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## Colonial violence in Australia – ‘Swan River Logic’ and the Voice referendum

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*This article looks at the crisis in forgetting and remembering of colonial violence in Australia today. This ‘forgetting’ is one of the factors that led to the Voice referendum resulting in a no vote in October 2023. The violence of the colonisation of Australia was actively forgotten by settler society until the 1970s and is an area that still needs research today. Settlers sought to take Indigenous land and ‘replace’ Indigenous people, in line with settler colonial theory. This paper will look at two massacres on Noongar land or boodjar in 1837 and examine the ‘Swan River Logic’ behind settler justifications for the violence. Although these two events are on the University of Newcastle Massacre Map, they need to be further researched and explained to facilitate truth telling. Without truth telling the Australian public will continue to be unable to understand the need for an Indigenous Voice to Parliament*

### Introduction

The result of the Australian referendum on an Indigenous Voice to parliament in October 2023, with only 39.9% of people in favour, has once again denied a voice to Indigenous peoples. Those who voted no have suggested that they did not want to divide Australia.<sup>2</sup> In contrast to the overall no result, communities where more than half the members were Indigenous had a yes vote of 63%.<sup>3</sup> This indicates that a divide exists in Australia between settler and Indigenous groups; a divide explained by settler colonial theory. Lorenzo Veracini has defined settler society as comprising three classes of people, the settler, who is seen as ‘normative’, the Indigenous Other who settler society seeks to eliminate, and the Exogenous Other, who may or may not be admitted to settler society.<sup>4</sup> Settler colonialism, as defined by Patrick Wolfe, and further developed by Lorenzo Veracini and others, describes the hierarchy of Australian society since invasion.<sup>5</sup> The divide seen in the Voice vote is therefore a legacy of colonisation.

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<sup>2</sup> Nicholas Biddle et al., *Detailed analysis of the 2023 Voice to Parliament Referendum and related social and political attitudes*, Australian National University (Centre for Social Research and Methods, 2023), 1, <https://apo.org.au/node/325112>.

<sup>3</sup> Jordyn Beazley, ‘Indigenous communities overwhelmingly voted yes to Australia’s voice to parliament,’ *The Guardian*, Sun 15 October 2023, <https://www.theguardian.com/australia-news/2023/oct/15/indigenous-communities-overwhelmingly-voted-yes-to-australias-voice-to-parliament>.

<sup>4</sup> Lorenzo Veracini, *Settler colonialism: A Theoretical Overview* (UK: Palgrave Macmillan, 2010), 18.

<sup>5</sup> See Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology* (London: Cassell, 1999). Also Veracini, *Settler colonialism*.

The slogan of the No campaign was 'If you don't know, vote no', and the success of this idea reflects the lack of knowledge of the violence of colonisation of Australia. In effect, the Voice vote quantified the percentage of people in Australia who understand the deadly impact of the invasion of this country on Indigenous peoples, and those who do not. From the early 1900s to the late 1970s, there was little education on colonial violence in the Australian history curriculum. William Stanner, in his 1968 Boyer lectures, called this out, labelling it 'the great Australian silence'.<sup>6</sup> This led to historians finally turning to this important subject, especially Henry Reynolds, whose books have been called "'real" history by a whitefella' by Bidjara/Pitjara, Birri Gubba and Juru Academic Jackie Huggins.<sup>7</sup> More recently, the violence of colonisation has been mapped and quantified by the Massacre Map project, led by Dr. Lyndall Ryan at The University of Newcastle.<sup>8</sup> Research by the ANU Centre for Social Research and Methods shows that, despite the loss of the Voice proposal, 80.5 percent of Australians believe that there should be 'formal Truth-telling processes' about the violence of colonisation.<sup>9</sup> Ryan and fellow researcher Philip Dwyer have stated that the Massacre Map provides an overview of the violence of colonisation, but each massacre needs to be further investigated and analysed.<sup>10</sup>

When researching colonial violence in Australia, the question of motive on the part of British settlers for this violence arises. In 1942, Western Australian historian Paul Hasluck ruminated on how settlers at the Swan River colony, men he deemed to be of 'decent habit and usually of controlled passions', participated in violent encounters with Noongar people.<sup>11</sup> Settler colonial theory provides an insight into this contradiction. Veracini explains that settlers see themselves as having sovereign rights to the land they have invaded, and this sovereignty travels with them. This sets up the idea that the invaded Indigenous Other is wrong and 'degraded'.<sup>12</sup> Wolfe pointed out the difference between colonialism and settler colonisation, stating that settler colonialism 'destroys to replace' Indigenous people while settlers appropriate land.<sup>13</sup> This imperative to destroy Indigenous society, replacing it with settler society, is the source of colonial violence. Wolfe has called this the 'logic of elimination'.<sup>14</sup> This tension between settlers, who saw themselves as good people, and the violence they

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<sup>6</sup> W.E.H. Stanner, *After the Dreaming: the 1968 Boyer Lectures* (Sydney: The Australian Broadcasting Commission, 1974, 7th printing), 18-24.

<sup>7</sup> Jackie Huggins, 'Experience and identity: Jackie Huggins and writing history,' *Limina: A Journal of Historical and Cultural Studies*, 2, 1-7 (1996): 3. See also Henry Reynolds, *The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia* (University of New South Wales Press, Revised edition, 2006, reprint of 1981 edition).

<sup>8</sup> 'Colonial Frontier Massacres in Australia, 1788-1930,' University of Newcastle, 2017-2022, <https://c21ch.newcastle.edu.au/colonialmassacres/map.php>.

<sup>9</sup> Biddle et al., *Detailed analysis of the 2023 Voice to Parliament Referendum and related social and political attitudes*, viii.

<sup>10</sup> Philip Dwyer and Lyndall Ryan, 'Reflections on genocide and settler colonial violence,' *History Australia*, 13:3, 335-350 (2016): 349-50, <https://doi.org/10.1080/14490854.2016.1202336>.

<sup>11</sup> Paul Hasluck, *Black Australians: a survey of native policy in Western Australia, 1829-1897* (Melbourne: Melbourne University Press, 2nd ed, 1970), 179.

<sup>12</sup> Veracini, *Settler colonialism*, 18.

<sup>13</sup> Patrick Wolfe, 'Settler colonialism and the elimination of the native,' *Journal of Genocide Research*, 8:4, 387-409 (2006): 387-88, <https://doi.org/10.1080/14623520601056240>.

<sup>14</sup> Wolfe, 'Settler colonialism and the elimination of the native,' 387.

committed during colonisation and after has resulted in a desire to create an idealised and fictional narrative of colonisation.

While the invasion of Indigenous land in Australia was an inherently violent act, part of the psychology of Australia is to now ignore and obfuscate this violence. Veracini discussed Franz Fanon's idea that settlers consider that history starts with the arrival of the settler population, and that settlers do not consider that Indigenous peoples have a history.<sup>15</sup> While pointing this out, Fanon contends that the colonist 'makes history', but that history is not of the Country that has been colonised, it is about the process of colonisation.<sup>16</sup> Timothy Bottoms has done extensive research on colonial violence in Queensland, finding that historians have 'concealed' the truth of the violence of settlement and sought to 'heroify' settler history.<sup>17</sup> Veracini describes how settler history focuses on the 'victimology' of the hard work and sacrifice required to settle the country invaded, along with the idea that the Indigenous groups whose land was being invaded were nomadic, and therefore did not really deserve to own Country. Stories of hardship from the migrants who subsequently arrived in the colonised country are also discounted by settlers, who use their own history of hardship to legitimise their appropriation of Indigenous land.<sup>18</sup>

Stories of settler pioneering in Western Australia concerning the Bussell family, Lieutenant Bunbury and settlers in the York district are well known in local Western Australian historiography.<sup>19</sup> These 'smoke rising from slab huts' narratives, as Inga Clendinnen calls them, hide the shameful reality of what settlers did in the south-west of Australia while stealing Noongar land.<sup>20</sup> A close reading of records held in the State Records Office and Batty Library in Western Australia provides a detailed history of the violence that took place in Busselton, south of Perth on Wardandi Noongar Country, and in York, on Balladong Noongar Country east of Perth, during colonisation. Research on this aspect of the colonisation of Noongar land is rare, but Jeremy Martens has recently published an informative article on Lieutenant Bunbury's punitive activities in the York/Toodyay district east of Perth from 1830 to 1840, overseen by Governor James Stirling.<sup>21</sup> In this paper I will revisit a massacre led by Bunbury at York and Toodyay in 1837, comparing it to another massacre conducted in the same year by settlers in the Vasse district, where Busselton is today. This

<sup>15</sup> Lorenzo Veracini, 'Historylessness: Australia as a settler colonial collective,' *Postcolonial studies*, 10(3), 271-285 (2007): 272.

<sup>16</sup> Frantz Fanon, *The Wretched of the Earth*, preface by Jean-Paul Sartre, trans. Constance Farrington (Penguin, 1973), 15. The use of a capital C here for Country denotes Indigenous land.

<sup>17</sup> Timothy Bottoms, *Conspiracy of silence: Queensland's frontier-killing times* (Allen and Unwin, 2013), xxiv.

<sup>18</sup> Veracini, 'Historylessness: Australia as a settler colonial collective,' 274.

<sup>19</sup> See E. O. G. Shann, *Cattle Chosen: the story of the first group settlement in Western Australia, 1829 to 1841*, Facsimile ed. ed., Historical reprint series., (Nedlands, WA: University of Western Australia Press, 1978 reprint of 1926 edition). Also Alexandra Hasluck, *Portrait with background: a life of Georgiana Molloy* (Melbourne: Oxford University Press, 1955). Also Rodger Jennings, *Busselton: 'outstation on the Vasse,' 1830-1850* (Busselton, W.A: Shire of Busselton, 1983). Also Rika Erickson, *Old Toodyay and Newcastle* (Toodyay Shire Council 1974). Also Henry William Bunbury, *Lieutenant Bunbury's Australian Sojourn: The letters and journals of Lt. H.W. Bunbury, 21st Royal North Fusiliers, 1834-1837*, ed. JMR Cameron and Phyllis Barnes (Hesperian Press, 2014).

<sup>20</sup> Inga Clendinnen, 'The History Question: Who Owns the Past?,' *Quarterly essay*, no. 23 (2006).

<sup>21</sup> Jeremy Martens, 'In a State of War': Governor James Stirling, Extrajudicial Violence and the Conquest of Western Australia's Avon Valley, 1830-1840,' *History Australia*, 19(4), (2022), 668-686.  
<https://doi.org/https://doi.org/10.1080/14490854.2022.2072351>.

comparison will look at settler motivations for this violence and how settlers justified their behaviour. It will also discuss how settler Louis Giustiniani decried this violence, labelling it 'Swan River Logic', long before Wolfe described the 'logic of elimination' of colonisation.<sup>22</sup>

### Two massacres in 1837

South of the Swan River colony, on 28 June 1837, Constable Elijah Dawson, two soldiers of the 21<sup>st</sup> regiment, Corporal John Gill and Private Maloney, and three settlers, the Chapman brothers and Alfred Pickmore Bussell, headed out in pursuit of Wardandi Noongar people at the Vasse settlement after they speared and ate a calf belonging to settler George Chapman.<sup>23</sup> Alfred Bussell's sister Bessie noted in her diary that nine Wardandi men armed with spears were killed and two injured when the punitive group opened fire on them.<sup>24</sup> Lenox Bussell was the Justice of the Peace for the Vasse district, and excused the massacre in a report to Resident Magistrate John Molloy in the following words:

Steps prompt and decisive were called for and were absolutely necessary to prevent the occurrence of the same act again and again until the whole herd and the prospects, perhaps the lives, of a thriving settlement had fallen a sacrifice....<sup>25</sup>

The focus in this statement is on settlers retaining land at any cost. He went on to say that he did not agree with 'temporizing measures' saying it was necessary to convince Wardandi people of their 'inferiority and then extend to them our protection' which would then 'be gratefully accepted'.<sup>26</sup> This is a muddled type of reasoning typical of settler colonialism, in which Lorenzo Veracini has identified 'expressions of social pathology, as well as ideology.'<sup>27</sup> Lenox Bussell then states that severe responses to small thefts by Wardandi people, such as that of the calf, were necessary to avoid 'a sacrifice of life on both sides double or treble' that which had just occurred.<sup>28</sup> His statement underlines the settler commitment to taking Wardandi land with violence.

On 13 July 1837, in response to the massacre the month before, two Wardandi men, leader Gaywal and younger man Nungundung came to the window of Constable

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<sup>22</sup> Louis Giustiniani, 'The Logic of Swan River: To the Right Honorable Lord Glenelg V,' *Swan River Guardian* (WA : 1836 - 1838), *Thursday 23 November 1837*, page 253 (1837).

<https://trove.nla.gov.au/newspaper/article/214041848>. See also Wolfe, 'Settler colonialism and the elimination of the native,' 387.

<sup>23</sup> See Geoff Blackburn, *Conquest and Settlement: The 21st Regiment of Foot (North British Fusiliers) in Western Australia 1833-40* (Hesperian Press, 1999), 27. Note that Maloney is Private Michael Mullaney. See pages 26 and 199. He was posted to Augusta in 1833. For the settler names see Shann Papers Elizabeth Capel Bussell Diary April-December 1837 Battye Library MN 586; ACC 337A/795, 1837, 24, Battye Library Western Australia.

<sup>24</sup> Elizabeth Bussell Diary April-December 1837: 24.

<sup>25</sup> Letter from Lenox Bussell to Captain Molloy 9 July 1837 CSR Vol 54 folio 136-138 (also in CSR Vol 55 folio 64-65), 1837, State Library of Western Australia.

<sup>26</sup> Lenox Bussell to Captain Molloy 9 July 1837.

<sup>27</sup> Lorenzo Veracini, 'Settler Collective, Founding Violence and Disavowal: The Settler Colonial Situation,' *Journal of Intercultural Studies*, 29:4, (2008): 363-379, <https://doi.org/10.1080/07256860802372246>.

<sup>28</sup> Lenox Bussell to Captain Molloy 9 July 1837.

Elijah Dawson's hut and threw spears at him and his wife, injuring them slightly.<sup>29</sup> Dawson had been one of the leaders of the previous massacre. On 30 July 1837 settlers could hear Wardandi people shouting near some settler huts, and Bessie Bussell reported hearing gunfire after settler men armed themselves and went down to investigate.<sup>30</sup> This time settlers killed three Wardandi women, one man and a boy, with several Wardandi people badly injured and near to death.<sup>31</sup> Lenox Bussell took many months to report this event to the Colonial Office in Perth, finally submitting a letter to Resident Magistrate John Molloy saying that he 'found it positively necessary to put down by the severest measures any future attempt upon the lives of Europeans' and that as he could not locate Gaywal and Nungundung it was 'necessary to visit the offence upon the whole of the party implicated'.<sup>32</sup>

It is instructive to look at settler justification for a massacre led by Lieutenant Henry William St Pierre Bunbury in the York district east of the Swan River colony in 1837, to ascertain whether Lenox Bussell's reasoning was unusual. It was in response to an incident at York where, after many years of settler violence in the district, and as payback for the arrest and removal to Perth of two Ballardong men, a group of forty Ballardong warriors speared and killed two settler servants called Peter Chidlow and Edward Jones.<sup>33</sup> Bunbury volunteered to lead the punitive expedition and Governor James Stirling sent him to York with instructions to perform 'proper examples of Severity to the full extent to which the Law warrants in such cases'.<sup>34</sup> Bunbury was accompanied by nineteen soldiers of the 21<sup>st</sup> regiment and aided by Lieutenant Mortimer, Resident Magistrate McLeod and York settlers in undertaking several weeks of violent activities in the York, Toodyay and Beverly districts. This violence resulted in the deaths of at least eighteen Ballardong people during July and August of 1837.<sup>35</sup>

While William Nairn Clark, editor of the *Swan River Guardian*, urged the punitive settler group at York not to commit a massacre of Ballardong people, as 'the innocent might then be sacrificed to atone for the crimes of the guilty' he went on to say:

Unnecessary cruelty ought not to be inflicted, but the deaths of Chidlow and Jones must be avenged, and we say that ample justice ought to be dealt against their Murderers in the first place, as a terror to their assistants or abettors [sic].<sup>36</sup>

<sup>29</sup> Elijah Dawson letter to Captain John Molloy Resident Augusta 24 August 1837 SROWA Acc 36 CSR Vol 55 folios 66-67, 1837, State Library Western Australia. See also J G Bussell, Shann papers transcription of letter to Peter Brown Col Sec 26 December 1840 regarding the arrest of Nugundung Acc 337A/788, 1840, Battye Library Western Australia. And J Molloy and J Bussell report on death of George Layman 27 February 1841, SROWA Acc 36, CSR Vol 101 folios 93-4 1841, State Library, Western Australia.

<sup>30</sup> Elizabeth Bussell Diary April-December 1837: 30.

<sup>31</sup> Elizabeth Bussell Diary April-December 1837: 30-31.

<sup>32</sup> Lenox Bussell letter 27 December 1837 to RM Captain John Molloy SROWA CSR Vol 59 folio 148-149, 1837, State Library of Western Australia.

<sup>33</sup> Erickson, *Old Toodyay and Newcastle*. p. 28.

<sup>34</sup> Bunbury, *Lieutenant Bunbury's Australian Sojourn*, 224.

<sup>35</sup> Swan River Guardian (WA : 1836 - 1838) View title info Thu 20 Jul 1837 Page 25-206 <https://trove.nla.gov.au/newspaper/page/23543251>

<sup>36</sup> William Nairn Clark, 'Colonial Warfare Between the Whites and the Blacks,' *Swan River Guardian* (WA : 1836 - 1838) Thu 20 Jul 1837, (1837): 205-206. <https://trove.nla.gov.au/newspaper/page/23543251>.

Going on to say that the Swan River colony was founded as a 'hasty and crude measure' Nairn ruminated that settlers could not now leave Noongar land, as it would be 'gladly seized by a Foreign Power'.<sup>37</sup> This is an acknowledgement that the real cause of the conflict between settlers and Ballardong people was settler appropriation of Ballardong Noongar. Nairn also lamented that Ballardong people could not just be removed from their Country as it could 'only be accomplished by force' due to the existential attachment to that Noongar people have with their *boodjar* or Country.<sup>38</sup> This reading confirms that in the York district, also, settlers justified their violence towards Ballardong Noongar people through the imperative to take Noongar *boodjar*.

The violence on Ballardong Country in 1837 appears to have been greater than that reported, and this is revealed by a letter from the Reverend Louis Giustiniani to the Colonial Secretary where he alleged that York settlers were planning to go out on the pretext of hunting for game to 'destroy all the Aboriginal inhabitants they can meet', with settler Arthur Trimmer declaring that he planned to kill ten Ballardong people himself.<sup>39</sup> Later in the year Giustiniani wrote to the Swan River Guardian reporting that Trimmer's servant had shot a Ballardong woman, and Trimmer had cut her ears off, attaching them to his mantelpiece as a trophy. Giustiniani also stated that McLeod had shot indiscriminately into a Ballardong camp as people slept, on two separate occasions, calling the violence prevailing in the York district 'Swan River logic'.<sup>40</sup> This settler logic, or the 'logic of elimination' as Wolfe calls it, was followed through with such ruthless efficiency, that many Ballardong people went to Perth for refuge.<sup>41</sup>

In both massacre events, the number of Noongar people killed was under-reported. The Reverend Giustiniani called the situation in York a 'blood scene'.<sup>42</sup> The fact that so many Ballardong people went to Perth for refuge also backs up Giustiniani's claim that settler violence in the York district was extreme. In October 1837, Governor Stirling had to send settler George Fletcher Moore, accompanied by young Ballardong man Garbung, to York tell Ballardong people that hostilities were at an end and that "Governor wongay yahi keenyak" (the Governor says he is satisfied)' and settlers would now stop attacking Ballardong people.<sup>43</sup> Bunbury's activities during this time were later described by Moore as 'particularly zealous'.<sup>44</sup> With the first massacre at the

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<sup>37</sup> Clark, 'Colonial Warfare Between the Whites and the Blacks.'

<sup>38</sup> Clark, 'Colonial Warfare Between the Whites and the Blacks.'

<sup>39</sup> Louis Giustiniani, Letter to Colonial Secretary Peter Brown 25 August 1837 SROWA Acc 36 Vol 55 folio 73 1837, State Library Western Australia.

<sup>40</sup> Giustiniani, The Logic of Swan River.'

<sup>41</sup> Wolfe, 'Settler colonialism and the elimination of the native,' 387. According to Kimberly's 1897 history, the 'punishment inflicted by the soldiers' caused 'a general exodus' of Ballardong people to Perth. See Warren Bert Kimberly, *History of West Australia: A Narrative of her Past Together with Biographies of Her Leading Men*. (Melbourne: F.W. Niven and Co., 1897), 107. [https://en.wikisource.org/wiki/History\\_of\\_West\\_Australia](https://en.wikisource.org/wiki/History_of_West_Australia).

<sup>42</sup> Louis Giustiniani, 'Lord Glenelg and the Natives. Lesson III,' *Swan River Guardian* (WA : 1836 - 1838) View title info Thu 8 Jun 1837, (1837): 182. <https://trove.nla.gov.au/newspaper/article/214041945>.

<sup>43</sup> James Cameron, *The Millendon Memoirs: George Fletcher Moore's Western Australian Diaries and Letters, 1830-1841* (Carlisle, W.A.: Hesperian Press, 2006), 433.

<sup>44</sup> G F Moore, 'Brief Chronicle,' *Journal of Agricultural and Horticultural Society, Mitchell Library, 1842-3*, xxxiv. (1842-3): 102, <https://go-gale>

Vasse on 28 June, 1837 Bessie Bussell recorded in her diary that nine Wardandi men were killed and two injured, but her brother Lenox Bussell's subsequent report stated that three people were killed.<sup>45</sup> Vasse settlers killed five more Wardandi people a month later on 30 July 1837, but Lenox Bussell did not quantify these deaths, instead justifying settler actions months later in an incomplete report.<sup>46</sup>

## Conclusion

The result of the Voice vote shows a split between settler society and Indigenous groups in Australia. This is reflective of Veracini's definition of settler society as consisting of three classes: settlers, Indigenous peoples who settlers seek to eliminate and Exogenous others who are not yet admitted to settler society.<sup>47</sup> In Australia today, two of those classes can vote, with a large difference between the overall yes result of 39.9% contrasted with a yes vote in remote Indigenous communities of 63%. This division is reflective of the violence of colonisation, and how it is remembered today. I suggest that this division indicates a lack of knowledge of the violence of colonisation in settler society, while Indigenous peoples have a strong, lived memory of it. This violence arose out of the 'logic of elimination' of settler colonialism.<sup>48</sup> This settler logic was pointed out by settler Louis Giustiniani in 1837, a year in which settler violence on Noongar *boodjar* in Western Australia increased on two fronts, at Busselton and York. This desire for dominance, due to the 'Swan River Logic' seen in the reports of settlers such as Lenox Bussell, Lieutenant Bunbury, Resident Magistrate McLeod, Governor Stirling, and William Nairn show how settlers rationalised killing Noongar people for their land.<sup>49</sup> Although research in the archives readily supplies detailed information on the violence of 1837, these events and many other massacres in Western Australia noted on the Massacre Map are not thoroughly documented today, accounting for the gap in understanding of Australia's violent history. When settlers invaded Australia, a forgotten war ensued. The result of the Voice referendum shows that truth telling concerning this frontier war is needed to inform Australian citizens of the true history of this country, and more research is urgently required.

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<sup>45</sup> See Elizabeth Bussell Diary April-December 1837: 24. Also Letter from Lenox Bussell to Captain Molloy 28 June 1837 SROWA Acc 36 CSR Vol 54 folios 135-136, 1837, State Library Western Australia.

<sup>46</sup> Elizabeth Bussell Diary April-December 1837: 30-31.

<sup>47</sup> Veracini, *Settler colonialism*, 18.

<sup>48</sup> Wolfe, 'Settler colonialism and the elimination of the native,' 387.

<sup>49</sup> Giustiniani, 'The Logic of Swan River.'