The Aboriginal Memorial

The Aboriginal Memorial and the Militarisation of Australian History

> *The tradition of all dead generations weighs like a nightmare on the brains of the living [who]… anxiously conjure up the spirits of the past to their service, borrowing from them names, battle slogans, and costumes in order to present this new scene in world history in time-honoured disguise and borrowed language.*[1]

How is it that some art is forever contemporary, speaking afresh to each new generation as if in it the dead advance their claims and the living seek their redemption? Even the state seeks its deliverance in such art, building magnificent museums to preserve and revere it and study its genealogies. To stay contemporary requires the gift of reincarnation. Neither the artist nor the artwork can control this remaking and the new meanings it generates, but the upside is a certain immortality, a compact with the future and past, with the ancestors and those to come, and most of all with power. This is what a memorial is or does: it is the politics of memory.

This idea can be found in the conception of *The Aboriginal Memorial* (1988), which has been on permanent display in the cathedral spaces of the National Gallery of Australia (NGA) in Canberra for more than thirty years (except when it travelled overseas as art of the Olympic Festival at the turn of the twenty-first century). In its format of painted upright hollow logs, the artwork draws inspiration from the culmination of a traditional Yolngu mortuary ceremony. After the conclusion of the ritual singing and dancing around the painted log which houses the bones of the deceased clan member, it is left standing near the waterhole—the bones and sacrificial tree slowly decaying until they have returned to the watery home of the Serpent from which they originally sprang, ready to be born again. In guiding the deceased's spirit to its waterhole (homeland) to ensure its reincarnation, the ceremony is future-orientated, not nostalgic. Turning to the past and future simultaneously, the clan reflects on a life passed in order to imagine a future becoming. In this respect, the upright log—upright like the tree from which it came—is a memorial site where can be heard the whispering of the dead and those to come.

The Aboriginal Memorial is not this ceremony and nor are its National Gallery of Australia viewers engaged in a Yolngu mortuary ritual, but *The Aboriginal Memorial* is intended to draw them into a national mortuary ceremony of sorts. As well as the painted trunk of a eucalypt, *The Aboriginal Memorial* shares with the traditional Yolngu mortuary ceremony a self-conscious temporality that, at a moment of passing, turns to the past and future simultaneously. The passing upon which it turned was the bicentenary of the symbolic birth of the nation on 26 January 1788, when the first British

colony on the Australian continent was founded. *The Aboriginal Memorial* asks its viewers to reflect on the birth of the nation that issued from this colony, and particularly on the repressed, unhonoured histories of Aboriginal deaths in its "frontier wars".

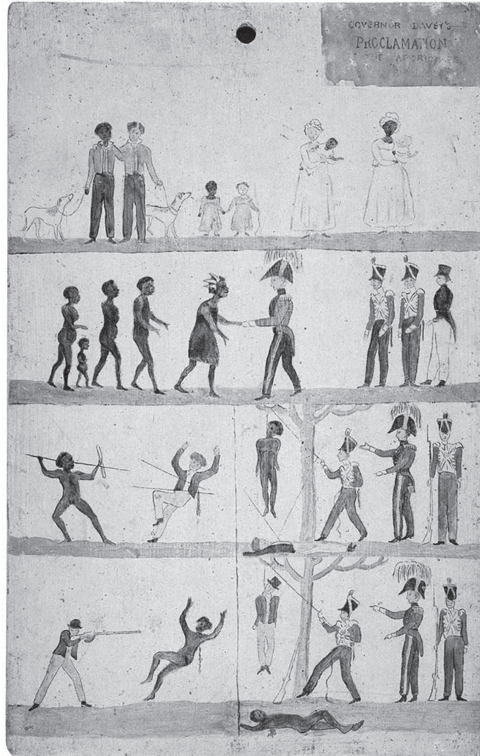
New South Wales (NSW), as the colony was named, was established as a prison ruled by a military dictatorship, not a free community from which nations are made. However, as prisoners served their terms and regained their freedom, and the colony attracted entrepreneurs seeking trade and profit, the prison acquired the rudiments of a free settlement. The first germ of an idea for an Australian nation appeared in the 1820s, when the rule of civil law replaced military law and some free settlers started campaigning for self-government. Gains were increasingly made over the coming decades and as the new century came around, by which time the continent boasted six self-governing settler colonies—those colonies federated into a nation-state with a constitution and law that guaranteed its newly won sovereignty. However, it was a premature state and not just because of its limited sovereignty, with "no power to declare war or peace… [unable] to make treaties with foreign powers and… no diplomatic status abroad."[2] Still in search of nationhood, its people were yet to detach themselves from the Empire, and the British monarch remained their head of state. In the initial period of nation-building, settler colonists secured the continent through a militarised moving frontier that, over about one hundred years, "dispersed" (a settler euphemism for killing) the Indigenous populations across most of the continent. It was not a state organised military campaign of conquest but an ad-hoc clearing operation conducted at a local level. Because the British Empire had claimed the land according to the "Discovery Doctrine", it was in the legal interests of the Empire and settlers to make it a wilderness, desert or *terra nullius*—unimproved land still in the state of nature over which only wild animals roamed.[3]

However, the Empire and its high ranking officers kept to the moral high ground, hesitating to condone this campaign of terror, which was a deliberate policy advocated by many settlers and widely supported by the local press. Their leading representative, William Charles Wentworth, forceful advocate of self-government and a free press, declared in a speech in the NSW Legislative Council in 1844:

> *The civilised people had come in and the savage must go back... it was not the policy of a wise government to attempt the perpetuation of the aboriginal race… They must give way before the arms, aye! even the diseases of civilised nations – they must give way before they attain the power of those nations.*[4]

In casting his argument in the tragic tenor of fate rather than conquest, Wentworth sidestepped moral responsibility for the resulting genocide and established the basis for *terra nullius* on the premise of savagery giving way to civilisation as if it were a natural or divine law. Thus, Wentworth tapped into a widely held sentiment of the time that justified the advance of European civilisation, most powerfully expressed in Herbert Spencer's phrase "survival of the fittest", conceived at this time. It became the motto of Spencer's social evolutionism. The most influential sociology and philosophy of the second half of the nineteenth century, its values shaped the ethos of modernity.

In reflecting on this formation of the nation and particularly on those indigenes swept away in its frontier wars, *The Aboriginal Memorial* sought to imagine—in the spirit of the traditional Yolngu mortuary ceremony—an Indigenous future, and in conducting this imagining by aesthetic means, it aimed to touch the emotional nerve and sublime regions of the national consciousness.



Conceived by curator Djon Mundine,[5] made by forty-three artists from fifteen clans living in the Ramingining area (an Indigenous community in the Northern Territory, east of Darwin), commissioned for the 1988 *Biennale of Sydney* and funded by the NGA, *The Aboriginal Memorial* was pronounced a masterpiece by the *Biennale*'s Artistic Director Nick Waterlow and the Director of the NGA James Mollison—thus striking a chord at both an aesthetic and institutional level. Artist and critic Nigel Lendon observed that Mollison's intervention ensured its destiny went beyond "a [biennale] setting given to ephemeral installations" and was incorporated "into the canon of Australian art in the National Gallery of Australia"[6]—though the Australian Bicentenary had inspired in this *Biennale* an unusual focus on the Australian national canon. "For the first time," wrote Waterlow in the catalogue, "a small number of key Australian antecedents will be shown side by side their peers from other countries" and within an historical context, because only by learning "from our history" can we "come to grips with crucial problems of identity and creativity."[7]

This historical frame of the 1988 *Biennale*, said Waterlow, "asked: where does Australian art come from?" In this respect, he continued, *The Aboriginal Memorial* is "the single most important statement of this *Biennale*."[8] Located about a kilometre from the original landfall of the colonial settlers,[9] *Biennale of Sydney* viewers came to *The Aboriginal Memorial* in the low-lit cavernous space of Pier 2/3 at Sydney Harbour's Walsh Bay after passing through contemporary installation art by international stars such as Rebecca Horn, Hermann Nitsch and Arnulf Rainer.

Art historian Professor Terry Smith argued that the aesthetic innovation of *The Aboriginal Memorial* hinges on a structure of ambivalence evident across several registers,[10] the most important of which according to curator Susan Jenkins, is "the ambiguity of a memorial within a gallery."[11] Unlike a monument, a memorial is a site of ritual that in its periodic participatory performances creates and sustains a sense of community by reifying a memorable collective event, in effect giving it an ancestral status. While the experience of art objects is conventionally more contemplative and individually focused, they also are sites of reification or religiosity through their aesthetic affects. Mundine intended *The Aboriginal Memorial* to keep in play this ambivalent relationship between art and memorial—to be both a ritualistic site in its own right in which periodic performances would take place, as well as an artwork for more private meditation. Because a national art museum is a memorial to the nation, the NGA was the ideal site to keep this ambivalence in play.

Lendon argued that in its production and mode of reception, *The Aboriginal Memorial* is an example of what critics would later call relational (or participatory) art, which by the end of the twentieth century had become a normative genre of contemporary art.[12] In this respect, *The Aboriginal Memorial* exceeded the conventional category of fine art object. Rather than passively taking its place assigned by a curator, relational art seeks to occupy the gallery space on its own terms as an already curated artwork. While it cannot escape the contingency of the existing discursive milieu of the art museum, *The Aboriginal Memorial*, said Smith, makes the space of the NGA "subject to it,"[13] mobilising the art museum's discourses to its ends. As a national gallery, the overarching function of the NGA is to articulate a cultural memory of nationhood, what the cultural historian Marek Tamm dubbed a "mnemohistory" or the creation of a narrative that selectively remembers and forgets in order to "stabilise and convey the nation's self-image" in "the formation of national identity."[14] If *The Aboriginal Memorial* was located in the nearby Australian War Memorial,[15] it would become subject to a similar sanctification but through the more performative modes that operate there (e.g. the annual ANZAC ceremony[16]), and be more obviously driven by a national narrative that is "inseparably associated with the wars it had fought."[17]

Militarised narratives are amongst the most powerful available to the nation-state's memory politics. "From the very beginning," writes the military historian Michael Howard, "the principle of nationalism was almost indissolubly linked, both in theory and practice, with the idea of war… war was the necessary dialectic in the evolution of nations… It is hard to think of any nation-state… which was not created, and had its boundaries defined, by wars, by internal violence, or by a combination of the two."[18] Yet for much of its history Australians imagined that their fathers had discovered and peacefully settled an "empty land"—as one Australian politician called his history of Australian pioneers, published in 1934.[19] In part, this is why World War I played such a significant role in shaping the national consciousness in this land of *terra nullius*: it provided what was perceived, in the ethos of social evolutionism, "the one trial that… all humanity still recognises—the test of a great war."[20]

The Aboriginal Memorial gestures to this militarised national narrative of the AWM but at the same time situates itself in a contemporary art discourse that, by 1988, was challenging national art traditions—the demilitarised zone of *terra nullius* then so evident in national tradition of Australian art on display in state art museums. In this respect, *The Aboriginal Memorial* called forth a new nationhood yet to arrive. In readily agreeing to Mundine's request in the commissioning process that *The Aboriginal Memorial* be on permanent display in the NGA, Mollison seemingly endorsed this intervention in the national tradition of Australian art.

Along with Jackson Pollock's *Blue Poles* (1952), Mollison made *The Aboriginal Memorial* a signature artwork of the NGA. He was keen to acquire both because in their time of purchase (about fifteen years apart) each declared his ambition for the Gallery. *Blue Poles* had announced Mollison's determination in the 1970s, as the inaugural Director of the yet-to-be-built gallery, that he would tell the story of Australian art in the context of American contemporary art—a story that no other Australian state art gallery had yet presented in any substantial way. His purchase of two hundred painted poles from Bula'Bula Arts in Ramingining confirmed his next bold move, begun a few years earlier, to put Australian art in the context of Indigenous art; a context that had also been lacking in Australian state art museums but was now stirring them into action. It signalled a new national zeitgeist, as if a virus had taken hold of the national psyche that compelled it to re-imagine the inherited national story within an Indigenous frame. "You can pinpoint it to the 1988 Bicentennial," Ron Radford (Director, 2004-14) said at the opening of the NGA's new Indigenous art wing in 2010. "That's when people would come up to the front desk and say, 'Can you direct me to the Aboriginal art?' I can assure you that did not happen before the Bicentennial."[21]

Mundine was determined to capitalise on this (post)national mood in a positive way. More than an accusation, a protest or activist artwork, *The Aboriginal Memorial* retrieved a repressed memory of the frontier wars, raised it into the national consciousness and asked what now, or as Smith posed, "What was at stake? Obviously, the very idea of *nation*."[22] Reflecting on his intentions in 1989, Mundine put it this way:

> *Dealing with this past is crucial to a constructive and creative future. It is a necessary foundation for improved black/white relationships, from which black people and white Australians may go forward, for the first time in a constructive partnership in facing the future as one strong nation, instead of being burdened by an unresolved past, continuing tensions and eternal guilt.*[23]

This new (post-)national zeitgeist was a local expression of the social transformations that occurred across the world from the 1960s that set in train the ongoing culture wars of post-Westernism. By the end of the 1970s, the Australian nation had buried its foundation laws—the White Australian Policy and sections 51 and 127 of the Constitution that excluded as citizens the country's indigenes from the Australian nation—and embarked on a new postcolonial multicultural narrative. This is the context of the making of *The Aboriginal Memorial* and its address to the future; it posed the question: what next; or as another artist (Gauguin) had famously put it some ninety years earlier, "Where do we come from? What are we? Where are we going?" The changing reception of *The Aboriginal Memorial* over the following decades is an index of how this question was answered, and of the shifting fortunes of a reborn national narrative. That the NGA would move it six times over the next twenty years suggests that imagining a new national narrative has not come easily.[24]

To imagine a different future for the nation requires the discovery of new ancestors and histories, of articulating new memories and forgettings. Did Mollison envisage the impossible demands his purchase would put on the imaginations of the NGA's curators? Through the ways in which their collections are displayed, state art museums construct and polish the sacred mirror in which the nation, in seeing its form—its formation—comes to know and believe in its existence. Mollison had planted a time bomb in this sacred site. However, he didn't have to deal with it: he was preparing to leave by the time *The Aboriginal Memorial* arrived in the Gallery.

Mollison bequeathed a legacy to his successors that is yet to be realised, but his immediate successor and the first woman Director of an Australian state art gallery, Betty Churcher, did embrace the challenge. When Mollison received *The Aboriginal Memorial* after the *Biennale of Sydney* had closed, he had it installed next to Brancusi's *Bird in Space* (c. 1931-36) and Joseph Beuys *Stripes in the House of the Shaman* (1964-72) in Gallery 9. In situating it beside these elders of Western modernism, Mollison honoured the intentions of Waterlow's *Biennale* and at the same time welcomed it into the Gallery's main Dreaming tracks, or ancestral narratives of modernism—though he likely meant this to be a temporary holding place until the NGA worked out its proper siting. To the applause of many, one of Churcher's first decisions when she became Director was in 1991 to move *The Aboriginal Memorial* to the entrance of Gallery 1, which is the main entry point of the NGA's collection. It was placed so that you couldn't just walk past it. You had to walk through the two hundred life-size poles, which as Mundine explained, "are representations of a human form," and as such speak to you collectively as an appeal from the dead. "Like a human being they are painted with body designs. Those body designs… are, in essence, what you are, what you could call a moral insistence. They're about saying this is how my soul looks, this is how I am inside… This is how I am all the time. I have an outside appearance, but this is how my inside looks."[25]

At the time, the installation and its placement were widely seen to have a powerful impact that testified to both the aesthetic presence of the work and the mood of the country. In 1991, Professor Virginia Spate (Director of the Power Institute at the University of Sydney and a member of the NGA's council) spoke for many commentators who would echo her sentiments: "The new location forces reinterpretation, I think, of every other work of art in the building. Once we've passed through this forest of coffins, once we've absorbed ourselves in them, consciousness of their multiple meanings cannot be emptied from our minds as we look at other works."[26]

However, this revelatory moment was short lived. Moved again in 1998 to a location deep inside the NGA's labyrinthine space, *The Aboriginal Memorial* lost its former leverage. "It has now become the heart of the building" was the spin, but few accepted that.[27] A better metaphor might

be digestion: absorbed and assimilated into the bowels of the institution. Tim Bonyhady spoke for many (in the art world at least) when he declared that its installation in Gallery 1 had been "one of the gallery's greatest innovations."[28] However, it wasn't an innovation upon which the NGA had capitalised. If, as Spate argued, the viewer's mind would, after passing through "this forest of coffins" look at other works in the gallery differently, it hadn't worked in the curators' minds. The remainder of the collection continued to tell the familiar mid-twentieth story of the national tradition as if the burial of the White Australia Policy and Sections 51 and 127 of the Constitution in the 1970s had never occurred. Instead of catalysing a new postnational art tradition, it seemed that by 1998 the questions asked by *The Aboriginal Memorial* were too difficult or created too much anxiety in the national polity.

Bonyhady, an academic in the law department at Australian National University, put his finger on the sore spot: the law that guaranteed the nation-state's sovereignty. The footbridge that connects the NGA to its neighbour, the Australian High Court, is more than a pedestrian's convenience; it locks each institution in a symbolic symbiotic relationship. Bonyhady wrote:

> *A year before the High Court's decision on Mabo (in 1992), the placement of the Aboriginal "war cemetery" in the gallery's front-of-house was a clear statement that Australia was a conquered colony not, as the law had it, a settled colony or terra nullius. The Memorial was a manifestation of art expressing what the law denied: of the gallery being ahead of its judicial neighbour on the shores of Lake Burley Griffin. Seven years later, with John Howard committed to the 10-point plan and unwilling to say sorry, the Memorial remains as significant as ever.*[29]

In 1998, the recently elected government led by Prime Minister John Howard weakened the Native Title Act (1993) that had resulted from the Mabo Decision,[30] a culmination of successive movements in the law that since The Aboriginal Land Rights Act (1976) had been responding to the new post-national zeitgeist. Within ten years of retrieving the repressed memory of the frontier wars, raising it into the national consciousness and asking what now?—Mundine had his answer: Howard's ten-point plan designed to water down the Native Title Act.

The election of the Howard government had the hallmarks of a rear-guard nationalism —as if it was an inflammation caused by a surge of anti-bodies attacking the post-national virus in the nation's bloodstream. The culture wars were heating up around the globe. In Australia they sparked what became known as the "History Wars",[31] in which the idea of the frontier wars was hotly contested. However, the heat of this inflammation confirmed that the post-national virus had taken hold. Thus, the History Wars drew more, not less attention, to the frontier wars. Another ploy by Howard was to substitute the revisionist militarisation of Australian history in the frontier wars with another war: WW1, and its well-established ANZAC myth, thus shifting the talk of war to other frontiers elsewhere in the world.

The ANZAC myth was first promulgated in Australia's official WW1 history written by Charles Bean, the Australian Imperial Force's official correspondent. Bean was a convert to what Australian novelist and critic Vance Palmer called, in 1954, the "Legend of the Nineties"—stories of men and mateship and the Australian bush fostered in the lead up to Federation. Whatever the "historical reality" of these stories, said Palmer, they bore all the hallmarks of myth or legend, in which "the genius of this young country… had a sudden vision of themselves as a nation."[32]

The "legend of the nineties" lost its initial vigour once Federation was achieved but, the historian Richard White argued, it returned reinvigorated as the ANZAC myth.[33] In Bean's official history, the steep cliffs of Gallipoli, Turkey (that flank Troy, the battleground of the Trojan War told in Homer's *Iliad,* the founding model of Western tragedy) became the site of an antipodean tragedy where a bush-born Australia gained self-awareness and realised its national destiny. As Australian poet C. J. Dennis wrote of Ginger Mick (a character in two of his novels), in his classic idiomatic poem written shortly after the ANZAC troops were evacuated from Gallipoli following their defeat: "it took a flamin' world-war fer to blarst 'is crust away'."

In Bean's hands, those terrible eight months on the Gallipoli Peninsula forged a national myth that was first sketched in the 1890s but had failed to take hold with Federation—proof that more than a state is needed to create a nation. Coming towards the end of Australia's long frontier war, and at the beginning of a thirty years' world conflagration (1914 to 1945) that would crush Europe's empires and usher in the postcolonial era, the ANZAC myth provided an effective narrative for Australia's coming of age as a modern nation-state. Before WW1 shook their faith in Western civilisation, the colonists' loyalty to Empire and sense of Britishness was as strong if not stronger than ever. After WW1 the ANZAC myth quickly became the symbolic marker of a new Australianness. However, it was not accompanied by the militarisation of Australian history, let alone a celebration of it. In thus not derailing the myth of *terra nullius*—of a virgin country awaiting occupation—the ANZAC myth's focus on egalitarianism and mateship didn't unsettle the existing settler-colonial consciousness. Already "sketched in" by the "legend of the nineties", "with the landing at Gallipoli… the ready-made myth was given a name, a time and a place."[34]

Like other national war memorials built after WW1, the Australian War Memorial was constructed as a sacred site of the nation or people, not a monument to war. The AWM website proclaims, "The Memorial is more than a monument;"

> *In keeping with the sombre, commemorative tone of the Memorial, Charles Bean was from the start concerned that it should not be seen to be glorifying war or triumphing over the enemy. He urged… not to speak about "trophies", preferring the term "relics". He also urged that captions and text should not use derogatory terms for former enemies, such as "Hun" or "Abdul"… the galleries should "avoid glorification of war and boasting of victory" and "perpetuating enmity… for both moral and national reasons and because those who have fought in wars are generally strongest in their desire to prevent war". In general, he decided, former enemies should be treated as generously as were Australians*.[35]

The war memorials of the twentieth century were a direct repudiation of the monuments that had previously been built to glorify generals and kings. Howard's particular militarisation of Australian history sought to remake the ANZAC myth for his own political ends, effectively transforming a memorial into a monument—a process that is ongoing and seemingly supported by both sides of parliament in what Australian historian Henry Reynolds has described as "the relentless, lavishly funded public campaign to make war the central, defining experience of [Australian] national life."[36]

While Marx's overused aphorism that history repeats itself first as tragedy and then as farce is now a cliché, it is instructive to pause on what he meant. History, he claimed, repeats as farce in the hands of those who, blind to how the past is transmitted and the task of their time, nostalgically cling to old ideals. The crux for Marx was not that history repeats or returns, but whether this return, this "awakening of the dead… served the purpose of magnifying the given task [of the times] in the imagination", or "recoiling from its solution in reality." The first, he said, produces tragedy as it enables necessary change, the second produces farce as it disables change.[37]

Marx's dichotomy is not as neat as he implies. Farce is rarely without tragedy, whether the disastrous loss of life or its classical manifestation in which the hand of fate is inescapable. What begins as farce too often ends in tragedy, as occurred in WW1—in the embrace of a doctrine in which the spilling of blood is imagined as a rite of passage for men and nations, combined with the pumped-up atmosphere of a narcissistic nationalism, Europe's empires tripped headlong into self-destruction that is still playing out globally.

All new epochs and nations, Marx observed in the Empire rhetoric and social evolutionism of his day, are brought into being through the tragic mode of war and terror. Australia, which came into being when European imperialism was at its height, is no exception. Reynolds pointed out that Australians fought in "two very different types of war" in the run up to Federation: wars of Empire in faraway places (Africa and China) and a national war in which settler colonists and their police contingents (Indigenous and non-Indigenous) were engaged in a bloody frontier struggle, then at its height in a large sweep of country across northern and central Australia. Amongst the former, two can be counted in this period, both in Africa: the Sudan Campaign in 1885 and the Boer War from 1899-1902. Australian casualties in these two conflicts pale in comparison to the lives lost in the national 'frontier wars', yet these two Empire wars head the long list of "Australians at War" in the AWM, while ignoring the frontier wars that, according to Reynolds, was a truly national struggle "for land and sovereignty, fought, as many participants appreciated, for the power to determine the future of vast productive regions."[38]

In shifting attention from the frontier wars to those honoured in the Australian War Memorial, Howard transferred the symbolic content of one to the other, effectively doubling down on the nation's violent genesis and erasing the myth of *terra nullius*—of the nation's peaceful discovery and settlement. Howard pushed the militarisation further by politicising refugees, hastily rushing to join the American 'War on Terror' in 2001[39] and instigated "The Intervention" of 2007,[40] in which members of the Australian Defence Force were dispatched to remote Indigenous communities. In another move to placate their ghosts, Indigenous Australians who fought in Australia's wars honoured by the AWM were to head the roll-call for special commemoration: "large well-funded research projects… exhaustively document the distinctive Indigenous contribution to official military history". Reynolds caustically concluded, "Aborigines who fought for the white man are remembered with reverence. The many more who fought against him are forgotten."[41]

The ascendancy of Howard's politics at the turn of the twenty-first century didn't sideline tales of the frontier wars as he had hoped. Instead, they became sites of increasing anxiety. Whether moved to the heart or the guts of the NGA in 1998, *The Aboriginal Memorial* refused its digestion into the normative myth of Australian art—despite art critic Benjamin Gennocchio's claim in 2000 that "it's one of the few works of… Australian art… that has any claim to being a national icon."[42] His claim was somewhat ironic given that Mundine had sought to challenge, not affirm, this national ethos. While in the twenty-first century *The Aboriginal Memorial* was returned to Gallery 1, its former power

derived from the zeitgeist of the Australian Bicentenary has been sullied by the fallout from the History Wars and its unresolved anxieties, that continue to pull at the national psyche. As if not knowing what to do with these concerns, in 2010 the NGA interned *The Aboriginal Memorial* in a mausoleum-like structure to the side of the Gallery's new front entrance, far from the rest of the collection, and on a lower area below eye level, where it can be quickly left behind, unseen. If this confirms that "history is written by the victors", *The Aboriginal Memorial* is also defiantly there. The victors are never safe from the dead: once stirred, the ghosts of the history wars are not easily stilled; their eyes are upon us.

In recent years, histories of frontier wars and related discourses have gained new energy as national histories around the world founded on colonial conquest, slavery, racial ideology and Westernism, especially those in former settler colonies, are coming under intense scrutiny. *The Aboriginal Memorial* waits its turn, the harbinger of post-national histories being called forth. The post-Western culture wars unleashed in the aftermath of World War II have a long way to run.

Notes

[1] Karl Marx, 'The Eighteenth Brumaire of Louis Bonaparte', *Marx/Engels Internet Archive*, 2010, chapter 5

[2] Richard White, *Inventing Australia Images and Identity 1688-1980*, Sydney: George Allen & Unwin, 1981, p. 111

[3] First invoked in late-nineteenth-century international law, *terra nullius* is a legal concept that in special cases gave colonisers sovereignty over occupied territory. For centuries, the European "law of nations" paradigm had accepted that states could acquire territory through conquest, or through treaties with existing occupants or, in the case of unoccupied land, through the "Discovery Doctrine". The latter required the discoverer to plant a flag and claim the land in the name of a Christian European monarch, and to report the discovery to the

monarch who must subsequently occupy it. In order to explain how European sovereigns had acquired colonies like New South Wales, which had clearly been occupied at the time of colonisation and had neither been ceded by its indigenous inhabitants (through treaties) nor truly conquered by the coloniser according to international law, jurists adopted the term *terra nullius* to extend the meaning of unoccupied land to include "barbarous country" (Advocate-General of Bengal v. Ranee Surnomoye Dossee (48) (1863) 2 Moo N S 22, at p. 59), territory occupied by "backward" or "uncivilised" people, or "territory practically unoccupied" (Cooper v. Stuart Lord Watson (51) (1889) 14 App Cas, at p. 291). In this way, *terra nullius* emerged as a legal concept that gave colonisers sovereignty over occupied territory if, as it was claimed, the inhabitants were not united permanently for political action within the European comity of nations, and so lacked statehood. As it often does, the law made explicit or conscious what had long been implicit or taken for granted when Captain James Cook invoked the conditions of the Discovery Doctrine when he claimed New South Wales for the British Monarch; thus, the concept of *terra nullius* sharpened rather than overturned long held beliefs regarding the cultural and legal superiority of the European nations and their rights of sovereignty. For an excellent overview of the history of *terra nullius* as a legal term, see Andrew Fitzmaurice, 'The Genealogy of Terra Nullius', *Australian Historical Studies*, volume 38, issue 129, 2007, pp. 1-15

[4] From 'Report of a Speech by William Charles Wentworth, Australian Legislative Council 1844', in Joseph Black *et al.* eds, *The Broadview Anthology of British Literature*, Toronto: Broadview Press, 2015, pp. 1750-51

[5] Mundine workshopped the idea with "his senior advisors in the Ramingining community, Paddy Dhatangu and David Malangi, with whom he was in a grandfather/grandson classificatory relationship", as well as others. Nigel Lendon, 'Relational Agency: Rethinking the Aboriginal Memorial', *emaj* 9, 2016, p. 8

[6] ibid., p. 2

[7] Nick Waterlow, 'A View of World Art c.1940-88', *Biennale of Sydney: From the Southern Cross: A View of World Art c.1940-88* (exhib. cat.), Sydney: Biennale of Sydney/ABC Enterprises, 1988, page 9

[8] ibid.

[9] Lendon, op cit., p. 4

[10] Terry Smith, 'Public Art between Cultures: The Aboriginal Memorial, Aboriginality and Nationality in Australia', *Critical Inquiry* 27, No. 4, 2001

[11] Susan Jenkins, 'It's a Power: An Interpretation of the Aboriginal Memorial in its Ethnographic, Museological, Art Historical and Political Contexts', Masters of Philosophy Thesis, Australian National University, 2002, p. 211

[12] Lendon, op cit.

[13] Smith, op cit., p. 646

[14] Marek Tamm, 'History as Cultural memory: Mnemohistory and the Construction of the Estonian Nation', *Journal of Baltic Studies* 39, No. 4, 2008, p. 500

[15] Australia's official World War 1 historian, Charles Bean, initially conceived the Australian War Memorial in 1916 as a memorial to the sufferings of the soldiers in that war. By the 1950s the AWM had become Australia's national memorial to the members of its armed forces and supporting organisations who have participated in all wars overseas, including some conflicts involving personnel from the Australian colonies prior to Federation

[16] The annual ANZAC Day ceremony was first held in 1916 to commemorate the landing at Gallipoli by Australian forces on 25 April 1915. By 1927 it had become a public holiday throughout Australia, "complete with semi-religious ritual, liturgy and hymnal." White, op cit., p. 136. Since the 1950s it has commemorated all Australians who served in overseas operations involving the Australian Armed Forces

[17] Michael Howard, *The Lessons of History*, New Haven: Yale University Press, 1991, p. 39

[18] ibid.

[19] Sir John Kirwan, *An Empty Land Pioneers and pioneering in Australia*, London: Eyre and Spottiswoode, 1936

[20] Charles Bean, *The Official History of Australia in the War of 1914-1918*, quoted in White, op cit., p. 125

[21] Reported in Raymond Gill, 'Aboriginal Art's new face at Canberra gallery', *Sydney Morning Herald*, 1 October, 2010

[22] Smith, op cit., p. 635

[23] Quoted in Lendon, op cit., p. 5

[24] In a symposium at the NGA in October 2018, the new Director Nick Mitzevich expressed his dissatisfaction with its current display and belief that it was the most important work in the collection

[25] Djon Mundine, from an unpublished lecture given at the National Gallery of Australia, 6 November, 2010

[26] Jenkins, op cit., pp. 24, 220

[27] ibid., p. 221

[28] Quoted, ibid., p. 232

[29] ibid.

[30] In 1992, the Indigenous activist Eddie Mabo won a long-running case in the High Court of Australia known as The Mabo Decision, in which the Meriam people of the Murray Islands, in the Thursday Island group, were awarded the first Australian example of Native Title, on the basis of their long and continued occupation of the place being recognised by the common law as having survived alongside the British Crown claims of sovereignty. The decision, which overturned previous decisions on Native land title based on *terra nullius* that extinguished all previous rights and interests in the land, established the model for the Native Title Act in 1993, which set out a procedure for Indigenous people to claim a limited form of land title within Australian Law

[31] The "History Wars", which were at their height at the turn of the twenty-first century, were sparked by scepticism towards accounts of the 'frontier wars' that had gained increasing attention since the 1980s. While the dispute was heated, the scepticism was driven by ideological concerns that failed to sustain their claim. Seen in a broader perspective, they were a manifestation of a post-Western culture war that is ongoing and global in reach

[32] Vance Palmer, *The Legend of the Nineties*, Melbourne: Melbourne University Press, 1954, pp. 9-10

[33] White, op cit., chapter 8

[34] ibid., p. 128

[35] History of the Australian War Memorial; https://www.awm.gov.au/about/organisation/history; accessed 5 May 2019

[36] Henry Reynolds, *Forgotten War*, Sydney: University of New South Wales Press, 2013, p. 4

[37] Karl Marx, 'The Eighteenth Brumaire of Louis Bonaparte', translated from the 1852 version

[38] Reynolds, op cit., pp. 224-25

[39] In the years leading up to 2001, increasing numbers of refugees sought asylum in Australia. In August 2001, the Howard government refused permission for the Norwegian freighter MV Tampa, carrying over 400 rescued refugees to enter Australian waters. This, along with the "children overboard affair" in October 2001, in which allegations (later proven false) were made that asylum seekers threw children overboard, was used by the Howard government to its advantage in winning a closely contested election in November that year

[40] In the lead up to the 2007 election, the Howard government introduced The Northern Territory National Emergency Response, also referred to as "The Intervention", which involved the unprecedented deployment of 600 military personnel to address allegations of extreme social dysfunction in Northern Territory Indigenous communities

[41] Reynolds, op cit., p. 6

[42] Quoted in Jenkins, op cit., p. 229