

Simplification of a complex historic figure

Ned Kelly, directed by Gregor Jordan, screenplay by John Michael McDonagh from *Our Sunshine* by Robert Drewe

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For Australian audiences, bushranger outlaw Ned Kelly (1855-80) is probably one of the better-known figures of local nineteenth century history. Dramatised in numerous books, poems and folksongs since his execution by government authorities on November 11, 1880, Kelly is widely regarded as a defiant opponent of police corruption and a Robin Hood-style champion of the underdog.

Ned Kelly, the latest movie by Australian director Gregor Jordan (*Two Hands* [1999] and the unreleased *Buffalo Soldiers* [2001]), is, however, a disappointment with few insights into this complex character. Notwithstanding Jordan's sincere effort, the film rarely rises above a certain hero-worshipping of Kelly with little examination of the social and political context in which the famous outlaw emerged.

Bushranger Kelly grew up under conditions of economic oppression and police harassment of poverty stricken small farmers in northeastern Victoria. In fact, Kelly and his gang were among the most oppressed layers of the district, their actions a manifestation of the long-running conflict between small farmers and the wealthy agricultural elite in the newly created colony of Victoria.

The discovery of gold during the mid-nineteenth century produced a rapid expansion in the economy and population of Victoria, which grew from 70,000 people in 1850 to over 500,000 by 1861. While some individual miners were able to enrich themselves in the first years of the rush, declining yields and high taxes ensured the overwhelming majority gained little. Increasing social inequality on the gold fields led to the Eureka Rebellion, a short-lived but defiant uprising in 1854 against the colonial government and local troopers.

Although the rebellion was crushed, the government was forced to introduce various reforms, including the right to vote and new land legislation. Small parcels of the land stolen from the Aborigines by the white settlers were made available for "selectors" or small farmers on a system of deferred or conditional payment. The legislation was aimed at boosting local food production and to dissipate the class tensions in gold mining districts and rural centres.

The squatters or wealthy landowners, who mainly produced for the agricultural export market, regarded these measures as a threat to their profits and attempted to subvert them. Much of the official political conflict in Victoria during the 1870s took place between the rising urban bourgeoisie in Melbourne, who supported the land reforms, and the squatters. In the countryside this took the form of a simmering land war between the rich squatters and impoverished selectors.

The majority of selectors, who were given the poorest land, lived in dire poverty and at the mercy of the banks, loan sharks and other financial parasites. According to an 1878 government inquiry, it was not unusual for selectors to pay 20 to 30 percent annual interest on loans.

These difficult conditions and the ever-present threat of drought forced some of the poorest farmers and their families to take desperate survival

measures, including the theft of horses, cattle and sheep—for sale and to provide food. The squatters responded by demanding ruthless suppression of the stolen stock trade and other economic crimes.

Ned Kelly's father, James, was Irish and one of the many hundreds of convicts transported to Australia from the late 1780s to mid-1800s. He was arrested in Ireland for allegedly stealing two pigs and, in 1842, sentenced to serve his jail term in Tasmania. On release he became a gold prospector in Victoria and later met and married Ellen Quinn, also of Irish stock.

The couple "took up selection" but had a large family and lived a hand-to-mouth existence. The land they occupied, like that of their immediate neighbours, could provide no reliable source of income or sustenance and the threat of starvation and eviction hung constantly over their heads.

The oldest of seven children, Ned Kelly became male head of the household at the age of 11 after the death of his father in 1866. He fell foul of the police at an early age, was befriended by a local bushranger, and at 15 was imprisoned for three years on horse stealing charges.

After serving the jail sentence, Kelly secured work as a sheep shearer and timber worker and also earned extra money, and a reputation, at local fairs as a hard-hitting boxer. He also formed a partnership with George King, his mother's de facto husband, in a well-organised, two-colony stock-stealing operation.

In 1875 gold mining had all but collapsed in Victoria's northeast and small farmer bankruptcy blighted the region. These problems were compounded by severe drought in 1877-78. According to one contemporary report, the northeast resembled a succession of dying towns and villages of "ruinous and desolate appearance".

These conditions intensified the rural conflict and saw ongoing police harassment of the Kelly family. Kelly later claimed that he was constantly provoked by the police and prevented from earning an honest living. Historical records confirm these allegations with one senior police officer declaring: "[W]henver they [the Kellys] commit any paltry crime they must be sent to Pentridge [jail], even on a paltry sentence, the object being to take their prestige away from them."

In 1878 Kelly shot and wounded a local policeman after the officer attempted to assault Ned's sister Kate at the family home. Kelly and his brother Dan fled into the bush to evade capture, later joined by two friends—Steve Hart and Joe Byrne.

Ellen Kelly, Ned's mother, was arrested and found guilty over the incident. Justice Redmond Barry, one of Victoria's most hated judges, declared there should be no room for "mistaken, misdirected leniency" and sentenced her to three years hard labour. This provoked uproar in the district and Ned Kelly, with support from relatives and local allies, vowed revenge.

State authorities responded by mobilising scores of police to hunt down and arrest the gang. When three police were killed in a shootout with the

outlaws at Stringybark Creek, the Victorian government declared the gang felons, to be shot on sight by any member of the public, and placed an £8,000 bounty on their heads. Any person harbouring, concealing or assisting the gang or withholding information from the police could be arrested and jailed for up to 15 years.

The four men, however, remained on the run for the next two years: robbing banks, distributing much of their booty to friends and allies, burning the mortgages of small farmers found in bank vaults, and successfully evading the largest police manhunt in the country's history.

Some press reports, rather than turning public opinion against the Kelly Gang, boosted their reputation. One newspaper described one of the gang's bank robberies as "daring" and "skilful", explaining that the outlaws had "treated everyone with the greatest civility". The robbery was "more like a romance than a narration of actual occurrence," according to the newspaper.

The colonial government reacted to each new exploit with even more repression. Police were directed to compile a list of suspected gang supporters and in January 1879 began mass roundups under the Outlawry Act. Twenty-one people were arrested and held in Beechworth jail without charge or trial for the next three and half months. Blood relatives of the Kelly family or anyone deemed to have supported the gang, were also denied the right to become land selectors by local authorities.

During a bank holdup in the New South Wales town of Jerilderie in early 1879, Kelly dictated a defiant 8,500-word letter to the state government protesting the police harassment of his family and the local community. It contained an impassioned call for an end to English rule over Ireland and a bitter denunciation of Victorian police, which he colourfully referred to as "big ugly fat-necked wombat headed big bellied magpie legged narrow hipped splayfooted sons of Irish bailiffs of English landlords".

According to some historians, the bushranger also dreamt of a northeast Victorian republic, free of British rule, to provide a better deal for small selectors. This political perspective resonated with many selectors and landless labourers throughout the region, but it was never seriously codified and the "Kelly outbreak", as it became known, was isolated and contained. The four men remained outlaws and were eventually cornered in the town of Glenrowan in 1880.

The Kelly Gang took control of the small town in late June and planned to derail a trainload of heavily armed troopers sent to capture them. The rail line was torn up but a local teacher flagged down the engine and the troopers were able to safely disembark and surround the local hotel where the outlaws were encamped, and unleash a furious burst of gunfire.

The gang emerged from the hotel wearing their now iconic iron armour to do battle with the troopers, but were forced back inside the building. A nine-and-a-half-hour siege ensued. Police eventually torched the hotel and three of the gang members were killed. Ned Kelly escaped the blaze but was wounded and captured in a shoot out with the troopers the next morning.

Put on trial in Melbourne in October 1880, 25-year-old Kelly was found guilty of murder and sentenced to hang by Justice Redmond Barry. He was executed on November 11, despite widespread popular opposition, including demonstrations, public meetings and petitions to the government.

Kelly's story has much to offer, but Jordan's film, which is based on Robert Drewe's novel *Our Sunshine*, lacks historical depth and therefore cannot provide the intelligent character development required of its rich subject matter.

Heath Ledger (Ned Kelly), Orlando Bloom (Joe Byrne), Laurence Kinlan (Dan Kelly), Philip Barantini (Steve Hart) and Joel Edgerton as Aaron Sherrit try hard but are unable to transcend a generally weak script. Moreover a heavy-handed music soundtrack often drowns them out.

One of the film's better moments dramatises Kelly's composition of the

Jerilderie Letter. As he dictates the letter in the austere Jerilderie bank, the film cuts to Victorian Premier Graham Berry in his sumptuous Melbourne office reading passages of Kelly's angry correspondence. This is well done and succinctly establishes the class division between the two men and trepidation felt by the colonial leaders. Oliver Stapleton's cinematography also effectively captures the harsh existence of the Kelly family. Some of the bush landscapes are particularly striking, as is the siege at Glenrowan.

But the film, apart from some obvious references to police persecution, fails to convince that it was grinding poverty that forced many selectors to take up stock theft and other desperate measures in order to survive. Nor does it attempt to explore some of the deeper social and political factors at work.

Instead, Jordan preoccupies himself with the sorts of elements generally deemed by marketing executives to be "vital" for a commercially successful movie. There is a "love interest", lots of gunfire and plenty of bloodshed. Unsurprisingly, these provide no psychological substance to the film. Kelly is uniformly strong and determined, with no complexities or contradictions.

A fictional love affair between Kelly and Julia Cook (Naomi Watts), a rich farmer's daughter, is rather pointless. A cameo appearance by Rachel Griffith as the sexually charged wife of the Jerilderie bank manager is also tedious and unnecessary.

In another scene, Jordan has the gang slash a horse's throat so they can drink its blood. This ludicrous melodrama is supposed to occur because police have poisoned local waterholes and the gang has no access to water—this event in a region brimming with rivers and creeks.

Superintendent Hare, played by Geoffrey Rush who has few lines and does little more than scowl at the camera, leads the state posse to kill or capture the gang. At one point he warns the assembled troopers of the "movement" supporting the Kelly Gang. But this is never examined. The Kelly Gang is largely presented as an isolated group and little indication provided of the widespread hostility of small farmers in the northeast against the police and their brutal methods.

Unfortunately the film also ends with Kelly's capture at Glenrowan. This means that some of the more dramatically interesting and challenging aspects of the period—Kelly's controversial trial in which he stood up to Justice Redmond Barry and the mass opposition to his execution—are not dealt with at all. Yet, much could have been made of these events.

Kelly told Melbourne's *Age* newspaper during his trial that, "If my life teaches the public that men are made mad by bad treatment, and if the police [are] taught that they may not exasperate to madness men they persecute and ill-treat, my life will not be entirely thrown away."

In the same comment he remarked that city dwellers had "no idea of the tyrannical conduct of the police in country places far removed from court, they have no idea of the harsh and over-bearing manner in which they execute their duty."

Over 60,000 people signed petitions and an 8,000-strong mass meeting was held in Melbourne in opposition to Kelly's execution. As one newspaper nervously observed: "Nor do the expressions of sympathy for poor Ned emanate only from the larrikin and criminal classes, but many men and women who ... are designated 'enlightened citizen', freely express their commiseration...."

This broad support reflected the deepening class tensions in the colony—not just between small farmers and the squatters but the emerging working class and the financial elite. Unemployment was such a problem in Melbourne at this time that the government was forced to establish a public works program employing 1,200 men at six shillings a day. According to one historical account, Premier Berry faced regular deputations of unemployed and discontented people talking of "riot and revolution".

The colonial authorities were determined to show that any challenge to

their rule would be met with the full force of the law. That is why Kelly had to be made an example of at all costs. The government was so anxious to intimidate those opposing its authority that following Kelly's execution his head was sawn off, brain removed and the skull reportedly used as a paperweight by a government official.

An indication of the acute nervousness felt by the governing authorities at this time was a call issued by the *Beechworth Advertiser* for new laws to empower the "Governor-in-Council not only to suspend the Habeas Corpus Act in a defined region, but to place it in a state of siege.... [I]f a handful of ruffians commence a war of incendiarism and personal outrage, the public ought to be so armed as to make it a war of extermination." None of these issues, unfortunately, are alluded to in Jordan's film.

It should be acknowledged, however, that in the last two years Jordan has come under significant political and commercial pressure over *Buffalo Soldiers*, his previous film.

Buffalo Soldiers, which was completed in early 2001 and critically acclaimed in some quarters, is a dark comedy about the US military and depicts drug dealing and corruption amongst American soldiers in West Germany in 1989.

Miramax purchased distribution rights to the movie at the Toronto Film Festival in 2001 but after the September 11 terrorist attacks on the US, it has effectively censored the film, shelving its release five times. The Hollywood company, which also delayed release of Phillip Noyce's *The Quiet American* for more than 18 months, has capitulated to the Bush administration and is no longer prepared to back anything vaguely critical of the US government or military.

Announcing another delay in the film's release, Miramax chief operating officer Rick Sands said last month that the company had to be "sensitive to the current situation in the world" and did not want the film "misinterpreted".

At this stage Jordan has accepted the decision, stating that he did not want his movie "seen in the wrong light". One wonders what impact this experience has had on the relatively inexperienced filmmaker and whether it had any influence on the production of *Ned Kelly*.



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