

HISTORY AND COLLECTIVE RESPONSIBILITY

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WORKING PAPER ONLY:

A version of this paper was published as:

Sparrow, R. 2000. History and collective responsibility. *Australasian Journal of Philosophy* 78(3): 346-359

Please cite that version.

Abstract: In this paper I argue that an examination of the role played by history in determining the nature of the present reveals both the temporal extension of the Australian community that confronts the question of responsibility for historical injustice and the ways in which Australians today continue to participate in those same injustices. Because existing injustices suffered by indigenous Australians are essentially continuous with the racist history of the invasion of the Australian continent and dispossession of the Australian Aboriginal peoples, non-Aboriginal Australians today may be held responsible for the wrongs committed in the course of that history.

Keywords: historical injustice; intergenerational injustice; aborigines; history; racism; ethics

HISTORY AND COLLECTIVE RESPONSIBILITY

Rob Sparrow

In this paper I will argue that contemporary non-Aboriginal Australians can collectively be held responsible for past injustices committed against the Aboriginal peoples of this land. An examination of the role played by history in determining the nature of the present reveals both the temporal extension of the Australian community that confronts the question of responsibility for historical injustice and the ways in which we continue to participate in those same injustices. Because existing injustices suffered by indigenous Australians are essentially continuous with the racist history of the invasion of the Australian continent and dispossession of the Australian Aboriginal peoples, we may be held responsible for the wrongs committed in the course of that history.¹

The first section of the paper introduces a thesis about the role of historical judgement in determining the nature of current events. The second section presents an account of the history of Australian race relations that informs my judgement that Australians today are implicated in past injustices. This account may appear controversial to some eyes; it may be disputed or weakened in various ways without necessarily undermining the argument of the paper of the whole. The third section argues that the continuity between past and present acts of injustice towards indigenous Australians means that the historical ‘moment’ in which we confront the issue of injustice includes the past in which injustices were committed. Consequently, the present (non-Aboriginal) Australian community may be held responsible, or share responsibility, for these injustices. In the fourth and concluding section of the paper, I draw some further implications of the earlier arguments for the attempt to do justice to historical wrongs.

¹ Throughout this paper I will use ‘we’ to refer to non-Aboriginal Australians. This is because I myself am an Australian of Anglo-Saxon descent and because it is this community to which the appeal to acknowledge responsibility for historical injustice is addressed. However this is in no way meant to imply that Aboriginal Australians are not part of the philosophical community in which the paper is intended to be read.

I. Historical Judgement and the Nature of the Present

The intuition with which I want to begin this paper is that, in many important ways, the nature of current events is indeterminate and will only become clear with hindsight. The real nature of current events is only visible via a backwards gaze from the future.² For instance, whether or not a struggle for socialism today represents a brave attempt to keep the red flag flying, or a pathetic clinging to a failed ideology, depends at least in part on whether or not it succeeds sometime in the future. As regards the ethical determination of both our past and present actions and projects, we are always awaiting the judgement of history.³ Future events reach back through history to shape what is happening now and in the past. As Lloyd puts it, ‘the determination of what is happening now—the determinate content of what is—depends on what is now still future. What happens now is determinate only from a perspective not yet available’.⁴ It is the consequences of this idea that I want to investigate in this paper. I will argue that it should alter the way in which we perceive the present, and in particular its duration, so that past events become present for us. However, I need first to spend some time examining the different ways in which the future may shape the present and exploring their consequences.

In looking back on history we do not view the past as a series of singular and unrelated events. Instead, we see patterns, periods and series of events. We impose a structure on the past which unifies and relates its constituent elements. We group actions into trends, construct explanatory narratives and postulate causal chains. We write histories of peoples, nations, religions, epochs, classes or social mores. We trace the passage of these

² I was first led to consider this intuition on hearing a paper by Genevieve Lloyd entitled ‘Collective Responsibility and Collective Imagination’ presented at a conference on ‘Autonomy and Feminist Agency’ which was held at the ANU and published in Catriona Mackenzie and Natalie Stoljar (eds.), *Relational Autonomy* (Oxford: Oxford University Press, forthcoming) under the title ‘Individuals, Responsibility and the Philosophical Imagination’.

³ The role of contingency in determining the ethics of our current actions is explored in Bernard Williams, ‘Moral Luck’, *Proceedings of the Aristotelian Society* Supp. Vol. L (1976), pp. 115-135.

⁴ Lloyd, ‘Individuals, Responsibility and the Philosophical Imagination’, manuscript, p. 3. Of course this argument also implies that the nature of events is *never* fully determinate; there always exists the possibility that future events may cause us to revise our understanding of them.

subjects through migrations, wars, schisms, revolutions, transformations and evolution. These patterns and structures in turn effect both the events that we pick out as significant and our understanding of their nature. We understand the assassination of Arch-duke Ferdinand as the beginning of World War One, whereas other politically motivated killings of the same period go unremarked and unremembered. Looking back on our own personal history, we remember the moment when we fell in love but not the various moments when we thought we had. It is important to emphasise here that it is *not* the case that these patterns pick out certain events as important or significant from a set of events which could be described independently. They also structure how we identify and describe the events. There exists no clear distinction between our account of what happened and our understanding of its significance and historical role; the former is always partially determined by the latter. The historical events we record are often not those that were significant to those involved in them at the time; their significance may only be revealed in retrospect. The unfolding of history can alter the ways in which we understand both present and past events.⁵

Of particular significance when considering the issue of historical responsibility is the way in which, in looking back on history, we may associate or group the actions of different persons. The historical gaze encompasses both individuals, as in biographies, and groups, as in national or social histories. However, for the most part the historical gaze focuses on nations, groups, classes, social and political movements and other collectivities. By viewing individuals as participants in a history which extends beyond them both temporally and spatially (outwards towards others), historical judgement may actually work to forge collective identities. One way of understanding this connection between history and identity is as an empirical political claim. The writing of histories is a political act, which asserts that the people about whom they are written are historical agents with a distinct set of interests. For this reason, one of the first projects of emerging nationalisms is the construction of new histories which reveal themselves to be historical subjects.⁶ But the connection between history and identity itself rests on a deeper truth about the role they play in the construction

⁵ Peter Munz, 'The Historical Narrative' in Michael Bentley (ed.), *Companion to Historiography* (London: Routledge, 1997), pp. 851-72.; William Dray, 'Philosophy and Historiography', pp. 763-82, in the same collection, at pp. 774-9.

⁶ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991) p. 195 & p. 205; Eric Hobsbawm and Terrence Ranger (eds.), *The Invention of Tradition* (Cambridge/New York: Cambridge University Press, 1996), Introduction, pp. 1-14.

of any narrative.⁷ The self-reflection of a subject, which enables it to become conscious of its own existence and nature, takes place in time and so requires that the earlier states of the subject are available to it for reflection. Any identity presupposes a history. But equally well, a history presupposes an identity. In order to write the history of a subject we must be able to identify it as it persists through time. The telling of histories, then, always also involves claims about identities.

A further important observation is that the distinction between our past and our present is not necessarily a historically significant one. The distinction between today and yesterday—between ‘now’ and ‘then’—which is so important today is unlikely to be significant at all in a year’s time and will most likely be completely invisible in one hundred years. From the perspective of the future, our past and present are both merely the past. The backwards gaze of the future may well treat much of what we regard as the past as part of our present. It thus blurs the distinction between past, present and future, expanding the ‘present’ into a duration of indefinite extension. This extension of the present is only revealed by contemplating current events in their historical dimension. If we ask ‘when’ a particular event occurred, the answer will be a duration rather than a single moment. Historical events and the collectivities which participate in them extend across time and may extend into and indeed beyond our present. So the ‘now’ in which these events are happening extends both before us into the future and behind us into the past.

It is important to note that the determining influence of the present on the past—and of the future on the present—is not just a matter of the empirical description and schematisation of events but of their ethical evaluation also. This is true in the trivial sense that our evaluation of an action is not unaffected by our empirical description of it. If we discover that some action which we had thought to be virtuous led to disaster then we may reconsider our original evaluation of it.⁸ Later actions may reveal it to be part of a pattern of events which transforms our understanding of its (normative) character

The re-evaluation of events in the light of later events is not the only mechanism whereby our understanding of events is transformed. The values used in historical judgement are themselves embedded in history. Even when we are not setting out to engage in ethical judgement, our descriptions of past events are inevitably infused with normative evaluation

⁷ For the following see Genevieve Lloyd, *Being In Time: Selves and narrators in philosophy and literature* (London and New York: Routledge, 1993), Chapter 2.

⁸ Bernard Williams, ‘Moral Luck’.

and the ethics we bring to our understanding of past events is necessarily our own. For this reason, for instance, we describe the actions of Southern American slave-holders in the 19th century who shot infirm slaves as murder rather than as disposing of their property, as they understood it. These normative characterisations of past events are often not those which the actors involved would themselves adopt or perhaps even understand. In this way history allows that our own understanding of moral events may be revealed as inadequate and that their real nature may be other to our understanding.

What can we make of the significance of these facts for discussions of responsibility for historical injustice? Given that we cannot know how history will judge us and, furthermore, that the values it uses to do so may be different from our own, it may be difficult to see why we should care how the future will judge us. Why should we care how others, distant in time, who may not share our values, think of us? But while it is true that we cannot know what the future holds, it remains the case that we do care about how the future will judge us and, I would argue, rightly so. This is the case because the future that concerns us is *our* future. Although I have been emphasising here the way in which the future reaches back through history to shape the past, it is also true that that past—and thus our present—shapes the future. The ethical communities in which we live and with whom we are engaged in the shared moral project of developing our ideas and shaping a form of life extend forwards in time as well as outwards towards those around us. The future represents the continuation of our ethical projects and thus there is a sense in which its (or future historians’) judgements are our judgements. As they represent the continuation of our projects, we are present in them as well. We care about the opinions of future historians in the same way as we care about what we will think about our own lives when we look back on them in years to come.

But it may still seem that I haven’t answered the objection canvassed above. Even if I have established that we have reason to be concerned for the judgement of the future, how can this matter, given that my argument for the indeterminate nature of the present was based upon the uncertain influence of the future? It seems that my argument can have no consequences. If we do not know how history will judge us, how is it possible to defer to it?⁹

⁹ Indeed, it is not difficult to imagine cases when we might wish to reject the judgement of those who actually write the history of our era and rightly so. It may be that those who come after us are so totally alien to us that (if we were to encounter them) we would entirely reject their judgements. We cannot in fact know either way. As we will see below this means that the actual judgement of history can have only a limited impact on our own moral evaluations.

It is true that the argument so far has not provided us with an alternative vantage point from which to evaluate our projects. Thus my argument does not lead immediately to a change in our ethical practice through our adopting a different set of values by which to evaluate our actions.

However, what I wish to argue a recognition of the role of the future in determining the nature of past and current events does is transform our understanding of our current ethical predicament. It alters *our* understanding of the contexts of our actions and the character of the projects we are engaged in here and now by placing them in their historical context. It historicises the present and in doing so makes the past present for us by situating us in its midst. When *we* consider how we will appear to history we must take into account the relation between our actions and the historical background against which they take place. Concern for the judgement of history forces a recognition of the importance of the historical circumstances in which we find ourselves. While we do not know how those who look back on us from the future will judge us, or according to what values, we do know that they will not see us independently of our history. It remains true that we must make do with our own judgements. But we should do so in the knowledge that we will be judged alongside our history.

II. Australian Race Relations: Then and Now

What then are the consequences of considering how we in Australia at the beginning of the new millennium will appear to history? They are troubling, given the continuities which exist between contemporary and past treatment of Aborigines by non-Aboriginal Australians. Australia is yet to adequately distance itself from its history of racial injustice and this suggests that we may be seen alongside our past in ways which implicate us in it. In Section III of this paper I will argue that recognition of historical continuities between past and present generations of Australians may lead to the ascription of responsibility for historical injustice. In order to justify this claim, I need to pause to examine the history of non-Aboriginal Australia's treatment of Aborigines. I want to argue that although there have obviously been many improvements over the years, the worth of which should not be discounted, in important respects contemporary treatment of Aboriginal Australians remains essentially continuous with a racist history.¹⁰ Contemporary treatment of Aboriginal Australians is continuous with past treatment along three axes, which define the basic dynamics of Australian race relations. They are dispossession, extermination and forced assimilation.¹¹ I will deal briefly with each in turn.

It is uncontroversial today that the Australian nation is based on an invasion and on the theft of land from its original inhabitants. What is less often spoken of is that current generations not only continue to cling to land that was stolen unjustly and to profit from the original act of dispossession but actively seek to deny Aboriginal peoples land which Australian courts might grant them title over. A large proportion of Australia's economic activity stems directly from the use of—and, historically, from Aboriginal dispossession of—the land. Sales of beef, wool and minerals make up a large proportion of Australian export earnings and the continuing investment of the mining and pastoral industries which generate these has been predicated on Australia not providing proper land rights for Aborigines. The

¹⁰ In its understanding of the nature of modern Australia's relation to its Aboriginal population this section of the paper draws upon Patrick Wolfe, 'Nation and Miscegenation: Discursive Continuity in the Post Mabo Era', *Social Analysis* 36 (October 1994), pp. 93-152. My thanks to Shelley Marshall for originally drawing this paper to my attention

¹¹ These dynamics are themselves components of the overall dynamic of the invader culture towards the indigenous inhabitants of the continent, that Wolfe describes as 'elimination'. See Wolfe, 'Nation and Miscegenation', p. 96.

failure to enact national land rights legislation is indicative of a continuing desire to make use of the land as we see fit without regard to the claims of its original inhabitants. This desire was also reflected in the so called ‘need’ for certainty emphasised in much of the debate surrounding the Native Title Act and recognised in that Act.¹²

Shamefully, the Australian government’s response to the ‘discovery’ of native title was not to move to defend and enforce the rights of Aboriginal peoples but to move promptly to limit, and where possible roll back, the extent of these rights. Insofar as this is possible in a country that we already dominate, we continue the dynamic of dispossession and take new lands.¹³

At numerous points in Australia’s history, throughout the country, Aboriginal peoples responded to the theft of their land by armed resistance. In response—and often without even this justification—the colonial authorities sometimes set out to clear the land of the native menace by exterminating them. As well as various massacres and reprisal raids, more-or-less

¹² In June 1992 the High Court of Australia handed down its decision in ‘Mabo vs Queensland (No. 2)’ which determined (roughly) that the European settlement (invasion) of Australia had not in itself extinguished all indigenous claims on the land and that in certain circumstances a common law ‘native title’ right may continue to exist in areas where it has not been extinguished by a valid exercise of governmental power. This decision was greeted with outrage in conservative circles and expressions of deep concern from the mining and pastoral industries. The (then Labor) Government’s response to this decision was to move swiftly to draft and subsequently pass the 1993 *Native Title Act*, which sought to guarantee the validity of various forms of title, which might otherwise be thought to be endangered by the existence of native title, and to provide a legislative framework within which determinations of native title could be made. See Scott Bennett, *White Politics and Black Australians* (St. Leonards, NSW: Allen and Unwin, 1999), pp. 50-53 & 164-8; The Department of Prime Minister and Cabinet, *The Native Title Act 1993: What it does and how it works* (Canberra: The Department of Prime Minister and Cabinet, 1994); Murray Goot and Tim Rowse (eds.), *Make a better offer: The politics of Mabo* (Leichhardt, NSW: Pluto Press, 1994).

¹³ Michael Dodson, Report of the Aboriginal and Torres Strait Islander Social Justice Commissioner: Native Title Report July 1996-June 1997 (Canberra: Australian Government Publishing Service, September 1997), pp. 68-73; Michael Dodson, Aboriginal and Torres Strait Islander Social Justice Commissioner - Fifth Report 1997 (Canberra: Australian Government Publishing Service, 1997), pp. 9-11.

organised attempts were made to eliminate the Aboriginal population from parts of the countryside—most notoriously in Tasmania.¹⁴ It would be unfair to claim that these practices have any support in Australia today. But what I do want to argue is that there are attitudes and policies current in Australia which are fundamentally continuous with these practices by virtue of sharing an underlying failure to recognise the full humanity of Aborigines. The same moral blindness which allowed public opinion in the past to support the distribution of poisoned flour and infected blankets allows Australians today to tolerate the situation in which Aboriginal Australians continue to suffer a lower life expectancy and higher mortality rate than non-Aboriginal Australians, face much higher rates of incarceration and continue to die in custody in alarming numbers. The Australian community continues to tolerate injustices in the treatment of Aboriginal citizens which if they occurred to non-Aboriginal communities would cause national outrage. Australia's failure to provide its Aboriginal population with clean drinking water, adequate health care, housing and safe living conditions can only be understood as resulting from a failure to recognise Aborigines as full members of the Australian community.¹⁵ This racist denial of the equality of others is the core of the dynamic of extermination.

More subtly, this dynamic of extermination also continues in a tendency that non-Aboriginal Australia has to attempt to determine Aboriginal identity in such a way as to deny it to the majority who do not suit its norms. In the eyes of non-Aboriginal Australia 'real Aborigines' are those who live in the desert and have corroborees. The popular cultural understanding of what it is to be a 'real Aborigine' prevents many urbanised Aborigines from being recognised as such.¹⁶ This is illustrated by the insistence in the 1993 Native Title Act that native title claimants must have maintained a traditional connection to the land¹⁷ and the

¹⁴ Henry Reynolds, *The Other Side of the Frontier: Aboriginal resistance to the European invasion of Australia* (Ringwood/Harmondsworth: Penguin, 1982).

¹⁵ Bennett, *White Politics and Black Australians*, pp. 2-10; Dodson, A.T.S.I.S.J.C. - Fifth Report 1997, Chapter 3.

¹⁶ Bennett, *White Politics and Black Australians*, pp. 30-31.

¹⁷ Native Title Act 1993, S. 223 [1]. An explanatory memorandum appended to the Act, however, concedes that, in accordance with the High Court's Mabo decision (See *Mabo v The State of Queensland (No. 2)* (1992) 175 CLR 1, per Dean, Gaudron JJ at p. 110: per Toohey J at 192.), such a traditional connection may have remained intact even in cases where Aboriginal 'lands and customs' have altered as a result of contact with Europeans. Precisely how much change is compatible with the continued existence of a 'traditional' connection remains to be determined

fact that it is typically non-Aboriginal lawyers who apply the theories and evidence of non-Aboriginal anthropologists to determine this. Non-Aboriginal Australia refuses recognition of the debt of justice owed to the very people who have done as it demanded (and indeed often forced them to do) and lived amongst the non-Aboriginal community and adopted its ways.¹⁸ This denial of the right of contemporary Aborigines to determine their own identity constitutes a denial of their place in the Australian political community that again evidences the continued influence of a dynamic of extermination in Australian politics.¹⁹

The history of attempts to deliberately destroy aboriginal languages and cultures is an especially shameful aspect of Australia's past. It represented a concerted attempt at genocide through forced assimilation.²⁰ Aboriginal peoples were taken from their traditional lands, placed with those of different tribal groupings and languages and prevented from carrying out their ceremonies. Children were stolen from their mothers; others were prevented from speaking their parents' tongues. It was thought not only inevitable but best that Aboriginal culture would disappear when it came into contact with a 'superior' European civilisation and the policies described above were justified (amongst other reasons) with reference to this belief.²¹ Again it is far from clear whether we have really left this attitude behind us. Recent cuts to ATSIC funding maintain structures which suit white models of welfare and citizenship whilst attacking those essential to the maintenance of Aboriginal culture. Government rhetoric has shifted noticeably from a rhetoric of self-determination to that of welfare. But to refuse to allow Aboriginal organisations and groups to manage their affairs in accordance with their own cultural values and practices is to support assimilation. It is to desire that, instead of seeking to maintain their distinct culture(s), Aboriginal Australians should disappear into a wider multicultural community. The failure to support Aboriginal

by the courts.

¹⁸ Wolfe, 'Nation and Miscegenation', pp. 121-3.

¹⁹ This analysis of the dynamics of non-Aboriginal Australian racism does not deny the political agency that is in fact possessed and exercised by indigenous Australians.

²⁰ Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (Canberra: Australian Government Publishing Service, 1997), pp. 270-5.

²¹ Human Rights and Equal Opportunity Commission, *Bringing Them Home*, especially pp. 27-37.

self-determination therefore continues the dynamic of assimilation of generations past.²²

In all these ways, current treatment of the Aboriginal peoples can be seen as a continuation of the actions of the invaders. Once we adopt a historical perspective there is little reason to distinguish between the fundamental dynamic of this generation of non-Aboriginal Australians' treatment of the Aboriginal people and that meted out by their ancestors. This is not to say that there is no difference. Obviously there is. But there is, in the light of the above, no evidence of a decisive break from the past. On the contrary, recent history is a litany of missed opportunities to make such a break. Some opportunities that have arisen to make a decisive break with the practices of the past, such as the '67 referendum and the High Court's Mabo decision, have been missed due to a failure to address broader issues in Aboriginal justice in other areas when it was necessary to do so. Others, such as the High Court's Wik decision and the findings of the Royal Commission into the 'Stolen Generations' have been wilfully ignored for the sake of a racist politics of expediency. In the absence of any genuine attempt to address the structures and institutions which continue to dispossess, exterminate and assimilate the Aboriginal population of this country the fundamental dynamics of Australian race relations remain the same.

Of course the fairness and adequacy of the (brief) analysis of historical and contemporary race relations I have provided here may be disputed. But the argument of this paper will survive much disagreement about the historical detail. What is important for my purposes here is that Australia remains a racist nation whose treatment of indigenous peoples is grossly unjust and that this racism and injustice are continuous with that of the past. If this is true then the argument of this paper will stand. These facts are, furthermore, difficult to dispute. Almost all participants in the debate about Australian race relations admit that contemporary treatment of Aboriginal people remains unjust. This treatment is *prima facie* continuous with the injustices of the past. To argue otherwise would require being able to point to a moment or a period when Australian race relations broke decisively with the dynamics of the past. But, as suggested above, such a discontinuity is difficult, if not impossible, to find in Australia's history thus far.

²² Michael Dodson, Aboriginal and Torres Strait Islander Social Justice Commissioner - Fourth Report 1996 (Canberra: Australian Government Publishing Service, 1996), pp. 1-13.

III. Living in History: ‘Australians all...’

If modern Australian race relations are continuous with the racism of the past in the manner I have suggested, then future generations looking back on us may view us in that context and associate our actions with those who have gone before us in such a way that we are seen to share responsibility for historical injustice with them. Because of the failure of contemporary Australia to make any decisive break with the policies of the past, future historians may not distinguish between our actions and what we consider our history. What we see as the temporal distance between our actions and those of our predecessors, which distinguishes our actions from theirs, may not be apparent to those looking back on us from the future. Instead they may see us as sharing the same moment, characterised by a continuing dynamic of extermination, dispossession or forced assimilation. Furthermore, because they share the same moment and are engaged in the same acts, past and present generations may even appear to be the same agent. ‘We’ may be held responsible for ‘our’ actions, where the plural pronoun refers to a collective agent that extends across time as well as across persons.

But, as I conceded earlier, we cannot in fact know how history will judge us and so cannot move so swiftly to this conclusion. However, considering the matter is not without its effects. Knowing that we will be viewed in the context of our history forces us to consider ourselves in relation to that context, and doing so may alter our own perception of our current ethical circumstances. It does so in (at least) two ways which may bring us to see how Australians today may be held responsible for past injustices.

Firstly, it encourages us to see that the time in which we confront the question of the nature of race relations in Australia is not the fleeting gap between yesterday and tomorrow but a historical moment that extends to encompass the entire history of those relations. Once we realise that the nature of the current moment is determined by our place in that history then we too can see that because the same dynamics of racism in Australia extend across time the moment in which they occur does also. The historical continuity between our actions and past racial injustice is—as I argued above—visible today. Given this continuity, it is implausible to argue that we can maintain the distinction between the injustices of today and those of the past. Adopting a historical perspective allow *us* to see the history of racism in this country as a whole and to perceive what Wolfe describes as ‘its status as structure rather than as event’.²³ It is this structure, that exists in a time that can be described only as

²³ Wolfe, ‘Nation and Miscegenation’, p. 97.

‘Australia’s history’ and that includes past acts of injustice, that Australians today maintain and for which they can be held responsible.

Secondly,—and this is a related transformation—it draws our attention to the temporal dimension of an Australian community. The community in which we live—‘Australians all’—extends across time both behind and before us as well as across persons. The character of our society now, the laws we live under and the landscape we inhabit, were shaped by the actions of previous generations of Australians. The decisions we make now we make, as other Australians before us have done, with (at least some) regard to the interests of future Australians. The Australian nation is bound together across generations, as it is across persons, by relations of mutual concern and regard. It is this community, that has existed for more than two hundred years, that confronts the issue of Australia’s history of racist injustice and that must bear the responsibility for it.²⁴

Once we come to perceive our ethical circumstances in this way, the judgement that these acts are wrong and that Australians should be held responsible for them requires no more than our existing ethics and intuitions. We can see that the community that committed these injustices should be held responsible for them. Of course, these conclusions are ones that we might have come to without concern for the judgement of history. But while we *might* have come to them without considering how we will appear to history, we might not. What the arguments of Sections I and II of the paper do is force us to examine ourselves in our historical context, to recognise the ways in which we are engaged in the same acts as those before us and to acknowledge the temporally extended nature of the Australian community that is engaged in those acts. The prospect of judgement from the future requires us to reconsider our understanding of the present.

Considering how we will appear to history may also strengthen other, more familiar, arguments regarding responsibility for historical injustice. It is, for instance, arguable that

²⁴ In fact the nature and history of an Australian community is more complex than this. The colonial states that originally invaded Australia did not necessarily understand themselves as part of any such community until the undertaking of Federation. Their presence and role in an Australian community was established retrospectively through the writing of histories which included them in the narrative of Australia’s history. The important point here is that, such histories having been written, our community does extend to include the inhabitants of these colonial states; it would be impossible for non-Aboriginal Australia to have celebrated its Bicentenary otherwise.

contemporary Australians share responsibility for historical injustice by virtue of our complicity with them. We continue to benefit from past acts of dispossession, extermination and forced assimilation. This is especially clear with regards to dispossession which we profit from to the tune of billions of dollars of export income every year. But we also benefit by not paying the price of altering the dynamics of extermination and assimilation, in particular of providing the resources which are necessary to allow self determination for Aboriginal peoples.²⁵ Such profiting from past injustices renders our claims to have disavowed them hollow and makes us complicit with them. Alternatively, due to a failure to properly acknowledge the existence and significance of past injustices or to proffer an appropriate national apology for them, current generations may be condemned as ‘accessories after the fact’ to injustices committed in the past.²⁶ The failure to respond appropriately in the knowledge of a wrong involves a failure to morally distance oneself from the wrong-doer which is not only itself morally culpable but also risks sharing the responsibility for the original crime.

Each of these arguments draws strength from a consideration of how we will appear to history. The historical gaze places past and present actions alongside each other in such a way that the question of relation between them is cast into stark relief. It allows us to recognise the continuity between our actions and those of our predecessors. It draws our attention to the ways in which events at different points in a chronology relate and condition each other in determining the ethical character of each. Understanding the role of the future in determining the present illuminates the mechanism whereby acts now, such as the enjoyment of the profits from past injustices or a refusal to appropriately acknowledge past wrongs, can reach back into the past to transform it and so through which those living now may come to share responsibility for past injustices.

Note also that my argument depends on the existence of a history which renders it plausible. The ascription of responsibility rests upon historical narratives which explain how and why existing injustices should be seen as related to past injustices. The role of continuing injustice in my account means that it distinguishes between the Australian case and other examples of collective responsibility, such as the German people’s responsibility

²⁵ John Bigelow, Robert Pargetter and Robert Young, ‘Land, Well-being and Compensation’, *Australasian Journal of Philosophy* 68 (1990), pp. 330-346 at pp. 336-7.

²⁶ My thanks to Bob Goodin for suggesting this reading of the argument.

for the Holocaust.²⁷ Unlike accounts of collective responsibility which hold that members of a community may bear a responsibility for some act which they did not participate in as individuals, simply by virtue of their membership in the community which committed it and regardless of subsequent events, my account will not necessarily have the implication that Germans born after the war bear a responsibility for the Holocaust. It is arguable in the German case that a distinctive break with the fascism which produced the Holocaust was made in the post-war period with the payment of reparations and the drafting of the new constitution. To the extent that fascism was genuinely repudiated by Germans in the immediate post-war period my account will deny that Germans today bear any special responsibility for the Holocaust.²⁸

The historical narratives which underpin claims about the continuity between past and present also mediate the relationship between collective and individual responsibility, as well as allow for differences between the responsibility of different individuals.²⁹ Viewing ourselves as living in history allows us to see ourselves both as participants in collective action and also as individual agents. We can reflect upon how the history of our generation or epoch will read and then ask how we will feel about our part in that history. These histories do not exclude each other. Our part in the collective history enters the narrative of our own lives, which in turn contribute to the shaping of larger narratives.

Of course, these historical narratives will distinguish between the parts played by different individuals. Some will have leading roles, others minor, and some will play a part

²⁷ See, for instance, Larry May, 'Metaphysical Guilt and Moral Taint', in May and Hoffman (eds.), *Collective Responsibility*, pp. 239-54, A. Zvie Bar-on, 'Measuring Responsibility', pp. 255-271 and Hannah Arendt, 'Organised Guilt and Universal Responsibility', pp. 273-283 in the same collection.

²⁸ Of course it is arguable whether Germany did genuinely dissociate itself from fascism after WWII. We see here the way in which my argument renders the political/ethical point dependent on the historical one. It is also the case that those in Germany today who identify themselves with fascism through their participation in neo-Nazi movements may thereby render themselves liable to be held responsible for the actions of German fascists in the past.

²⁹ They also distinguish between the responsibilities of different collectivities. It is because we cannot tell a plausible story linking Australians today to the historical injustices committed against the indigenous peoples of the Americas that we do not hold Australians responsible for those injustices.

in narratives contrary to the general direction of events. The actions of some will fit naturally into a particular narrative while those of others may resist being made sense of in this way and demand another account. In this way this account of collective responsibility allows for various necessary distinctions in the assigning of responsibility for historical injustice. Although we may hold a larger collective responsible, as a whole, for some injustice, we need not believe that responsibility is distributed evenly within that group. Any plausible account of responsibility for historical injustice must allow that some members of a collectivity (its leaders, the powerful, the actively engaged, etc.) may be more responsible than others for particular injustices.³⁰

³⁰ Obviously there remains much more to be said about exactly *how* we go about distributing responsibility and I do not have the space to pursue the matter here. All that I am claiming here is that the role of narrative in my account suggests that this is eminently possible.

IV. Conclusion: ‘Doing Justice to History’

In this final section I want to make a few observations about further consequences of my argument. Understanding the ways in which the present awaits the judgement of the future has various other important implications for the ways in which we understand and respond to our current ethical circumstances.

First, an understanding of the role of historical narratives in both assessing contemporary events and forging collective identities points to the need for a politics informed by history. We can only hope to break with the injustices of the past by paying attention to our own history and attempting not to repeat it. A debate about land rights and justice which was fully informed by an accurate understanding of the real history of race relations in this country might not allow the continuities between current and past policies to remain unnoticed and intact. Furthermore, given the role of history in forging collective identity and of revealing the past as present in the present, knowing our history is knowing who we are. Debates about history are therefore debates about the nature of the present as well as the past. Because where we are heading is not unrelated to where we have come from, these debates are also debates about the nature of the future. Our consciousness of our past and present situation informs our activities which shape the future. Arguments about the nature of the past then are also ways of shaping the future. More generally, on my account the study and writing of history ceases to be a purely academic or incidental discussion of a dead past and is revealed as an important and dynamic project of shaping the world in which we live. The recent debate about ‘black armband’ history then, is as much about the sort of society Australia is today and will be in the future as it is about the proper understanding of Australia’s past.³¹

Secondly, the idea that our actions have to withstand the scrutiny of future generations highlights the risks that are incurred by ethical and especially political action.

We may be judged harshly with hindsight. It also suggests that good intentions may

³¹ Dodson, A.T.S.I.S.J.C. - Fourth Report 1996, p. 17. Indeed one suspects that some of the participants in the debate about ‘black armband history’ are entirely aware of what is at stake in these arguments. It is because they are conscious of the way that history determines our responsibility for past injustices that they so vehemently wish to deny accounts of our history which highlight the injustices done to Aboriginal peoples. See Dodson, A.T.S.I.S.J.C. - Fourth Report 1996, pp. 14-17.

not be enough to preserve us from condemnation. It was undoubtedly the case that some of the government officials, representatives of churches, and foster parents who removed Aboriginal children from their homes and denied them knowledge of their origins and access to their culture did so in the sincere desire to do well by both individual children and the Aboriginal 'race' as a whole. But this does not alter the fact that, as we can now see, the theft of Aboriginal children from their homes was a great and terrible crime.³²

A consciousness of the risks involved in ethical/political action may also function as a reminder of the importance of such action. By itself, an awareness of our place within history and the possibility that we may be judged harshly by it may not serve to alter our ethical practices significantly. However, one may hope that the reminder of our ethical predicament as hostages to history will serve to foreground ethical considerations in our reasoning. This is, I believe, the content of calls for 'leadership' from politicians. Such calls ask them to consider themselves as actors upon a world historical stage as opposed to acting on the basis of more local and immediate interests. Issues arising out of historical injustice are ill suited to resolution in terms of real politics. Attempts to redress them which are founded on only received moral wisdom and a pragmatic response to existing political circumstances may seem ignorant and mean spirited when judged in the light of history. Dealing with the issue of historical injustice requires generosity of spirit and open mindedness. Thus I suspect an adequate response to the existence of historical injustices requires a visionary politics.

An understanding of the role of historical narratives in determining the nature of past and present events also has implications for the sorts of responses we make to cases of historical injustice, by raising the possibility that historical events that we thought were dead and buried may rise again. The meaning of historical events and of what is required to do justice to them will change over time. This means that new claims for justice may arise. With new understandings of what justice requires comes a new sense of the injustices which were done and of what is required to undo or compensate for them. New aspects of old injustices may appear. Thus, for instance, Aboriginal peoples at the time of the loss of their land may not have rued the loss of the rights to mine the mineral wealth beneath their land, because they possessed neither the knowledge of their presence nor a cultural framework in which the 'right' to exploit them could be taken. Nor may the theft of such rights even have been the intention of their dispossessors. Yet now that mineral rights have become contested and are a potential mechanism whereby Aborigines could gain economic self-sufficiency, the theft of

³² Human Rights and Equal Opportunity Commission, *Bringing Them Home*, pp. 273-5.

such rights becomes another injustice committed against them and for which a debt of justice is owed.

The fact that new aspects to the questions of justice stemming from some historical event may arise suggests that a final settlement of the issues arising out of the act of dispossession is unlikely. Thus we would be unwise to act as though we had definitively solved them. We shouldn't close off the possibility of further reflection upon and action to address past injustices by claiming to have redressed them 'once and for all'.³³ Historical wounds may reopen at any moment and require further attention. For the foreseeable future the fact of the historical dispossession of the Aboriginal peoples will continue to inform and partially determine race relations in this country.

This may seem a pessimistic conclusion, that denies that we can ever do justice to historical wrongs. But this is an exaggeration. It *is* possible on my account to do justice to historical wrongs. Through our actions today we can alter the way in which future generations will perceive us *and* our past. Just as a new awareness of what justice requires can reveal new aspects of past crimes so too can actions we perform now change the nature of past events. Historical consciousness brings the past into the present. But this means that it is no longer beyond our reach. By changing things now we can also affect the nature of what has been. This means that we are not limited to redressing the contemporary consequences of past injustices in our response to historical injustice; we can actually go some way towards redressing past wrongs as well as present ones.

The possibilities of and limits on such transfigurings of history are a complex matter to which I cannot do justice here. I will confine myself to two observations. In the context of historical injustice it will not generally be possible to *undo* the original injustice. While later acts may alter the significance of earlier ones and transform their nature, they cannot erase them. The part they play in the narrative of history may change but they will continue to appear therein.³⁴ Nonetheless morally significant transformations are possible. Although we cannot undo the wrongs of the past, in that they remain part of our history, we can transform them by illuminating them in the light of our later actions. Crimes which have been repented

³³ Andrew Sharp, *Justice and the Maori: The Philosophy and Practice of Maori Claims in New Zealand since the 1970s*, 2nd Edition (Auckland: Oxford University Press, 1997), pp. 24-5.

³⁴ The fact that new aspects of old injustices may appear at any time, as discussed above, suggests also that attempts to do so may be thwarted by the eruption of new ways of understanding those injustices that current attempts to transform that history may not touch.

for, or for which reparations have been made, are no longer the same crimes. Recent calls for a national apology for past injustices committed against Aborigines including (but not limited to) the treatment of the Stolen Generations should be understood in this light.³⁵ An apology, if sincere (and accompanied by actions which demonstrate that sincerity³⁶) reaches back to the original events and changes their significance by placing them in a historical context which includes the later recognition of the wrong which has been committed. That history then becomes one of reconciliation instead of one of continuing injustice and this characterisation extends over a historical event including both the apology and the original injustice, determining both. Given that we do have the ability to address past injustices in this way, failure to do so may itself be morally culpable. That is, to the extent that we may be held responsible for past events we may also be held responsible for our failing now to act to redress them.³⁷

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³⁵ Human Rights and Equal Opportunity Commission, *Bringing Them Home*, pp. 282-93.

³⁶ Different injustices have been committed against different Aboriginal peoples across the continent and an adequate attempt to address historical injustices in Australia must be sensitive to the specific histories of injustices committed in each case. The measures required to make reparations for the injustices committed against Aborigines throughout Australia, through the policy of forcible removal of Aboriginal children from their families and communities, are discussed in Human Rights and Equal Opportunity Commission, *Bringing Them Home*, pp. 277-315.

³⁷ I wish to thank Bob Goodin, Krysti Guest, Chandran Kukathas, Genevieve Lloyd, Shelley Marshall, Catherine Mills, Ross Poole, Michael Smith and two anonymous referees for comments and discussion which have been of great assistance in the writing of this paper.