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Abstract

Detailed analysis of Governor Lachlan Macquarie's punitive actions against the Aboriginal population of New South Wales in 1816 reveals the extent of war engaged in by local military forces and the colonial authorities, along with a corresponding cover-up of those activities and outcomes to both the local community and authorities in England. This analysis has implications for our present day reading of Australian history and the ongoing debate over recognition of the so-called Forgotten War (Australian Aboriginal War), especially in light of the ANZAC and World War I centennial commemorations of 2015-18. The use of unpublished archival resources is highlighted in revealing a detailed and localised picture of events in New South Wales during 1816. The rediscovery and reinterpretation of the facts behind this historic episode reveals the ever-evolving history of Australia and the moving stories which are an important part of that history.

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The War of 1816

On 9 April 1816 Governor Lachlan Macquarie, supreme representative of the Crown in the Australian colonies, declared war on the Aboriginal people of New South Wales. The declaration was never explicitly stated or announced publically, and the official histories do not record it. However the reality was clear from the secret orders issued to the military regiments under his command and from Macquarie's public proclamation of 4 May outlining punitive actions to be taken against the Aboriginal population. The fact that it was war was revealed when Macquarie announced that all Aboriginal people within the environs of Sydney who were encountered by the military were to be captured as "prisoners of war." The words were clear, as was the intent. In 1814 he spoke of taking Aborigines "prisoners", whilst in 1816 it became "prisoners of war." Macquarie now sought "to inflict terrible and exemplary punishments" upon what he referred to as "hostile tribes" and his actions were commensurate with this aim.

Published and unpublished official records outline in detail the event of 1816. In summary, Macquarie's regiments were ordered to pursue and fire upon any Aboriginal people who attempted to escape apprehension as the soldiers scoured the settled and unsettled areas about Sydney. The governor declared that Aboriginal men shot and killed during such encounters were to be hung from trees in prominent positions, to strike fear and terror amongst the surviving Aboriginal population. For example, in his instructions to Captain Schaw of the 46th Regiment, Macquarie stated:

"On any occasion of seeing or falling in with the Natives, either in bodies or singly, they are to be called on, by your friendly Native Guides, to surrender themselves to you as Prisoners of War. If they refuse to do so, make the least show of resistance, or attempt to run away from you, you will fire upon and compell them to surrender, breaking and destroying the spears, clubs, and waddies of all those you take Prisoners. Such Natives as happen to be killed on such occasions, if grown up men, are to be hanged up on trees in conspicuous situations, to strike the Survivors with the greater terror. On all occasions of your being obliged to have recourse to offensive and coercive measures, you will use every possible precaution to save the lives of the Native Women and Children, but taking as many of them as you can Prisoners."

The bodies of slain warriors were also decapitated, though in secret, and their heads sent off to museums in Europe. Camps were created to house those people captured, whilst prisoners were transported to penal establishments such as Port Arthur and children were taken from families and tribes for re-education. Gatherings of six or more Aborigines were declared illegal, customary practice was outlawed, as was the carrying of spears, and the non-Aboriginal civilian population was granted permission to shoot and kill those Aborigines who did not adhere to the tenets of the various proclamations issued by government. The campaign – or "service" as Macquarie called it - was to be executed with "secrecy and despatch" (Organ 1989). This brutal and barbaric action on the part of the authorities was also to make it clear to the rest of the population that the Aboriginal people were to be treated in a manner which would ensure the security of the ever expanding settlement.

On 18 March 1816 Macquarie had written to his superior in England, Earl Bathurst, noting his previous unsuccessful efforts "to domesticate and civilise these wild rude people", revealing an

arrogant, condescending attitude towards the local Aborigines which is a clear indication of his failure to understand the inherent differences between the two civilisations. Macquarie's efforts at assimilation of Aboriginal society into the British way of life failed, as they have ever done.

In the absence of a formal statement, Macquarie's secret orders of 9 April were a de facto declaration of war by the Crown against the Aboriginal population of New South Wales. The subsequent proclamation of 4 May was tantamount to an official rejection of the traditional Aboriginal way of life, and of the local law and custom. Macquarie was either totally oblivious to the significance of his actions or, more likely, chose simply to ignore it.

On 8 May he reported to Earl Bathurst on the military elements of the campaign, noting that "in consequence of the hostile and sanguinary dispositions manifested for a considerable time past by the Aborigines of this Country, I had determined to send out some military detachments into the interior, either to apprehend or destroy them giving them instructions to make as many prisoners as possible; this service occupied a period of 23 days."

On 20 July the governor issued another proclamation declaring ten Aboriginal warriors outlaws. Therein he stated in the harshest possible terms that members of the public were granted "the power to kill and utterly destroy them," and receive a reward of £10 for each for doing so. This was evidence of a further hardening of Macquarie's attitude and expansion of the punitive actions. Needless to say, the British were successful in killing, capturing and terrorising the local Aboriginal population.

On 1 November Macquarie brought the campaign to an end, issuing a proclamation which stated, in part, that "from and after the 8 November 1816, all hostile operations, military or other, against the said native tribes will cease." This could be said to officially mark the end of the war. It had begun in April, with the instructions to the military "to make Prisoners of all the Natives of both sexes whom you may see or fall in with on your route after you march from Sydney, and carry them with you to be lodged in places of security at Parramatta and Windsor respectively, until after the present Service is over."

By 4 April 1817 Macquarie was able to report to Earl Bathurst "that all hostility on both sides has since ceased." He commented therein on the success of the military campaign, though omitted its more barbaric and brutal elements, including the massacre at Appin on 17 April 1816 of a tribe comprising 15 men, women and children, carried out by soldiers under cover of darkness (McGill 2013). No accounts survive by Aboriginal people of their view of the campaign, and none was sought by the English at the time.

Macquarie's war of 1816 was not an isolated event, but a continuation of the unofficial war which had existed in Australia since the arrival of the First Fleet at Sydney Cove in January 1788.

War, commemoration and the vagaries of history

"...the then unsettled ... Great South Land." (Tony Abbott, 2014)

Macquarie’s war of 1816 entailed secrecy and expediency so as not to alert the indigenous population to the actions which were carried out by the local military forces and civilian population. Macquarie’s reference to “prisoners of war” in his orders of 9 April is telling. A prisoner of war is, by definition, any person captured or interned by a belligerent power during war. But what is war? How do we define it, both as it occurs and in retrospect? What is our attitude towards commemorating war, and what should be included in those commemorations, or omitted? In light of the ANZAC centenary celebrations of 2015 these questions have increased relevance.

It can be argued that Australia, like many countries, has failed to address these issues in a manner which is consistent with the facts of history. It may seem a simple, straightforward task to talk about, and to identify, the wars in which Australia has been involved, but such is not the case. This is due to a variety of factors, including the precise definition of war, the circumstances surrounding the specific events of that conflict, and the political climate at any given time. In the case of Governor Macquarie during 1816 he felt the need to keep his punitive actions secret, due in part to their severe nature and the likelihood that the community at large, and the authorities back in England, could take exception to them, either in whole or part.

In 1989 I published a book entitled Illawarra and South Coast Aborigines 1770-1850 which included a section on the punitive military campaigns of 1816. The book was intended as a reference tool and resource for further studies in the wake of the Australian Bicentennial celebrations of 1988. Whilst including brief introductory texts to chapters, the content was largely left to speak for itself. It revealed that a large part of Illawarra’s history had been ignored. Many “facts” remained buried, especially those that sections of the community deemed unsavoury in connection with the local Aboriginal population. These sections were excluded from more general accounts and school curricular, with the result that what we believed and had been told about the early history of Australia and our local area up to that time was, in many instances, wrong. Table 1 summaries some of the common misconceptions about Australian history and the use of English language to mask the true nature of actions carried out against the Aboriginal population from the time of Captain Cook.

Table 1: Terminologies

British	Reality	Comments
Terra nullius	Settled land, occupied by Aboriginal tribes and family groups who claimed ownership (sovereignty)	Aboriginal individuals and tribes had complex connections with specific parcels of land. Traditional ownership was practised. This was totally ignored and denied by the British who acted as if the land was unoccupied.
Conflict	War	By any definition, the actions of the British authorities from 1788 was a war against the local Aboriginal people. It involved military campaigns and the taking of prisoners of war. The British referred only to conflict and retaliatory

		actions in defence of settlers.
Settlement	Theft of land, no compensation	No treaty was ever signed with the Aboriginal people of Australia by the British colonisers, because they did not recognise their existence or rights in law.
Guns	Spears	Aboriginal people were shot, killed and wounded with little or no medical treatment offered following such encounters.
Mission	Concentration camp	Instigated by Governor Lachlan Macquarie as part of his war of 1816. The missions were in fact a form of concentration camp, breaking up families and traditional tribal groups and separating people from traditional lands.
Sovereignty	Native Title	The British failed to acknowledge Aboriginal rights to the land, ownership and sovereignty.
Primitive	Civilisation	The British denigrated Aboriginal culture, history and society, failing to recognise its complexity, richness and uniqueness as a civilisation. It referred to, and treated the Aborigines as primitive and uncivilised, when in fact the actions of the British authorities and settlers suggested the opposite was the case in many instances.
Natives	Warriors	Aboriginal men fought as warriors in a war against the invaders of their land, from the time of Captain Cook.
Hostile	Defence and retribution	The British reacted to Aboriginal hostility with unwarranted violence. The Aborigines retaliation to provocation and abuse.
Civilised	Uncivilised	The treatment of the Aboriginal people by the occupying British was barbaric, horrific and uncivilised. Yet the British claimed to be the most civilised of nations and to

		bring civilisation to countries such as Australia.
Godless	Gods, spirits, totems, spirituality, life after death	The British largely failed to observe, recognise or acknowledge the complex religious and spiritual life of the local Aboriginal people.
Peaceful	Opposition “Wirra wirra!” – Go away!	The Aborigines were not simply a peaceful race who accepted the occupation of their land. They rejected the invasion from the outset and fought back. Cook in 1770 was opposed. Phillip in 1788 was opposed. The opposition was vehement and continues to the present day.

As an historian who has researched and written about members of his own family who served in military forces and went to war, it was easy to see the gaps in the portrayal of Australia’s historic past. In 1984, for example, I published an account of my ancestor William Organ (1801-1878) who was a member of the 28th Gloucestershire Regiment of Foot during the 1830s. He arrived in Australia during 1835 and served for 5 years throughout New South Wales in charge of convict stockades and road gangs, alongside his brother Thomas. In 1840 they settled in Wollongong with their family. In 2013 I carried out research into my great-uncle Jack Speirs who served on the Western Front during 1916-18. Their stories are interesting and form part of my family history and the history of Australia, though I know only a fraction of the truth of their lives. I would regret it if they were ignored, or their service not honoured, as it should be for all those who served and fought “for King and Country”, or the equivalent.

But there is a problem. The British were a colonising power, and the First Nations of this land never ceded their claim to sovereignty, even though the existence of any such sovereignty on the part of the indigenous population was denied by the Crown throughout the colonial period. It was convenient to do so, and they had the military might to put down any opposition. If the colonisers rightly treated the Aboriginal people of Australia as equals, and allocated to them equal rights and privileges under the law and in everyday life, then the picture of Australia’s history would change significantly, as would official accounts. The same honour that is, for example, applied to the ANZACs and to those who served in wars on behalf of Australia would apply to the Aboriginal people who fought against the European invasion of 1788 and opposed the imposition of Terra Incognita through dispossession. It can be argued that they fought in a noble struggle for their Country, in a war which was meaningfully forgotten by the victors.

A forgotten war

There is no Australian Aboriginal war officially recognised or commemorated by the nation at large, or by the institution tasked with that duty, the Australian War Memorial (Stanley 2014). This

omission of an inconvenient truth has been highlighted in recent years by the Aboriginal community, academics, military historians and sections of the wider community. The calls for redress have increased in the lead-up to the ANZAC and World War I centenary celebrations of 2015-18 (Daly 2013, Reynolds 2013). Yet there was a war, and it began with the initial encounters between Europeans and the indigenous inhabitants of Australia.

The scene was set for the conflict to come with the first recorded words spoken by Aborigines to Europeans, at Botany Bay on Sunday, 29 April 1770, when Captain James Cook and his party attempted to land from the barque *Endeavour*. The shout went out from the local Aborigines "Wirra, Wirra, wai" [Go away!]. According to Cook, two Aboriginal warriors "resolved to oppose our landing." He responded with musket fire to the spears and stones thrown at his party. The fate of the man shot is unclear, though he may have been the first fatality in the war against the invaders. Cook wrote in his log the following day that "all they seem'd to want was us to be gone."

In 1788 Governor Arthur Phillip and his military regiments occupied *Terra Nullius* ("land belonging to no one"), arriving in Australia with a fleet comprising convicts, military personnel and free settlers. As Phillip and his flotilla sailed into Sydney harbour on 23 January the shore was lined with people shouting, once again, "Wirra, Wirra!" (Collins 1798, Standfield 2010).

The invasion began with the Crown providing no recognition of indigenous law, language or custom by way of treaty or reparation (Australian Law Reform Commission 1986). The invasion was an act of war, though there would never be a formal declaration.

Since the Bicentennial of 1988 there has been a great deal of discussion around this topic, usually under headings such as the History Wars, Black Arm Band History and Frontier Wars. The lead commentator in many of these discussions has been Professor Henry Reynolds, with other historians such as Professor Geoffrey Blayney and Keith Windshuttle joining the debate. The Aboriginal community has been vociferous since 1788 in raising their concerns about alienation of land, mistreatment and the devastating results of the occupation. The actions of Governor Lachlan Macquarie during 1816 are especially relevant in revealing the extent to which the British engaged in a war against the Australian Aborigines, using secrecy and superior military force to ensure victory.

Declaration of War

One issue that has flared in recent times and caused much debate is the refusal of the Australian War Memorial (AWM) to accept responsibility for telling the story of encounters between colonial military forces and the local Aboriginal population. The AWM maintains that it is the role of the Australian Museum to cover that part of Australia's history, though the inappropriateness of such a task is obvious. The Returned and Services League of Australia (RSL) has gone further and stated that the AWM only exists to tell the story of Australian military forces involved in external (overseas) conflicts. A similar stance is taken in New Zealand in regards to its official war memorial. In both countries the Aboriginal and Maori communities call for recognition of local (internal) wars, and the general public remain confused over the arguments put by both sides.

One of the core elements of the issue with the AWM is the definition of war, and the fact that war was never officially declared in Australia at any time during the colonial period. As a result, the AWM

argues it has no obligation to preserve and present accounts of the conflicts during that time. Government follows suite, not interested in opening up an issue which is known to cause division amongst the electorate. Senior staff at the AWM and members of the governing committee, including the former Howard government minister Brendon Nelson, put forward a number of arguments as to why the AWM does not commemorate internal conflict such as the Australian Aboriginal War, usually citing the terms of the Australian War Memorial Act 1980. The Act remains, in fact, vague as to what the role of the AWM is and one reading allows for inclusion of war-like actions within Australia during the colonial period by military forces, whether they be local or British.

Many commentators defend the refusal to accept that there was any sort of war between the colonial authorities and the local Aboriginal population, even baulking at use of the term invasion in reference to the arrival of the First Fleet in 1788. The question nevertheless remains: if the actions carried out by the colonial authorities on behalf of the Crown against the local Aboriginal population did not not comprise war, then what were they?

Armed and unarmed conflict occurred; thousands of Aboriginal people died, as did a lesser number on the side of the non-Aboriginal population; and military forces – both British and local - were involved in campaigns and engagements at the behest of government. Many commentators have failed to look with any precision into the circumstances of the various conflicts which took place in Australia during the colonial period. They do not see an act of war in, for example, the campaigns against the Tasmanian Aborigines during the 1830s, nor in Macquarie's punitive actions during 1816.

Governor Macquarie – governor of New South Wales between 1 January 1810 and 30 November 1821 – did not have the power to officially declare war. A declaration of war is, by definition, between two or more nation states as, for example, when Great Britain and France declared war with Germany on 3 September 1939. Furthermore, Australia was a British colony and therefore could not declare war upon itself. To argue that there was no war because none was officially declared is therefore a moot point, for war can exist without a formal declaration. This, in fact, was what usually took place.

John Frederick Maurice, in his classic study Hostilities without Declaration of War (1883), showed that between 1700 and 1870 in Europe and the United States war was officially declared only ten times and waged 107 times without declaration. During the eighteenth century Great Britain declared war on France, Spain and the Dutch Republic five times, and only once in the nineteenth century, during 1854 and against Russia. Even for the Zulu War of 1879 there was no official declaration, but simply an ultimatum by a colonial official. There was therefore no precedent for a colonial governor to declare war on a native population of a British colony, whether it be Arthur Phillip or Lachlan Macquarie. Such a declaration in regards to Australia would have entailed the Crown declaring war upon itself, for the British had taken possession in January 1788. It remained a colony until 1901 and the formation of the Commonwealth of Australia. Up to that point the power to declare war was vested in the Crown, and thereafter with the Commonwealth. Debate continues to rage to this day as to who has the privilege of declaring war on behalf of Australia – the Prime Minister, the Parliament or the people? In light of such ambiguity, often no official declarations are made. Therefore, with no power to declare war, and no likelihood of the British authorities in the form of the Crown issuing a declaration of war, Governor Macquarie in 1816 was constrained in

regards to the words he could apply to any war-like actions he wished to engage in locally. Nevertheless, his intentions were clear in 1816 and his actions unambiguous.

The Australian Aboriginal War

It can be argued that war existed between the British and the Australian Aborigines from the time of the arrival of the First Fleet at Sydney Cove in January 1788 and continued through to the creation of the Commonwealth of Australia in 1901, though was most intensely pursued by the British at the frontiers of settlement during the first half century of colonisation. The Aboriginal people continue to fight for their rights and recognition of sovereignty.

The fact that this war was carried out across the continent and into Tasmania is evident by the recent opposition to the Western Australian Barnett government naming a prominent Perth city square after Noongar resistance warrior Yagan (Georgatos 2014). Whilst many view the place naming as an honour, others see it as an insult to a man murdered in 1833 for opposing the brutality and dispossession that came with European settlement (Cormick 1997). Yagan was a warrior at war. At the time of his capture in 1832 local settler Robert Lyon argued for his treatment as a “prisoner of war” (Green 1984).

War is war, and this was one, plain and simple. The Australian War Memorial refusal to accept the facts of history and commemorate the valour of those Aboriginal warriors who fought with bravery against the invaders is historically indefensible. Its current view that Aboriginal history and commemoration of the Aboriginal War – like those expatriated skulls - belongs in a museum, is likewise historically flawed and inappropriate. It represents a continuation of the colonial period attitude of Aboriginal people as museum specimens, and Aboriginal culture, society and history as primitive and uncivilised.

The Australian Aboriginal War is ignored, and it must be asked: Why? Is it because the colonisers – the victors - were the enemy, responsible for the atrocities, the massacres, the dispossession and the death of a significant section of the local indigenous population? The obvious answer is yes. The Australian War Memorial symbolically leads the nation in denial, backed by the RSL and government. The media supports omission or largely ignores the issue. The Aboriginal population observes Anzac Day and wonder why their own experiences of war during the colonial period are ignored. They receive no answer. Memorials are erected to Aboriginal members of the Australian military forces, but the Aboriginal War remains unmarked (Newbury 2011, Watson 2013, Anonymous 2014). It is time for Australia to honour the deeds and heroism of this country's first war veterans - the Aboriginal men, women, and children who fought in the Australian War from 1788. They fought with honour; they fought for the Dreaming, and for family; they fought for Country; they fought valiantly and died courageously. Just like the ANZACS, they were Australians fighting for Australia.

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