

## LESSONS OF HISTORY

They say history repeats itself and in the week that sees the release of my new book, “You’ll Never Take Me Alive – the Life and Death of Bushranger Ben Hall”, I think there may be something in it.

Releasing a book these days means interesting the media in your story and finding some contemporary subtext. Fortunately, bushranging is a perennial Australian favourite, but in terms of giving the media something “crunchy” its been the parallels between the Felons Apprehension Act used to outlaw the Ben Hall gang and the current terror laws that has excited their attention.

Respected father, husband and land- owner, Ben Hall, was driven to bushranging after police wrongly arrested him, burnt his station and left his cattle to perish. His life ruined he uttered those famous words “I might as well have the game as the blame.”

In a prolific career that lasted from 1862- 65, Ben Hall committed over 600 robberies and attacked the pillars of the establishment. He was the first to rob a bank, raid a police station, burn storekeepers’ ledgers and squatters’ farms, bail up two towns, Bathurst and Canowindra, and rob the Eugowra gold escort of £14,000, which was the Australia’s equivalent of the Great Train Robbery.

Supported by the common man, without whose support he could not have lasted three years, the powers also saw him becoming a political threat and passed the Felon’s Apprehension Act in 1865. A vicious piece of legislation, bearing striking similarities to the proposed terror laws, it empowered police to remove the assets and jail anyone associating with bushrangers and permitted police or the public to shoot a bushranger on sight with impunity.

Early on in his career Ben Hall told Inspector Norton “You’ll never take me alive,” and they took him at his word. In the words of the man who led the police patrol that finally caught up to Ben Hall near Billabong Creek on May 5<sup>th</sup> 1865, “the air was filled with the cries of frantic Irishmen” who went “perfectly mad” as they gave Ben Hall “a good riddling.” Thirty shots were pumped into his body, many of them after he was dead. The subsequent magisterial inquiry covered up the murder... yes murder. Police could have taken him alive the night before and in going out to get him police had again flouted the law. On the day Ben Hall was shot the warrant declaring the gang outlaws had not even been issued. When British police shot an innocent Brazilian man dead in London recently I had a horrible feeling of déjà vu. Such a thing would have been unthinkable I Britain before police were given those extraordinary powers.

As I unveiled a statue to Ben Hall in his home town of Forbes last week I was grateful that the terror legislation was still mired in debate. The amendments to the sedition law will apparently protect the media, but what about the rest of us? I doubt that most Australians know what sedition means or that the first political prisoners sent to Australia in 1792 fell foul of it. The so- called “Edinburgh Four” were transported for declaring that the Act of Union that forced Scotland and England to unite should be dissolved. Sedition laws also forbade the singing of Irish rebel or bushranging ballads and were used to wreck the burgeoning

Australian film industry, which led the world in the first three decades of the 20<sup>th</sup> century feeding exclusively off bushranging stories. The dictionary confirms that it is a worryingly flexible word that can mean anything from “incitement to rebellion” and “subversion” to “agitation” and “trouble making”. Where is the line? I guess Mr Howard will let us know soon enough.

I have been asked countless times if we should see a bushranger as a hero. Well, he did stand up to a corrupt, self- interested order, which is something to admire, even today. (653)

*Nick Bleszynski is a documentary film- maker and the author of You'll Never Take Me Alive, the life and death of bushranger Ben Hall (Dec 1, 2005 Random House) and the best selling Shoot Straight You Bastards!: The truth behind the killing of Breaker Morant” (2002 and 2003).*

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