

# LIBERTY!

**WELCOME TO LIBERTY!**

**#85 December 2023**

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Facebook: Eureka Australia

Email: [committee@eurekaaustralia.org.au](mailto:committee@eurekaaustralia.org.au)



## **Eureka Australia – Descendants and Supporters Inc.**

**President: Eric Howard AM**

**Vice President: Michael van Leeuwen**

**Treasurer: Leigh Callinan**

**Secretary: Peter Gavin**

**6 Gibbons Street**

**Sunbury 3429**

**Phone 0417 135 373**

### **History Advisors:**

**Nicola Cousen**

**Geraldine Moore**

### **Committee**

**Jim Brown**

**David Cragg**

**Mary Darcy**

**Maurice Hanrahan**

**Adele Howard OAM**

**Mary Howlett**

**Peter Lalor Philp**

**Marianne Messer**

**Phillip Moore**

**Margaret O'Brien**

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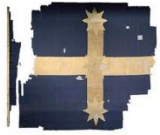
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**\*A friendly reminder!**

**Membership renewals for 2024 are due. We welcome new memberships from family, friends. You'll find our Membership form on the last page of this edition of Liberty!**



## **President's Column Eureka Australia Eric Howard**

### **Democracy in 2023**

Democracy is a fragile thing. Around the world, from Ukraine to Myanmar, and elsewhere, totalitarian regimes today continue to seek to deny democratic government to many societies.

Democracy requires constant vigilance. But how well does our whole community understand their responsibilities to protect our freedoms?

The actions of the diggers at Ballarat in 1854 speak to the importance of a free society being prepared to react to oppressive authority while seeking fairness and equity, valuing human rights and respecting human dignity.

Eureka Australia commemorates the events of Eureka but also seeks to encourage a broader discussion about the goldfields community's quest for representation and basic freedoms. We celebrate the role that these democratic ideals and values played in the new political rights evident in Victoria from 1855 and indeed their continuing influence in contemporary Australian society.

The goldfields community and Melbourne residents responded magnificently after Eureka to the shock of loss of civilian life. The Melbourne community redirected public meetings in the city from support for the authoritarian government to support for the mining community. Lawyers represented the diggers in the Treason Trials and the Juries acquitted all 13. Then there was the remarkable work of the Goldfields' Commission of Inquiry from December 1854 to March 1855. The mass of reforms they recommended and which were in substance all implemented, included - most particularly- the miners' right which provided economic relief from an oppressive license fee, the right to build a cottage and have a garden on the designated land, the right to vote and to run for office in the new fully elected lower house operating from 1856 – all demands of the Ballarat reform league charter - and the introduction of the secret ballot for that election. These were reforms on a grand scale.

As citizens living in one of the world's oldest continuous democracies and one of the best examples of a liberal democratic society, we face a great obligation to protect and strengthen our democracy in Australia.

We need to do more to inform our community about what a democratic society entails, and what we can do to strengthen its condition. We want to encourage tolerance for others to live the life they wish and to express their opinions, important aspects of any democratic society.

Eureka Australia annually nominates a recipient of the Eureka democracy award to recognise an individual (or organisation) who has, through their endeavours, contributed to the strengthening of democratic traditions in Australia.'

In 2023 we have two awardees: Eureka democracy awardee Hugh de Kretser , and current committee member Phillip Moore. You can read more about and from these two fine men in the following pages

2023 has been a busy year. It is 169 years since Eureka Stockade and it is more important than ever to celebrate our wonderful democracy, which Eureka did so much to accelerate and promote in the mid 1850's and down the years since - in a uniquely Victorian and Australian way.

Here are some of the key activities Eureka Australia Committee has developed and participated in, since 2022:

- **THE COMMEMORATION BY THE US EMBASSY AND CONSULATE OF JOHN JOSEPHS INVOLVEMENT AT EUREKA, CHARGED WITH TREASON AND ACQUITTED.**

Ambassador Carolyn Kennedy at White Hills Cemetery Bendigo, in February 2023, has expressed her thanks: *“for the presence of descendants of the Eureka Stockade who set this process in motion and for your commitment to history, justice, and remembrance.... seeing the major impact of his acquittal on the rest of the trials, on miners’ rights, policing, the administration of justice and the governance of Victoria . We can be inspired by the courage of the miners and renew our commitment to justice for those who have been left out and left behind. We can take heart from the recognition that great progress has occurred while recognizing that there is much more to do. We can hold our governments accountable to their democratic promises and we can hold ourselves accountable for creating a more just and honest world.”*

- **CONTRIBUTIONS TO THE PROJECT COMMITTEE TO SEEK UNESCO WH LISTING OF THE CENTRAL VICTORIAN GOLDFIELDS.**

We are working with the Listing Committee of local governments seeking to ensure that the more abstract but deeply important demands for political rights and social change from across the Victorian goldfields are appropriately recognised, documented and promoted as a foundation of the UNESCO bid. The goldfields agitated over some years in the 1850’s and beyond for these vital changes. Physical buildings matter but political reform and cultural change deliver lasting social impact. We believe the torrent of political, economic and social reforms that eureka and other events across the goldfields heralded, as victoria moved strongly towards liberal democracy, need to be bedrock components of the bid.

- **DEVELOPING PARTNERSHIPS WITH THE BENDIGO AND CHEWTON GOLDFIELDS COMMEMORATION GROUPS.**

Attending the 170<sup>th</sup> anniversary of 1853 Red Ribbon Agitation celebrations in Bendigo on August 27<sup>th</sup> 2023 and Chewton December 15<sup>th</sup>, 2023, and committing to building ongoing partnership with the Bendigo and Chewton Commemorative Organisations.

- **DEVELOPING AN APP FOR EUREKA OUTCOMES BASED ON SITES IN BALLARAT.**

We have commenced work on a new App with a working title of the Eureka Ballarat Democracy driving App. Eureka led to key political economic and social reforms that reflected the lack of human rights that the mining community experienced, especially political representation and the magnificent miners right. The goldfields and Melbourne communities responded to this, delivering goldfields representation in the legislative council from 1855 until elections in 1856 for the new lower house. By then the miners had the right to vote in these elections with a secret ballot and the right to build a cottage on their claim - and many more reforms. We want to make these and other outcomes of Eureka much better understood.

Let us refresh our commitment to the ideals of the Eureka Diggers: “We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties.” This was the oath of allegiance the diggers recited at Bakery Hill on Thursday November 30<sup>th</sup> as they contemplated the daunting stand they proposed to take to defend their rights at Eureka - as it turned out - some 3 days later. Professor John Molony reminds us that *“The men and women who had been at Eureka knew that in this new land, the right to stand up against tyranny, to be treated with respect befitting a human person and to hope in, and*

*work for, a better future, is inalienable. They knew that those things had been fought and died for at Eureka. They had stood up for a freer, more democratic society and we are all the beneficiaries”.*

Happy holiday greetings to you all.

Eric Howard, President Eureka Australia, December 2023.

## **PHILLIP MOORE – DEMOCRACY AWARDEE (COMMITTEE) 2023**



With a long strong commitment to the celebration of Eureka each year, Phillip Moore has provided leadership to Eureka Australia from its early years 2000 to 2007 to the present.

Phillip has constantly drawn on the history of democratic thinking from ancient time through the 18<sup>th</sup> century French and United States revolutions and on to the great human rights and democracy writers. Phillip has drawn from the chartist movement principles in Britain, with the relevance of various popular uprisings in northern Europe, to the period of the late 1840's and the movements responding to famine and disadvantage. Phillip has promoted the democratic processes utilized by the diggers on the Victorian goldfields to seek redress for their many grievances, which led to the stockade, erected in desperation as a defensive mechanism.

Phillip has regularly promoted the importance of the Ballarat Reform League charter and its significance to our democratic journey in this state and country. His thinking has drawn upon his substantial experiences in community consultation, shaping and responding to community demands for just outcomes and his leadership work as executive manager of the Murray Darling Association, supporting twelve regional committees across NSW, VIC, SA and QLD and the executive council. The Murray Darling basin covers one seventh of Australia, and is considered the country's food bowl with huge environmental, industrial, tourism and cultural significance. Phillip dedicated 16 years of his professional career to developing a deep understanding of the need for listening, and for effective consultation processes with government to develop sustainable policy. Phillip advocated a stronger entity to replace the association. As a result of this work the Murray Darling authority was created by governments from the mid 1980's. Phillip has also lectured and published widely on regional and environmental planning, tourism – including aboriginal cultural tourism - and of course on democracy and Eureka.

Phillip's citation reads:

***“For his leadership of the foundational years of Eureka Australia, for maintaining annual commemoration of the Eureka Stockade, and supporting specific events including the Australian National University symposium on Eureka in 2015, the development of the Diggers' March Route for Ballarat, organizing commemorative celebrations in Canberra in 2015, and Sydney and Perth, for advocating the path of remembrance at the Eureka Centre, Ballarat, for those who fell at Eureka and for obtaining funding support from relevant embassies and Ballarat city for its construction in 2022.***

***For promoting Eureka's place in the 1850's goldfields quest for rights and representation through the direct democratic processes and actions of the diggers and their supporters, especially the Ballarat reform league charter, drawing on international democratic principles, and for highlighting awareness of the torrent of democratic reforms forming the immediate response to the eureka events by the Victorian***

***community which provided much of the basis for the robust democratic society we enjoy today in Australia. Phillip's tireless support for the introduction and development of the Eureka democracy award from 2007 and his substantial contribution to the Eureka Australia committee is acknowledged. "***

## **PHILLIP MOORE'S RESPONSE**

" I am honored to receive this Award and will cherish it; however this Award is really about all of us working together as a team; that is Eureka Australia Committee and our General members. And I thank you all for the privilege. "No man is an Island" said John Doe. So true. May I suggest to you that among the most important assets of our country are our Democratic System of Government and our Murray Darling Basin River System. Both are dynamic systems that will always need our attention and which we need to appreciate, be engaged in their management where possible, and which we need to protect and enhance.

I would like to speak briefly on both, as I have been involved in both. I believe the important story about Eureka Australia and its main theme happened 15 years ago when it changed its original name "Eureka's Children" to Eureka Australia and set up the following objectives:

- To emphasize that democracy was at the centre of the Eureka events of 1854/55
- To illustrate that the Eureka events helped lay the foundations and legacy for the democracy we enjoy today
- To promote in various ways our Eureka message beyond just Ballarat and Victoria but to take it to the nation

In fact - Recently we have now gone international with our involvement in the Central Goldfields World Heritage submission to UNESCO concerning the Goldfield's physical, social and democratic history and heritage.

There have been many wonderful projects completed by Eureka Australia over the years, some of which have already been mentioned this evening. Maybe we should have a list of them on our website!

My major employment occupation and involvement in the democratic process came when I was employed as Executive Manager of the Murray Valley League in early 1970. Later to become the Murray Darling Association.

It has always been my belief that our Murray Darling River System, which is the 4<sup>th</sup> longest in the world, requires a Murray Darling Basin Authority with a Charter that stipulates the integrated, multi-use and sustainable planning and management of the Basin's resources.

However up until the 1980's such management by the Government's River Murray Commission was confined only to the Murray River Valley region of southern NSW, Northern Victoria and South Australia. The same applied to our Murray Valley League whose members comprised of councils, Irrigators, Industry, recreation and tourist operators and environmental groups .

So the question was : how can we expand our MVL'S regional area and membership and also help the Governments to move from a River Murray Commission to a Murray Darling Basin Authority.

In 1982 we persuaded the 33 Adelaide City Councils and those of the Iron Triangle : Port Pirie, Port Augusta and Whyalla – all dependent on Murray River piped water, to become members of the Murray Valley League. Thereby adding 1.3 million people to our approximately 300,000 in the Murray River Valley.

In 1984 the Murray Valley League changed its name to the Murray Darling Association and then commenced to grow its membership throughout the entire Murray Darling Basin covering 1/7<sup>th</sup> of Australia's land mass. It also occurred to us that the states of NSW, VIC, SA, and the C/Wealth were now in



1984 all Labor Governments; creating a wonderful opportunity for us to gain consensus for the concept of establishing a Murray Darling Authority.

So off I flew to Canberra, met with Gareth Evans, Minister for Resources and Energy, discussed the possibility of establishing a Murray Darling Authority, which he supported and which he agreed to making ongoing ministerial arrangements.

Consequently on November 15th 1985 the Premiers and Ministers of the 4 Governments- NSW, VIC, SA and the C/Wealth, plus the River Murray Commission and our Association, the President and myself, attended the meeting in Adelaide that established the Murray Darling Ministerial Council.

In 1988 this Council became the Murray Darling Basin Commission including Queensland. And finally, in 2008 it became the Murray Darling Basin Authority.

These efforts remind us of the time it takes to complete national projects. The Snowy Mountain Scheme took 25 years, The Murray Darling Authority took 15 years. All were a challenge, requiring persistence and commitment not just from politicians but also from the community which in both project cases would never have happened without them.

Today, this Authority as well as the M D A are now servicing and representing 2.3million people in the Basin and 1.3 million in Adelaide and the Iron Triangle. The MDA membership now comprises over 170 Councils throughout the Basin as well as the Basin's various interest groups.

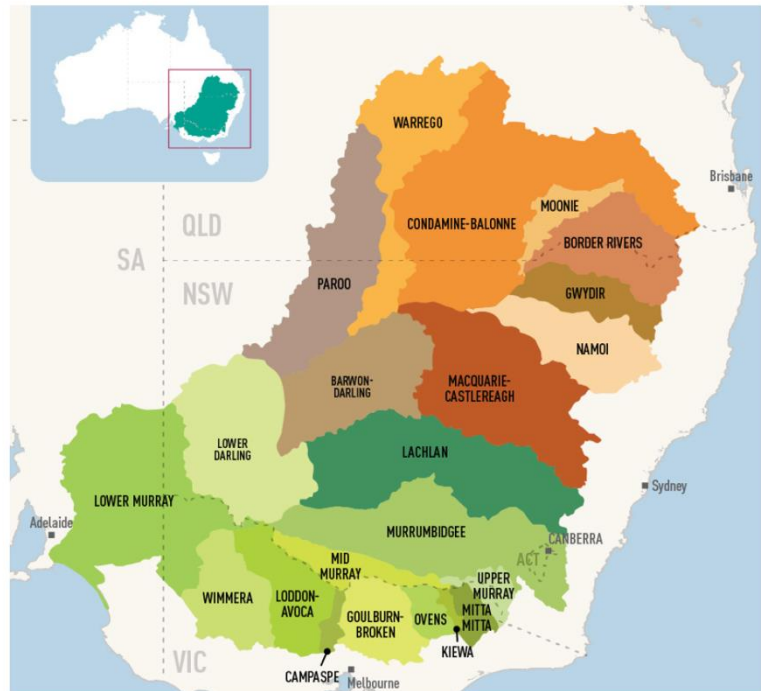
May I suggest there are three major issues requiring special attention today by the Basin Authority and by the Basin's community. They are:

1. The over allocation of irrigation water licenses especially in NSW
2. The need for equity for the different interest groups for the multiple uses of the Basin's water and environmental resources
3. The need for better research and management of the Basin's 25 sub- catchment's distinct river eco-systems

Guided by the Government's recent comprehensive Murray Darling Basin Plan, it is now the responsibility in a democratic society for the Authority and the people to consider the common good of all, striving to determine and achieve what is the priority and best uses of the Basin's resources and most importantly to maintain and enhance the Basin's magnificent environment that serves all of us.

It has been a privilege to be involved in these two organizations and I thank you for the opportunity to address these topics.

\*The Basin's Comprehensive Plan is on the internet. So too are speeches by Tanya Plibersek MP – Minister for the Environment, and Andrew McConville-Murray Darling Basin CEO which they presented at the M D A's AGM in September 2023.



## THE 2023 EUREKA DEMOCRACY AWARDEE: HUGH DE KRETZER



Chief Executive of the Yoorrook Justice Commission & former Executive Director of the Human Rights Law Centre.

Hugh's award citation reads:

***"For his leadership of the Yoorrook Justice Commission, Victoria's formal truth-telling inquiry and the first of its kind in Australia. It was set up by the First Peoples' Assembly of Victoria and the Victorian Government to report truthfully and fearlessly on the colonial past, and to reveal the unbroken line from past injustices to present day policy failures and attitudes that cause ongoing harm to First Peoples in Victoria.***

***For his guidance of the process of consultation with Government, with individuals, with organisations, and with representatives of communities.***

***For the Commission's landmark recommendations for reform of the justice and child protection systems, its clarification and strengthening of the "Charter of Human Rights and Responsibilities Act", and for its preparation of the way to a treaty in Victoria.***

***For the contributions that Hugh has made throughout his career to empowering marginalised communities and to promoting legal reform and respect for human rights. "***

*Editor's note: The following is an abridged version of Hugh's acceptance speech at the EA Democracy Award Dinner November 26<sup>th</sup> 2023.*

### **A BETTER AUSTRALIA FOR ALL – HUGH DE KRETZER.**

"We often take our democracy for granted. There's a complacency about it. The work of Eureka Australia, in promoting the importance of democracy and in connecting the past to the present, is critically important.

On a world scale we have a reasonably successful democracy, with free and fair elections, and peaceful transfer of power. Observing other democracies, even the United States' recent experience with Trump, tells us we should not take democracy for granted. The storming of the capital in Washington .... shows us that democracy does not start and end on election day. The ingredients of a healthy democracy include press freedom, protest rights, freedom of speech, freedom of association, open government, independent and properly resourced courts, a robust and healthy civil society, a rule of law, and more.

In 2019 a Civicus global review of world democracies downgraded Australia's democracy to 'narrowed', at 72%, below New Zealand and Canada who are ranked in the 80's. This was due to ... a swathe of anti protest laws across the country, particularly targeted at environmental and animal rights protests, and driven largely by vested corporate interests. (At the Human Rights Law Centre) We saw press freedoms undermined with meta data laws that allowed law enforcement to access previously protected communication information from whistle blowers. We documented a much more hostile attitude towards whistle blowers and the journalists who worked with them which Bernard Collaery's witness K story has highlighted in his presentation tonight. When it comes to war crimes in Afghanistan, by Australian military, the first person to be prosecuted in these war crimes, is the person who blew the whistle on them ! We have also seen the improper invocation of national security when it comes to refugee rights and environmental activism. There is also the continued poor compliance by government with freedom of information laws. In civil society we have seen repeated attacks on charities and their ability to speak out about the issues they work on. We saw, particularly under the Morrison Government, an intensification of those funding levers, to pressure charities, to pressure society to remain silent about the issues that were uncomfortable for government. At its worst we saw explicit gag clauses in funding contracts that said you must not speak up about these issues without the approval of government.

Where are we now? The high court decided that Tasmania's anti protest laws were unconstitutional when Bob Brown undertook a peaceful environmental protest and successfully challenged their legality. The Albanese Government, to its credit, has improved failing federal whistle blowing laws...and has stopped the persecution of Bernard Collaery, David McBride, and others. The Human Rights Centre has established support for prospective whistle blowers so that they have the same support and expertise as government has. We continue to have free and fair elections in Australia but there are constant tensions around the protection of our rights to vote. The Eureka advocacy led to improvements in democratic reforms for white men, but not for women, not for aboriginal people, not for Chinese, not for Afghans, not for others who were in this country. The process of democracy is an ongoing one, with advances and regresses. There has been a push from conservative governments to introduce Voter ID which appears like a good idea, but, as has been shown in the US, is a way to suppress the right to vote for those who are less likely to carry the ID with them: the homeless, aboriginal and Torres Strait Islanders and others, and whose vote is more likely not to support a conservative government. During Covid we advocated for a phone voting system to allow those isolating to still place their vote. This was successfully implemented and worked pretty well (applause). We need to remain vigilant on voting rights, for those in remote communities, and in prison, Australians overseas. We are also working to be vigilant about political donations and undue influence on politicians. Australian democracy shouldn't (just) be available to people with the best bank balance. We need people to have equal access to inform and influence policy through advocacy, through protest and the like. We need lobbying reform and political donation reform. Queensland has actually done some good work around those laws. We want a democracy where government always acts in the public interest, where our policies and institutions promote fairness and equality, and where people and communities have the power to address injustice.

The second part of my talk is about how democracy has worked in this country for First Peoples. The history of how democracy has played out in this country is a very sad history. But it is one we can actually change, and we are on a pathway to change in Victoria. The decades of imported British democracy after colonisation forced first peoples off their land, destroyed their economy and way of life, - it is probably my Irish ancestors on my mother's side who worked on the land we took from the Gunditjmara peoples of the Western district. So, as Paul Keating said: "We destroyed their way of life".

We brought the disease and alcohol. We perpetrated the sexual violence. We concentrated first peoples onto missions where their language and culture was suppressed. We took their children from their families and we actively pursued policies to erase First Peoples, all under an assumption that there was a hierarchy of races and whites were supreme. There was no treaty, except for Batman's sham treaty here on Merri Creek. There was no treaty. Aboriginal people never ceded sovereignty. If you read up on Eureka and the aboriginal history of Eureka, the discovery of gold in Victoria accelerated the destruction of Aboriginal culture and way of life. Victoria's population increased from 80,000 in the 1850's, to around half a million by ten years later. Massive population rise accelerated the destruction of First People's way of life. Democracy served Aboriginal people badly. It was only through generations and decades of reform, of advocacy and organising that progress has been made. We should celebrate this progress. Just as we celebrate Eureka, the Charter, the incredible courage and the reforms that came from the Eureka Stockade, we should celebrate William Barak's march to Parliament here, demanding justice for his people, for proper land management for his people. We should celebrate the day of mourning protests where, while the rest of Australia was celebrating 150 years of colonisation, William Cooper and Jack Patten led the Yorta Yorta people up to the town hall in Sydney in 1938, for the day of mourning. Doug Nicholson and the establishment of the Aboriginal Advancement League. In 1962 the federal electoral act was finally amended to give all Australian Aboriginals the right to vote. In 1967 the successful referendum gave First Peoples the right to be included in the census, and for legislation to be made to benefit their interests. Under the Rudd government Australia changed its position and became a signatory on the 2009 United Nations declaration on the rights of indigenous people. 1971 saw the first Aboriginal Federal MP, Neville Bonner who in 1975/6 brought a motion to the Senate, for compensation for the injustice of taking Aboriginal land, which was passed by the Senate. It's incredible to think of a Liberal Aboriginal Senator, bringing this motion to the Senate and having it passed by the Senate! While Australian democracy hasn't served Aboriginal people well, there is progress and I hope you are proud of what's happening in Victoria. It's all about self-determination as a concept in response to colonialism. Aboriginal people have taken up this concept and said we are not going to challenge the sovereignty over this territory, but within this territory we should have the right to a form of self-determination. Whether it's about land, or culture or education, we should



have the right to, as it says in the Uluru statement: voice, treaty and truth. At the Victorian level we are getting on with that. Since 2019 we have had the First People's Assembly of Victoria. An elected body of 32 members which is operating really effectively. As you may know, my dad was Governor of Victoria, and it is difficult for me to go into Parliament and see the wealth which was taken from Aboriginal land – the ballroom for example, is larger than the ballroom at Buckingham Palace – and when you contrast what was happening for Aboriginal people when this wealth was taken from their land, it underscores the injustice. The Assembly has been set up to negotiate a treaty with the Victorian government. The negotiation will begin next year. We have set up a Treaty Authority, as an independent umpire, and an Aboriginal truth telling mechanism advocated for unrelentingly by Aboriginal people: the Yoorrook Justice Commission, modelled on global truth and reconciliation initiatives, which I am chairing. The idea is that you have a truth telling which allows the stories of human rights violations to be told, then you make recommendations and build a new relationship to move forward. South Africa, Timor Leste, Kenya, Canada have had similar initiatives. Four of the five Commissioners are Aboriginals, three are Victorian traditional owners. 48 of our staff are Aboriginal. Our legal team is led by the most senior Aboriginal barrister in the country, Tony McEvoy. We are trying to tell the truth of the injustice against first people, and to make recommendations. We have looked at Child protection and criminal justice. Now we are examining land justice. Next is Health, Education and Housing and we are around until June 2025. It's only a small task, looking at history since colonisation! But it is important work. We will then make recommendations about truth telling after this work. We know, from the Northern Territory experience, of the dangers of not following up on this work, and from the plethora of enquiries that have gone before us, where Aboriginal People have told their stories and nothing has been done. The Royal Commission into Aboriginal deaths in custody, 32 years ago, can be put into that context. The number one thing we need to do is to stop locking up Aboriginal people in such high rates. Instead we have seen Aboriginal incarceration rates sky rocket. Particularly in the last 10 years. That's why we have a responsibility to make sure this isn't just another enquiry on the shelf, but that its findings are actually implemented. I have a confidence that this enquiry will be implemented because on the first day of the enquiry, Auntie Joan Evans, stolen generations survivor and advocate told her story and the state government of the time, Premier Dan Andrews made a commitment to overhaul the laws and gave more power to the Aboriginal people over their own families than has ever been given. It's up to everyone to hold the government accountable to that commitment.

I will conclude by examining the truth and how Eureka Australia, in its determination to link the past with the present, is redressing the balance. When I went to school the four (sports) houses at my school were: Batman, who murdered aboriginal people, Henty who stole land in 1834 and said aboriginal people should be shot, one of his managers gave aboriginal people poisoned flour, Faulkner, who was worse than Batman, and Flinders, who was an excellent sailor. I emailed my primary school late last year and they said they were very proud they had just changed the houses to Goldstein, the famous suffragette and women's rights advocate, Freeman, for Kathy Freeman, (they) kept Flinders and added Mabo, to acknowledge Eddie Mabo. (Applause). It's a small thing and way overdue, thank God they changed it. I will end by saying, despite the set back in the recent referendum, I think about what's happening in Victoria, that my two children are receiving a much better education about First Nation's people than I got, but I am also realistic about the need to continue our fight. Our democracy is only as good as we make it. I think what we have heard tonight is that we cannot take it for granted. That it is made up of essential elements: press freedom, freedom of association, freedom of expression, protection of whistle blowers standing up for justice, organising and protest rights. But, in the context of my own work, for Australian democracy to serve its own community, we need to recognise the first peoples of this land and recognise their place in it. Their self determination must be a key component of Australia's democracy. For all Australians, for a better future. “

Hugh De Kretser, EA Democracy Awardee 2023.

## INJUSTICE, COURAGE AND BERNARD COLLAERY

Jim Brown, EA

Bernard Collaery, former ACT politician, Attorney General and First Secretary at the Australian Embassy in France, was our 2023 Eureka Australia Democracy Award dinner guest speaker .

Bernard is a highly respected lawyer prepared to take on cases where the defendant is not getting a fair go. Bernard helped Timor Leste establish its democracy after Indonesia left the country in abject poverty. In June 2018, the Commonwealth Director of Public Prosecutions charged Bernard under the National Security Information Act with disclosing protected intelligence information . In July 2022,



Attorney-General Mark Dreyfus waived all charges but not before Bernard had endured 59 secret court appearances and faced the potential of a long prison sentence. For four years Bernard was unable to practice law and his ordeal calls into question the accountability of unscrupulous people in power and how our foreign intelligence service can hide the truth in the guise of protecting national security.

As members and supporters of Eureka Australia, we cherish the Eureka Story and the democracy created for us all by the diggers' stand for justice on 3<sup>rd</sup> December 1854.

It was a clear demonstration that peoples' power eventually won the day, and the result was the birth of our democracy enshrining the concept of a fair go.

It takes courage to make a stand against injustice. The worst example I have been personally involved with is the trial of Lindy Chamberlain, which I covered as a TV journalist. The murder verdict was a disgrace, but courageous people continued to fight for her justice, and eventually won.

Bernard Collaery is a friend, and to me a hero, a well respected lawyer and former Attorney General of the ACT. Like Peter Lalor, he did the right thing- by representing a whistleblower, witness K , who also did the right thing by turning a spotlight on our Government's corrupt, illegal, and unethical treatment of a friendly nation, Timor Leste .

In cahoots with an international oil exploration company, and our own intelligence service, our Government was prepared to rob a poverty stricken country of much needed revenue from huge oil and helium reserves discovered by an exploration company based here. They secretly knew it existed, under Timor Leste's off shore territorial waters, but to make sure the Timorese did not know about it, the company and our Government illegally bugged Timor Leste's cabinet room, and negotiated an unfair deal with a trusting newly emerging nation.

Bernard believed those involved should be held to account, and this was going to cost him dearly. Because unlike Lindy Chamberlain, where there was at least some transparency in the prosecution's case, Bernard was put on trial in absolute secrecy, with those wanting to hurt him hiding behind an unchallengeable policy of so called national interest.

It is true by Bernard Collaery and witness K revealing secrets, it does damage our intelligence service's reputation, and that of Australia. But transparency in Government is what every democracy needs, and there comes a time when those in power should face up to wrongdoing in our name. Hopefully oversight over our overseas intelligence service has since been strengthened.

The Timor Leste Government has understandably given Bernard Collaery a rare and special award of honour, and I believe our Government should one day do the same.

The Albanese Government has suspended the prosecution against Bernard, but he is still under legal restrictions about what he can say. So, as he will tell as much as he can, this affair is far from over.

Those present at this year's Eureka Australia annual dinner heard Bernard share amusing anecdotes of his childhood and student days in working class Sydney, which brought smiles to the audience.

Then, in a riveting address from a man who has endured much in the pursuit of a "fair go", Bernard told us about a man known only as witness K. As witness K's legal representation, Bernard became a target for those involved in a true travesty of justice. Bernard's speech gave everyone an insight into Government and individual corruption, and how far these will go to keep their disgraceful behaviour secret.

Bernard has the courage to keep on fighting for the same principles cherished by the diggers at Eureka Stockade.

Regretfully, he has lost a few battles on his journey so far, and we can only hope and pray that like Lalor and his comrades, Bernard will one day "win the war."

Every Australian will benefit when he does.



## John Joseph Video

Jim Brown has created a wonderful video as a record of the memorial plaque to honour John Joseph, an African American who fought with the diggers at the Battle of Eureka on 3rd December 1854

The youtube link is-

<https://youtu.be/vH DUh6kmdyg>

## **Eureka Australia's DAVID CRAGG**

Vice President, Australian Society for the Study of Labour History (ASSLH Melbourne).

### ***What does the Eureka movement mean to you ?***

"Beyond the stockade itself, I draw real inspiration from the good common sense of the colony's citizens – the outrage at a government shooting its own citizens, the immediate loss of confidence in Governor Hotham and the colonial government in general. People were rightly outraged at the brutality. The story of Eureka isn't just the stockade and 4 December 1854 – it is how good citizens reacted to it. That citizens won't be dictated to, and the man and woman in the street are as important as the grand poo-bahs at Government House."

### ***How has it impacted on your professional life?***

"My working life until I retired in 2018 was in industrial relations. Eureka was incredibly significant in Australia's labour movement. Eureka happened on December 3<sup>rd</sup> 1854. It cannot be a coincidence that the Melbourne building trades won their (and the world's first) eight hour working day in April 1856 – barely 16 months later. Clearly, Victoria in the Gold Rush was a turbulent, argumentative, exciting place to be – and with a lot of cash flowing into treasury coffers. The start of our nation's love affair with Mining!!!"

### ***Who should Eureka represent ?***

"A lot of unions are very keen to associate themselves with the Eureka tradition, and every second union t-shirt has a Eureka flag on it. But this is definitely NOT an exclusive relationship. The Eureka goldminers were self-employed small businessmen, and you could also see the Eureka struggle as Australia's first tax revolt!"

Obviously December is the big anniversary of the Stockade, but the second Monday in March is Labor Day public holiday – celebrated in Victoria since 1879. On Sunday 10 March 2024, Labor History members (and hopefully some Eureka Australia members too?) will visit sites in Ballarat – especially the Peter Lalor and James Galloway monuments in Sturt Street."

### ***Eight hour day leading agitator James Galloway is one of your heroes . Can you tell us about him?***

"James Galloway – like the Eureka heroes – is a largely unrecognised community leader of 1850s Victoria. A young Scot, born in 1828, he died tragically aged 32, in 1860, leaving a widow and young family. But in 1856, he was the secretary of the Eight Hour Day movement. Workers building Melbourne University (the "Old Quad" that you can visit today) laid down their tools and marched into town to meet their colleagues working on the building of State Parliament on a strike for the eight hour day. To this day, Melbourne University refuses to observe the Labor Day public holiday.







Twenty years after his death the miners of Ballarat in 1880 raised money to erect a memorial drinking foundation in Sturt Street, and presented the monument to the Ballarat community on 21<sup>st</sup> April 1880, the 24<sup>th</sup> anniversary of the exact day the 8-hour day was won by Galloway and his mates. The public holiday remained on the 21<sup>st</sup> April until about 1930 when, at the behest of Canberra, all the states instituted the Anzac Day holiday and Victoria shifted its Labor Day from April to March.)

The Eight Hour Day was still a burning issue in 1880 and remains so today, as the big mining companies that had taken over from individual miners were always trying to introduce longer work shifts, and even a working shift on Sunday! Some of the mining companies were prepared to use migrant miners from a large country to our north (shock, horror!). Controversy in mining did NOT end with the Eureka Stockade.”

***What significance does Eureka have today?***

“Eureka is a great message for today. I see it as a community based movement, with a slight touch of radicalism, and a big dose of respect for the individual and the independent wage earner. Most importantly , it is about being POSITIVE and doing something to make your immediate environment a better place for everyone. It is part of Australia’s nation-building story – but it also links little Australia in the 1850s with the international stirring of democratic sentiments and universal human rights. It , and gold, put Australia on the world map.”

***What can we do to preserve and promote Eureka on the Australian and world stage?***

“Eureka Australia’s human rights awards are a wonderful initiative. I would like to see Eureka used in recognition across most, if not all, endeavours in Australia – at school, in the workplace, in civic groups and in politics. EUREKA should be a by-word for integrity and selfless patriotism, and Eureka awards and badging should be a mark of excellence. “Australian-Made” should be a Eureka stamp.”

***You’ve described Eureka as a beautiful legacy. Why do you see it that way?***

“Eureka is political, but also at the same time above politics. You can choose to see it as a bit rebellious and left-wing, but equally as validly you can see it as highly individualist and celebrating every person exercising their own private human rights the way they choose to. Eureka is a good bridge to bring people together, to discuss freely and fearlessly what they think will be best to build a better Australia.”

## **1851 CHEWTON MONSTER MEETING SITE INCLUDED IN UNESCO VICTORIAN GOLDFIELDS WORLD HERITAGE BID**

Peter Gavin EA

The Monster Meetings held by the miners at Ballarat leading up to Eureka were preceded by those at Chewton in 1851 (then known as Forest Creek) and Bendigo in 1853 (the Red Ribbon Movement). These were the first stirrings of democratic sentiments in Victoria, against a very authoritarian government.

The 1851 Monster Meeting held on 15 December at Chewton was about stopping efforts by Governor La Trobe to increase the miner's licence and was successful because 14,000 to 15,000 miners demonstrated on that day against any increase. La Trobe had visited the miners some months earlier, and while he was there one group struck it lucky, and instead of taxing the successful miners, wanted to double the licence for all miners!

This year was the 20<sup>th</sup> successive commemoration of that 1851 date and was organised by Pat Healy from the Chewton Domain Society. It was held at the actual site near Golden Point Road.

The local member Maree Edwards who is also the Speaker of the Victorian Legislative Assembly spoke as did Angela Gaynor the head of the Castlemaine Diggings National Heritage Park (which covers the area of the diggings in the 1850s). They emphasised that the 1851 Monster Meeting site will be included in the UNESCO Victorian Goldfields World Heritage Bid that is being supported by the State Government and the 15 local councils in the Central Goldfields area, which should bring some tourist benefits.

The Brassiemaine Brass Band entertained the 60 or 70 people who attended by playing all afternoon.

It was interesting to look over the area where 30,000 miners were digging in the 1850s and notice how tough the conditions must have been, especially in winter.

Peter Gavin





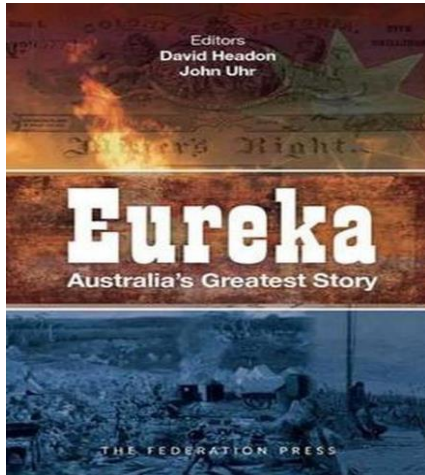
## Eureka - Australia's Greatest Story

The editors of this book boldly proclaim that Eureka is Australia's greatest story, having gathered together some of the country's finest historians to prosecute such a case.

In 1895 Mark Twain wrote "Eureka was the finest thing in Australian history, a revolution, a strike for liberty, a struggle for a principle and a stand against injustice and oppression".

Whilst before and after Mark Twain there has been many Interpretations of Eureka, now in the 21st century there appears to be greater interest in getting to know the story of Eureka and determining its real meaning and importance.

Contributors to this publication include: Emeritus Prof. John Molony; Prof. Frank Bongiorno; Prof. Clare Wright; Dr. Anne Beggs-Sunter; Assistant Minister for Competition, Charities and Treasury Andrew Leigh MP; Prof. John Uhr; Prof. Paul Pickering and others. Some of the key issues and questions concerning Eureka addressed by these presenters, include:



- **Was the Eureka Stockade Battle a massacre or just another example of cautionary British justice?**
- **Was democracy first born at Eureka?**
- **What lessons have we learnt from the Eureka story and particularly the pertinence of the Ballarat Reform League Charter, the Eureka Oath and the iconic Eureka flag to our democracy then and now?**
- **Is the Eureka story told too rarely today and is it just a Victorian story or should it be recognised and celebrated as a national story that**

**gave birth to our democratic soul?**

- **Was Eureka Australia's first multicultural statement?**
- **Who owns the Eureka story? - The People or the Politicians? The building Unions or the Right-Wing National Front?**

This Eureka symposium and its publication was initiated by Eureka Australia (then Eureka's Children) and its Canberra Chapter and jointly supported and hosted by the Australian National University's Research School of Humanities and Arts and the Centre for the Study of Australian Politics. We encourage anybody who has an interest in our Australian democracy and the Eureka story to read this excellent publication by well-known historians who have taken a fresh and well researched look at Eureka. Their collective argument that **Eureka is Australia's Greatest Story** is very strong.

This Book is on sale for \$30 at all Eureka Australia events.

**OR** Order and pay by cheque/mail to Eureka Australia 6 Gibbons Street, Sunbury 3429

**OR** Pay by EFT to BSB 704191 Account 90789 (include your name) Cost \$30, Plus Postage \$6.

Contact: Peter Gavin - Secretary 0417 135 373

Web: [www.eurekaaustralia.org.au](http://www.eurekaaustralia.org.au)

Email: [committee@eurekaaustralia.org.au](mailto:committee@eurekaaustralia.org.au)

A friendly reminder for members to pay their memberships if still outstanding for 2023, and to look to register new members from their family and/ or friends. They would be most welcome.

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**DESCENDANTS AND SUPPORTERS INC.**  
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*Membership of Eureka's Children Inc. operates on a calendar year basis.*

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