

## The Gweagal shield and the fight to change the British Museum's attitude to seized artefacts

*Activists say symbols of resistance taken when Captain Cook's men first encountered Indigenous people in 1770 must come home, and not just on loan*

**By Paul Daley**

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Almost 250 years ago, Captain James Cook and his men shot Rodney Kelly's ancestor, the Gweagal warrior Cooman, stole his shield and spears, and took them back to England in a presciently violent opening act of Australian east coast Aboriginal and European contact.

Now Kelly is heading on a quest to the British Museum in London to reclaim the precious shield and spears on behalf of his Gweagal people.

Kelly, a sixth-generation descendant of the warrior Cooman, who was shot in the leg during first contact on 29 April 1770, is among a group of next-generation Aboriginal activists that is about to tour the UK and Europe with a stage show about first contact, and to negotiate with institutions that hold Indigenous artefacts.

The British Museum, which has the biggest collection of Aboriginal and Torres Strait Islander cultural artefacts outside Australia, is considering loaning the Gweagal its most significant first contact item – a bark shield Cooman dropped during that first violent encounter.

Kelly told Guardian Australia the story of what happened in 1770, including the “theft” of the shield and spears by Cook, the marines and the HMS Endeavour crew, was still very much alive today in the spoken history of his people.

“It was not just a story, but a true history that I grew up with. And what happened is also in the diaries of Cook and others including Joseph Banks [the botanist aboard Endeavour],” he said.

“What I’m pushing for is not a loan, not just a permanent loan. The shield has got to stay in a museum in Sydney – that’s the only place for it – then it’s up to the elders of the Gweagal people what goes on with it, how the history relating to it is used for our people and other Australians.

“The tour is to tell the story, to highlight the events of first contact, to highlight how the artefacts were taken, to highlight how it was wrong and how it is wrong for them not to give them back to us.”

The shield bears an obvious hole. Botanist Joseph Banks, a witness from Cook’s HMS Endeavour when it sailed into Kamay (Botany Bay) on 29 April 1770, later wrote in his journal that the hole came from a “single pointed lance”. Indigenous Australians have long insisted, however – with apparent good reason – that the hole is the obvious result of musket shot.



*The Gweagal shield collected at Botany Bay in April 1770. Photograph: Trustees of the British Museum*

Kelly and other activists say the shield is the most significant and potent symbol of imperial aggression – and subsequent Indigenous self-protection and resistance – in existence.

The Gweagal want the shield and a number of spears that were also taken at first contact – some of which are now in the Cambridge Museum of Archaeology and Anthropology – to be permanently returned. But they also view a long-term loan to a Sydney collecting institution, for example the Australian Museum (the country's oldest, having opened in 1827), as a critical first step towards permanent repatriation to country.

The touring activists will stage a semi-theatrical presentation about pre- and post-invasion Indigenous history – *The Story of the Gweagal Shield: A Journey to return the Artefacts of First Contact* – featuring Aboriginal storytelling, didgeridoo, film, sound and imagery. Besides Kelly, the speakers will include Roxley Foley, 33, firekeeper and custodian at Canberra's Aboriginal Tent Embassy, and the legendary central Australian activist Vincent Forrester, a respected authority on pre-European contact and invasion Indigenous history.

The crowdfunded tour opens at St John's College Cambridge and at the Cambridge Museum of Archaeology and Anthropology on 20 October. Other engagements in the UK, Berlin, Poland and the Netherlands – all of which are home to institutions that have Australian Indigenous ancestral human remains and/or cultural artefacts in their collections – are being finalised.

The first contact and post-invasion elements of the stage show will focus on the cultural and spiritual significance of the shield and the 50 or so spears that Cook's party took from Kurnell, to the Gweagal and other peoples.

The tour has been organised by the tent embassy's Dylan Wood. Its historical adviser is Mark Wilson, an archivist from the Australian Institute of Aboriginal and Torres Strait Islander Studies who is supporting the repatriation tour in a private capacity.

"I have been cross-referencing the oral histories in the Australian Institute of Aboriginal and Torres Strait Islander Studies collection about the events of that day in 1770 when the shield and spears were taken, against the writings of those on the Endeavour, including Cook and Banks," he said.

So what did happen that day in 1770?

According to a contemporary written account based on oral histories of the events, the Gweagal people were camped in huts around Kamay when the Endeavour sailed in and dropped anchor.

"Two Gweagal warriors shouted, waving their spears ... neither group could understand each other. That's the moment when Cook shoots at the two warriors. One of them dropping some spears but quickly picking them up again. But that didn't scare the warriors, they began shouting and waving their spears again. Cook fires another shot, this time hitting one of the warriors. That's when the warrior who was shot retreats back to his hut to get his shield," the account reads.

“When he gets back, Cook has landed on the shore and the two Gweagal warriors fire spears at Cook and his party. Cook responds by firing more shots at the warriors and another spear was thrown. Outnumbered by many, the Gweagal were forced to retreat and the shield was dropped, leaving Cook and his crew to walk the beach freely taking the shield dropped by the warrior Cooman.”

Cook wrote in his journal, held by the National Library of Australia:

*... as soon as We put the Boat in they again Came to oppose us upon which I fir'd a Musquet between the 2 which had no other effect than to make them retire back where bundles of their Darts lay & one of them took up a Stone & threw it at us which caused my firing a Second Musquet load with small shott, & altho' some of the Shott struck the Man yet it had no other Effect than to make him lay hold of a Shield or target to defend himself.*

Besides being directly related to Cooman, Kelly is also the matrilineal grandson of Guboo Ted Thomas, an elder of the Yuin people and leading land rights activist of the 1970s.

The Gweagal shield tour is characterised by a new generation of Indigenous activism.

Roxley Foley's father, Gary, is perhaps Australia's foremost living Indigenous activist.

Foley senior – an actor, artist and esteemed academic historian – was a critical figure in establishing the tent embassy, now run by Roxley, in 1972, and he was instrumental in taking the story of Indigenous disadvantage and dispossession to Europe and the UK in the late 70s. In 1978 he screened films about Indigenous Australia at the Cannes film festival and the next year he established the Aboriginal Information Centre in London.

Significantly, Foley senior was at the centre of a controversy in 2004 involving the seizure by the Dja Dja Wurrung people of central Victoria of bark artefacts that were on loan from the British Museum to the Melbourne Museum (now Museum Victoria) where he was then working. He supported the seizure of the bark artefacts under the federal Aboriginal Cultural Heritage Act by a Dja Dja Wurrung elder and fellow activist, Gary Murray.

After a protracted court case, the barks were returned to the British Museum. Several of the barks – together with the Gweagal shield – came back to Australia briefly for the National Museum of Australia exhibition, Encounters.

Murray and Foley have been in discussions with the British Museum over their insistence the barks return permanently to the Dja Dja Wurrung. They have dealt extensively with Gaye Sculthorpe, an Indigenous Tasmanian who has, since 2013, been curator of the museum's Oceania and Australia collection.

Kelly and the Gweagal are now corresponding with and talking to Sculthorpe regarding their claim on the shield.

It was on 28 March, during the final hour of the Encounters exhibition, that Rodney Kelly made a statement of claim on behalf of the Gweagal for the return of the shield and the spears.

“It is a matter of fact the shield held in the collection of the British Museum and currently on display at the National Museum of Australia ... was in fact stolen from our ancestor, the warrior Cooman of the tribe Gweagal upon first encounter with James Cook and the crew of the Endeavour in 1770 at Kamay Bay which is the original name for land now known as Botany Bay,” Kelly said in a statement of claim, which he read at the museum to the applause of some museum staff.

“It is our will and the will of the clan that all Gweagal artefacts are kept on Gweagal Country and do not leave the shores of Australia under any circumstances whatsoever without express permission from the elders of the Gweagal Tribe. All artefacts currently held by the British Museum and National Museum of Australia are to be returned within 90 days of this letter.”

On 20 April 2016, the museum’s deputy director, Jonathan Williams, responded to Kelly: “I understand from Gaye [Sculthorpe] that your aspiration is to have the shield publicly displayed in Australia and for it to be used for educational purposes. As Gaye mentioned, the Museum often lends objects around the world and is open to the possibility of lending the shield to Australia again.

“All decisions regarding the loan of objects for the collections are made by our trustees taking into account normal considerations of security, environment and so on. For a further loan to Australia there would need to be a host institution that meets the loan conditions which is acceptable to all parties.”

It was a bitter irony that the Gweagal shield – and all other artefacts from the collection that were displayed in Encounters – were rendered legally immune under Australian Commonwealth law from Indigenous claim by the 2013 Protection of Cultural Objects on Loan Act.

The act was legislated precisely to prevent a repeat of the seizure by Murray (supported by Foley senior) of the Dja Dja Wurrung barks from the British Museum collection on loan to the Melbourne Museum in 2004.

The quest to have the Gweagal shield and spears returned, does, however, appear to be winning ever greater mainstream political support that has been absent from the efforts of Foley senior, Murray and others before them.

In August the New South Wales parliament passed a bipartisan motion acknowledging Gweagal ownership of the artefacts and urging their repatriation.

On 10 October the federal Greens senator Rachel Siewert will move a similar motion in the Senate, with an additional call for the federal government to lend Kelly and his delegation diplomatic support in their quest to have the shield repatriated.

Sitting beneath the gum trees at the Aboriginal embassy this week, in the shadows of the monolithic statue of King George V, Roxley Foley spoke of the imperative to

Indigenous Australians of repatriating the first contact Gweagal artefacts. His strong personal motivation was evident.

“My father toured London a long time ago bringing up [Indigenous] issues of the day. I do also have a connection because my father during his time curating the Aboriginal wing of the Melbourne Museum ... tried to disappear some barks that were on tour from the BM and due to that, one of the hurdles we are actually facing is legislation that was [subsequently] put in place,” he says. “So I’m kind of interested to see what the reception is going to be at the British Museum.”



*A hole in a Gweagal shield collected by Captain Cook in 1770. The shield was on display as part of the Encounters exhibition at the National Museum of Australia in November 2015. Photograph: Mike Bowers for the Guardian*

“As part of my responsibilities as a delegate [from the Aboriginal Embassy] I can offer to start a conversation that in a way that will kind of shame the British Museum more. We are not just going down there to ask for the shield back. That’s our primary goal but in order to get it we are offering them an opportunity to reform and revolutionise their entire collection – by making it a more equal relationship between the museum and the people who own the collection items ... The shield is so important because it is still linked to today’s resistance ... it’s a shield – a call for defence and protection.”

A spokeswoman for the British Museum said “the BM does plan to meet with Mr Kelly, and his associates, during his visit to London”.

“The British Museum acknowledges that some objects, such as the bark shield, are of high cultural significance for contemporary Indigenous Australians and we are always keen to engage in dialogue to see where we can collaborate,” the spokeswoman said.

“The British Museum is the world’s most generous lender of objects and the trustees of the British Museum will consider any loan request for any part of the collection, subject to the usual considerations of condition and fitness to travel. Loans are an assertion of the trustees’ responsibilities to share the collection as widely as possible.”

The outcome of Rodney Kelly’s quest on behalf of the Gweagal is impossible to predict.

But there are positive signs that the next generation of Indigenous activists are facing fewer hurdles – and less hostility – than those who went before them.