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# Can the Repatriation of the Murray Black Collection be Considered an Apology? Colonial Institutional Culpability in the Indigenous Australian Fight for Decolonization

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## Acknowledgement of Country

I would like to acknowledge the Wurundjeri people of the Kulin nation who are the traditional custodians of the land upon which I learned and acquired the knowledge for this paper. I would also like to pay respect to the elders past and present of the Kulin nation and extend that respect to other Aboriginal peoples today.

The repatriation, or return, of Indigenous remains is a topic of great discussion in anthropological, institutional, and Indigenous discourse in Australia. Australia's repatriation movement commenced in 1985 with the return and reburial of the Murray Black Collection. The repatriation of Aboriginal remains is politically correct and necessary, and the reburial of the Murray Black Collection was a great win for Indigenous peoples. However, repatriation occurred in the midst of a dominant Western culture that has marginalized, victimized, and exploited Indigenous peoples from first contact. If people and institutions are truly on the other side of a philosophical transformation (that is, working towards reconciliation), it stands to be asked if the first repatriation of Indigenous remains by the University of Melbourne Medical School can be considered an apology, moving towards reconciliation.

Individuals at the National Museum of Australia today believe there has been a general shift in political, professional, and institutional thinking in the past 10 years, evidenced by the return of approximately 1,000 Indigenous remains (Pickering 2010, 80). Michael Pickering (2010, 80) asserts that the return of these remains is motivated by an understanding that Indigenous Australians have rights and interests over the remains of their people, which dominate the desires of any other group. He argues that members of the Australian government, heritage agencies, and museums support this. Its appropriateness is further evidenced by media acceptance and the relatively absent challenges from the public (Pickering 2010, 80). However, Pickering's account of the relationship between Australian institutions and Indigenous remains today cannot be applied to their history as a whole.

Normalization of the exploitation of indigenous remains emerged from a deeply rooted dominant Western ideology. The initial invasion by British settlers in 1788 was comprised of various military personnel, convicts, and others who came of their own volition (Pickering 2010, 82). Initially, contact with Indigenous peoples was peaceful, and it was not until settlers expanded out of their jurisdiction that violent confrontation occurred; the resulting Indigenous exploitation and deaths went largely unreported and unpunished (Pickering 2010, 82). Settlers adopted and perpetuated popular Western ideologies by maintaining a sense of biological and cultural inferiority of an exotic "Other," defined in contrast to normalized whiteness (Attwood 1992, iii; Pickering 2010, 82). Widespread cultural acceptance of social hierarchies permeated twentieth-century thought, and was largely unquestioned by the media, government, and individuals. Ideals remnant from the Enlightenment

asserted that science was an "arbiter of knowledge," and foreign cultures and goods were exploited to explain racial, cultural, and intellectual differences (Pickering 2010, 82).

In this societal context, the University of Melbourne Medical School was established in 1862. Biological fields were in the midst of great change perpetuated by the recent publication of Charles Darwin's *On the Origin of Species* (Jones 2010, 50). Medicine adopted a functional approach to studying the body, its focus reductionist and evolutionary based (Jones 2010, 50). An emphasis on anatomy resulted in increased demand for human remains to study (Jones 2010, 51). It is within this landscape that acts such as deliberate killings and the removal of remains from gravesites were allowed to proceed unpunished in the early 1900s.

Early human samples at the medical school came from the poor in Australia, those of which were quite likely partially comprised of Indigenous individuals (Jones 2010, 51). A series of professors of anatomy and other enthusiastic individuals targeted Indigenous remains while forming various collections for study; George Murray Black was just one of many who contributed (Jones 2010, 52). Remains were disarticulated and sent across Australia and abroad for study by various researchers intending to find a "scientific" basis for race (Jones 2010, 51).

George Murray Black was not an archaeologist, but rather an amateur collector of Aboriginal remains in the 1920s (Jones 2010, 55). Commissioned by both the medical school and the Australian Institute of Anatomy Canberra (AIA), Black collected prolifically during the 1940s and 1950s. Additionally, he profiled and documented the customs and ways of life of Aboriginal peoples far back in history (Jones 2010, 55). Initially, Black sent most of the remains he collected to the AIA where they were studied as part of their faunal collections until notified by their director in 1940 that they were no longer of value (Russell 2010, 59).

Black had been sending the medical school Indigenous remains in 1937, but with the news from the AIA declaring that his collections were no longer of value his attention turned solely to the formation of the medical school collection (Russell 2010, 59). The Murray Black Collection was the largest collection of Indigenous Australian remains at the time of its donation, comprised of approximately 800 individuals from the Maraara, Kureinji, Tati-tati, and Wati Wati peoples across five burial sites along the New South Wales side of the Murray River (Russell 2010, 60). Stephen Collier's 1985 study found that the individuals represented a large temporal sample, ranging from approximately 10,000 years old (Kow Swamp) to 100

years old (Russell 2010, 62). Black neglected to keep records of provenience for the remains and instead focused on collecting “samples” beneficial to research in medicine and anthropology. That is, he collected pathologically “interesting” remains (Russell 2010, 62). The collection remained largely unstudied due to a lack of physical anthropologists, and although Professor Les Ray of the University of Melbourne Medical School had expressed his intentions to study the remains, he passed before he was able to do so and the collection remained in storage until 1984 (Russell 2010, 63).

It is important to understand the significance of Indigenous remains to Indigenous peoples. The laws of the Kulin nation, in whose country present day Melbourne is located, hold that Bunjuil (a creator deity) created the Earth and within this Earth he created Nations, or Country. It is from Country that he created people (Mudrooroo 1994, 23). One cannot be spiritually at rest until the body is returned to Country (their mother) and given last rites as held by tradition, at which time one is able to reenter the cycle of Dreaming once their body has disintegrated (Turner 1991, 8-9). All remains are viewed with deep respect; ancestors should be returned to Country, their proper resting place (Faulkhead 2010, xix). It is for this reason that people such as Jim Berg think it is essential to return Indigenous remains back to Country.

Jim Berg, a Gunditjmara man, first took people back to Country in the early 1970s, returning eight deceased individuals (Berg 2010, 6). In 1983, Berg commenced work as inspector and deputy chairperson of the Advisory Committee for the Victorian *Archaeological and Aboriginal Relics Preservation Act 1972*, an act stipulating that permission from the Secretary for Planning and Environment must be obtained in order to hold Indigenous artifacts and remains (Berg 2010, 6). While working at the Museum of Victoria, Berg learned of the Murray Black Collection and filed an injunction, which was served to the Vice Chancellor and legal advisor to the University of Melbourne (Berg 2010, 15). The University of Melbourne request to the Secretary for Planning and Environment to hold the remains was denied, and eventually the university agreed to repatriate the remains, at which time they were stored at the Museum of Victoria until they could be reburied (Berg 2010, 8). On November 22nd, 1985, the individuals in the Murray Black Collection were reburied in King Domain Garden, returned to Country, and rejoined in Dreaming (Berg 2010, 19).

Can the repatriation of those remains be considered an apology? Nicholas Tavuchis’ *Mea Culpa* details various types of apologies, their functions, and their reconciliatory actions. The repatriation of the Murray Black Collection by the medical school is evaluated either as an apology by the “Many” or by one individual. Apologies from the “Many” do not originate from an autonomous individual, but rather from something created by society—artificially made tangible and sustained by “human purposes, efforts, and discourse but with an independent existence, history, and identity as defined by custom or law” (Tavuchis 1991, 99). As such, this institution acts with an abundance of resources, power, privileges, and rights exceeding the individual’s (Tavuchis 1991, 99). In an apology by the “Many,” the burden lies on the institution’s ability not only to acknowledge but also to accept responsibility for their actions, and to implicitly or explicitly assure that these acts will not be repeated at a later date (Tavuchis 1991, 108). For an apology to truly be legitimized by both parties, the offending party cannot divert responsibility (Short 2012, 287).

As long as the Western colonial ideology persists in Aus-

tralia, the repatriation of the Murray Black Collection cannot be considered part of a genuine apology, nor an act contributing to reconciliation efforts. The repatriation of the Murray Black Collection was not due to any intellectual or philosophical changes in the humanities and sciences. The motivation stemmed from the politics surrounding repatriation, rather than from a collective understanding by these institutions and academics that repatriating Indigenous remains to their people is of the utmost importance.

The National Museum of Australia’s repatriation program claims its research is limited to determining geographic and cultural provenance and the broader historical context of the remains (Pickering 2010, 80). Although research is necessary for the repatriation process, it stands to note that this museum and other institutions have completed repatriation efforts almost thirty years after the Murray Black Collection’s return. Museums and universities are institutions birthed in Western thinking. Their main function and focus is to put the exotic “Other” on display, capitalizing off of their history and cultural artifacts. As long as Aboriginal remains are held in museums against the wishes of those to whom they belong, the repatriation of the Murray Black Collection is just a distraction. This voids any possibility of this collection’s repatriation to be considered a true apology.

Distractions from any potential apology are further evidenced in the University of Melbourne Medical School’s handling of the Berry Collection. The medical school’s initial decades of research were largely devoted to the study of race by way of measuring head size (Jones 2010, 52). Professor Richard Berry’s work in this area culminated in the publication of many texts, such as the *Atlas of Australian Aboriginal Crania*, considered one of the foremost works of the medical school’s first fifty years of research (Jones 2010, 52). The medical school became a beacon for the study of Physical Anthropology with many collectors sending Berry settler and Indigenous remains (Jones 2010, 52). Eventually reaching a notable size, the remains became part of the “Berry Collection.” The records were patchy at best and left much information to be desired (Jones 2010, 52).

Berry used this collection to collect data in support of his belief that an individual or race’s worth was reflected in head size, producing many publications perpetuating ideas of racial hierarchy and reinforcing ideals of inferior and superior demographics (Jones 2010, 52). His 1919 publication in the *Medical Journal of Australia* claimed that an Aboriginal adult male’s head size was equal to that of a 13-year-old white boy’s (Jones 2010, 52). In the wake of his departure from the University of Melbourne Medical School in 1929, Berry left behind a legacy of popular and widely accepted racist literature, continued by Colin McKenzie (Jones 2010, 52). With the aid of a federal government act, McKenzie went on to establish the AIA in 1931, the other institution where the Murray Black Collection was held.

The Berry Collection eradicates any notion that the medical school and the AIA could consider the repatriation of the Murray Black Collection as an apology serving a reconciliatory function. The Murray Black Collection remained largely undisturbed at the medical school and the AIA. The Berry Collection was actively used during Dr. Berry’s prolific research and publishing career, which produced work that reinforced and further perpetuated ideas of the “Other,” racial hierarchy, and Indigenous exploitation and marginalization. This further dehumanized Indigenous peoples and damaged any hope of an open narrative with settlers. If the repatriation of the Mur-

ray Black Collection was due to an intellectual and philosophical change on the part of these institutions, then it could be argued that the return of Indigenous remains would be seen soon after. However, the Berry Collection was not repatriated until 2002, nearly 20 years after the return and reburial of the Murray Black Collection (Jones 2010, 53). Such a delay was a failure on the medical school and the AIA's behalf to truly acknowledge and take responsibility for their past actions. Australia may think of itself as a post-colonial state, but it remains a nation in which very little to no significant structural and functional changes have occurred (Short 2012, 302). Although Berry's research is no longer acknowledged as scientifically valid, his ideas, message and legacy still live on (Jones 2010, 54), reinforced and perpetuated in the white patriarchal dominant narrative permeating Australia and Western society more broadly. The retention of the Berry Collection exemplifies just how ingrained this dominant narrative truly is. Any action on behalf of these universities cannot be considered an attempt at apology and reconciliation if they occur in a political context ingrained in Western colonial thought (Short 2012, 302).

The reconciliation efforts of today aim to rectify past behaviors by colonial Australia. However, the relationship between settlers and Indigenous peoples is not just a series of events, but also a complex structure erected on a deeply rooted foundation of subordination and discrimination. In order to truly apologize and move towards reconciliation, that foundation needs to be shattered. The repatriation of Indigenous remains should work to keep an open dialogue between settlers and Indigenous peoples, but this dialogue is not enough. Repatriation of Indigenous remains does not undo years of oppression, victimization, and marginalization of a rich culture. Though the repatriation of Indigenous remains cannot be considered an apology, perhaps it can open a dialogue between Indigenous peoples and their colonizers while making positive steps toward righting past wrongs.

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