The Ethics of History, Morality in History
A Symposium

Presented by Monash’s Global Conflict and Violence Focus Program- investigating the occurrence, documentation and memorialization of war and violence.

Thursday 21 July – Friday 22 July 2016
Monash University, Caulfield Campus, Building H Lecture Theatre 2.37

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Program

Day 1 – Thursday 21 July

8.45 am  Registration/Coffee

9.15 am  Welcome and opening remarks
Christina Twomey

9.30 – 10.30 am  Session 1: Keynote
Chair: Christina Twomey

Donald Bloxham: History and Extremity: reflections on the responsibilities of a genocide scholar

10.30 – 11.00 am  Morning tea

11.00 – 12.30 pm  Session 2: Writing Histories
Chair: Andrew Beattie

Natasha Wheatley: Law in History and in Time
Mark Edele: The Ethics and the Politics of History: Beyond the “Moral Turn” @EdeleMark

12.30-1.30 pm  Lunch

1.30-3.00 pm  Session 3: Indigenous Histories
Chair: Catharine Coleborne

Nēpia Mahuika: The ‘Insiders’ Guide to ‘Going Native’: An Indigenous Perspective on Ethics and History
**Lynette Russell:** Terrible Justice: Maulboyheenner and Tunnerminnerwait and the tragedy of Melbourne’s first execution

**Miranda Johnson:** Teaching Indigenous History after the History Wars

3.00-3.30 pm  
**Afternoon tea**

3.30-5.00 pm  
**Session 4: Witnessing and Victimhood**

Chair: Jordy Silverstein

**Frances Clarke:** Assessing Victimization in America’s Civil War

**Carolyn Dean:** The Secular Witness and the “Survivor”: the Case of David Rousset

**Vannessa Hearman:** Contesting victimhood in the aftermath of the 1965-66 Indonesian anti-communist violence

5.00-6.30 pm  
**Wine reception**

**Launch of Monash Focus Program on Global Conflict and Violence**

The Program will be launched by Professor Donald Bloxham

7.00 pm  
**Symposium Dinner**
Day 2 – Friday 22 July

9.00- 9.30 am Coffee

9.30-11.00 am Session 1: The Aftermath of War
Chair: Mark Edele

Barbara Keys: We Have Emotions, Too: Historians’ Emotions and Moral Judgments in Human Rights Scholarship

Andrew Beattie: “An apologetic feel to it”: Morality, ethics, and the history of Allied internment in Germany after the Second World War.

Noah Riseman: “Describing misbehaviour in Vung Tau as ‘mischief’ is ridiculously coy”: Oral History Informants and the Historian’s Dilemma @NoahRiseman

11.00-11.30 am Morning tea

11.30-1.00 pm Session 2: Historical Dilemmas
Chair: Lynette Russell

Christina Twomey: Vivian Bullwinkel, ‘The Perfect Witness’: Bangka Island, the tragic event and competing versions of the past.

Jordy Silverstein: Accessing the Archives: Rethinking the Ethics of Writing Histories of Refugees


1.00-2.00 pm Lunch

2.00–3.30 pm Session 3: History, Inquiry, Institution
Chair: Roland Burke

Shurlee Swain: Contests and Contextualisation: ‘Doing’ History in the Shadow of Historical Abuse Inquiries

Tim Jones: Deconstructing the ‘folk devil’: Ethical problems in researching perpetrators of child sexual abuse

Cathy Coleborne: Psychiatric histories and service-user accounts of institutional care: The Confidential Forum, New
Zealand, 2005-2007  @CathyColeborne

3.30-4.00 pm  Afternoon tea
4.00-5.00 pm  Panel Discussion/Closing Remarks

Klaus Neumann: Offsetting the consequences of the past
Abstracts

Andrew Beattie, UNSW

‘An apologetic feel to it’: Morality, ethics, and the history of Allied internment in Germany after the Second World War

The four powers that occupied Germany at the end of the Second World War arrested and interned over four hundred thousand Germans, detaining them in civilian internment camps some of which were established on the sites of former Nazi POW or concentration camps. While some internees were suspected war criminals, most were subjected to ‘automatic arrest’ because of their positions in German institutions and Nazi organizations. An extra-judicial measure, internment was both punitive and preventative, isolating people deemed ‘dangerous’ to the occupation and its objectives. In addition to more or less active ‘Nazis’, the Soviet Union also arrested a range of other ‘hostile’ elements, including democratic opponents of communist domination of the Soviet occupation zone. Approximately one third of Soviet-zone detainees, over 40,000 people, died in detention.

Located at the intersection of questions about responsibility for the ‘Third Reich’ and its crimes on the one hand, and of competing narratives about Germany’s postwar development, Cold War division, and the crimes of Stalinism on the other, the topic is an ethical and moral minefield. The historiography on Allied internment is still dominated by Cold War lenses and moral double standards. All too often, Soviet internment policy is condemned, western policy is whitewashed, and commonalities are overlooked. Soviet-zone internees are exonerated as victims of Stalin and Hitler, while western-zone internees are criminalized as Nazi perpetrators. Contemporary and historiographical critics of Soviet practice are lionized, while critical questions can still provoke accusations of Nazi or Soviet apologetics. The paper will discuss a number of methodological, terminological, and interpretative problems from the field from a moral and ethical perspective.
Donald Bloxham, University of Edinburgh

History and Extremity: reflections on the responsibilities of a genocide scholar

As a matter of obvious moral significance, genocide raises issues of the historian’s moral responsibilities in an especially pressing way. However this does not mean that there is yet any consensus as to what those responsibilities are, nor, therefore, how they might be discharged. Are they qualitatively different or just 'quantitatively' different to the responsibilities of the historian of less extreme events? Do they involve obligations to represent the perspectives or experiences of particular actors? Bloxham will address the strengths and weakness of a range of claims, and will try to elucidate his own perspective.

Roland Burke, Latrobe University


The history of human rights has often been commingled with activism, both in its purpose, and in its personnel. Recent scholarship has been sharply critical of the ‘church history’ that characterized an earlier generation of historiography, which emphasized continuity, with an implied arc of progressive, incremental triumph. Focussed on tensions and historical contingency in the rights concept, these ‘new’ histories are no longer self-evidently affine to human rights advocacy. This paper seeks to examine how human rights history has been written and deployed in official forums and educational materials, by both international organizations and states. It will draw upon written and visual materials, from the UN, UNESCO, and various national archives and publications, to parse the various species of the history of human rights, as they have evolved over the second half of the twentieth century. Whether history itself has any implied ethical facility, or structural orientation, toward universalism, remains uncertain. The perils of academic knowledge being drawn upon to underwrite state abuses has been well demonstrated with other disciplines, and history may well be susceptible to similar instrumental use.

Frances M. Clarke, University of Sydney

Assessing Victimhood in America’s Civil War

Whose suffering deserves memorialization, historical scrutiny, or popular regard? The answer to this question has recently shifted in scholarship on the American Civil War (1861-1865). Until the past few decades, many scholars agreed that their most urgent mission lay in highlighting the central role that slavery and emancipation played in the conflict’s cause and outcome.
Seeking to correct the powerful whitewashing of the nation’s past, they made slavery central to the war’s meaning. But in the wake of America’s so-called ‘War on Terror’, two new strands of Civil War scholarship have emerged: one highlighting the futility, horror, or mass victimhood of the war; the other extending the war’s legacies of suffering in time and space, pointing to the conflict’s impact on the global economy or its role in buttressing state power. Complicating the Civil War’s role as a ‘good war,’ this new research contrasts with the work of political activists and educators who continue to engage in a very different mission as they seek to remove Confederate flags, honour black heroes like Harriet Tubman, or recognize the insidious legacies of slavery in the present. Juxtaposing these developments to themes in my own research and teaching, I will explain why my initial belief in the value of creating critical distance between past and present has given way to a greater appreciation of the politics involved in identifying with the Civil War past.

Catharine Coleborne, University of Newcastle, Australia

Psychiatric histories and service-user accounts of institutional care:

The Confidential Forum, New Zealand, 2005-2007

In the wake of deinstitutionalisation and institutional closures in New Zealand, as in other western countries, a variety of opportunities for the discussion of mental health care in the past have emerged through both formal and informal opportunities for the critique of state-run psychiatric facilities. New narratives of mental health care have been created in these spaces: through patient advocacy and rights groups; through the collation of published materials; through documentaries about psychiatric institutions, such as Jim Marbrook’s ‘Mental Notes’ (2011); and through The Confidential Forum for Former In-Patients of Psychiatric Hospitals, held over a period of two years, the report of which was released in 2007. This paper situates an ethics of writing psychiatric history using this Confidential Forum as an example. It first briefly describes the developments in the ‘field of contention’ that sprang from the process of institutional closure between the 1980s and the late 1990s. The possibilities for former patients/service users to articulate counter narratives to the official story of institutionalisation is relatively recent in New Zealand, and has involved some pain in the retelling for narrators.

The paper then examines the form and function of the Confidential Forum and its report, weighing up the significance of the evidence collated, and assesses its status in the politics of New Zealand’s mental health care in the present. What kind of overarching narrative of mental health did the Forum produce? Or were there several competing narratives of mental health and institutions at work, such as a narrative of the panel, a narrative of a ‘looked for’ apology, and a narrative of despair? Ultimately, the paper argues that if
we are to adequately historicise twentieth-century institutional mental health care, we cannot do so without the narratives of the former inmates of the institutions which confined them. If these narratives are not made public, official, academic and other histories lose all power and intelligibility in the landscape of histories of mental health. This paper thinks about how historians of psychiatry might revisit the meanings of ethical histories of institutional confinement by looking at twentieth-century accounts of mental health from the service-user perspective.

Carolyn Dean, Yale University

The Secular Witness and the “Survivor”: the Case of David Rousset

A plethora of works has recently appeared on humanitarianism and human rights which treats victims as a collective figure on whose behalf experts speak. This work conceives humanitarianism, with its rhetoric of the civilizing mission and its abstract concept of pitiable humanity, as taking over the victim’s voice and rendering it powerless. This paper offers glimpses of a genealogy of the secular witness that pushes against this singular image of victims by demonstrating how another particular concept of the victim emerged after 1950 that replaced abstract injury with the dignified victim-survivor who has endured massive suffering and restores dignity to the dead.

Mark Edele, University of Western Australia

The Ethics and the Politics of History: Beyond the “Moral Turn”

Much has been made of the “moral turn” in history since the 2008 polemic between George Cotkin and others in Journal of the History of Ideas. This paper argues that the notion of morality in history as framed by Cotkin is not particularly helpful, as it refers at the same time to the ethics of doing history, the political choices historians make when narrating this history, and to the empirical field of moral choices in the past. The paper demonstrates that it is more useful to think about these issues with the help of two concepts: the ethics of history and the politics of history. The former refers to the rules and regulations surrounding the historian’s craft (source citation, human subject clearance, plagiarism, etc.). Some of them are explicitly formulated in codes of conduct or regulated by ethics boards or archival rules. Others are less explicit and require a moral judgment by the historian. Some are contested. By and large, however, they form a set of fairly absolute rules regulating the behavior of historians. It is relatively easy to decide when a historian has behaved “unethically.” The politics of history, by contrast, are inherently relative. They refer to the standpoint a historian takes in narrating the past. Masking such choices as “moral” rather than political ones is not particularly helpful, as what seems “moral” in one context might appear “immoral” in
another. The paper will illustrate this point with examples from the historiographies of National Socialism and Stalinism.

Vannessa Hearman, University of Sydney

Contesting victimhood in the aftermath of the 1965-66 Indonesian anti-communist violence

Half a million people were killed in 1965-66 after the Indonesian Communist Party (Partai Komunis Indonesia, PKI) was accused of masterminding a coup d’etat against President Sukarno. An Army seizure of power, led by Major General Suharto, accompanied this violence. Since the fall of the Suharto regime in 1998, pressure has grown on successive democratic governments in Indonesia to tackle the human rights violations against members and sympathisers of the Left. In that context, debates have raged in Indonesia over the definition of victimhood and the right to claim the mantle of victim, not dissimilar to debates in countries such as Argentina and Spain in the post-authoritarian period of each country’s history. Delineating the identity of the victims in Indonesia’s complex and multifaceted violence has implications on the victims’ ability to access future reparations for past suffering as well as to avoid possible future prosecutions. This paper analyses the contested nature of victimhood in the case the anti-communist repression in Indonesia and the ethics of determining the identity of victims in an inclusive way beyond the needs or strictures of transitional justice processes.

Miranda Johnson, University of Sydney

Teaching Indigenous History after the History Wars

Indigenous history leads a fraught public life in Australia, as it does in many Anglo settler states where the wrongs done to Indigenous peoples is a matter of heated public debate that tie matters of justice to the imagining of national identity. In particular in this country, the so-called “History Wars” continue to elicit passionate and personal responses. Earlier this year, some media outlets picked up on teaching guidelines issued at the University of New South Wales recommending “more appropriate” and “less appropriate” terms for discussing these issues in the classroom. Protesting the “political correctness” of these guidelines, press reports recalled the outrage of twenty years ago about the “rewriting” of history and the undermining of national pride. In fact the guidelines were adapted from ones first issued by the School of Teacher Education at UNSW in 1996. They appear to have been written in response to the increasingly acrimonious arguments at that time in national political life, for instance about whether
the colonization of Australia constituted an “invasion” or whether the country had been peacefully “discovered” and “settled.”

The renewed criticisms show that matters to do with the telling of Indigenous history, particularly in the context of colonization, continue to provoke intense moral feeling across the political spectrum in this country. They also show that the debate in public has not moved on very much from where it was during the Howard years. The representation of the public debate in the terms of a war promotes simplistic responses to complex moral issues that need careful parsing. The idea of war reinforces a sense that there are only two “sides” to debates about national identity, justice, and historical truth. In this particular context, the waging of war about the effects of colonization on Indigenous peoples largely excludes the opinions of Indigenous persons themselves since they are not addressed as members of the body politic. Instead they are represented as victims of past atrocities. Perhaps most troublingly, the idea of a “war” has reiterated a sense that the forging of national identity inevitably produces winners and losers, and that the writing of history is always on the side of the winners. This mode of debate is not one we model in our classrooms, where we encourage students to consider difficult problems to do with subaltern pasts and national histories thoughtfully and from a range of points of view. Indeed, the History Wars have not helped anyone understand very much, least of all students of comparative Indigenous history in the classrooms in which I teach.

The problem I want to address is more than semantic. Binary oppositions established in the “History Wars” powerfully mediate the ways in which students engage with the primary sources as well as the historical arguments that I bring into the classroom to discuss with them. Ironically the strong feelings expressed in the History Wars do indicate that Indigenous history is an important area of inquiry and presents the historian with complex moral and ethical questions. However, the present-day political context actually limits classroom engagement. Students find it difficult to engage authentically with new ideas and make their own interpretations because the intellectual framework they use to grasp new material is over-determined by positions staked out in the History Wars. By implying that the war can be won and a final answer produced, the debate has closed off a richer discussion within the classroom as well as in the larger public sphere. In this paper, I explore the particular problems for teaching Indigenous history in a public environment in which Australians are made to feel they need to take a side either emphasizing or denying Indigenous victimization in the name of the nation. What is the best ethical approach in this context? How can we encourage students to discuss primary sources and historical arguments

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honestly, outside of the moral strictures imposed by the “History Wars,” and yet without falling back into racist sentiments? Are we bound to re-stage those conflicts? Or might teachers use different pedagogical approaches, ones which could also engage public debate in new ways?

Timothy Willem Jones, Latrobe University

Deconstructing the ‘folk devil’: Ethical problems in researching perpetrators of child sexual abuse

Existing research into the sexual abuse of children sits at an uncomfortable nexus of two very different discursive frameworks. The first, Child Sexual Abuse (CSA), emerged in the 1970s. Derived from second wave feminist critiques of patriarchy, domestic violence, and sexual assault, in conjunction with a new legal discourse of children’s rights, CSA posits sex with (and between) minors as necessarily harmful. It is predicated on notions of childhood innocence and positions the paedophile as a particularly abhorrent category of offender. CSA provided a powerful means for victims and survivors of abuse to articulate and seek public recognition and redress for sexual harm. The second, that of the Moral Panic, emerged from political projects seeking to relativise deviance. Sociologist Stanley Cohen and historian of sexuality Michel Foucault separately criticise childhood sexuality as a domain for the strategic deployment of mechanisms of power and knowledge. Figuring the paedophile as a ‘folk devil’, and critiquing discourses of childhood sexual innocence, however, threatens the precarious recognition of sexual harm achieved through the discourse of CSA. This paper considers the ethical dilemmas posed by critical research into perpetrators of child sexual abuse. Is it possible to deconstruct the paedophile without undermining their victims’ campaigns for justice?

Barbara Keys, University of Melbourne

We Have Emotions, Too: Historians’ Emotions and Moral Judgments in Human Rights Scholarship

Drawing on approaches developed by the research group at the Free University Berlin on “The Researchers’ Affects,” this paper considers the emotions of historians of human rights and how those emotions affect moral judgments. Many historians would agree that emotions shape the behaviour of our subjects, but few of us attend explicitly or systematically to our own emotions, even though they mediate our encounters with our sources and subjects. Reflecting on my own emotional responses in the course of my research on Amnesty International’s anti-torture campaigns of the 1970s and 1980s and probing the emotional overtones of some of the major studies in the history of human rights, I suggest how emotions generated during research and unconsciously articulated during writing shape our
representations – and especially the implicit moral judgements – of human rights actors and actions.

Népia Mahuika, University of Waikato

The ‘Insiders’ Guide to ‘Going Native’: An Indigenous Perspective on Ethics and History

For many indigenous peoples, history is a crucial site for resistance and the re-assertion of native knowledges, narratives and identities. This decolonizing – sometimes referred to as reclaiming - is concerned not with the ‘alternative’ spaces created by histories of settler nation-states and empires, but with a redistribution of power that calls historians to account for their practice and narrative productions. Taking responsibility for the past, in this sense, requires a reallocation of power in which indigenous ethical articulations are seen as more than merely tokenistic guidelines for those brave enough to venture into the supposedly ‘treacherous waters’ of native history. Instead, indigenous ethics should be considered normative to ‘mainstream’ practice where the most insidious ethical dilemmas impact most negatively on indigenous communities. This paper considers the layers of ethical issues advocated by indigenous peoples that have relevance to the practice and production of history. It comments briefly on the often vague and culturally inadequate ethics evident in some current codes of conduct and in historical practice more generally. Most importantly, it turns to a discussion of the potential benefits of an ethics in history driven – guided - by native languages, philosophies, practice and aspirations that are the ultimate articulations of belonging.

Klaus Neumann, Swinburne University of Technology

“Offsetting the consequences of the past”

The so-called language question – that is, the visibility of Slovenian in public spaces in the Austrian state of Carinthia – divided Slovenian- and German-speaking Carinthians for decades. The – often violent – conflict was fuelled by memories of the invasion of Carinthia by the Kingdom of Serbs, Croats and Slovences in the aftermath of the First World War, of a subsequent referendum which resulted in the incorporation of all of Carinthia into the Republic of Austria, and of historical injustices dating back to the 1930s and 1940s. While partisan histories and memories remain alive, much of the conflict was resolved a few years ago in the wake of a public dialogue between two prominent representatives of ethnic Germans and ethnic Slovences, Josef Feldner and Marjan Sturm, who attempted to put the past to rest by identifying a shared history.

An engagement with the contested histories and memories of the conflict between Slovenian- and German-speaking Carinthians raises the issue of the
role, obligations and responsibilities of historians. Can they be arbiters? Should they take sides, privileging some voices over others? Do they have an obligation towards the dead, more so than towards the living?

Noah Riseman, Australian Catholic University

“Describing misbehaviour in Vung Tau as ‘mischief’ is ridiculously coy”: Oral History Informants and the Historian’s Dilemma

Since 2009 I have been part of three projects examining the history of Aboriginal and Torres Strait Islander and lesbian, gay, bisexual, transgender and intersex (LGBTI) service in the Australian military. These are marginalised social groups whose participation in the armed forces was often barred and their histories have been on the periphery of Australia’s national memory of defence. Much of my research has been based on whole-of-life oral history interviews with current and ex-service personnel, including those who served in conflicts such as Vietnam. Contained within these oral histories have been tales that include family violence (both as perpetrators and survivors), training child soldiers, alcoholism and surviving sexual assault. There have also been many silences, particularly among Vietnam veterans when discussing some of the ‘immoral behaviour’ on rest and convalescence leave in Vung Tau. In this paper, I will explore some of the ways that I have navigated the ethical dilemmas of writing these histories, offering insights of relevance to any historian working with living subjects.

Lynette Russell, Monash University

Terrible Justice: Maulboyheenner and Tunnerminnerwait and the tragedy of Melbourne’s first execution.

Despite the vast research on the violence of frontier wars, and what some regard as genocide, especially in Tasmania, little is known about the perspective of Aboriginal people themselves; they have been rendered mute by the historical archive. The overall image that emerges from the literature is that they were the victims of violence and injustice, with limited and ultimately unsuccessful resistance. This study focuses on a specific episode of frontier violence that led to the execution of two Tasmanian Aboriginal men; Maulboyheenner and Tunnerminnerwait. In doing so it recovers Aboriginal perspectives through a study of protectors’ diaries, official records and court documents in which Aboriginal people’s own words appear. An analysis of these materials explains the relationship between perpetrators and victims which complicates and even challenges three widely held assumptions about Aboriginal-European legal relations society in the mid-nineteenth century. The paper asserts that the legal position in which all Aboriginal people found themselves was unequivocal and even by the standards of the time, regarded by many as unfair. Aboriginal people were legally prohibited from giving
personal testimony in Australian courts in the 1840s and were not legally permitted to produce an alibi by another Aboriginal witness. They could not call other Aboriginal witnesses to give evidence. Lawyers – however inept or poorly briefed – were the only defence Aboriginal people had against this inequity. The findings are for the historian a sobering study in the ethical dilemmas of objective observation, and the moral conundrum of impartiality.

Jordy Silverstein, University of Melbourne

Accessing the Archives: Rethinking the Ethics of Writing Histories of Refugees

Scattered through those government documents, held by the National Archives of Australia, which have been created through the processes of managing child refugees’ interactions with Australia, are the names, addresses, and words of the children themselves. While occasionally the researcher might find some pages withheld from public viewing due to exemption reason 33(1)(g) - that the “disclosure” of these documents “would unreasonably disclose information about the personal affairs of a person” – at other times one can read letters detailing a discussion surrounding a Jewish refugee child who in 1951 was determined by his doctors to require a lobotomy; or read notations about how an Indochinese child in 1975 is performing in school; or notes written by East Timorese refugees in 1976 detailing familial relationships. Indeed, this has been my experience working in these archives, as I seek to piece together a history of Australian governmental policies surrounding child refugees, and bump up against these records which feel as though they should not be seen by me.

And yet as I simultaneously research my family’s Holocaust story, including their migration to Australia as Jewish refugees, I come up against a page withheld from public viewing, under this provision of 33(1)(g), from my grandfather’s naturalisation application. Upon further inquiry, it emerges that this page is thoroughly benign, simply a record from the German post-war bureaucracy detailing the registration of my uncle’s birth.

In this paper I want to think these two very different research projects into the history of refugees alongside each other, exploring what they can, together, tell us about how we can understand the governmental archives which are created through the management of refugees. What does it mean when the types of documents about child refugees available for public viewing would not be publicly available if they were about citizen children? What work does it do for the possibilities of writing histories when some documents are withheld and others are made public, to professional historians and those undertaking research into family histories? But, more significantly, what are the ethics involved in decisions firstly to make such documents public, secondly to access them, and finally to use them to write a history? What, in
short, does it mean to be able to read and write the intimate archival history of refugees, to use these documents to piece together the governmental practices and familial lives which have shaped those living in the aftermaths of violence?

**Shurlee Swain, Australian Catholic University**

**Contests and Contextualisation: 'Doing' History in the Shadow of Historical Abuse Inquiries**

Inquiries into historical institutional abuse, which have proliferated across the West since the last decades of the twentieth century, have provided both opportunities and challenges to historians, exposing their work to new audiences but also subjecting it to different levels of critique. This paper will argue for 'doing' history in such spaces as a dynamic process where the historian forms relationships with both survivors seeking to have their experiences validated, and inquiry and reparation bodies who are looking for a context within which to locate and evaluate individual testimony. In such a politically fraught environment contests as to the meaning, interpretation and ownership of the past inevitably arise, posing ethical and professional challenges to the historians involved but also offering new collaborative ways of 'doing' history.

**Christina Twomey, Monash University**

**Vivian Bullwinkel, ‘the perfect witness’: Bangka Island (1942), the tragic event and competing versions of the past**

How much of the truth of tragic events are survivors obliged to tell? If it is in a court of law, where a conviction depends on solid evidence, the obligation to at least establish the facts becomes a legal one. The families of those who did not survive might want to know more detail than that of the last moments of their loved ones – did they suffer for long, cry out, ask for mother, prove uncharacteristically stoic – while others prefer to remember them how they were. And what of everyone else, those without a personal connection who have an urge to know what happened?

This paper looks anew at events during the Japanese occupation of Bangka Island (Netherlands East Indies) in February 1942. It focuses in particular on the Australian Army nurse Vivian Bullwinkel, who became known as the ‘sole survivor’ of a massacre of her colleagues and wounded British soldiers and civilians. The President of the Tokyo War Crimes Tribunal described Bullwinkel as the ‘perfect witness’, but the archival record suggests that this perfection rested in elision. The paper analyses Bullwinkel’s testimony as a careful act of composure, and places the willingness to discuss traumatic events in historical perspective. It also ponders the ethical dimensions of
unsettling Bullwinkel’s crafted narrative, and asks what purposes putting it into question might now serve.

Andrekos Varnava, Flinders University


Much has been written about the mass violence that occurred in Cyprus in 1963-4 and 1974. The scholarly accounts have been led by anthropologists and political scientists, while numerous journalists have also turned to writing about these events. The comparative silence of historians has resulted in this scholarship and the journalistic accounts being varied in their quality. The few historians who have written about these events have done so from the perspective of one side in the conflict with the purpose to further the political objectives of that side in their ‘cold war’ against the other. This paper aims to discuss a) the relative silence of historians, including that of the presenter, on the mass violence in Cyprus in 1963-4 and 1974; and b) the responsibilities of historians in researching and presenting their findings on the events of and parties involved in the Cyprus conflict in 1963-4 and 1974. How should historians discharge their responsibilities? The paper will argue that the only responsibility that historians have is to their sources and that given the continued division of Cyprus and the potential for the island to be reunified, historians have a great role to play in the truth and reconciliation process, which begins by understanding the mass violence in Cyprus in 1963-4 and 1974.

Natasha Wheatley, University of Sydney

Law in History and in Time

Are there “historical injustices” that transcend their immediate temporal context to bequeath rights or responsibilities for subsequent generations? By what metric might we plot time’s corrosive effect on these rights? In the long shadow of decolonization and its attendant regime changes, it is hardly surprising that political and legal philosophers have dwelt at length on the survival (and dissipation) of rights over time. More surprising is that the problem has received less attention within the frame of intellectual and conceptual history. In this paper, I approach the question of law’s movement and transfer through time as an historian, and along two analytical paths: after first considering how assessments of law’s temporality themselves have a history, I will explore these questions as a particular methodological challenge for historians. I take up Reinhard Koselleck’s observation that law’s repeatability, its continual readiness for re-application, means that legal history has a different ‘temporal rhythm’ and a different ‘temporal structure’ to political history. In his analysis, legal history proceeds not as a series of
unique events, but rather subsumes individual instances into general categories or principles, and thus requires different techniques of source analysis, because any given law or right can be reduced neither to the context of its origin or drafting, nor to any single instance of its application or realisation. Perhaps more than any other historical discipline, legal history exposes the tension between chronological sequence and structural transferability. The legal historian, to extrapolate from Koselleck, was (or should be) simultaneously a theorist of time, consciously or not.

In drawing on examples from my own work on Central Europe and pointing towards connections with indigenous land rights in places like Australia, this paper will explore the idea that law’s temporality exposes the theoretical problems of historical research with a particular clarity and sharpness, and chafes against its conventions, especially the methodological primacy of context. Is the clutch of context less useful, or differently useful for legal historians? How does law’s iterative quality affect or distort notions of chronology, event, and anachronism? What are the theoretical and even ethical implications of a history that reflects (or reproduces?) law’s own temporality? And, crucially, how does normativity affect time and appear within it?
Speakers

**Keynote Speaker: Donald Bloxham** is Richard Pares Professor of History at the University of Edinburgh. He has written widely on genocide, with works including *The Final Solution: a Genocide* (Oxford University Press, 2009); *The Great Game of Genocide: Imperialism, Nationalism and the Destruction of the Ottoman Armenians* (OUP, 2005); *Genocide on Trial: War Crimes Trials and the Formation of Holocaust History and Memory* (OUP, 2001); as co-author, *The Holocaust: Critical Historical Approaches* (Manchester University Press, 2005) and, as co-editor, *The Oxford Handbook of Genocide Studies* (OUP, 2010) and *Political Violence in Twentieth Century Europe* (Cambridge UP, 2011). With Mark Levene he is editor of the Oxford University monograph series *Zones of Violence*. In 2007-8 he was Shapiro senior (invited) scholar-in-residence at the United States Holocaust Memorial Museum in Washington, DC.

**Andrew Beattie** is senior lecturer in the School of Humanities and Languages at the University of New South Wales, where he teaches contemporary German and European history. He has a PhD from the University of Sydney, has held fellowships in Florence, Potsdam, and Constance, and previously worked at UTS. He is completing an ARC ‘Discovery Project’ on the history and memory of Allied internment in occupied Germany. Publications include *Playing Politics with History: The Bundestag Inquiries into East Germany* (Berghahn Books, 2008); ‘Die alliierte Internierung im besetzten Deutschland und die deutsche Gesellschaft: Vergleich der amerikanischen und der sowjetischen Zone’, *Zeitschrift für Geschichtswissenschaft*, vol. 62, no. 3 (2014); and ‘Post-communist Truth Commissions: Between Transitional Justice and the Politics of History’, in *Post-communist Transitional Justice: Lessons from Twenty-Five Years of Experience*, ed. Lavinia Stan and Nadya Nedelsky (Cambridge University Press, 2015).

**Roland Burke** is a senior lecturer in history at La Trobe University. He is the author of *Decolonization and the Evolution of International Human Rights* (University of Pennsylvania, 2010). He has published widely on the history of international human rights and internationalism, with articles in numerous journals, including *Humanity*, the *Journal of Global History*, and *Human Rights Quarterly*. At present, Roland is completing a monograph on the changing meanings of the Universal Declaration of Human Rights in the 1960s and 70s (*Human Rights in Eclipse)*.

**Frances M. Clarke** is a Senior Lecturer at the University of Sydney. She is the author of *War Stories: Suffering and Sacrifice in the Civil War North* (Chicago,
2011) and (co-edited with Fitzhugh Brundage, Clare Corbould and Mike McDonnell), Memory, History and Nation-Making in the U.S. from the Revolution to the Civil War (U. Massachusetts Press, 2014). She has published articles in the Journal of American History, the Journal of Women’s History, the Journal of Social History, Civil War History and J19: the Journal of the Nineteenth Century, in addition to edited collections. She is currently engaged in a collaborative project (with Rebecca Jo Plant, UCSD) on age and militarism in American history, funded through an ARC discovery grant.

**Catharine Coleborne** is Professor of History and Head of the School of Humanities and Social Sciences at the University of Newcastle. She is the author of three books and the co-editor of more than six books, and her most recent work, *Insanity, Identity and Empire* (Manchester UP, 2015) uses a large sample of data from two psychiatric hospitals in the nineteenth century. However, activist histories of mental health and the accounts by service-users of institutional care in the twentieth century invite new awareness of the meanings of psychiatric history, and ask us to reflect on the ethical practice of histories of mental health in our present. Coleborne’s work in the community histories of mental health in New Zealand’s North Island in the 2000s led her to investigate these ideas with a fresh eye on how we write about institutions, and how the many different pasts of psychiatric practice might be reconciled, if possible, for a new historical practice.

**Carolyn J. Dean** is Charles J. Stille Professor of History and French at Yale. She is the author of several books and is currently working on a history of the secular witness, from the interwar period to the present. She teaches the cultural and intellectual history of modern Western Europe.

**Mark Edele** is Professor of History at the University of Western Australia, where he has been teaching history and historiography since 2004. Currently, he is an Australian Research Council Future Fellow (2015-19). He was trained as a historian at the Universities of Erlangen, Tübingen, Moscow and Chicago. He is the author of *Soviet Veterans of the Second World War* (OUP, 2008) *Stalinist Society* (OUP, 2011), and *Stalin’s Defectors* (OUP forthcoming) as well as one of the editors of *Totalitarian Dictatorship: New Histories* (Routledge 2013), *War and Peace, Barbarism and Civilization in Modern Europe and Its Empires* (special issue of Australian Journal of Politics and History 2012), *Displaced Persons: From the Soviet Union to Australia in the Wake of the Second World War* (a special issue of History Australia, 2015), and *The Limits of Demobilisation: Global Perspectives on the Aftermath of the Great War* (special issue of the Journal of Contemporary History, 2015). His essays have appeared in academic journals based in Germany, the United States, Korea, Japan, Russia, and Australia. His latest piece, entitled, “Take (No) Prisoners. The Red Army and German POWs, 1941-1943,” will be

**Vannessa Hearman** is lecturer in Indonesian Studies at the University of Sydney and a historian of Southeast Asia. Her research deals with the violent anti-communist repression in Indonesia (1965-68), the history of Indonesian social movements, and transnational activism related to Indonesia and East Timor. She has published her research in academic journals such as *Critical Asian Studies*, *South East Asia Research* and *Indonesia* and several book chapters. She is completing a monograph for NUS Press on the destruction of the Indonesian communist movement in East Java, Indonesia.

**Miranda Johnson** is a lecturer in the Department of History at the University of Sydney. She teaches classes on comparative Indigenous history, the history of decolonization and postcolonial politics, and public history. Her first book, *The Land Is Our History: Indigeneity, Law, and the Settler State* (Oxford University Press, 2016) chronicles the extraordinary story of indigenous legal activism in Australia, Canada, and New Zealand in the late twentieth century. Taking their claims to law, indigenous peoples opened up a new political space for the negotiation of their rights, provoking debates about national identity and belonging that changed the settler states. New projects include a history of indigenous modernizers in New Zealand and the United States in the early twentieth century, and a book considering the writing of Indigenous history in a range of different political contexts.

**Timothy W. Jones** is senior lecturer in History at La Trobe University. He researches topics at the intersection of the histories of sexuality and religion, and is interested in developing relationships between historical research and social policy.

**Barbara Keys** is Associate Professor of History at the University of Melbourne. She is the author most recently of *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard University Press, 2014) and is editing a volume on *The Morality of Global Sport: From Peace to Human Rights*, which will appear with University of Pennsylvania Press next year. She is currently writing a history of anti-torture campaigns since 1945 and a study of the role of emotions in international relations.

**Nēpia Mahuika** is a senior lecturer in history at the University of Waikato, New Zealand. He teaches, New Zealand History, Historical Method and Theory, Oral History, and Māori and Indigenous Histories.

**Klaus Neumann** is professor of history at the Swinburne Institute for Social Research, Swinburne University of Technology. He is the author or editor of many books, including, most recently, *Across the Seas: Australia’s Response to Refugees: A History* (2015), and *Historical Justice and Memory* (2015), co-
edited with Janna Thompson. He has long been interested in the responsibilities of historians; see, for example, his introduction to the special issue “Historical Justice” in *Rethinking History* (vol. 18, no. 2, 2014).

**Noah Riseman** specialises in the history of marginalised social groups in the Australian military, especially Aboriginal, Torres Strait Islander, lesbian, gay, bisexual, transgender and intersex personnel. He is the co-author of *Defending Country: Aboriginal and Torres Strait Islander Military Service since 1945* (UQP, 2016) and author of *Defending Whose Country? Indigenous Soldiers in the Pacific War* (University of Nebraska Press, 2012). He is currently first chief investigator on an ARC Discovery project examining the history of LGBTI military service in Australia since the end of the Second World War.

**Lynette Russell** is Director of the Monash Indigenous Centre, and ARC Professorial Fellow. She is a historian who works with nineteenth century Aboriginal materials.

**Jordy Silverstein** is a Postdoctoral Research Associate at the University of Melbourne, working as part of the ARC Laureate Fellowship Project “Child Refugees and Australian Internationalism: 1920 to the Present.” She is the author of *Anxious Histories: Narrating the Holocaust in Jewish Communities at the Beginning of the Twenty-First Century* (Berghahn Books, 2015) and co-editor, with Esther Jilovsky and David Slucki, of *In the Shadows of Memory: The Holocaust and the Third Generation* (Vallentine Mitchell, 2016).

**Shurlee Swain** is a Fellow of the Academy of the Social Sciences in Australia and Professor of Humanities at Australian Catholic University. A social historian, her work has informed Australian to the historic abuse of children in care. Recent publications include *Apologies and the legacy of abuse of children in ‘care’* (co-edited with Johanna Sköld, Palgrave Macmillan, 2015), Quartly, Marian, Swain, Shurlee and Cuthbert Denise, *The Market in Babies: Stories of Australian Adoption*, (Monash University Publishing, 2013) and Swain, S. and Hillel, M., *Child, nation, race and empire: Child rescue discourse, England, Canada and Australia, 1850-1915*, (Manchester University Press, 2010).

**Christina Twomey** is a Professor of History at Monash University. She has published extensively on the issue of captivity and imprisonment in wartime, particularly with reference to the Second World War. More recently, she has been researching concentration camps in South Africa and policies of ‘reconcentration’ during the Philippines-American War. She is the author of three books, including *Australia’s Forgotten Prisoners: Civilians Interned by Japan in World War Two* (2007), and, with her co-author Mark Peel, *A History
of Australia (2011). She has just completed The Battle Within Ourselves: POWs of Japan in post-war Australia.

Andrekos Varnava, FRHistS, is a Senior Lecturer in Imperial and Military History at Flinders University, Adelaide. He was born (1979) and raised in Melbourne to Cypriot-born parents, obtained a BA (Honours) from Monash University (2001) and his PhD from the University of Melbourne (2006). He is the author of British Imperialism in Cyprus, 1878-1915: The Inconsequential Possession (Manchester University Press, 2009; paperback 2012); editor of Imperial Expectations and Realities: El Dorados, Utopias and Dystopias (Manchester University Press, 2015); and co-editor of Australia and the Great War: Identity, Memory, Mythology (Melbourne University Press, 2016); The Archbishops of Cyprus in the Modern Age: The Changing Role of the Archbishop-Ethnarch, their Identities and Politics (Cambridge Scholars Publishing, 2013); The Minorities of Cyprus: Development Patterns and the Identity of the Internal-Exclusion (Cambridge Scholars Publishing, 2009); and Reunifying Cyprus: The Annan Plan and Beyond (I. B. Tauris, 2009; paperback 2011). He has published numerous book chapters and peer-reviewed articles, including in top journals such as The Historical Journal, Historical Research, War in History and Itinerario.

Natasha Wheatley is an ARC Postdoctoral Research Fellow in the Laureate Research Program in International History at the University of Sydney. She completed her PhD in the Department of History at Columbia University in 2015. Her research explores the making and remaking of legal orders, and the politics and practices of legal knowledge, in Central European and international history. Her article, ‘Mandatory Interpretation: Legal Hermeneutics and the New International Order in Arab and Jewish Petitions to the League of Nations’ appeared in Past and Present in May 2015, and a volume co-edited with Dan Edelstein and Stefanos Geroulanos, Power and Time, is forthcoming with University of Chicago Press.
Location

Monash University, Caulfield Campus, Building H, Level 2, Lecture Theatre 2.37

Monash University Caulfield campus

Travelling to the campus

By car: The nine kilometre (six mile) trip from the city of Melbourne will take about 25 minutes in peak hour and 15 minutes at other times. If you are coming from Melbourne airport, add another 45 minutes in peak hour and 30 minutes at other times. A taxi rank is situated on the railway station side of Sir John Monash Drive.

By train and tram: The Caulfield Railway Station is adjacent to the campus and four lines stop at the station: Cranbourne, Dandenong, Frankston and Pakenham. The No. 3 tram from Swanston Street will also take you directly to Caulfield campus.

By bus: Bus Route 624 – Kew, Auburn Railway Station, Caulfield Railway Station, Chadstone Shopping Centre, Holmesglen Institute of TAFE, Oakleigh Railway Station. Bus Route 900 – Stud Park Shopping Centre, Waverley Park, Monash University Clayton campus, Huntingdale Station, Oakleigh Railway Station, Chadstone Shopping Centre, Monash University Caulfield campus, Caulfield Railway Station.
Symposium Dinner

Ilona Staller, Restaurant and Bar

Ilona Staller is located at 282–284 Carlisle Street, Balaclava (corner of Nelson Street).

PUBLIC TRANSPORT

PARKING
Ample parking is available at the rear, in the Coles carpark (corner of Nelson and Alfred Streets).

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