

Reshaping civilization

Liberalism between assimilation and cultural genocide

No civilization has been more deeply divided and self-contradictory than the one which invented democracy and fascism, parliament house and gas chamber. With its divided soul as well as its shallower national divisions, it may have been moving toward some kind of unity under the logic of its own inner development, but it was the contrast between itself and the outer world that enabled it most fully to recognize itself and what it had in common¹

Introduction

The 20th century hasn't been one for Occidentals to be proud of, when you think of the aspirations held at its outset, the efforts directed at all manner of

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1 Kiernan 1995: 154.

progress and improvement, and how much so many millions of people have ended up suffering, and continue to suffer, at each other's hands. The management of violence in all its diverse forms is arguably a problem of similar significance in the year 2001 as it was in 1901 – or 1801, 1501. It could be said that it has simply become more complex and differentiated. In addition, since 10 November 1989, roughly, there has been a striking shift in the way Western nations, states and peoples reflect back on the normative dimensions of their past history. Concepts like 'reparation', 'restitution' and 'reconciliation' have taken on new resonances, and observers like Elazar Barkan² remark on a new and growing collective desire to rethink history in ways which redress a range of past injustices. The idea of 'restorative justice',³ then, is one which applies not only to contemporary problems such as the relationship between perpetrators and victims of crime, it also gets stretched across time to encompass historical injustices⁴ which have come to be seen as such because their cognitive frames have shifted.

This normative rethinking of the past and its relation to the present is, however, hotly contested, resulting from deep-seated disagreement about whether and how such conceptual reframing of history is to take place. The argument I would like to aim for here is that in order to work our way through these disputes intelligently, as well as addressing the fundamental issues underlying the experiences of historical injustice, it is important to engage – more systematically than we have so far – with our understanding of the idea of 'civilization'. The normative and rhetorical power of the opposition between barbarism and civilization remains enormous, and civilization continues to be an important conceptual and rhetorical reference point, the focus of whatever we understand by 'progress' or, if that word offends, the 'point' of any human action on the social and political world. Since the post-1989 enthusiasm for 'civil society', there has also been a movement in social and political thought towards an analysis of the processes by which societies become more or less 'civil', and this has much to do with the current appeal of the idea of civilization. If we approach the period since 1989 as being related to the increasing 'success' of a particular model of society, politics and economics, in addition to analysing this development in terms of capitalism, liberalism, democracy or civil society, it is equally accurate to see it in connection with a particular

2 Barkan 2000.

3 Strang & Braithwaite 2001.

4 Gordon 1996.

conception of civilization being promoted throughout the world along more or less the same lines as it has been pursued since the 15th century when Europeans began colonizing the world beyond Europe.⁵ What we currently understand as globalization, the reinvigoration of civil society, or the fight against global terrorism can thus be seen as entirely continuous with the Enlightenment mission of civilizing the world, and the way in which we today perceive the barbarism of the genocides in Rwanda, Kosovo and East Timor, or of the suicide attacks on the New York World Trade Centre, as intimately related to the way that Europeans understood the ‘savagery’ of American Indians in the eighteenth century.⁶

There is little hesitation in mobilising varying conceptions of ‘barbarism’ in reference to events, actions and forms of social organization we regard as immoral, unjust, cruel, inhumane or oppressive, but barbarism’s implied converse, civilization, leads a much more troubled existence, certainly among social and political theorists and researchers.⁷

It is precisely the normative dimensions of the concept of ‘civilization’ which has driven social scientists to putting it in inverted commas, making it almost a membership requirement in the social sciences to avoid its incorporation into one’s analytical vocabulary. The idea of ‘the civilizing mission’ is, as we all know very well, firmly rooted in the history of colonization and imperialism; as Norbert Elias wrote in 1939: ‘It is not a little characteristic of the structure of Western society that the watchword of its colonizing movement is “civilization”.’⁸ Civilization thus seems to have always led an odd sort of double life in Western social and political thought, at one and the same time an object of on-going critique and an organizing principle. As Jean Starobinski has said of the critique of civilization which immediately accompanied the word’s original appearance in Mirabeau’s writing, it ‘took two forms: a critique of civilization and a critique formulated *in the name of civilization*’.⁹

5 Becker 1988; Woolf 1989; Conklin 1997.

6 Gong 1984; Donnelly 1998.

7 This has become less true since 11 September 2001, after which there was a striking willingness among social and political leaders and commentators to identify ‘civilization’ as being endangered by this particular terrorist act, in need of vigorous, armed defence, and the flag under which everyone is to rally, or risk being marked as a barbarian.

8 Elias 1994: 509.

9 Starobinski 1993: 8, emphasis added.

A particular kind of insight is gained into the dynamics of this 'double life of civilization' at the outer margins of self-perceived civilization, at the points where those who understood themselves to be civilized met those they regarded as barbaric, uncivilized or yet-to-be civilized: in the colonial encounter. Australia is an especially important example because it constitutes, as it were, a 'limit case': for those who saw civilization as a hierarchical and linear progression over time, the Australian Aborigines were regarded as lying at the very lowest point of that development, as having to travel the furthest possible distance in moving from tradition to modernity, from barbarism to civilization. In addition, as *settler*-colonists, European Australians have had to work on their relationship with Aboriginal people in a particularly enduring and on-going way: post-colonialism provides little relief for the settler-colonist.

An illustration of the role played by the idea of civilization in this context is the Australian High Court's 1991 *Mabo* judgement,¹⁰ where Justice Brennan argued that any law which dispossessed the Indigenous inhabitants and made them 'intruders in their own homes and mendicants for a place to live' was unjust, with a questionable claim to be part of Australian common law, 'judged by any civilized standards'.¹¹ A little further in the judgement, however, we are also reminded that 'civilization' was precisely the concept underpinning the legal reasoning refusing an indigenous interest in land. It was, Brennan remarks, 'the supposedly barbarian nature of indigenous people [which] provided the common law of England with the justification for denying them their traditional rights and interests in land'.¹²

This same contrast can be seen in relation to the other issue taking a central place in European Australian's rethinking of the history of their relations with Aboriginal people: the removal of Aboriginal children from their families throughout the 20th century. *Both* the practice itself *and* the subsequent critique of that practice rely heavily on the concept of 'civilization' to legitimate themselves. There was seen to be a sort of isomorphism between the approach to land and to family life; just as Aborigines were seen as bereft to rights to land because they did not cultivate it, and thus 'uncivilized', so too were they seen as bereft of rights to their own children, because they did not 'cultivate' them into a form of civilization recognizable to Europeans.¹³ Just as it was the duty

10 *Mabo and others v Queensland* (No. 2) [1991-1992] 175 CLR 1.

11 *Id.*: 28-29.

12 *Id.*: 39.

13 Dorsett 1995.

of Europeans to cultivate the land to its maximum capacity, so too it was their duty to 'cultivate' and educate Aboriginal children to their 'maximum' capacity, that is, as assimilated and Europeanised. Civilized society is, in this usage, exactly what Aborigines are not part of, and it was this exclusion which supported the denial of their access to full citizenship, apparently leaving unchallenged the broader conceptions of egalitarianism and equity on which Australian national identity was supposed to rest. But the critique of Aboriginal child removal which has emerged over recent decades *also* presents itself as informed by an appropriate degree of civility, and the earlier administrators and officials as characterized by a barbarism which current generations should condemn as an example of cultural genocide.¹⁴ What are we to make of this oscillation between civilization and colonialism being seen as allied with or opposed to each other, and what does it mean for our understanding of state formation under liberalism more broadly?

Liberal governance and Aboriginal children

There are many and varied definitions of the meaning of 'liberalism', but rather than settle on any one of them, I will here focus on what all liberalisms have in common, using the term in its broadest sense to capture *heterogeneous* forms of political power and practices of government, many of which might be seen as lying outside any particular definition of liberalism. One of the better accounts of the underlying principles of all varieties of liberal social and political thought, which can also be described as 'democratic' or 'liberal-democratic' thinking, is provided by John Holmes, who suggests that

The more familiar liberalism of self-interest, self-ownership, private property, freedom of contract, negative liberty, and limited government is actually based on a series of less well-known principles. These principles include (...) limited government can be more powerful than unlimited government; constitutional constraints are facilitative, not merely debilitating or obstructionist; positive liberty presupposes negative liberty (for instance, democratic self-rule presupposes some degree of privatization of religion as well as the protection of ordinary citizens from the arbitrary exercise of police powers); private freedom and

14 Cuneen 1999; 2001. For a more detailed discussion of the concept of cultural genocide, see van Krieken 2001.

public freedom can expand simultaneously; and the concept of self-interest, because it is inherently universalistic and to the extent that it implies a devaluation and inhibition of destructive and self-destructive passions, is fundamentally humanistic.¹⁵

Along similar lines, John Gray has also recently suggested that instead of searching for a 'true' definition of liberalism, we should see it as having 'two faces', depending on the understanding of 'toleration' in relation the variety of ways of life that human beings pursue:

From one side, toleration is the pursuit of an ideal form of life. From the other, it is the search for terms of peace among different ways of life. In the former view, liberal institutions are seen as applications of universal principles. In the latter, they are a means to peaceful coexistence. In the first, liberalism is a prescription for a universal regime. In the second, it is a project of coexistence that can be pursued in many regimes.¹⁶

He sees Locke, Kant, Rawls and Hayek, as exemplars of the former, the 'liberal project of a universal regime', and Hobbes, Hume, Berlin and Oakeshott as representing the latter, the 'liberalism of peaceful coexistence'. James Tully¹⁷ develops a related contrast between the 'empire of uniformity' of modern constitutionalism, and the alternative of a responsiveness to variety and multiplicity, although he sees the former as having much more clearly dominated Western political thought, in contrast to Gray's metaphor of liberalism's 'two faces'. This line of argument is also followed up in Will Kymlicka's¹⁸ conception of 'multicultural citizenship', as well as Iris Marion Young's¹⁹ critical analysis of the universalistic claims of liberal political thought. Similarly both Parekh²⁰ and Connolly²¹ point to J.S. Mill's emphasis on the centrality of civilisation to the whole project of liberal governance. For Mill, writes Connolly, civilisation is 'an advanced mode of living and governance. Generally growing out of a Christian culture, it equips people with the discipline,

15 Holmes 1994: 598.

16 Gray 2000: 2.

17 Tully 1995.

18 Kymlicka 1995.

19 Young 1989; 1990.

20 Parekh 1994.

21 Connolly 2000.

character, disposition to regular obedience and appreciation for rule of law necessary to representative government'.²² The relative merits of each of the 'two faces' of liberalism, however, remains undecided, with the 'empire of uniformity' striking back when the opportunity arises, as in Brian Barry's critique²³ of Young and Parekh.

A central theme in the development of this kind of argument about liberalism's heterogeneity has been that of the contrast between liberalism's universalistic theoretical claims and the practical exclusions, qualifications and restrictions of its real-existing political, legal and administrative regimes.²⁴ In particular, an often hidden dimension to liberal citizenship and governance is the way in which they are generally *qualified* in terms of the differing degrees of civility displayed by those members of a liberal society hoping to enjoy the full range of its rights and entitlements, their differing capacities to meet the accompanying obligations.²⁵ Uday Mehta,²⁶ for example, has outlined the intimate internal bonds between liberalism's theoretical claims to *universalism* and its actual practices of political *exclusion* based on a particular anthropology concerning what it means to be 'human'.²⁷ Mehta speaks of 'a thicker set of social credentials that constitute the real bases of political exclusion'²⁸ and qualify, heavily, liberalism's claimed universalism, generating its practical particularism and allowing the two to exist side by side without the contradiction causing too much unavoidable explicit embarrassment. The freedom which liberal political rationality promotes is a conditional one, accompanied by an equally strong concern with the production and maintenance of a configuration of shared norms, values, codes of conduct and rules of behaviour, pursued in the realms of social welfare, education, public health, psychology, psychiatry, counselling, religion, social work, the mass media, town

22 Connolly 2000: 186.

23 Barry 1996; 2000; 2001.

24 Young 1989.

25 Pettit 1997: 241-270; Rose 1999: 71-78.

26 Mehta 1990.

27 See also Mariana Valverde's (1996) discussion of the 'despotism' at the heart of liberal thought, particularly J.S. Mill, Barry Hindess's (1998) discussion of the politics of citizenship across national boundaries, as well as generally Philip Pettit 1997: 241-270 and Nikolas Rose 1999: 71-78; on inclusion and exclusion generally, see Goodin 1996.

28 Mehta 1990: 429.

planning and public architecture, all the activities characterizing what have been called 'civilizing offensives'.²⁹

If the liberal commitment to individual freedom, privacy and autonomy depends for its successful realisation on the parallel formation of behaviour and conduct according to a particular understanding of human welfare,³⁰ this formation of conduct in turn rests on a certain 'anthropological minimum'.³¹ An important part of the story of liberal political rationality then becomes the *securing* of that anthropological minimum, a very particular kind of task in relation to Indigenous populations under settler-colonial conditions. The exclusion of Australian Indigenous peoples from citizenship was until only quite recently based on the extent to which particular norms of civility had or had not been achieved by particular individuals or groups – citizenship was not something to which anyone born in Australia was entitled, it was conditional on being able to demonstrate the requisite degree of civilization.³² As Petersen and Sanders put it in relation to the Australian history of citizenship, even the missionaries who were committed to the concept of a shared humanity only regarded it as possible 'if these people acquired the cultural and social competencies of the colonisers and if difference was erased'. Assimilation was thus essential to the possibility that 'Aboriginal people could redeem themselves and become citizens of the settler society'.³³

John McCorquodale's examination of Australian legislation, judicial reasoning and administrative practice also reveals

a dichotomy based on 'blood' by which those having Aboriginal or other 'coloured' blood or strains of blood were singled out for special legislative treatment. Aborigines and 'half-castes', in particular, were subject to increasing refinement as legislative subjects in the several jurisdictions. A bewildering array of legal definitions led to inconsistent legal treatment and arbitrary, unpredictable, and capricious administrative treatment.³⁴

29 van Krieken 1990.

30 Rose 1999: 48-9.

31 Mehta 1990: 431.

32 Chesterman & Galligan 1997; Petersen & Sanders 1998.

33 Petersen & Sanders 1998: 5. See Wells and Christie (2000) and *Namatjira v Raabe* (1959) 100 CLR 664 for just one example of how such 'conditional' citizenship practices worked. In relation to American Indians, see Fitzpatrick 1995.

34 McCorquodale 1986: 7.

He goes on to suggest that '[t]he birth of a supposedly free, liberal and democratic nation (...) was therefore attended by illiberal sentiment, legislative prescriptions, and denial of basic democratic rights and freedoms solely on the ground of racial antecedents or association'.³⁵ The whole post-1945 assimilatory project of Australian liberalism thus has to be seen as layered on top of this essentially illiberal foundation, a 'civilizing mission' designed to *bring* both Indigenous and migrant Australians within a particular frame of civility, in order to *render* them proper and governable citizens.

Those collective self-images, and the boundaries drawn around colonizers and colonized, were to a large extent organized around the concept of 'civilization'. Liberal universalism is articulated with the 'filter' of civilization so that the freedoms, rights and liberties of liberal citizenship are made conditional on assimilation, on acceptance into the forms of civility recognized by various, sometimes competing, authorities: Church, state, local communities, schools and welfare agencies. Civilization constitutes both the criteria for exclusion from liberalism's freedoms, rights and liberties, and the reference point for those on-going projects aimed at the assimilatory (re)shaping of conduct so as to permit eventual re-entry into civilization and its attendant identity as a free liberal agent, a modern citizen.

The application of a range of strategies of intervention to Indigenous children as the 'solution' to the 'problem' posed by the Aboriginal population to European Australian social life is a particularly important example of the way in which welfare and freedom are organized under liberalism around the selective application of force, violence and deprivation of liberty.³⁶ The ways in which this articulation of freedom with coercion has been reconfigured over time is also important in understanding the nature of political and social life under contemporary liberalism. The primary and overarching concern of the assertion of legal guardianship by the state over all indigenous children was to 'solve' the 'half-caste problem' by breeding out the colour of both body and mind through a program of social engineering; in this sense the removal of Aboriginal children meshed with the other, accompanying, strategy of controlling sexual relations and reproduction among adult Aborigines. This was certainly the most strongly articulated argument in the writings of the politicians, administrators and anthropologists central to the development of the various forms of legislative and administrative action. 'Merging', 'absorption'

35 Id.: 10.

36 Rose 1999: 10.

and 'assimilation' into the ways of 'civilization' were the key concepts around which this discourse was organized. In 1936 a conference of the leading authorities in Aboriginal affairs declared its belief 'that the destiny of the natives of aboriginal origin, but not of full blood, lies in their ultimate absorption by the people of the Commonwealth'.³⁷ By the 1950s this kind of conception had been replaced by one more organized around the idea of citizenship, and in 1950 Paul Hasluck told the House of Representatives that 'Their future lies in association with us, and they must either associate with us on standards that will give them full opportunity to live worthily and happily or be reduced to the social status of pariahs and outcasts living without a firm place in the community'.³⁸

Within this second conception of 'citizenship as assimilation', it was also possible to regard the state's and church's intervention into Aboriginal family life as advancing the 'welfare' of the Aboriginal population as a whole, by posing a stark and uncompromising contrast between membership of the European community, on its terms, and exclusion from civilization itself. Aboriginal culture and its way of life, especially once it had encountered European civilization, was presented by Hasluck and almost every other administrator in Aboriginal affairs as inherently flawed, fragile and basically worthless, producing only illness, disease, drunkenness, filth and degeneracy in the 'thousands of degraded and depressed people who crouch on rubbish heaps throughout the whole of this continent'.³⁹ Aboriginality was constructed simply as a 'primitive social order' composed of 'ritual murders, infanticide, ceremonial wife exchange, polygamy',⁴⁰ so that for Hasluck and most white Australians, the permanent elimination of Aboriginality from the fabric of Australian social life was self-evidently synonymous with civilization and progress itself, a crucial element of the truth that 'the blessings of civilization are worth having'. 'We recognise now,' said Hasluck, 'that the noble savage can benefit from measures taken to improve his health and his nutrition, to teach him better cultivation, and to lead him in civilised ways of life. (...) We know that the idea of progress, once so easily derided, has the germ of truth in it.'⁴¹

37 Commonwealth of Australia 1937: 3.

38 Hasluck 1953: 6.

39 Id.: 9; see also the analysis in Read 1983: 20.

40 Hasluck 1956: 2.

41 Hasluck 1953: 17.

Up until the late 19th century, the dominant conception of the future of the Aborigines in Australia was that they were a ‘dying race’⁴² and that the primary focus of organised attention to them as a population group would be to ‘protect’ them in the period of their final decline.⁴³ Hasluck observed that although British policy makers and Australian administrators had started off with a concern to civilize the Aborigines and incorporate them into the Australian social life as a whole, by the late 19th century ‘these grand ideas had given place to a less optimistic policy – a policy which had more in common with the aims of the Royal Society for the Prevention of Cruelty to Animals than with the declarations of King Charles II in 1670 or of the House of Commons Select Committee of 1836-37’.⁴⁴ The concepts underlying administration of the Aboriginal population had declined, wrote Hasluck, ‘from an attempt at planning their transition from “savagery” to “civilization” to a process of pacification followed by an imperfect relief of the physical distress of the remnant’,⁴⁵ and his concern was then to reinstate the project of civilizing the Aborigines, as something to which they should be seen as having a *right* as British subjects.

However, as Australian settler-colonialism advanced across the continent over the course of the 19th century, appropriating more and more land, Europeans came into increasing proximity to those Indigenous people they did not simply kill;⁴⁶ with proximity comes intimacy, and with intimacy comes sex and babies. The effect of this sexual contact between Indigenous women and non-Indigenous men was to transform radically the nature of the relationship between colonisers and colonised, especially the European smugness about the inevitable disappearance of the Aboriginal race. White administrators became increasingly anxious about the menacing ‘half-caste problem’, the growing numbers of ‘the pie-bald specimens we meet roaming about the country at present’,⁴⁷ and much more interested in bio-politics.

Around the turn of the century administrators were referred to ‘the problem of half-castes, quadroons, and octoroons’ as ‘one that none of the Australian colonies have ever attempted to settle, and yet is has been long in

42 Bates 1944; Brantlinger 1995.

43 McGregor 1997.

44 Hasluck 1942: 68.

45 Id.: 120.

46 Barta 1987; Moses 2000.

47 Dr Roth’s Progress Report, November, 1900, Office of the Northern Protector of Aborigines, Cooktown, 5 December 1900, QSA A/58912

serious need of some satisfactory solution',⁴⁸ but the problem was posed largely in general terms about the dangers of a pauper class and the apparently unsettling mixture of European and Aboriginal physical features in part-Aboriginal children. From about the 1910s onwards, however, those same administrators began to note a *quantitative* change: in 1911, for example, the NSW Aborigines Protection Board noted the 'alarming rapidity' of the increase in part-Aboriginal children.⁴⁹ By 1936, Paul Hasluck was writing articles for the *West Australian* with headlines like 'HALF-CASTE PROBLEM. BIG RISE IN NUMBERS—Camps Swarming with Children'.⁵⁰ In 1901, we were told, there were 951 half-castes in Western Australia, in 1935 there were 4,245; in 1901 one in two hundred people were half-castes, in 1935 one in every hundred. In prose reminiscent of the Victorian accounts of slum-dwellers and 'the dangerous classes', Hasluck wrote:

In the Great Southern district half-caste families of eight, nine and ten and up to 14 children are the usual thing. There is one family of 20. At Narrogin there is one man, said to be about 65 years of age, who claims to have 120 descendants living. In one camp I saw a mother who, only five years after her first conception, was expecting her sixth child. All had been single births. Children swarmed in the huts and around the camping grounds – unwashed children badly in need of handkerchiefs. Women could be seen nursing one infant and well advanced towards another. Those were typical sights.⁵¹

Hasluck noted that the half-caste population had increased four-fold over a single generation, and suggested that if this rate of increase continued, 'the State needs to make its plans for a large body of coloured people (...) who, as they are treated at present, have no place in the community into which they can fit, no chance to be anything but hangers-on'.

The Northern Territory Chief Protector, Cecil Cook, had also done his sums, and he was equally alarmed; the white population was declining, whereas the annual increase of the half-caste population was 1.8 per cent, so that it was

48 Letter to the Under Secretary, Public Lands, from A. Meston, Protector of Aborigines, South and Central Queensland, Brisbane, 7 July 1900, NAA A58929 – Lands Department Batch Files 1903 No. 10438

49 Report of the Aborigines Protection Board 1911, *NSWPP* 1912, Vol. 1 (Pt. 2): 718

50 Hasluck 1939: 1-6.

51 *Id.*: 1.

‘only a matter of a few years before the half-caste population will approximate that of the white population’. The situation would become untenable, and Cook mused on the possibility of open revolt, let alone ongoing racial conflict.⁵² ‘Unless the black population is speedily absorbed into the white,’ threatened Cook, ‘the process will soon be reversed, and in 50 years, or a little later, the white population of the Northern Territory will be absorbed into the black’.⁵³

The evidence in the recent *Cubillo/Gunner* Federal Court case supporting the existence of a ‘general removal policy’ disregarding the child’s interests and welfare included the fact that familial consent to removal was sought but not required,⁵⁴ and the simple presumption, from the highest policy level of the Minister⁵⁵ down to individual Patrol Officers⁵⁶, that the mere fact of part-Aboriginality dictated that it was in the child’s best interest that they be removed.

The roots of the ‘obviousness’ of the removal of part-Aboriginal children were two-fold: on the one hand, there was the presumption that whatever constituted a specifically Aboriginal cultural identity was doomed to extinction, indeed it deserved no better fate:

The superiority of Western civilization, both on its own merit and in its established position as the way of life of the vast majority – indeed the incompatibility of civilized usage and pagan barbarism – left only two possible outcomes: separate development or assimilation. Separate development was rejected except as required for the protection of a dying remnant. For the future there must be opportunity and encouragement for the coming generations of aboriginal people to become like all other Australians. The most hopeful future – or, in the view of others, the highest future – for the Aborigines was to become civilized and Christian.⁵⁷

Hasluck had a habit of speaking in the third person, but it would not be foolish to wager that he was referring to his own beliefs when he said that ‘there was little doubt about the superiority of Western civilization, predominantly

52 Commonwealth of Australia 1937: 13.

53 Id.: 14.

54 *Cubillo & Another v Commonwealth* (2000) 103 FCR 1 at 88, 95.

55 Id. at 86.

56 Id. at 91.

57 Hasluck 1988: 8.

Christian in its scale of values, over the uncivilized usages of the pagan Australian Aborigines,' nor 'that the Western interpretation of the nature of existence was more cogent than the beliefs of people who appeared to have no knowledge of modern geography, biology or astronomy and consequently were less qualified than we were to form views about the universe.'⁵⁸

On the other hand, there was the threatening image of 'the half-caste' as a representative of a dangerous and disgusting racial hybridity. Liberal social and political thought also rests on a delicate balance between individual rights and some conception of 'the social', or the particular and the universal, making it possible for civilisation and modernity to have barbaric effects to the extent that this balance takes particular forms. This is what is striking about the sheer disgust which European Australians have tended to feel for Aborigines.⁵⁹ The picture drawn of Aborigines generally was occasionally lightened by conceptions of the 'noble savage' and optimism about the capacity for improvement and civilization, but revulsion and repugnance remained central elements of the emotional response to those 'pie-bald specimens'⁶⁰ who crossed racial boundaries. Again, Hasluck provides a useful example. In *Black Australians* he wrote that if one examines the attitudes of whites to Aborigines throughout Australian history, 'the first element to be noted is physical repugnance'.

Some, but not all, white people were distressed by the difference in colour, odour, cast of countenance and personal habit of the aborigines. The degree and extent of this repugnance may be expected to grow as settlement progresses and disease, bad feeding, the greater dirtiness resulting from inactivity and a mongrel-dog existence in the rubbish heaps of towns, suffering and loss of self-respect make the detribalized natives of later years less lovely to look at than the primitive savage. Later generations see a debased remnant and physical disgust is not tempered by admiration of the prowess of the hunter and bushman. (...) It may seriously be asked whether a great deal of latter-day missionary and ameliorative effort among aborigines is not founded on pity, based on physical repugnance, rather than on a respect for the black man or a faith in his dignity as a human being.⁶¹

58 Id.: 8.

59 Read 1983: 20.

60 Dr Roth's Progress Report, November, 1900, Office of the Northern Protector of Aborigines, Cooktown, 5 December 1900, QSA A/58912.

61 Hasluck 1942: 167-169.

Hasluck presented his analysis as if it consisted of detached, neutral observations on how others felt, but the emotional force of his prose is a little too strong, somewhat too heart-felt, and when one considers his other writings, it is clear that he was describing his own feelings.⁶² In any case, it remained true for Hasluck that '[t]he basic essentials of social acceptability in a free and democratic society (especially in the idealistic visions we had of a better Australia) and the standards of conformity were mostly matters of habit and behaviour.'⁶³

The presence of children with European features among Aborigines provided a clear focus for this revulsion, and an avenue of action to rescue the civilization which those children bore in their physical features from descent into barbarism and moral depravity. For all the Aboriginal Protectors, missionaries, police and patrol officers, it was self-evident that white-skinned, blue-eyed blonde or red-haired part-Aboriginal children were automatically to be removed from life among Aborigines. 'It was,' wrote Long, 'repugnant to see an almost white child living among the Aborigines and this was reason enough to remove the child.'⁶⁴

This repugnance and revulsion was based on a particular European habitus or understanding of 'habit', concepts which refer to 'the durable and generalized disposition that suffuses a person's action throughout an entire domain of

62 For example, in 1955 Hasluck told the House of Representatives that '[w]e have to give attention to hygiene. So long as natives are not living in a way that makes them physically acceptable – to put it crudely, so long as natives live in a way that makes them smell – then there is no hope for them. We have to improve their hygiene in order to make them acceptable' (*Commonwealth Parliamentary Debates* 8(New Series) 21st(1st) 6 October 1955: 1333).

63 Hasluck 1988: 23.

64 Long 1967: 196. As one contemporary observer wrote: 'At times one is startled to find, in a black's camp, children with white skins and golden hair. (...) It seems particularly painful that these children should be growing up to the life of the camps – in a word, white savages' (JR Love *The Aborigines: Their Present Condition* Melbourne 1915: 21 cited in Markus 1990: 22). Lest we think this is a particularly Australian phenomenon, we can note the example of Cambridge historian Charles Kingsley's observations, in a letter to his wife, on his visit to Ireland in July, 1860: 'But I am haunted by the human chimpanzees I saw along that hundred miles of horrible country. I don't believe they are our fault. I believe there are not only many more of them than of old, but they are happier, better, more comfortably fed and lodged under our rule than they ever were. But to see white chimpanzees is dreadful; if they were black, one would not feel it so much, but their skins, except where tanned by exposure, are as white as ours' (Curtis 1968: 84).

life or, in the extreme instance, throughout all of life - in which case the term comes to mean the whole manner, turn, cast, or mold of the personality'.⁶⁵ Elias called it 'second nature'. The European habitus (which Europeans themselves are inclined simply to equate with 'civilization') was and continues to be organised around a particular type of self-restraint as well as management of the body and the emotions: questions of hygiene, bodily smell, cleanliness, diet, dress, literacy, approaches to work, settled living, adherence to Christianity, marriage, tolerance for alcohol, even the existence of a central political authority, which was said to underpin the rights attached to civilization and, above all, a white skin.⁶⁶ An example of the physical ordinariness of the requirements of European civilization can be seen in the Government booklet published in 1961, under the heading 'What can be done?', sub-headed 'Social Behaviour':

A difficult, perhaps embarrassing, but essential activity is to educate aborigines in the fundamentals of social behaviour to ensure their full acceptance into the community at large. As well as in health and hygiene, this includes guidance in respect of such widely-separated matters as diet, budgeting the household income, planning and provision for the future, spiritual comfort, and the proper enjoyment of leisure.⁶⁷

The European attitude towards Aboriginal people was an emotional and visceral response to physical and cultural difference as much as, of not more than, a rational, considered one or a 'functional necessity',⁶⁸ that had the effect of sweeping away those considerations for people's feelings and rights as human beings reserved for 'people like us' - the de-humanizing dis-identification⁶⁹ that made it possible for administrators to put aside, with

65 Camic 1986: 1046.

66 In the Hasluck papers in the National Library of Australia, there is a draft of a report by an Inter-Departmental committee on 'Matters Affecting Native Welfare', where the following recommendation 'That any aboriginal who has reached a standard of general education which makes his attendance at a secondary school advisable should be admitted to a "State" secondary school' has added to it, in Hasluck's writing, the following emendation: 'provided that his standard of personal hygiene and mode of life make him acceptable' (NLA MS 5274 Hasluck Papers, Box 32).

67 Department of Territories 1961: 23.

68 Elias 1994: 509.

69 De Swaan 1997.

varying degrees of regret, their sentimentality about mother-child bonds. The racial, cultural and civilizational hybridity of part-Aborigines seemed to threaten the existence of civilization itself, and wherever civilization is felt to be endangered, even for liberals with powerful ethical concerns for human rights and welfare, all bets are off.

But what is ‘civilization’?

If civil society is seen as the source or foundation of the project of civilising the state, it is important to recall civil society’s own sources and foundations, which generally leads one full circle back to the state. Civil society is not something “natural”, but produced and developed, the subjects of civil society being the targets, since the sixteenth century, of a range of disciplinary and governmental strategies designed to produce them as appropriate citizens, rather than simply taking them, and whatever social forms they generate, as they are. The whole history of civil society and the state since Adam Ferguson has been that of a partnership, albeit one with up and downs, rather than a war of opposites. As Stephen Holmes puts it, ‘there is no stable liberalism detectable outside the four corners of a sovereign state. Liberalism does not attempt to weaken the state, therefore, but merely to use the state’s authority for its own ends and to reshape state institutions in conformity with its own image’.⁷⁰ In addition, the field of law lies at the heart of this production of civil society as a realm of relative individual and communal freedom separate from the state. The distinction made in jurisprudence between civilized and barbaric societies has always been centred on the ‘rule of law’, on the existence of a system of abstract, rule-governed restraints on the exercise of violence and force, the rules of which have an existence of their own independent of whichever individuals or groups happen to dominate at any particular time. To the extent that civil society concerns the restraint of violence and power, law has played a central role, especially in civilizing the state (originally, civilizing the King). Indeed, the construction and defence of the boundaries between civil society and the state is a large part of law’s concern, and a society without a rule of law is one with no distinction between state and civil society.

70 Holmes 1994: 600. Holmes also sees the recent history of genocides and ethnic cleansing as the result precisely of the *collapse* of state institutions ‘making impossible the enforcement of basic rights’: 609.

Lucien Febvre suggested that it is possible to identify two main ways in which concept 'civilization' is used. It can have an 'ethnographic' meaning, referring simply to a way of life, a particular assembly of cultural, moral, political and economic forms. In this sense it is interchangeable with 'culture' or 'society', and is of little analytic utility. Let us call this *civilization-1*. However, the concept of civilization is also used to legitimate the idea of the rule of law in a more general sense, particularly in constitutionalism and the separation of powers idea, as operatively central to civilization, particular the restraint of violence and power, as it is to liberalism. What characterizes both civilization and the rule of law is the embedding of the exercise of power in impersonal rules and structures, rather than in the unregulated will of dominant individuals and groups, a 'government of laws, not of men'. However, the form taken by individual subjectivity still plays a central and particular role in determining the operation of different modes of government and law. For David Hume, it was the application of human effort to practical, productive labour which would achieve this effect:

Laws, order, police, discipline; these can never be carried to any degree of perfection, before human reason has refined itself by exercise, and by an application to more vulgar arts, at least, of commerce and manufacture. Can we expect, that a government will be well modelled by a people, who know not how to make a spinning wheel, or to employ a loom to advantage?⁷¹

A central focus of Western political theory has been to argue that human beings are not born reasonable, and that some process of cultivation, refinement, education or formation of 'public reason' – let us call it *civilization-2* – is a crucial dimension of a peaceful and productive civil society. Bauman thus argues that the project of civilization was centrally about the production of governable subjects:

the concept of *civilisation* entered learned discourse in the West as the name of a conscious proselytizing crusade waged by men of knowledge and aimed at extirpating the vestiges of wild cultures – local, tradition-bound ways of life and patterns of cohabitation. It denoted above all else a novel, active stance taken towards social processes previously left to their own resources, and a presence of concentrated social powers sufficient to translate such a stance into effective

71 Hume 1987: 273.

practical measures. In its specific form, the concept of *civilisation* also conveyed a choice of strategy for the centralized management of social processes: it was to be a knowledge-led management, and management aimed above all at the administration of individual minds and bodies.⁷²

Until the early 1700s, suggests Lucien Febvre, the concept of police had been regarded as most central to superior government, and cites Furetière referring in 1690 to ‘police, laws, systems of conduct to be observed for the subsistence and government of states in general, in opposition to barbarity’,⁷³ the defining feature of ‘savage’ societies was their lack of laws and a concept of police. However, in the course of the eighteenth century, there was additional concern for a concept which grasped ‘the triumph and spread of reason not only in the constitutional, political and administrative field but also in the moral, religious and intellectual field’,⁷⁴ with the second effectively absorbing the first, and this concept became civilization.

By the end of the eighteenth century, it was *civilization-2* which represented the form of human perfectability to which European societies drove both their own populations and as much of the rest of the world as they could lay their hands on.⁷⁵ As Elias wrote, civilization had come to be defined by Europeans ‘simply as an expression of their own high gifts’.⁷⁶ In this second usage, wrote Febvre,

when we are talking about the progress, failures, greatness and weakness of civilization we do have a value judgment in mind. We have the idea that the civilization we are talking about – ours – is in itself something great and beautiful; something too which is nobler, more comfortable and better, both morally and materially speaking, than anything outside it – savagery, barbarity or semi-civilization. Finally, we are confident that such civilization, in which we participate, which we propagate, benefit and popularize, bestows on us all a certain value, prestige and dignity. For it is a collective asset enjoyed by all civilized societies. It is also an individual privilege which each of us proudly boasts that he possesses.⁷⁷

72 Bauman 1987: 93.

73 Febvre 1998: 166.

74 Id: 167.

75 Woolf 1989.

76 Elias 1994: 41.

77 Febvre 1998: 161.

The idea of *civilization-2* had become a crucial part of Europeans' sense of superiority over all other peoples in the world: 'the consciousness of their own superiority, the consciousness of this "civilization", from now on serves at least those nations which have become colonial conquerors, and therefore a kind of upper class to large sections of the non-European world, as a justification of their rule'.⁷⁸ This *civilization-2* can be described as a subjective sense of civilization, in that it captures the self-understanding of the civilized person.

However, we can add a third consideration which approaches a more objective understanding of those social and political conditions, practices, strategies and figurations which produce whatever ends up being called civilization, founded on a reflexively critical awareness of the way in which particular conceptions and experiences of 'being civil' get constructed and produced in one way or another. This process of *civilization-3* was the concern of Norbert Elias, who believed that what we experience as 'civilization' is founded on a particular habitus, a particular psychic structure which has changed over time, and which can only be understood in connection with changes in the forms taken by broader social relationships. Elias insisted that 'the molding of instinctual life, including its compulsive features, is a function of social interdependencies that persist throughout life', and these interdependencies change as the structure of society changes.

Elias spoke of the 'conveyor belts' running through individuals' lives growing 'longer and more complex',⁷⁹ requiring us to 'attune' our conduct to the actions of others,⁸⁰ and becoming the dominant influence on our existence, so that we are less 'prisoners of our passions' and more captive to the requirements of an increasingly complex 'web of actions',⁸¹ particularly a demand for 'constant hindsight and foresight in interpreting the actions and intentions of others'.⁸² Just as important as the 'length' of chains of interdependence was the increasing ambivalence of overlapping and multiple networks: as social relations become more complex and contradictory, the same people or groups could be 'friends, allies or partners' in one context and 'opponents, competitors or enemies' in another. 'This fundamental ambivalence of interests,' wrote

78 Elias 1994: 41.

79 Id.: 452.

80 Id.: 445.

81 Ibid.

82 Id.: 456.

Elias, is 'one of the most important structural characteristics of more highly developed societies, and a chief factor moulding civilized conduct'.⁸³

All of these processes of civilization 'tend to produce a transformation of the whole drive and affect economy in the direction of a more continuous, stable and even regulation of drives and affects in all areas of conduct, in all sectors of his life'.⁸⁴ We are all compelled more and more to regulate our conduct 'in an increasingly differentiated, more even and more stable manner'. Elias referred to this increasing self-regulation as a process of 'psychologization' and 'rationalization', because it revolved around the growing reflexive understanding of our own actions, those of others, their interrelationships and their consequences. 'The web of actions grows so complex and extensive,' wrote Elias, and 'the effort required to behave "correctly" within it becomes so great, that beside the individual's conscious self-control an automatic, blindly functioning apparatus of self-control is firmly established'.⁸⁵

Elias's linkage of the historical formation of subjectivity with state formation, as well as more general processes of social development, constitutes a conceptual basis for analysing the civilizing mission itself, using his approach to processes of *civilization-3* to analyse what was self-understood as *civilization-2*. The normative assessment of peoples constructed as uncivilized barbarians can then be seen to be rooted in the psychic, social and political dynamics of civilizing processes themselves, the negative image of the 'savage' being a projection of the civilized person's own feared internal barbarism, at either the individual or collective level. As Victor Kiernan has put it:

Underlying the antithesis of civilization and barbarism was that of mind and body. Reacting against the debased native, the European was in part reacting against his own baser self. It has been noticed how ready the white man often is to invest the black man with all the worst impulses he is conscious of in himself. Skin color disturbs us, perhaps, because its unfamiliarity forces us into awareness of the physical self that we would prefer to forget, and among people resembling ourselves can forget.⁸⁶

83 Id.: 395; see also Hirschman 1977 and Holmes 1995.

84 Id.: 452.

85 Id.: 445-6.

86 Kiernan 1995: 159. One can see this dynamic at work in the discussions of the character of the 'half-caste', which was often constructed as being constituted by the worst vices of both races.

An understanding of *civilization-3* in Elias's sense also makes it possible to see 'the civilizing mission' as itself subject to processes of civilization: 'the way we civilize'⁸⁷ can itself be seen as more or less civilized, more or less barbaric, in the sense of being more or less organized around restraint of emotion and visceral responses, a greater or less responsiveness of lengthening chains of social interdependency, to the long-term implications of individual actions and organized interventions. There is no reason to deny that our utilisation of Elias's ideas should still proceed on a thoroughly critical basis,⁸⁸ but they none the less constitute an important step towards a critically reflexive understanding of civilization which can usefully illuminate the ways in which we attempt to engage with both the historical and current injustices characterizing the institutions and practices of liberal governance.

Liberalism between welfare and cultural genocide

History seems to prove that once people of one nation or race come to regard themselves as superior in culture and civilization to members of another nation or race, they generally behave towards the members of the allegedly inferior nation or race in a manner which deeply stains their own reputation.⁸⁹

In all of the organized responses to the threats of cultural and biological hybridity there remained a powerful tension at the heart of official understandings of individuals as developing from childhood to maturity and their place in society, between, for example, 'the best interests of the child' and 'the best interests of society'. One can see evidence of this in the on-going tension between Hasluck and his competitor as the leading 'theorist' of assimilation, A.P. Elkin, Professor of Anthropology at the University of Sydney between 1934 and 1951. 'Assimilation, however,' wrote Elkin in the 1950s, 'does not mean, or necessarily involve, the extinction of the Aboriginal race, that is, swallowing it by social processes and intermarriage',⁹⁰ nor that 'to be citizens, Aborigines must give up all their kinship customs and their beliefs and rites, or that local

87 Kidd 1997.

88 Van Krieken 1999.

89 Strehlow 1958: 7.

90 Elkin Papers, University of Sydney, Series 17, Box 19, Item 109.

groups must no longer think of themselves as closely knit communities'⁹¹ Elkin felt that 'although scattered in groups across Australia, and increasing in numbers, the Aborigines will have their own sense and experience of solidarity, of possessing a common history, - in short, of being a people'⁹²

A useful illustration of these arguments can be found in the way they were reflected in Government statements on the definition of 'assimilation'. These policy statements, which would appear variously in Annual Reports, press releases, statements in Parliament, were carefully thought about and argued over among Aboriginal administrators throughout Australia, and operated as focal points for the discursive construction of Aboriginal 'welfare'. They tended to have three elements, statements on (1) the relation of the Aboriginal to the European population; (2) the rights of Aboriginal people; and (3) their relationship to their own culture and history. Up until 1961, the first category stressed that Aboriginal people were to 'eventually become indistinguishable from other members of the Australian community in manner of life, standards of living, occupations and participation in community affairs', there was no mention of the second, and the third emphasised that assimilation 'depends (...) on assisting the aboriginal people to detach themselves from their present position of group separateness'. After 1961, the emphasis on becoming 'indistinguishable' had been modified to encourage Aboriginal people being able to 'participate equally with all other Australians in community affairs' and 'adopt a similar manner of life', there was now reference to having 'equal opportunities to enter the same occupations' and to 'enjoy the same standards of living', and instead of simply detaching themselves from their history, assimilation was deemed possible 'while still retaining connections with and pride in their Aboriginal ancestry'. Hasluck himself equated the latter with 'strange capers at Hallowe'en', and he clearly continued to resist the idea, given that the policy statement contained in the pamphlet produced by his Department in 1961, *One People* (p. 10), continued to omit the reference to 'Aboriginal ancestry', but the subsequent history of Aboriginal affairs, particularly the move towards land rights and self-determination, shows that it was Elkin's form of liberalism which was on the ascendancy.

This tension within liberal political rationality is also reflected in the thinking of administrators responsible for putting policy into practice, which

91 Elkin Papers, University of Sydney, Series 17, Box 143, Item, 111.

92 Elkin Papers, University of Sydney, Series 17, Box 19, Item 109. See also the discussions in Thomas 1994, Rowse 1998a and McGregor 1999.

displays some consciousness of what was problematic about child removal. For example, in 1909, the Queensland Chief Protector referred to the removal of groups of mothers and their children to mission stations and reserves, and said: 'Many of the children so collected are very fair with beautiful curly hair and often with refined features. It seems a pity that they cannot be separated, but it would only be cruel to take them, without good cause, from their mothers.'⁹³ Later Roth also expressed contradictory feelings and thoughts; on the one hand, he said that he lent

strongly to the view that it is less cruel to these unfortunates to keep them among the race to which they belong, half by blood and almost wholly by nature, than to expect them to take a place with their white sisters, where uncongenial conditions and company condemn them very often to what can only be an unhappy lonely existence.

But, none the less,

on the other hand, I think it is certainly desirable where an illegitimate quadroon white child is born, that it be taken from its mother as early as it is safe to do so and placed in care of the State Children Department to be brought up as a white child. Many of such children have fair hair and blue eyes, and show practically no traces of the aboriginal blood in them, and it would be a shame to leave them in the degrading atmosphere of the camp.⁹⁴

There was always at least some conflict in the minds of the administrators throughout the whole history of Aboriginal child removal, then, between regret being expressed about the cruelty of taking children from their mothers, or the 'waste' of leaving a part-European child to grow up as an Aboriginal, without a clear, rational, means of distinguishing between which form of regret was preferable to the other. Tim Rowse⁹⁵ and Anna Haebich⁹⁶ point out that diverse strategies were pursued in different parts of Australia; not all States introduced

93 *Annual Report of the Chief Protector of Aboriginals, 1909*, Brisbane: Government Printer, 1910, p. 15; Richard B. Howard, Chief Protector

94 *Annual Report of the Chief Protector of Aboriginals, 1913*, Brisbane: Government Printer, 1914, p. 11; J.W. Bleakley, Chief Protector

95 ROWSE 1998b: 87.

96 Haebich 2000.

specific legislation targeting Aboriginal children, and there were differences in 'the level of intrusion into parental rights, powers to remove and retain children, and the nature of child placements' as well as 'where children were placed – in Aboriginal children's institutions, dormitories in multipurpose institutions, and mainstream children's homes'.⁹⁷

Hasluck once wondered '(...) why it was that men of decent habit and usually of controlled passions were moved to a tolerance of violence and even to its commission'.⁹⁸ We need look no further than Hasluck himself to find an answer, because it was his own conception and experience of 'civilization' which in turn put a very particular spin on his conception of 'welfare', turning it into something which today we recognize much more as 'violence'. What Hasluck's assimilationist civility lacked was an understanding of distinctions and differences within the category 'civilization', which would have enabled him to acknowledge and recognize the essential social, communal and familial bases of Aboriginal people's identity and existence, rather than regarding Aboriginality merely as a constraint on modernity to be shed as quickly as possible.

The specific significance of the Australian 'stolen generations' history is that it is not simply one of a dominance of communal identities over individuals, with all the negations of individual freedoms and rights which that entails. In fact, it shows how the two are interlinked and that a commitment to liberal values, practices and institutions in itself tells us too little about how they operate in practice. Within a particular civilizational framework, the removal of Aboriginal children was structured around a conception of well-being and welfare itself based on an understanding of ideal civilized human subjectivity which denied Aboriginal children a cultural history and identity. It was the particularly mono-cultural focus on individuals assimilating into an 'empire of uniformity'⁹⁹ which undermined communal identity, in turn inflicting significant long-term psychological and social violence on the individuals in the targeted groups.

97 Id.: 2000: 148; see also Parry 1995.

98 Hasluck 1942: 179.

99 Tully 1995.

Conclusion: towards reflexive civilization

If the idea of the 'civilizing mission' is central to the political rationality of liberal state formation, so too is that of 'civilizing the state' itself, promoting the assumption of responsibility within individuals and groups themselves for the ethical mode and substantive civility of contemporary practices of government. The demands currently being made of the state in the name of civil society – that, for example, it subject itself constantly and systematically to the critical scrutiny of a variety economic, social and political actors in society – have always been central to liberalism. Questions such as, 'how can non-government organisations play socially positive roles in building civil society and civilising their states?' can be seen as exactly the sort of question which liberal government inherently poses for itself, since it is what makes political rationality specifically 'liberal'.¹⁰⁰

However, a number of shifts have taken place in European Australian's self-understanding of what it means to be civilized. This has enabled a critique of past policies and practices in relation to the Aboriginal population, and an important consequence has been that, in addition to the development of new forms of political practice and the organisation of social life, Australians' understanding of their past has been re-framed so as to render some its central features highly problematic. Partly because of the parallel development of similarly critical understandings of other aspects of past state activity, fewer and fewer people are persuaded that the civilizing mission characteristic of the assimilationist era of settler-colonialism had Aboriginal 'well-being' as its primary objective, and it looks increasingly like a relatively inhumane, bureaucratic and ham-fisted attempt at racial and social engineering.¹⁰¹ It seems rather absurd today that anyone seriously expected parents to simply forget their children, and that no thought at all was given to the possibility that children would be unable to forget their parents, let alone turning their minds to how

100 Foucault 2000; Holmes 1995.

101 I say 'relatively' because such an assessment is based on current values, knowledge, and the current stage of the process of *civilization-3*. It is not entirely clear that at the time, such an assessment could have been very widely shared. Justice O'Loughlin in the *Cubillo/Gunner* case, for example, allows for the possibility that those who removed and detained Lorna Cubillo and Peter Gunner thought they were doing so 'in their best interests', and bases his normative and practical critique on 'today's standards' and the evidence provided by 'subsequent events': *Cubillo & Another v Commonwealth* (1999) 89 FCR 528 at 482, 483.

people taken from their families were meant to understand their own personal biographies. It is now much more difficult for church and state authorities to claim ethical and normative continuity with their previous incarnations, so that liberals now have a political choice between maintaining their assertion of historically continuous identity by taking responsibility for past practices and issuing some sort of public apology for the violence of their past treatment of individuals in their care, on the one hand, or giving up on historical continuity altogether and pleading 'different times, different standards, nothing to do with us', on the other.¹⁰²

This emergence of a critical attitude towards the relations of force and violence between and among colonizers and colonized within settler-colonialism then raises some particular questions for our understanding of processes of civilization. Recently Ton Zwaan¹⁰³ has outlined the problems posed by nationalism and ethnic identity for theories of civilization, and how particular articulations of nation and state formation in human history need to be seen in terms of decivilization as well or perhaps instead of civilization. His study is in turn part of a growing body of scholarship which has emerged over the last decade or so on the complexities and contradictions of the continuing place of organised violence within and alongside processes of civilization.¹⁰⁴ But violence in this literature generally means physical genocide, mass extermination, organized starvation, and the like, and my concern here has been rather different. The question of colonialism's violence is larger than that of the murder and dispossession of Indigenous peoples,¹⁰⁵ and the critique of Aboriginal child removal concerns those forms of violence which do not on the surface appear as such, and which can and are constructed as benign and promoting the welfare of their objects. The physically violent aspects of the continuing history of settler-colonial societies have been displaced, generally if not entirely, by the organized assimilation of Indigenous peoples into the social life of the colonizing population, based on the assumption that their distinctive way of life and cultural identity simply has no future in a modern, globalized world,

102 For a related argument concerning a historical transition from more formal and automatic to more informal and reflexive forms of *habitus* during the 20th century, see Waldhoff (1995), as well as Wouters' (1998) discussion of Waldhoff's work and his own conception of the development of more reflexive and flexible forms of self-regulation within the emergence of a 'third nature'.

103 Zwaan 2001.

104 Mennell 1990; de Swaan 1997; 1999; Fletcher 1997.

105 Barta 1985; 1987; O'Malley 1994.

and that it is 'for their own good' that they transform themselves into different kinds of human beings. One commentator, for example, uses the analogy of culture as a potentially 'sinking lifeboat', of people's attachment to a distinctive cultural identity as constituting a refusal to be rescued from their 'doomed vessel', organised around demands for saving timbers and pumps from those of us in more sturdy craft.¹⁰⁶

Although there is clearly merit to arguments outlining the problems attached to cultural difference within the nation state,¹⁰⁷ the problem remains that it is difficult for an institutionalised critical stance towards the identity and way of life of particular human groups not to be experienced as yet another expression of contempt, disregard and non-recognition of those groups. It is difficult to grasp the underlying violence of such enlightened improvement of the vessels in which we sail through the world if one treats the various types of violation of bodily integrity, up to and including murder, as the sole touchstone of what constitutes 'violence'. Theoretically this means that when one examines the three major elements of what Elias understood as the civilizing process – a shift in the balance between external and internal constraint towards the latter, a tendency towards a more stable and differentiated pattern of self-restraint, and increasing mutual identification across group boundaries – the treatment of Indigenous peoples under settler-colonialism is a key example of how the third element can take varying pathways. To the extent that mutual identification across racial or ethnic boundaries, or between settler-colonists and Indigenous populations, is either absent or weak, the European Australian response to Aboriginal people is a complex example of what Abram de Swaan calls 'dyscivilization',¹⁰⁸ a partial unfolding of some but not all possible aspects of processes of *civilization-3*, with Aboriginal people subjected to a process of psychological and cultural 'compartmentalization' precisely within the process of dissolving their social and physical isolation through their assimilation into European social life.

Alongside asking whether the infrastructure of civil society can support democratic social and political institutions, or how non-government organisations might contribute towards building civil society, civilizing their states, or

106 Buchanan 1991: 55.

107 Sypnowich 1996; 2000

108 De Swaan 1999. In de Swaan's other work (1997), this concept is linked in turn to 'disidentification' to capture situations – such as Rwanda – where mutual identification fails.

encouraging social justice, it is equally important, then, to continue our consideration of the colonizing dimensions of civilization and liberalism in a broad range of settings (including but not just the obviously colonial or settler-colonial). The questions raised by such reflection would include: in the process of civilizing liberalism itself, is that process inherently paradoxical, one where barbarism and civilization are natural twins rather than alternatives? what are the colonizing dimensions of any particular civilizing process? how can the constraint of violence which civilized liberalism is meant to encourage be undertaken without reproducing merely different forms of violence? in what ways are the interrelationships between governance and civilization configured by particular sets of legal conditions, by underlying legislative and judicial frameworks? what kind of debate is it possible to have about the definition of 'civility' within highly differentiated societies, particularly its degree of homogeneity or heterogeneity? A serious engagement with questions such as these, I would suggest, will play an important role in developing a better understanding of the ways in which the real effects of our pursuit of the ethical and political aims of *civilization-2* and liberalism are conditioned by underlying objective processes of *civilization-3*, decivilization and discivilization.

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