one Indigenous family has escaped the effects…”.

One of the most heart-rending aspects of the report is reading about the Indigenous parents who blamed themselves for the loss of their children. The NSW branch of Link-Up (an organisation which works to reunite separated families) reported to the inquiry:

“…we found that Aboriginal women were unwilling and unable to speak about the immense pain, grief and anguish that losing their children had caused them…We see that they judge themselves harshly, never forgiving themselves for losing their children – no matter that they were part of ongoing systematic removal of Aboriginal children…They were made to feel failures; unworthy of loving and caring for their own children; they were denied participation in the future of their community.”

The accounts of those who observed this pain show clearly how the lives of the parents, and the wider Indigenous community, were shattered.

“I remember my Aunty, it was her daughter that got taken. She used to carry these letters around with her. They were reference letters from the whitefellas in town…[saying that] she was a good, respectable woman…She judged herself and she felt the community judged her for letting the welfare get her child…She carried those letters with her, folded up, as proof, until the day she died.”

Such accounts also show how the practice of stealing their children is at the root of many problems experienced by Indigenous people today, particularly substance abuse.

“My parents were continually trying to get us back. Eventually they gave up and started drinking. They separated. My father ended up in jail. He died before my mother. On her death bed she called his name and all us kids. She died with a broken heart.”

Non-Indigenous families who adopted children were also lied to – told that mothers who were searching for their child were dead, or had refused to take responsibility for them. Some of these families told the inquiry they are wracked with guilt and regret that they were unknowingly complicit in such barbarism.

“We would never have deprived any mother of her child, or any child of its mother…The doctor told me how this child’s mother was very young [she was actually 20]…plus the baby was never wanted right from the start. If this was true, why did she take her poor frail baby home…? He would not feed. She took him back [to the hospital] and it was the last she saw of him. She said they would not give him back…”

“In 1960 my wife and I applied to adopt an Aboriginal baby, after reading in the newspapers that these babies were remaining in institutionalised care…Later that year we were offered a baby who had been cared for since birth in a Church run Babies Home…We were told, and truly believed, that his mother was dead and his father unknown…”

Despite the love of his adoptive family, this child, Ken, grew up feeling isolated and alienated, subjected to constant racism, and several times attempted suicide.

“…When Ken was eighteen he found his natural family, three sisters and a brother. His mother was no longer living. She died some years earlier when Ken was four. Because of the long timespan, strong bonds with his family members could not be established.”

Although supposed neglect provided the justification for removing children from their parents, many children never experienced such terrible conditions and abuse until they were taken away.

“And for them to say she [mother] neglected us! I was neglected when I was in this government joint down there. I didn’t end up 15 days in a hospital bed [with bronchitis] when I was with me mum and dad.”

“These are people telling you to be Christian and they treat you less than a bloody animal. One boy, his leg was that gangrene we could smell him all down the dormitories before they finally got him treated properly.”

The luckier ones were adopted; others went to foster families, sometimes a succession of them. But even those who were fortunate enough to be placed with loving families felt and regretted the effects of separation (see the discussion of “benefits” below). Often too, the adoptions or fostering arrangements didn’t work out. Possibly the most notorious case of this was that of James (Russell) Savage, who was not only removed from his family, but from the country when his adoptive family moved to the USA. Like most stolen children, Russell had severe problems growing up, and ended up thrown out on the streets at the age of twelve. Worse was to come: several years ago, after getting involved with drugs and alcohol like so many other stolen children, he ended up in jail for life on murder and rape charges, narrowly escaping the death penalty. The scandal surrounding this case put a spotlight on the whole practice of stealing Indigenous children.

In keeping with the objectives of the assimilation policy, many children were not told of their Indigenous background. Children were bullied into adopting white ways of living and thinking, only to suffer abuse and denigration at home and school for the darkness of their skin. Others were taught racist attitudes towards Indigenous people only to find – often because of constant taunting about their complexion – that they themselves belonged to the people towards whom they felt disgust. The denigration of all things Aboriginal was one of the most common experiences reported to the inquiry.

“During this placement [with a foster family], I was acutely aware of my colour, and I knew I was different from the other members of their family. At no stage was I ever told of my Aboriginality…When I’d say…‘why am I a different colour?’ they would laugh at me and tell me to drink plenty of milk, ‘and then you will look more like us.’ The other sons would call me names such as ‘their little Abo’ and tease me. At the time I didn’t know what this meant, but it did really hurt…”

“We were told our mother was an alcoholic and that she was a prostitute and she didn’t care about us. They [foster family] used to warn us that when we got older we’d have to watch it because we’d turn into sluts and alcoholics, so we had to be very careful. If you were white you didn’t have that dirtiness in you. It was in our breed, in us to be like that.”

But generally speaking, those who fared the worst were those – the vast majority – who were put into mostly Church-run institutions, such as Sister Kate’s Home, Kinchela Boys’ Home, Cootamundra Girls’ Home and so on. The experiences from these institutions remain like a nightmare. Many inmates remember the constant hunger:

“There was no food, nothing. We was all huddled up in a room…like a little puppy-dog…on the floor… Sometimes at night time we’d cry with hunger, no food…We had to scrounge in the town dump, eating old bread, smashing tomato sauce bottles, licking them. Half of the time the food we got was from the rubbish dump.”

On top of that, there were cruel punishments for the slightest “offence”:

“I remember once, I must have been 8 or 9, and I was locked in the old morgue. The adults who worked there would tell us of the things that happened in there, so you can imagine what I went through. I screamed all night, but no-one came to get me.”

“I’ve seen girls naked, strapped to chairs and whipped. We’ve all been through the locking up period, locked in dark rooms. I had a problem of fainting when I was growing up and I got belted every time I fainted…I’ve seen my sister dragged by the hair into those block rooms and belted because she’s trying to protect me.”

The infamous A. O. Neville (WA Chief Protector 1915-40) wrote a book in 1947 in which he listed some of the punishments meted out by his staff – tarring and feathering, chaining girls to table legs (this was done by “an ex-Missionary, and a good man too” whom Neville clearly regrets having to dismiss), shaving heads and so on.

But some stories were even more horrendous:

“Cootamundra…was very strict and cruel…Mum remembered once a girl who did not move too quick. She was tied to the old bell post and belted continuously. She died that night, still tied to the post, no girl ever knew what happened to the body or where she was buried”.

A key aspect of the assimilation project was to prevent the children speaking their own language. No effort was spared on this, because it was one of the most effective ways to permanently separate the children from their parents and communities.

“Y’know, I can remember we just used to talk lingo. [In the Home] they used to tell us not to talk that language, that it’s the devil’s language. And they’d wash our mouths with soap. We sorta had to sit down with the Bible language all the time. So it sorta wiped out all our language that we knew.”

This meant that even when children and parents were subsequently reunited, they often couldn’t speak to each other except through an interpreter.

The accounts given to the *Stolen Generations* inquiry also abound with examples of sexual abuse of both girls and boys, which fits with the revelations about sexual abuse in churches and institutions everywhere (though the report notes that for girls in particular, “the risk of sexual assault in a foster placement was far greater than in any other”). Almost one in ten boys and just over one in ten girls reported that they were sexually abused in a children’s institution, while one in ten boys and three in ten girls reported the same for foster placements.

“There was tampering with the boys…the people would come in to work with the children, they would grab the boys’ penises, play around with them and kiss them and things like this…It was seen to be the white man’s way of lookin’ after you. It never happened with an Aboriginal.”

Girls who reported sexual assaults were told to stop telling lies and often beaten.

“…my foster father molested me. He would masturbate in front of me, touch my private parts and get me to touch his. I remember once having a bath with my clothes on ’cause I was too scared to take them off. I was scared of the dark ’cause my foster father would often come at night. I was scared to go to the outside toilet as he would often stop me on the way back…So I would often wet the bed…I once attempted to tell the local Priest at the Catholic Church and he told me to say ten Hail Mary’s for telling lies. So I thought this was how ‘normal’ non-Aboriginal families were. I was taken to various doctors who diagnosed me as ‘uncontrollable’ or ‘lacking in intelligence’.

A young Koori woman, with the help of an employer, tried to have a former employer who had raped her charged with the offence. Although two medical examinations confirmed the rape, the Protection Board officials to whom the matter was reported first accused the victim of being a “sexual maniac” and then had her committed to Parramatta Mental Hospital where she remained for 21 years.

A total of 777 people and organisations from all over Australia provided evidence or submissions to the inquiry. This chapter provides only some samples of the experience of the stolen generations and their communities. The total picture is a devastating account of racism and the attempted destruction of an entire people and its culture.

“We may go home, but we cannot relive our childhoods. We may reunite with our mothers, fathers, sisters, brothers, aunties, uncles, communities, but we cannot relive the 20, 30, 40 years that we spent without their love and care, and they cannot undo the grief and mourning they felt when we were separated from them. We can go home to ourselves as Aboriginals, but this does not ease the attacks inflicted on our hearts, minds, bodies and souls, by caretakers who thought their mission was to eliminate us as Aboriginals.”

*Bringing them home* utterly refutes the claims made by the likes of Howard and Hanson, as we shall see below. That’s why Howard and Minister for Indigenous Affairs John Herron have gone to such extraordinary lengths to undermine it, before and after its release.

Howard claimed, for example, that the inquiry President, Sir Ronald Wilson, was “biased” because, in his capacity as a church representative, he had offered an apology to Indigenous people for the church’s role in the treatment meted out to Aboriginal and Islander people. It is crucial that those who support Indigenous rights equip themselves with the facts and arguments, and disseminate them as widely as possible.

Indigenous children were forcibly taken from families well into the seventies – merely twenty years ago. The Broken Hill Aboriginal Legal Service told the inquiry “there were children removed from Wilcannia in the 1970s in much the same way [as] in the 1960s”. A woman told how she was adopted by a white family, without her mother’s knowledge, in 1973:

“I was taken off my mum as soon as I was born…What Welfare wanted to do was adopt all these poor little black babies into nice, caring white families, where they’d get a good upbringing. I had a shit upbringing. Me and [adopted brother who was also Aboriginal] were always treated different to the others…”

In 1964, Paul was stolen from the Royal Children’s Hospital in Melbourne as a baby, when he and his mother were both ill. His mother was told his removal to a Babies’ Home was a temporary arrangement until she got better. But Paul was first made a ward of the State and then offered for adoption when the courts dispensed with his mother’s consent. The adoption placement failed because the family was racist, and Paul was returned to an orphanage, subsequently being fostered until the age of 17. In this family too, he experienced cruelty, abuse and racism – which he didn’t understand until he was discharged from State wardship. It was a bombshell.

“In May 1982…the Senior Welfare Officer…conveyed to me in a matter-of-fact way that I was of ‘Aboriginal descent’, that I had a Natural mother, father, three brothers and a sister, who were alive…He placed before me 368 pages of my file, together with letters, photos and birthday cards. [His mother had never given up looking for him.] He informed me that my surname would change back to my Mother’s maiden name…”

The Home at Bomaderry in NSW, notorious for holding Indigenous children, was not closed until 1980.

And according to National Party MP Bob Katter – hardly a sympathiser of the Aboriginal cause – the removal of Aboriginal children, presumably under child welfare legislation, is still going on today in areas of Queensland and other parts of the country. So we are not talking about “ancient history” here, but a pattern of racist oppression which has continued in different forms from settlement right up to today.

In fact, *Bringing them home* devotes a whole chapter to “Contemporary separations”. Though “assimilation” is no longer official government policy, there are still ways to break up Indigenous families and communities. Although Indigenous children and youth aged 10-17 accounted for only 2.7 per cent of the total youth population in 1993, they made up 20 per cent of the numbers in care, with the main reason cited as “neglect”. In 1997, Indigenous children were almost six times more likely than non-Indigenous children to be removed from their families and placed in protective care, according to a survey by the Australian Institute of Health and Welfare (and in fact this was an underestimation, because NSW was unable to provide details on Aboriginality).

Of perhaps even greater concern is the juvenile justice system and the way it is administered in respect of Aboriginal youth. Indigenous youth (and adults) are routinely arrested for minor “offences” such as drunkenness, offensive language and so on, which when committed by whites lead to at most a caution. The Royal Commission into Black Deaths in Custody recommendation that these offences be dropped from the criminal code – like most of its other recommendations – was ignored.

A study by researchers from the University of Melbourne’s criminology department found that over-representation of Kooris in the Victorian criminal justice system has worsened since the findings of the Royal Commission on Black Deaths in Custody in 1991. Between 1989-90 and 1993-94 the number of Koori “offenders” aged 17 and under jumped by 69 per cent, and the rate of charges against Kooris increased by 17.3 per cent over the same period. Kooris are 14.5 times more likely to be charged with being drunk than non-Aborigines and 10 times more likely to be charged with robbery.

After funding of the Victorian Aboriginal Community Services Association Inc was cut in 1996 (as a result of Federal government cuts to ATSIC), the number of young Victorian Aborigines in custody nearly doubled in less than a year.

In November 1996 Western Australia introduced a “three strikes” law which makes a minimum 12 month jail sentence mandatory for anyone – adult or juvenile – convicted of a third home burglary offence. Under this law, a 12-year old Aboriginal boy was jailed for a year for acting as a look-out. There was outrage in December 1997, when a magistrate jailed two Aboriginal children for (quite understandably) spitting at the racist MP Pauline Hanson. Fortunately, the public outcry led to their release.

In August 1995, a National Police Custody Survey illustrated, according to an analysis done by the Australian Institute of Criminology “the continuing heavy involvement of Indigenous children (compared to non-Indigenous children) in the criminal justice system, in particular the elevated proportion of Aboriginal children being held in the cells by police.”

Of 1,753 juveniles aged from 10 to 17 years held in police custody in the survey period, 704 – about 40 per cent – were Indigenous children and young people. Similarly, some 36 per cent of youth in juvenile correctional institutions in June 1996 were Indigenous, with a rate of incarceration of 540 per 100,000, compared to 25 per 100,000 for non-Indigenous youth.

These scandalous figures again highlight the systematic, ingrained racism of Australian society and its institutions. And as the WA Aboriginal Legal Service submission to the *Stolen Generations* inquiry points out, “The detention of Aboriginal youth is a form of child removal.”

The separation from their families and communities of Indigenous children and youth detained in correctional institutions is even worse when you consider that the detention centres are often hundreds or even thousands of kilometres away from the communities, especially in Queensland, Western Australia and the Northern Territory, where the rates of removal are particularly high compared with the national average.

So it’s very strange that he was prepared to give a *personal* apology (albeit a very grudging, mean-spirited one) at the 1997 Reconciliation Convention, but utterly refuses to countenance an apology by the Federal Parliament, on behalf of the nation. And since he followed up his stilted, two-sentence “expression of regret” with an angry, lectern-pounding tirade defending his government’s policy on native title, it’s hard to believe in his sincerity. No wonder a quarter of the audience turned their backs on him in disgust.

It might appear that Howard just doesn’t get it. A majority of people (according to the polls), most newspapers, churches, a host of eminently respectable public figures, and even some State Liberal governments can recognise that an acknowledgement of and apology for past crimes against the Aboriginal people is not a matter of people today admitting individual or collective guilt – a word which, as the inquiry President Sir Ronald Wilson has pointed out, is never mentioned in *Bringing them home*.

But Howard isn’t really that dumb. His refusal to consider either an official apology or compensation arises out of his determination to pursue a course that involves not only continuing racist oppression, but stripping away some of the gains, small as they are, that Indigenous people have made in recent years.

Howard’s 10-point plan in response to the High Court’s Wik judgement takes away from Indigenous people and gives to the miners and pastoralists, and all the millionaires who stand to make windfall profits from the effective upgrading of pastoral leases to freehold ownership. So Howard’s response (or lack of it) to the *Stolen Generations* report is entirely consistent. He doesn’t want to acknowledge the past because he plans to continue it in other ways.

A sincere acknowledgment and expression of regret for the wrongs done to Australia’s Indigenous people has nothing to do with guilt. But it *does* imply that you take responsibility for trying to redress the wrongs by fighting for, or at least supporting, greater rights and a better deal for Aborigines today.

The reason Howard is so obsessed with guilt is that, unlike most of us, he actually does have reason to feel some.

But of course, Howard doesn’t want to be seen as the racist he is, nor does he want the Australian economy damaged by international perceptions of Australia as a racist country. Hence his condemnation of what he calls “the black armband view” of Australian history. Howard prefers what the historian Henry Reynolds refers to as the “white blindfold view”. (And the whitewashing continues. Following the release of *Bringing them home*, government departments have been instructed not to refer to “stolen” children, but to use the more sanitised term “separated” instead.)

There is no rigid barrier between the past and the present – or between the present and future for that matter. There is a continuity in history – things that happen in one year or decade shape what comes after, as the victims of the assimilation policy know only too well.

“I have six children. My kids have been through what I went through…The psychological effects that it had on me as a young child also affected me as a mother with my children. I’ve put my children in Bomaderry Children’s Home when they were little. History repeating itself.”

The social and economic position of Aborigines today is a direct result of what has happened to them in the past. And on a personal level, the effects ripple through the generations in a vicious cycle of despair and alienation.

In fact, as the report clearly shows, existing laws were often flouted and common law rights were certainly ignored. British common law rights were promised to all the Indigenous peoples of the British Empire. But in far-flung colonies, before the development of mass transportation and communications, local authorities could get away with murder – literally. And the Australian colonies were the most notorious. The report shows how the following common law rights were routinely violated with regard to Indigenous people: deprivation of liberty (by removing Indigenous people to reserves and missions and by detaining children and confining them in institutions); abolition of parental rights (by making the children wards or by assuming custody and control); abuses of power (in the removal process) and breach of guardianship obligations (on the part of Protectors, Protection Boards and other “carers”).

Moreover, a host of special legislation was devised to provide legal cover for the atrocities committed against Indigenous people. For example, a Welfare Ordinance was introduced in the Northern Territory in 1953. Its purported objective was to “subject all Aboriginal people to the same welfare legislation as non-Indigenous people. Accordingly, it made no mention of race, referring instead to ‘wards’. A ward was any person who ‘by reason of his manner of living, his inability to manage his own affairs, his standard of social habit and behaviour, his personal associations, stands in need of special care.’”

These “wards” had no rights whatsoever; they were completely in the power of the Director of Welfare. But when there were protests from non-Indigenous Territorians who feared the Ordinance might be applied to *them*, the wording was changed to make it clear that only Indigenous children were to be targeted. This was simply done, still managing to avoid any reference to race – people with voting rights could not be made wards. Before the 1967 referendum, this excluded few apart from Aborigines.

Australia voluntarily pledged itself to certain standards of conduct under the banner of international human rights – the UN Charter of 1945, the UN Resolution of 1946 declaring genocide to be a crime against humanity, the Universal Declaration of Human Rights of 1948 and so on. At this time “assimilation” was in its infancy, and it was to continue for several more decades, despite the fact that the policy itself, and practices such as the forcible removal of children, were both generally and specifically outlawed under the various declarations Australia had signed (see also the discussion of genocide below).

Let’s turn now to the treatment of Indigenous children and how it fits with the ideas of the time about the raising and treatment of children.

In our society, the family is held up as the foundation of all that is worthwhile – it is where we are supposed to be nurtured, loved and prepared for life in the wider world. This is not a new idea. Millions of words were written from the 1880s to the 1970s about the damage children suffer when removed from their parents, in particular the mother, and about the problems institutionalised care causes for child development.

In 1951 the United Nations released a report based on studies of maternal deprivation and its effects. The report stressed that the focus of child welfare services should be on assisting families to keep their children with them. This thinking underpins a lot of child welfare policy-making this century.

In 1955 the Australian High Court unequivocally confirmed the rights of parents to keep their children except in the most extraordinary circumstances.

“It must be conceded at once that in the ordinary case the mother’s moral right to insist that her child shall remain her child is too deeply grounded in human feeling to be set aside by reason only of an opinion formed by other people that a change of relationship is likely to turn out for the greater benefit of the child.”

Yet during all these years, in the name of “assimilation” into white society, Indigenous children were deliberately stolen from their families, then systematically lied to in order to keep them *out* of their families. They were prevented from having any contact with their families by the suppression of letters, being moved to inaccessible places, having their files destroyed, even having their names and birthdates falsified. By and large, these things did not happen to white children who were removed from their families. And indeed, the trend with regard to white children was to return them to their families wherever possible, to arrange fostering if not – at the same time as the pace of removal of Indigenous children was increasing.

“Unlike white children who came into the state’s control, far greater care was taken to ensure that [Aboriginal children] never saw their parents or families again. They were often given new names, and the greater distances involved in rural areas made it easier to prevent parents and children on separate missions from tracing each other.”

Many of the officials who oversaw and implemented the removal of the children tried to justify their actions with the racist claim that family bonds among Indigenous people were not as strong or as important as among whites.

“I would not hesitate for one moment to separate any half-caste from its Aboriginal mother, no matter how frantic her momentary grief might be at the time. They soon forget their offspring.”

Yet if this was the case, why did government departments go to such extraordinary lengths to make it difficult for parents to find out where their children were?

“They changed our names, they changed our religion, they changed our date of birth…That’s why today, a lot of them don’t know who they are, where they’re from. We’ve got to watch today that brothers aren’t marrying sisters; because of the Government. Children were taken from interstate and they were just put everywhere.”

“When I finally met [my mother] through an interpreter she said that because my name had been changed she had heard about the other children but she’d never heard about me. And…every morning as the sun came up the whole family would wail. They did that for 32 years until they saw me again.”

Parents and other relatives tried desperately to find or maintain contact with the children, meeting with obstacles and threats at every turn.

Murray’s mother was initially allowed to visit her children (under supervision) at the Townsville State Children’s Orphanage. But the visits were stopped because they had “destabilising effects”:

“That didn’t deter my mother. She used to come to the school ground to visit us over the fence. The authorities found out…They had to send us to a place where she couldn’t get to us. To send us anywhere on mainland Queensland she would have just followed – so they sent us to…Palm Island Aboriginal Settlement…I wasn’t to see my mother again for ten nightmare years.”

Paul’s mother never gave up looking for her son.

“She wrote many letters to the State Welfare Authorities, pleading with them to give her son back…All these letters were shelved. The State Welfare Department treated my mother like dirt, as if she never existed. The department rejected and scoffed at all my Mother’s cries and pleas for help.”

Records were destroyed, often deliberately. For example, in the Northern Territory, personal files were “culled back to only 200 records in the 1970s due to concerns their contents would embarrass the government”. And even today, it remains extraordinarily difficult to gain access to the remaining records.

The first Annual Report of the newly-established Ministry for Aboriginal Affairs in 1968 expressed concern about the illegal removal of children in Victoria, citing “unauthorised fostering arrangements” and informal separations where children were taken and their names changed to prevent their parents finding them. Government reports by this time recognised that Indigenous children were best left in their own communities, yet despite all this, the number of Aboriginal children who were forcibly removed continued to rise, from 220 in 1973 to 350 in 1976.

Economic rationalists like Howard and Herron, of course, see “benefits” only in material terms. They seem incapable of understanding the trauma of separation and the deprivation of things most Australians take for granted.

“I’ve often thought, as old as I am, that it would have been nice to have known a father and mother, to know parents even for a little while, just to have had the opportunity of having a mother tuck you into bed and give you a good-night kiss – but it was never to be.”

Another stolen child, Penny, reports that three of her siblings are under psychiatric care, and one of them, Trevor, has been diagnosed as a paranoid schizophrenic and sometimes gets suicidal. Yet because he has had a job for most of his life and owns a house and car,

“People…look at [Trevor] and say, ‘He’s achieved the great Australian dream’. And they don’t look behind that…They look at us and say, ‘Well, assimilation worked with those buggers’. They see our lives as a success.”

Some submissions to the inquiry acknowledged the “love and care provided by non-Indigenous adoptive families (and foster families to a much lesser extent)” or recorded “appreciation for a high standard of education.

Access to education is the most frequently-cited “benefit” that stolen children are supposed to have enjoyed. Yet more often than not, their educational aspirations were denigrated and opportunities denied.

“I wanted to be a nurse, only to be told that I was nothing but an immoral black lubra, and I was only fit to work on cattle and sheep properties…I [got] that perfect 100% in my exams at the end of each year…only to be knocked back…Our education was really to train us to be domestics and to take orders.”

“I was the best in my class, I came first in all the subjects…[At age 15] I…wanted to continue in school, but I wasn’t allowed to…I was sent out to the farms just to do housework.”

The first Aboriginal magistrate, Pat O’Shane, recalls her ambitions to study medicine, but her teacher “responded that I didn’t have the brains to go on to high school…notwithstanding that I had always had an above average record through school.”

A three-year study in Melbourne during the 1980s of both children taken from families in childhood (33 per cent) and those raised in their communities found that those removed were: less likely to have undertaken tertiary education; much less likely to have stable living conditions; twice as likely to have been arrested by police and been convicted of an offence; three times more likely to have been in jail; and twice as likely to be using illegal drugs.

A national survey by the Bureau of Statistics in 1994 found no significant difference in standards of education, ability to find work, or the large numbers living on incomes under $12,000 between those removed and those not. But those removed were twice as likely to have been arrested more than once in the last five years. And 70.9 per cent of those taken away assessed their own health as good or better, compared with 84.5 per cent of those not taken.

The effects of the atrocities of the past haunt people’s lives to this very day. And in any case, those children who could point to some positives such as education to weigh up against the devastation of separation are very much in the minority.

A majority of the stolen children spent all or part of their childhoods in institutions, and in many cases, this was a prelude to a life in and out of other institutions, such as prisons and psychiatric hospitals.

“They grew up to mix with other troubled children in Tardon…they only knew how to mix with the other boys they grew up with and these boys were into stealing, so my sons went with them. I couldn’t tell them anything…because they felt that coloured people were nothing…

“One of my sons was put into jail for four years and the other one died before he could reach the age of 21 years. It hasn’t done my sons any good, the Welfare…taking them away from me, they would have been better off with me their mother.”

To say that any stolen child “benefited” from the experience is not only utterly false with respect to material advantage for the vast majority, it also reflects the racist view that there is nothing of value in Aboriginal culture and denies the significance of cultural identity for Indigenous people.

Howard says that he “understands” the concerns and anxieties of those white Australians who feel their cultural identity is under threat (people who are attracted to Pauline Hanson’s One Nation for instance). He is also an active promoter of “family values”. Yet he shows absolutely no sympathy for or understanding of the cultural identity and family relationships of Indigenous people. This, plus his contemptuous dismissal of the report and its recommendations, is further evidence of his inherently racist world view.

There are none so blind as those who will not see. *Bringing them home* documents criticism of and opposition to the practice and methods of forcible removal, as well as the extreme cruelty and abuse suffered by children, from the very beginning, and all around the country. It quotes Members of Parliament, government officials (including police and patrol officers), newspaper editorials, welfare organisations and of course Aboriginal organisations.

The historian Henry Reynolds has recently published a book, *The Whispering in Our Hearts* (Allen and Unwin 1998), about opposition to the treatment of Aborigines from 1790 to 1940. He notes that the word “reconciliation” was used in the 1830s in much the same way as it is used today, showing that “this tradition has much deeper roots than people suppose.”

In an official report commissioned by the Queensland government in 1896, Archibald Meston wrote:

“Kidnapping of boys and girls is another serious evil…[They] are frequently taken from their parents and tribes, and removed far off whence they have no chance of returning; left helpless at the mercy of…white people responsible to no-one and under no supervision by any proper authority…Stringent legislation is required to prevent a continuance of abuses concerning the women and children.”

In 1915, the NSW parliament passed the Aborigines Protection Amending Act, giving the Protection Board total power to take children away without having to prove neglect, and abolishing the minimum age at which Aboriginal children could be apprenticed. There was strong opposition to this Act by MPs who argued that it was an “act of cruelty” to “steal the child away from its parents”, that the real intention was “to gain absolute control of the child and use him as a slave without paying wages” and that this was tantamount to the “reintroduction of slavery in NSW.”

South Australia’s 1923 Aborigines (Training of Children) Act made it easier for the state to remove Indigenous children, justified on the basis that such a separation was “less traumatic” for Indigenous than for white children. It was strongly opposed by Aboriginal families who organised a petition to the government, and they won some public support. The South Australian magazine *Daylight* editorialised: “There is not and never should be occasion for the Children to be taken away from their parents and farmed out among white people.” As a result of the protests, the operation of the Act was suspended in 1924, although it was subsequently revived in another form.

In 1925 the Australian Aborigines Progressive Association (AAPA) was formed in NSW and immediately called for an end to the stealing of children. One of the AAPA’s supporters was the MP for Cobar, whose questions in parliament led to a Parliamentary Select Committee into the Aborigines Protection Board and a further inquiry in 1938.

In Western Australia in the early 1930s, a series of articles appeared in the local and international press, containing allegations of slavery, mistreatment of Aborigines and abuse of Aboriginal women. The resulting publicity forced the government to hold a Royal Commission. Bessie Rischbieth, president of the Australian Federation of Women Voters, gave evidence: “In most instances I should prefer to see the children left with their parents…the system of dealing with the parents should be improved in order that they might keep their children”. In her opinion, governments preferred to remove children “because it was cheaper than providing the same system of support which operated for white children.”

Another prominent critic was the feminist Mary Bennett, who taught from 1932 at the Mt Margaret Mission in Western Australia. She described the removal of children as the “official smashing of family life”. Feminist politics of the time were strongly maternalist, and this led feminist groups such as the Australian Federation of Women Voters, the Women’s Christian Temperance Union and the British Commonwealth League to take up the issue of the stolen children. They supported Aboriginal women giving evidence to a WA Royal Commission in 1934, though they failed to win the legal rights for Aboriginal mothers that they were seeking. Their evidence was dismissed by Royal Commissioner Moseley as “hearsay…interesting, but valueless”.

In 1937 the Commonwealth Minister of the Interior, John McEwen, visited The Bungalow and Half-Caste Home in Darwin, and was shocked at what he saw:

“I know many stock breeders who would not dream of crowding their stock in the way these half-caste children are huddled.”

Though not documented in the report, a major source of opposition to racist government policies towards Aborigines was the trade union movement, and especially the unions influenced by the Communist Party. In the film *Lousy Little Sixpence* (itself evidence that many people knew about and opposed forcible removal), an Aboriginal activist fondly recalls the financial support given by wharfies of the Waterside Workers’ Federation, who “gave like anything”.

In the light of the Howard government’s current attacks on maritime workers, it is well worth recalling the wharfies’ proud history of support for Indigenous people – indeed it is precisely this record of solidarity with the oppressed which is one of the main reasons the government and employers have set out to smash the Maritime Union of Australia.

In 1964 Faith Bandler, the NSW Secretary of the Federal Council for the Advancement of Aborigines and Torres Strait Islanders, wrote to the Waterside Workers’ Federation (WWF – predecessor of the MUA) secretary: “The main support of the FCAATSI [in the struggle for scholarships for Aborigines to receive skills training] comes from the Trade Unions, and among the Trade Unions, the WWF has a special place in my heart because it has so often been the first and most generous in response to our appeals.”

The next year, the WWF levied every member around Australia to build a new bakery at Moa, a Torres Strait Island, after the Queensland government had refused to help. With other groups of well-organised workers, such as the Newcastle branch of the Operative Bakers, Seamen and the Transport Workers’ Union, the WWF organised the purchase, delivery and installation of the bakery.

In the run-up to the 1965 FCAATSI conference, Aboriginal wharfies held lunch hour meetings to explain the issues to their fellow workers. In 1968, with other unions, the WWF bought a car for Aborigines in northern Australia campaigning for their rights. By 1969, the WWF was one of seven unions which had set up committees to organise support for Aborigine and Torres Strait Islander demands at the request of the FCAATSI.

According to the definition of genocide under international law and used by the UN – yes. Australia is a signatory to a number of UN Charters, Conventions and Declarations which outlaw the very practices carried out here. The 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide (ratified by Australia in 1949) made it clear that genocide includes any actions which have the effect of “destroying, in whole or in part, a national, ethnic, racial or religious group.” It defines genocide as: “…killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting…conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group…”

Australia’s treatment of Aborigines qualifies as genocide on every single count.

So at the same time as Australian governments were grandstanding internationally, they were deliberately ignoring their own commitments, and they continued their genocidal practices for decades afterwards.

“There are certain restrictions which must remain imposed on Aborigines even though they are at variance with the complete ideals of the Universal Declaration of Human Rights.”

The UN Conventions also make it clear that acting out of “good intentions” is no excuse – it’s the effects which count, not the purpose. Nor can a state use the excuse that “it was lawful under its own laws”. For example, the Holocaust was genocide, even though much of the persecution of the Jews in Germany was legal under the Nuremberg Laws of 1938.

“Official policy and legislation for Indigenous families and children was contrary to accepted legal principle imported into Australia as British common law and, from late 1946, constituted a crime against humanity. It offended accepted standards of the time and was the subject of dissent and resistance. The implementation of the legislation was marked by breaches of fundamental obligations on the part of officials and others to the detriment of vulnerable and dependent children whose parents were powerless to know their whereabouts and protect them from exploitation and abuse.”

UN Conventions also stipulate that, where genocide is established, reparation must follow. Australia would not be the first country to do this. The report documents a number of cases where it has been done, and more recently the Canadian government made an apology to its indigenous people for similar practices and allocated substantial funds towards a reparations program.

While nothing can adequately compensate for the damage, the prospects for healing are further reduced in the absence of acknowledgement and reparation.

Financial compensation is only a part of this. Equally important are an open and official acknowledgement of and apology for the past, the establishment of mechanisms to help people find out about themselves and to reunite with their families where that is possible and legislation to ensure that nothing like this can ever happen again. These and the other recommendations of the inquiry should be implemented immediately, but the Howard government has rejected most of them.

The government response to the report, announced in December 1997, is nothing less than an insult to the stolen generations. The paltry sum of $63 million dollars will be spent – over four years – on such things as counselling, regional support networks, family support programs, link-up services, a culture and language maintenance program and an oral history project. Minister Herron once again reiterated the tired old Coalition party line justifying the government’s refusal to offer an apology: “You might as well go and ask the British for an apology for coming to Australia with the convicts”, he said. “You can’t judge past practices by today’s standards.”

Herron also ruled out any financial compensation, saying “It was believed cash compensation to individuals would not achieve a great deal.” Meanwhile, stolen children who want to seek compensation for abuse in government and church institutions through the courts are being prevented from doing so by lack of money to fight the cases and what lawyers describe as an almost impossible hunt for documentation. Matthew Storey, senior solicitor for the NT Stolen Generation Litigation Unit, has been told that government records dating back to the crucial period of the 1950s have been destroyed.

Although most States have not undertaken to adopt the report’s recommendations on adoption, child welfare and juvenile justice procedures, Herron said Commonwealth action to force their compliance was unnecessary. This is a repeat scenario of what happened with the recommendations of the Black Deaths in Custody Royal Commission, where the States’ failure to implement them has meant that the problem has not only continued, but got worse. Since 1990, according to the Australian Institute of Criminology, 92 Indigenous Australians have died in prison or police custody (including deaths in police operations such as sieges and pursuits). More than 17 per cent of all custodial deaths were Aborigines or Torres Strait Islanders, who make up 1.4 per cent of the adult population.

With all this plus the racist 10-point plan, it is little wonder that the Aboriginal and Torres Strait Islander Commission has passed a vote of no confidence in Herron, and refused to have further dealings with him. Even the conservative, Liberal-appointed head of ATSIC, Gatjil Djerrkura, who was a Country Liberal Party candidate for a Northern Territory Senate seat in 1980, has called for Herron’s sacking. In a recent interview Djerrkura described Herron as “a person who believes he knows best for us. He has a paternalistic attitude.” And one of his staffers described the relationship between Herron and Howard as “the uninformed informing the uninterested.” Howard has repeatedly demonstrated his lack of interest in the issue, perhaps most notably when he actually left the parliamentary chamber just as Labor opposition members started to read out some of the experiences of the stolen children.

Howard wants to be “fair” to pastoralists, many of whose fortunes were built on both dispossession and cheap or unpaid Aboriginal labour. He has no problem with setting up special funds for things such as drought relief or gun buy-backs, or funding the redundancies of wharfies sacked by Patrick Stevedores. Clearly, he feels some loyalty and sense of responsibility to those constituencies. But he rejects any compensation for Aborigines.

With its attacks on native title, ATSIC, Abstudy and so on, the Howard government is carrying on the racist traditions of its predecessors and adding further insult to the grievous injuries already suffered.