



# Suggestion 13

Bass Coast South Gippsland Reconciliation Group

9 pages

# **Submission to the Australian Electoral Commission**

**From**

**BASS COAST SOUTH GIPPSLAND RECONCILIATION GROUP**

**Changing the Name of the McMillan Electorate**

**November 2017**

The Bass Coast South Gippsland Reconciliation Group was formed in 2005 with the aim of furthering reconciliation between Indigenous and Non-Indigenous Australians, and educating ourselves and the community about Aboriginal history and culture. The Group is affiliated with ANTaR [Australians for Native Title and Reconciliation] Victoria and Reconciliation Victoria. We have 105 members and 48 Friends on our mailing list, and we meet monthly.

## **Our argument**

Aboriginal commentators have long stressed that reconciliation is only possible when we, non-Indigenous Australians, recognise and take ownership of our history.

The history we as a country are proud to talk about and promote is about building a modern, diverse and prosperous nation.

The history that we won't talk about involves our expropriating the land from its traditional owners, destroying the hunting and planting grounds, driving people from their sacred lands, impoverishing communities, stealing women and children, and massacring whole tribal groups when they were 'in the way'.

The history we won't talk about is the traumatic inter-generational impact that these colonial practices had on the health, wellbeing, mortality, educational performance and imprisonment rates of their descendants.

The history we won't talk about is that they weren't only colonial practices, but that cultural denial, disenfranchisement and removal of children are all recent practices.

The history we won't talk about allows us to honour and perpetuate the memory of a man like Angus McMillan who was responsible for at least four massacres in Gippsland.

The Reconciliation Group wishes to mount a case to change the name of the McMillan electorate as it memorialises a murderer, Angus McMillan, who was responsible for many massacres of Aboriginal people in the 1840s, numbering some hundreds of men, women and children, and contributing significantly to the near annihilation of the Gunnaikurnai people (or Kurnai as they were largely called by Europeans then) in a decade. Further, we wish to argue the need for Aboriginal Community members themselves to choose the name to replace McMillan, and we outline a process whereby this may be achieved.

We argue, therefore, that the name of McMillan should be expunged from the federal electorate. Further we argue that the name to replace McMillan should be chosen by the Aboriginal Communities who carry the legacy of his atrocities and those whose land the electorate occupies, the Gunnaikurnai and the Bunurong People.

### **McMillan the settler**

McMillan came to Gippsland in 1839 on behalf of his employer Lachlan McAllister to open up the country, exploring for good pastoral opportunities. He had arrived the previous year from Scotland, ironically from a family that had been driven off their land in the highland clearances, and as a fourth son, he had no option but to emigrate. He made several trips into Gippsland, in 1841 locating Port Albert as a good port, and in the mid 1840s he established Bushy Park near Briagalong, a property that increased in size and prosperity over the years, though it finally failed before his death in 1865 (Gardner 1990:82-84).

The prevailing approach to the land by these newcomers was that of 'terra nullius', or empty land. Denial of Aboriginal sovereignty was universal, as was denial of their humanity. They were granted no rights and treated as vermin. The British saw themselves as entitled to take the land, and that intelligent Aboriginal stewardship for thousands of years had been mere preparation for their dispossession, as those presumed to be better able to manage and capitalise on property forced them off their land.

The myth was developed that they were 'only' hunter-gatherers, which suggested to the squatters that they could hunt and gather anywhere, leaving the British to the valuable land on which their sheep and cattle could graze.

We know now that a hunter-gatherer lifestyle was far from the whole truth. Bruce Pascoe's recent book *Dark Emu* describes in detail the highly productive agricultural practices honed over the millennia by Aborigines, and Bill Gammage's book *The Biggest Estate on Earth* explains the way that Aboriginal fire practices shaped the land and produced park-like landscapes and grounds suitable for animals such as kangaroos to graze, all documented by C18th and C19th explorers and settlers in letters, diaries, books and essays.

It has suited us since to deny this reality and frame Aboriginal people as incapable of such skillful work. But the evidence is there.

McMillan soon met resistance from the Gunnaikurnai people who did not give up their land easily. Peter Gardner (1990) points out that they had been dealing with incursions from sealers and others along the coast since 1800. White men were not new to them but pastoral activity was. As cattle and sheep spread out across their gardens and crops, which were competing for feeding grounds, the Gunnaikurnai scattered the animals into the bush and frequently speared cattle. In retaliation, at Boney point, McMillan and other settlers shot large groups of Aboriginal people, estimated as 15 (Ryan 2017a) or 60 Gunnaikurnai (Gardner 2015: 9).

In a number of counter-attacks, possibly five white men were killed in the first year of their settling in Gippsland. In one attack, McAllister's nephew was killed by the Gunnaikurnai somewhere near Port Albert. McMillan became more organised and he gathered other squatters, mostly Scots like him with

whom he formed the Highland Brigade, and they rode off in search of Aborigines, finding a large number at Warrigal Creek, where they slaughtered men, women and children. They moved on from camp to camp, murdering in cold blood up to 150 members of the Gunnaikurnai people. Ryan (2017b) says that the rampage 'would fit the criteria of "genocidal massacre" '.

The Highland Brigade hid their activities, knowing that seven white men responsible for the Myall Creek massacre in NSW had been hanged in 1838 and were aware that could be their fate if they were caught and brought to justice. They knew that what they were doing was immoral and illegal, not sanctioned by the governments who had authorised their explorations, even under 'terra nullius'.

Another massacre or series of massacres followed the story being spread about that a white woman had been seen with a group of Gunnaikurnai. They appear to have been inspired by McMillan's claim of a sighting, which was picked up and amplified by the *Port Phillip Herald*, leading to government and private expeditions over many months (Gardner 1990: 43-55). McMillan 'led, provoked, pushed, guided and influenced the course of events' (ibid: 55). White men were incensed at the prospect of one of their own being 'enslaved' by black men, despite the reverse being commonplace, white men commonly taking black women, willingly or unwillingly. The woman was never found and it has largely been discounted as a myth, based possibly on a ship's female figurehead that had been found on the beach and taken into the bush by Gunnaikurnai members. But it showed the hysteria, the fear and the anger felt towards Aboriginal groups, and the effects of lawlessness and lack of any regulation in the lives of Europeans who expressed their hostility so viciously. McMillan and the Highland Brigade took the law into their own hands and encouraged others to do the same.

### **The evidence**

Professor Rhonda Craven (1999:107) says that 'Myall Creek was the tip of the iceberg of frontier violence against Aboriginal people'. We know now how deep the iceberg was that signified what has come to be known as the Frontier Wars. Estimates of 20, 000 Aboriginal men, women and children have been killed in massacres that amounted to a war of attrition against Aboriginal people across Australia in the C19th and into the C20th (Reynolds 2006). The last recorded massacre took place in the Northern Territory in 1928.

Violence in Gippsland laid the basis for the denial of our history, the silence and intrigue that distorted the telling of our early days. Gardner (1993: 57) says that it also illustrates that the 'racism that developed later in the nineteenth century between miners of different races, had as its seed, the hostility and hatred engendered in the early conflicts of white history'.

Professor Lyndall Ryan from the University of New South Wales has recently published work (2017 a, b and Appendix 2) that is progressively mapping those massacres on the east coast of Australia that she states are uncontested in the veracity of their claims. She records five massacres in Gippsland, four of which are attributed to McMillan, and account for between 111 and 201 deaths.

Beside Ryan's conservative, even cautious, scholarship, Gardner argues that there were many more massacres recorded in letters and diaries between 1840 and 1850 in Gippsland. He states that many other killings went unrecorded, and that it is highly likely that large-scale killing was common, as the Gunnaikurnai were feared as a great threat to their pastoral ambitions. Gardner (1993) says McMillan was complicit in at least four and probably more massacres, and certainly would have been aware of

them all. In 2015, Gardner elaborates on the numbers of Gippsland massacres and their victims, and identifies five large massacres, and up to 20 smaller ones that meet Broome's (2005, in Gardner 2015) criteria of a massacre involving at least five deaths.

Gardner (2015) conservatively estimates 430 violent deaths (following Meyrick, below) but by the end of the decade he believes there might have been 600-800 deaths. Other reports calculate the human loss at more like 1000. The Gunnaikurnai population is estimated to have been about 2000 when McMillan arrived in 1839 and by 1861, William Thomas, the Assistant Protector of Aborigines counted 221 Aborigines in Gippsland (Gardner 1993: 24). Many had died from introduced diseases, many had fled, but possibly a third to a half of the population was killed in cold blood.

While McMillan may not have been responsible for all massacres, he is the one whose name has been honoured in a way that requires redress.

### **A contemporary alternative view**

Yet not everyone accepted the killings as right, inevitable, proportionate or appropriate. There was a contemporary moral stance against which we can judge the popular assessment of the times.

An often-quoted passage from a letter written home to England in 1846 by a young squatter named Henry Meyrick gives us a sense of the revulsion, albeit tempered by the times, felt by some of McMillan's contemporaries towards his, and his henchmen's, deeds.

*The blacks are very quiet here now, poor wretches. No wild beast of the forest was ever hunted down with such unsparing perseverance as they are. Men, women and children are shot whenever they can be met with ... I have protested against it at every station I have been in Gippsland, in the strongest language, but these things are kept very secret as the penalty would certainly be hanging ... For myself, if I caught a black actually killing my sheep, I would shoot him with as little remorse as I would a wild dog, but no consideration on earth would induce me to ride into a camp and fire on them indiscriminately, as is the custom whenever the smoke is seen. They [the Aborigines] will very shortly be extinct. It is impossible to say how many have been shot, but I am convinced that not less than 450 have been murdered altogether ... Now I am become so familiarized with scenes of horror from having murder made a topic of everyday conversation.*

A Select Committee of the Legislative Council on the Aborigines in 1858-9 enquired into the reasons for the dire reduction in numbers of Victorian Aborigines. Their findings looked to alcohol, moral weakness and disease, but there was no mention of violent deaths and massacres, nor of the Aboriginal warriors' brave resistance. It was a whitewash (Gardner 1993: 36; Select Committee (digitised)).

### **McMillan's later life**

Once greater firepower and horsepower won the war against the Gunnaikurnai, McMillan turned his attention to building up his property and to civic activity. He was the Member for South Gippsland in the Victorian colonial government for a brief term in 1859-60, curiously coinciding with the Select Committee on Aborigines sittings. Ironically, he sought land for the remaining few dispossessed and demoralised Gunnaikurnai, once they were no longer a threat to his ambitions, leading to the

settlement of missions at Lake Tyers and at Ramahyuck. He acquired a position in charge of distributing supplies to these Aboriginal missions and to individuals, though Peter Gardner provides evidence that he dealt with this responsibility corruptly, withholding a considerable proportion of the supplies for himself. He died in 1865, having married his long-time companion in 1861, after the birth of their two sons.

Yet McMillan was not lost to history after his death. Slowly he began to be celebrated as a significant explorer and pioneer: the founder rather than the butcher of Gippsland. The dreadful truth of what he and his fellow settlers had done faded from memory. So, by 1948, nearly one hundred years later, when the federal electorate was named in his honour, it was seen as entirely appropriate. It was not until the 1970's that local historians began to search for the hidden truth, within a context of Australian historians turning more to examine our own history rather than that of Europe. Of course the Aboriginal people of Gippsland always knew the painful history and have held it close, in living memory to this day. Annemieke Mein's 1986 depiction of McMillan (Appendix 1) was an early critical and graphic statement.

### **Time for change**

The Gunnaikurnai people understandably loathe the notion of McMillan and living within an electorate named after him. And at last we, non-Aboriginal people, have come to realize that names do matter. The Reconciliation Group believes it is offensive and unworthy of a fair-minded community to retain this name now that we understand what he did. McMillan has brought dishonour and shame to our community.

It is time we owned our past, and began to set a new path by choosing a new name for our electorate. There have been attempts in the redistributions of 2002 and 2010 to change the name. We recognise that McMillan is not the only unpleasant colonial character honoured in this way. Batman is another one. We would like to think that the change made in 2017/18 in McMillan will be followed, or accompanied, by similar changes in the naming of other electorates and of institutions that commemorate the murderers of our First People.

There is a groundswell of concern to change the name. Articles have appeared in the national and local press, many making similar points to ours, about the unworthiness of honouring a murderer, and the cruelty of perpetuating this memory for the Gunnaikurnai descendants. The Scottish press has published many articles about Cal Flynn's book *Thicker than Water*, tracing her shocked discovery of the flawed life of her great great uncle, Angus McMillan, and the complexity of a man who was known as a respected gentleman, a hospitable, warm host, and a public figure intent on improving the lives of other white settlers, including those who worked for him, as depicted in Cox's *Angus McMillan: Pathfinder*.

Korumburra Secondary College have set the tone by changing the name of their McMillan House to Howitt House, following a student-led campaign. Howitt is respected by many Gunnaikurnai people as he recorded much of the language and thus contributed to its survival.

In response to those who would say that we can't change history and that the original 1948 naming was a marker in the history of our country, (and also perhaps that sticks and stones would break your bones, but names will never hurt you!) we would say a number of things:

1. History does not justify ongoing pain being inflicted on a people constantly reminded of past trauma. We act without empathy and without care of the contemporary consequences if we maintain the name of McMillan.
2. We can learn from history and make changes to morally indefensible actions of the past. Historical decisions are made within a context but are not set in concrete when that context is critiqued and found wanting.
3. The experience in other countries is that true reconciliation cannot happen until there is a truth-telling – an ‘owning up’ to the past. A Truth and Reconciliation commission (such as in South Africa) was recommended in the First Nations National Constitutional Convention held at Uluru in May this year, and in the subsequent report. Without recognizing and accepting responsibility for the gravity of the behaviours of those who took possession of this country, we cannot expect to move forward with our Aboriginal brethren together.
4. We must not perpetuate the denial of genocidal practices that took place in the past. The silence around the massacres was deliberate and aimed at evading judicial intervention. It has led to a continuing defensive unwillingness to believe they occurred.
5. We are all diminished as a people if we hold to a past that is racist, perpetuated violence, treated people worse than animals, and so disrespected a culture that it was practically destroyed. The resilience of the oldest culture in the world has resulted in the Gunnaikurnai culture surviving and adapting to contemporary conditions, albeit with struggle and hardship.
6. We do not say in relation to Anzac that we should ‘get over it’ or that Jews should forget the Holocaust, but Aboriginal people are regularly told, or it is implied to them, that they should move on from the cause of their trauma, when healing is so difficult in the face of little or no acknowledgement and understanding by the wider society.
7. We are not rewriting history, we are rediscovering it. A neo-conservative claim is that this view of history is a re-writing, when in fact the re-writing occurred instantly in the cover-ups and denial of the massacres that took place. It is only in recent years that non-Indigenous historians and others have been rediscovering the truth of our history.
8. We can make a real contribution to reconciliation if we take collective action to change an offensive name. While changing a name may appear ‘merely’ symbolic, it is an indication that the community at large is paying attention to the hurt that the name has caused and is trying to make amends.
9. We need to give Aboriginal community members the right to choose a new name themselves. In the interests of justice and in the face of the past trauma associated with the name of McMillan. We will outline a process that is underway that can deliver an authentic collective Gippsland Aboriginal voice in the naming.

### **Our approach to the re-naming**

The Reconciliation Group has been committed to this process for over two years and has identified it as having two parts: the first is to rid the electorate of the McMillan name; in the second we have been working towards ways of ensuring that Aboriginal Communities’ voices are heard in the naming. We have believed from the start that the least that mainstream society can offer, if Aboriginal communities wish it, is for them to have naming rights. We have been educating ourselves about the complexity of decision-making, and we have made mistakes along the way. In finding a name in language, the need is to take account of all clan groups who have different geography, different words, pronunciation and spelling. In addition if the Bunurong are to join the Gunnaikurnai, a name

that is acceptable to both people is required. It is possible that a decision may be taken to choose a non-language name, ie English.

We have recently found a path to common ground, through the leadership of key Aboriginal organisations forming a broadly representative Naming Committee. The Gunaikurnai Naming Committee is currently being established and, following proper consultation processes, will be recommending a name for this electorate in due course, when further comment is invited.

The Reconciliation Group cannot recommend strongly enough to the AEC's McMillan Redistribution Committee that the Aboriginal choice of name should succeed and become the new electoral name. We believe that there can be no argument greater than that those who were dispossessed by the colonising of Gippsland and the massacres that took so many lives, should have their descendants given naming rights. The Gippsland Aboriginal Community has been substantially disenfranchised and the awarding of the name to their choice would be a very important statement of good faith, an act of reconciliation and public recognition and valuing of the prior occupation of Aboriginal people in Gippsland for over 30,000 years.

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Appendix 1: Annemieke Mein (bas relief 1986), in reference to the skulls in McMillan's saddlebags, said 'that was my statement. I have had a few Aboriginal people come and thank me' (Rule 2002)



# Colonial Frontier Massacres in Eastern Australia 1788-1872

- Home
- Introduction
- Map
- Timeline



Appendix 2: Lyndall Ryan (2017) map of massacres