

*Ned Kelly: The Multiple Truths of Australia's Most Famous Bushranger*

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**Abstract**

In a line-up of all the Australian criminals, who sparked fear in the community and generated business for the law and justice systems in the colonial era, no individual stands taller than Edward 'Ned' Kelly of Victoria. Of all the bushrangers, it is Kelly who maintains a prominent place within Australian history as a cultural and popular icon. This situates Kelly, and his Gang, alongside many other bushrangers – men who robbed, raped and murdered their way across the Australian outback in the eighteenth and nineteenth centuries – men who are now often seen as heroes of folklore. Men who have been celebrated in a wide variety of histories: in illustrations and paintings, in articles and books, in newspaper reportage as well as in traditional songs. The practice of celebrating Kelly across a range of creative outputs including art, crime fiction, true crime, film and song is not, however, undertaken without some criticism. There are certainly some who consider Kelly to be a hero, a young man rebelling against unwarranted police persecution and profiling. Yet many others, position Kelly as a villain, one who did not hesitate to engage in, and to lead others in, a diverse range of criminal activities from the stealing of livestock to the murdering of policemen. This research looks briefly at Edward Kelly's story, not as a neat narrative but as a colloquium of voices, a suite of multiple truths that now surround Australia's most famous bushranger.

Keywords: Edward 'Ned' Kelly, Australia, bushrangers, colonial, history, punishment, true crime

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## Introduction

Australia has a long history of criminal activity. Established as a penal settlement and as a military outpost, by the British, in 1788 the colony of New South Wales – the first of several British colonies to be established in *Terra Australis* (Latin for South Land) – was dominated by law breakers and law enforcers. The First Fleet provided a population for the new settlement that, by today's standards of significant towns and cities, was particularly small. The man appointed as custodian of this community, Governor Arthur Phillip, documented 1,030 people across the eleven ships (Macquarie, 1988, p. 31) that sailed from Portsmouth to Port Jackson with the convicts numbering 548 males and 188 females (Goff, 1998, p. 103).<sup>1</sup> Today the greater Sydney area is home to almost five million people (Australian Bureau of Statistics, 2016, n.p.).

The colonial era – from 1788 until Federation in 1901 – stood witness to an astonishing array of crimes committed; from petty thefts to brutal murders. Yet, in a line-up of all the Australian criminals, who sparked fear across the colonies and generated business for the law and justice systems in the colonial era, no individual stands taller than Edward 'Ned' Kelly of Victoria (a colony south of New South Wales). Of all the bushrangers, it is Kelly who maintains a prominent place within Australian history as a cultural and popular icon. This situates Kelly, and his Gang, alongside many other bushrangers. Men who robbed, raped and murdered their way across the Australian outback in the eighteenth and nineteenth centuries; criminals (sometimes referred to as banditti) who sought refuge in the bush. Men who now, in several cases, are heroes of folklore.



Image 1: Ned Kelly, 15-years-old, in Kyneton, Victoria (1871).  
Photographer: Unknown. National Museum of Australia.

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<sup>1</sup> It is important to note that Indigenous peoples were not counted in official census efforts, in Australia, until a Referendum was carried in 1967 (Thompson, 1997, p. 95).

Contributing to this construction of the heroic criminal are the twin Australian legends of:

[T]he ‘noble bushranger’ and the ‘noble convict’: victims of a palpably unjust penal code, these figures could be grafted – with the help of a little historical sleight of hand – onto a long line of morally ambivalent ‘good badmen’ whose romanticised outlawry embodied libertarian ideals within an oppressive colonial system. (Ryan in Huggan, 2002, p. 142)

The broader political and social debates of colonialism and penological practices, superimposed upon an individual, serve to cast shadows and, in some instances, fundamentally distort readings of biography and of history.

### **Edward ‘Ned’ Kelly**

Born in Beveridge, rural Victoria, in December 1855 (Cave, [1968]1980, p. 2)]; Edward Kelly was the oldest son and one of eight children born to an Irish convict, John Kelly, and his wife Ellen (Barry, 1974, pp. 6-8). Kelly’s criminal career began as a child, resorting, out of poverty, to “various kinds of petty theft and law-breaking” (Cave, [1968]1980, p. 2). This soon escalated to robbery with violence, robbery under arms (alongside notorious bushranger Harry Power), assault and indecent behaviour, theft of stock, drunkenness and resisting arrest. For some of these crimes Kelly would avoid punishment, for others he would be subjected to prison (Cave, [1968]1980, p. 2-3). Kelly would eventually form the Kelly Gang and lead three others. Kelly’s companions in crime were Dan Kelly, his younger brother, and two young men the Kelly brothers “had met earlier in Beechworth Gaol”: Joe Byrne and Steve Hart (Macfarlane, 2012, p. 2).



Image 2: Ned Kelly’s Armour, for the Siege of Glenrowan, in Glenrowan, Victoria (1880).

Photographer: Unknown. State Library of Victoria.

One of the most important episodes in Kelly's life was an incident in April 1878 in which Constable Fitzpatrick was injured. While "no one knows the truth of the story" (Cave, [1968]1980, p. 3), and the how and why of Fitzpatrick's injury, what is certain is that this incident set off a chain of events that concluded in the Siege of Glenrowan in June 1880. Between the altercation with Fitzpatrick and the Siege, the Kelly Gang murdered three policemen – Constables Thomas Lonigan and Michael Scanlan,<sup>2</sup> alongside Sergeant Michael Kennedy – at Stringybark Creek in October 1878, they committed an armed holdup and robbery of the Euroa National Bank in December 1878 as well as another armed holdup and robbery of the Jerilderie Bank in February 1879. The men also murdered their friend, suspected police informant Aaron Sherritt, in June 1880 (Holden, [1968]1980, p. 191). In taking the life of Sherritt the Gang could not have known that three of their number only had days to live. The fourth, and most famous, member of the Gang would also be dead before the end of the year. It was at Glenrowan, after an exhaustive hunt of the Gang by police, that three members of the Kelly Gang were killed. Kelly – still wearing one of the four sets of the now iconic armour made from plough mouldboards, for the Siege, weighing over ninety pounds (or forty-one kilograms), – was wounded and taken into custody (Nash, 2004, p. 1362).

What would mark the beginning of the end of the Kelly story would also be a starting point for the consolidation of the Kelly legend. The combination of an outlaw's antics with the defining outline generated by a makeshift steel helmet and apron would prove astonishingly robust and resistant to criticism. Kelly was and continues to be, regardless of what detractors and sympathisers say, a chapter in the Australian story.

Crucial to the Kelly legend is how much was made – and in many instances, continues to be made – of the matter of Kelly's physicality. *The Australasian Sketcher with Pen and Pencil* remarked that "Ned is a good-looking man, with reddish whiskers" (Anon., 1878, p. 155). This description is important because it highlights how personal the writing of Kelly's story was in some publications. Very few criminals are routinely referred to by their first name, let alone a shortening of that name that offers informality, familiarity. This early-adopted habit of being on a first-name basis with Kelly, one so easily converted to a hypocorism, provided a platform for early readers of Kelly's exploits to engage with Ned as one of them, rather than as the criminal Other. Returning to physical overviews of Kelly, one newspaper described Kelly, at the time of his 1880 trial – in an item that presents an odd mix of phrenology report and romantic novel – as:

[A] man above the ordinary stature, being about 6 feet 2 inches in height. He is robust and strongly built. His head is not by any means of the criminal type, nor are his features unprepossessing. His forehead, though low, is broad and indicates intelligence. His eyes are dark, but furtive and restless. His cheekbones are prominent and give a triangularity to his face, the lower portion of which is covered with a straggling beard. The general expression of his face betrays a Celtic origin. (Anon., 1880a, p. 1)

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<sup>2</sup> Some sources spell Michael Scanlan's surname as "Scanlon".



Image 3: Ned Kelly, 25-years-old, Melbourne Gaol, Victoria (1880).  
Photographer: Charles Nettleton. National Archives of Australia.

The day before his execution, a photograph was taken of Kelly (at his request), the image interpreted as the face of a “young statesmen” (Gammage, 1998, p. 362).

The application of leadership potential tapped into the theory that Kelly intended to build a republic in north-eastern Victoria. This theory, first introduced by Max Brown in *Ned Kelly: Australian Son* (1948), has been debated by scholars for many years with some being keen supporters of the idea that Kelly had visualised a republic, with others cautiously questioning the reliability of this argument. This romantic idea has been systematically dismantled by Ian Macfarlane in *The Kelly Gang: Unmasked* (2012) with a methodical analysis of archival and published materials which reveals “no documentary evidence” for any such plan and that there is no record to be located “that suggests a republic was being contemplated” (p. 12). Some aspects of the Kelly story can be restored through this type of archive-focused research. Yet, there is much that remains “concealed and confused” (Cave, [1968]1980, p. 4) with even eye-witness accounts of important events being “confused and contradictory” (Jones, [1968]1980, p. 173). Accepting the notion of Kelly’s ambitions of, and plans for, a republic can be seen in arguments that present Kelly as a hero; while those that dismiss this theory are more easily able to discard Kelly as a villain.

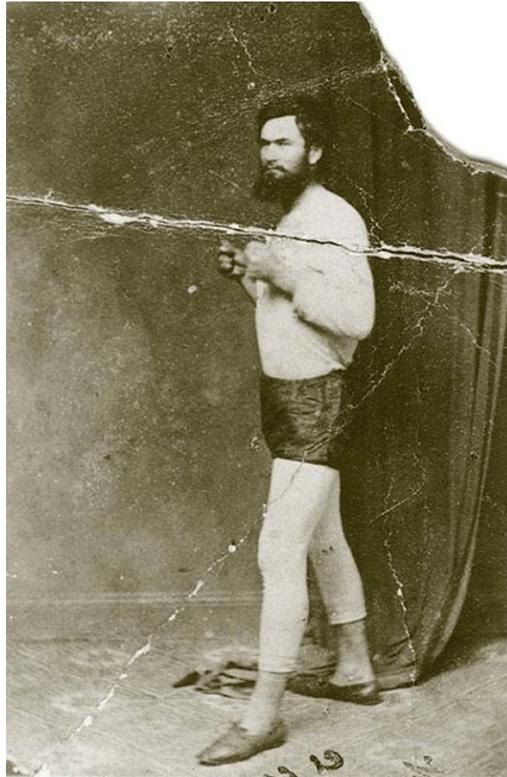


Image 4: Ned Kelly, 19-years-old, in Beechworth, Victoria (1874).  
Photographer: John Chidley. Private Collection.

In a twentieth-century collection of essays, bringing together the thoughts of eminent historians and enthusiasts for the Kelly story, Ian Jones highlighted, again, the idea of Kelly the man, writing that: “Physically, Ned Kelly was almost superhuman” ([1968]1980, p. 155), going on to detail how:

He was an outstanding boxer [...]. Ned Kelly’s boxing prowess was symptomatic of strength and endurance which he displayed to a spectacular degree in his Last Stand. Ned Kelly was a crack horseman [...]. He was also a crack shot. [...] He possessed a degree of vanity, but not without some reason. He was justly proud of his boxing ability. He dressed well – he was proud of his personal appearance. ([1968]1980, pp. 155-156)

The man from poverty-stricken, rural Victoria had grown up to be a great all-rounder. A man who was good looking and talented. A man to be admired.

### **Colonial Reporting**

True crime has been an enormously popular genre since the birth of publishing; alongside classic works of philosophy and poetry, Latin grammars, political treatises and religious instructions were reports of crimes “of a cruel and unusual nature” (Biressi, 2001, p. 60). The modern true crime market, described as a “juggernaut in publishing” (Murley, 2008, p. 44), confirms our ongoing fascination with the macabre. Such success is a recognition of how true crime entertains, informs and serves as a “scale model of modern society” (Seltzer, 2008, p. 11). Yet, unlike crime fiction, true crime has not been the subject of systematic critique and ongoing

investigations. Even Australia, with a modern history enmeshed with narratives of crime, justice and punishment, has not yet produced a comprehensive set of accounts of the true crime genre. As Rosalind Smith expounds:

Contemporary Australian true crime texts typically concentrate upon particular events and figures – Ned Kelly, the disappearance of the Beaumont children, Azaria Chamberlain, the Peter Falconio murder – as cultural flashpoints, returned to, repeatedly, across a range of media and narrative forms. However, the genre also includes a longer history: from colonial true crime narratives to mid twentieth-century pulp fiction. (2008, pp. 17-18)

Colonial popular reporting of true crime events was widespread. Crime was, and continues to be, newsworthy: driving circulation. Yet, despite such rich reservoirs of material for analysis, there continues to be an under-exploration of the true crime genre, and sub-genres, which requires addressing. If we claim an interest in any aspect of the cycle of crime – from cause through to aftermath – if we voice any opinion on policies of justice and punishment, then how can we ignore the genre of true crime? In particular, how can we not seek to understand more about how and why so many of us consume this most morbid of commodities?

In Australia, one of the more popular topics for true crime texts is the bushranger: those who abandoned the emerging metropolises and became figures of small towns and of the bush. Bushrangers have become celebrated men (and women); their tales told in print, in hotels and in traditional songs, such as ‘The Wild Colonial Boy’ and ‘Bold Jack Donahoe’ (Macinnis, 2015, pp. 194-196). The first bushranger was ‘Black’ Caesar who took to the bush in 1789. The last major bushranger – and the most celebrated – was Ned Kelly, whose criminal career lasted from 1869 to 1880” (Cawthorne, 2010, p. 6). Although it is important to note that even these stories have not been systematically revealed.

Colonial newspapers were selective in the offering of their attentions to bushrangers; “the papers printed the stories that sold papers best, so we are more aware of the actions and statements of the vicious killers and boasters who courted publicity” (Macinnis, 2015, p. 2). The term bushranger first appeared, in print in Australia, in a Standing Order of 1801, before appearing in the consolidated *New South Wales General Standing Orders and General Orders* of 1802 (ii, 67-68). The term then appeared in *The Sydney Gazette and New South Wales Advertiser* on 17 February 1805 (Wilson, 2015, n.p.). The short piece describing, in amidst notices of a range of crimes committed, how: “On Tuesday last a cart was stopped be-tween this settlement and Hawkesbury, by three men whose appearance sanctioned the suspicion of their being bush-rangers” (Anon., 1805, p. 2). When printed in a newspaper, as well as in Government instructions, the term became popularised and part of the Australian lexicon.

A review of the contemporaneous press coverage of Kelly reveals a story of escalation. A systematic slide from pettiness to murder. The public could not read enough. Newspaper reportage of the bushrangers created much excitement: “There are 840,000 people in Victoria. Of these 839,996 – barring children in arms and ministers of religion – are deeply interested in the doings of the remaining four” (Anon., 1879, p. 8). The Kelly Gang was big news with numerous articles “written on

the four members of the gang, often daily, not only in Australia, but all over the world. At the time, it was the biggest news story in the country” (Toohill, 2015, p. xi). It would also prove to be a story that would maintain its power into the twentieth and twenty-first centuries.

Kelly would also produce short memoirs. A twenty-two-page letter written in Euroa, which, addressed to Donald Cameron, Member of the Legislative Assembly would be known as “The Cameron Letter” (Jones & Bassett, 1980, p. 65). Another, longer letter, this one fifty-six pages in length, would become known by the place in which it was written: “The Jerilderie Letter” (Jones & Bassett, 1980, p. 73). These, and other letters, were dictated to Gang member Joe Byrne who was “more intellectually minded and better educated than his partners in crime” (Macfarlane, 2012, p. 2) for, as E.S. Fosbery informed Henry Parkes in correspondence dated 1896, “neither Ned or Dan Kelly could write more than their names” (1879, p. 235).

In an enthralling twist to the traditional newspaper reportage of Kelly and the Gang these letters, by Kelly, were written as interjections into the published commentaries on his life and his crimes. Many of these newspaper reports were objected to, by Kelly, as false and misleading. Sparking potent ire were any comments directed at his family:

[T]his sort of cruelty and disgraceful and cowardly conduct to my brothers and sisters who had no protection coupled with the conviction of my mother and those men certainly made my blood boil as I don't think there is a man born could have the patience to suffer it as long as I did or ever allow his blood to get cold while such insults as these were unavenged and yet in every paper that is printed I am called the blackest and coldest blooded murderer ever on record. (Kelly, [1879]2012, pp. 42-43)

So, it was with Kelly's own works, and with “The Jerilderie Letter” in particular, that he inserted “himself into history, on his own terms, with his own voice” (McDermott, 2012, p. xxx). Attempts to manipulate the press would be taken up by one of Kelly's lawyers. When Kelly was charged with murder several legal practitioners – of varying experience and skill – would become involved in the case though, ultimately, Kelly was forced to resort to seeking financial assistance with: “The Crown [agreeing] to pay for Kelly's defence, since apparently he had no funds. The fruits of Euroa and Jerilderie were no more” (Waller, [1968]1980, p. 113). One of these lawyers was David Gaunson, a fierce opponent of capital punishment (Macfarlane, 2012, p. 109); a philosophical rejection of the death penalty instigating some risk taking on Gaunson's part.

Despite stringent restrictions around accessing the prisoner it was claimed that a reporter had been allowed to interview Kelly. “In the circumstances, it is impossible not to conclude that Gaunson had a hand” in what was, “by far the strongest, most resonant and articulate of all Ned's public statements” (Macfarlane, 2012, p. 109).

Reporters at *The Argus* were unimpressed, indignantly writing that:

It is notorious that the habitual criminal has a dogged hatred of the police and a morbid vanity as regards himself, and, above all, that he is incapable of telling a true story, and must romance. Mr RAMSAY [who ordered that the

prisoner was not to be indiscriminately visited] was therefore justified in saving the community from the pollution of the Kelly lies, and we can only express our surprise that Mr DAVID GAUNSON has not seen his way to promptly contradict the assertion that he has [breached instructions]. [...] Yet it is alleged – and no contradiction has appeared – that he has allowed Kelly to use him as a means of placing before the public a series of statements which on the face of them are false and injurious. We can only hope that Mr Gaunson will yet see his way to assure the public that he has in no way abused his position. (Anon., 1880b, p. 5)

The storytelling around Kelly, from the early days of the legend, was a highly contested and highly charged space.<sup>3</sup>

### **Contemporary Reflections**

The mass of material, written on Kelly and his crimes, is sufficient to suggest that the Kelly Gang could be classified as a distinct sub-genre of true crime. This can, in part, be explained by the fact that Kelly is often described as the last of the bushrangers: his life and crimes the final scene in a story that had played out on the great colonial stage of the bush since early settlement. For the first colonists, bushrangers were those men who: simply ‘ranged the bush’ “finding their way through the scrub and home again, a matter that wasn’t too hard in a country that was populated by and occupied by people whose feet had left easy tracks to follow” (Macinnis, 2015, p. 9). Initially, convicts abandoned the hurriedly formed roads and streets established by colonial administrators to follow the paths made by Indigenous peoples.

These rangers of the bush increased as “convicts ran from road gangs or from their masters in the wake of the harsher and more bureaucratic convict system of the 1820s [... and while bushranging] “continued throughout the nineteenth century [...] by sheer rate of conviction per head of population, the period of most intense activity was in the late 1820s and early 1830s” (Karskens, [2009]2010, p. 300). “Until about the 1860s, bushrangers were usually convicts or ex-convicts” (Macinnis, 2015, p. 7). Some of these convicts had merely continued with their criminal ways; some joined up with other criminals.

Absconding was often in fear of secondary crimes being discovered and the associated dispatch to a site of second punishment. So, “ironically it seems the threat of banishment to distant parts itself was enough to make some take to the bush” (Karskens, [2009]2010, p. 300). Bushrangers would help build up a canon of folk tales until their ranging days came to an end. As Peter Macinnis writes, Kelly, “a far more vicious man [than many other bushrangers], was also a bushranger in the wrong time, [for] he failed to allow for the new technologies, the telegraph and the railway, that ended the bushranging era” (2015, p. 53).

Stories of these men (and the occasional woman), from the moderately genteel to the utterly villainous, have retained a place in the history of Australian crime. The most well-known bushranger tale is the one of Kelly. As observed by Willa McDonald and

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<sup>3</sup> For a discussion on the sketches that accompanied colonial reporting, see: Gaunson, S. (2009). The mere fancy sketches of Ned Kelly. *Latrobe Journal*, 84, 23-33.

Kerrie Davies:

Through the attention of historians, journalists, writers, filmmakers and artists, the bushranger has become a powerful symbol for a range of ideas, from a masculinist ideal of freedom in a lawless frontier to an heroic champion of the underdog, a brave rebel against Protestant and British authority, and a political agitator. (2015, p. 33)

In a setting in which symbolism was such an important tool for a story's longevity, Kelly was greatly aided by his makeshift armour which gave a physical, iconic, shape to the ideas he has been associated with. The silhouette of the armoured Kelly, standing his ground against the police has been etched into the Australian story. "In a nation built not only by free settlers but also by English convicts and Irish rebels, Australia continues to celebrate aspects of its colonial and penal history, and Kelly as a romantic symbol of resistance to authority" (Tranter & Donoghue, 2010, p. 202).

There are striking images, both traditional and updated, of Kelly generated by artists as diverse as Norman Lindsay, Sidney Nolan and Reg Mombassa as well as Australian criminal-turned-artist Chopper Read. There are volumes of literature, poetry, plays and songs based on, or dedicated to, Ned Kelly. Such is the broad appeal of Kelly, and bushrangers across Australia, there are more entries in the *Australian Dictionary of Biography* "for writers, journalists, poets and authors who have written about bushrangers, than there are for bushrangers themselves" (Wilson, 2015, n.p.). These are stories people want to read. This can be seen in fictionalised versions of the tale such as Robert Drew's *Our Sunshine* (1991) and Peter Carey's *True History of the Kelly Gang* (2000). Indeed, as popular culture icon the Kelly legend has, as Graham Huggan argues, formed an industry with the "ability to mobilise popular sentiment for ostensibly high-brow representations" including visual art and literature (2002, p. 143).

The Gang would also be the focus of the world's first feature film *The Story of the Kelly Gang* (1906) and several films since including a controversial effort in 1970, *Ned Kelly*, starring rock star Mick Jagger. Television, music and video games have also taken inspiration from Ned Kelly, the Gang and their exploits. With more books, songs and websites "written about Ned Kelly and the Kelly Gang than any other group of Australian historical figures" (Australian Government, 2016, n.p.). Keith Dunstan, in his work *Saint Ned: The Story of the Near Sanctification of an Australian Outlaw* (1980), dedicates an entire chapter, "Mr Kelly and the Cash Register", to the souvenir industry that emerged around the cult of Kelly (pp. 96-121). A sympathetic account, Dunstan asserts that Kelly is continuing to "work hard for his country" through boosting local and national economies (1980, p. 96) and suggests that the awarding of a posthumous knighthood (1980, p. 121) for such a great Australian is not unreasonable.

This industry, of memorabilia and tourism, has been referred to by Ian Jones in his work on an exhibition on Ned Kelly (at the Old Melbourne Gaol, 2001-2002), as "Kellyana" (2002, p. 122) and is an industry that continues to be supported by those interested in Ned Kelly, and the Kelly Gang, today. Many of these commercially-based activities present a sanitised account of events in Victoria and New South Wales in the late 1800s. As Peter Macinnis has noted in relation to bushranger stories

told in print and on screen: “You can make money by telling tales of brutal murderers, but you can make more by writing about brave and handsome heroes dashing through the bush” (2015, p. 3).

The practice of celebrating Kelly across a range of creative outputs including art, crime fiction, true crime, film and song, is not, however, undertaken without some criticism. There are certainly some who consider Kelly a hero, a young man rebelling against unwarranted police persecution and profiling. Yet many others, position Kelly as a villain, one who did not hesitate to engage in, and to lead others in, a diverse range of criminal activities from the stealing of livestock to the murdering of policemen.

The genre’s “characteristic hybridity – there is often another generic frame through which a text may be critically examined, such as history, memoir or biography” (Smith, 2008, pp. 20-21) – engages readers beyond a central group that would identify themselves as consumers of true crime. This hybridity, a single text with multiple points of interest for readers is, it is suggested here, one of the features that provides true crime with the foundation of its popularity. This can be seen in the numerous texts on Kelly, such as Paul Terry’s *The True Story of Ned Kelly’s Last Stand* (2012) which is true crime, biography and history while Craig Cormick’s *Ned Kelly Under the Microscope* (2014) is true crime, history and science. In this way, Kelly confirms his adaptability; his appeal to a broad cross-section of audiences and, by extension, potential critics and sympathisers.

### **A Narrative of Punishment**

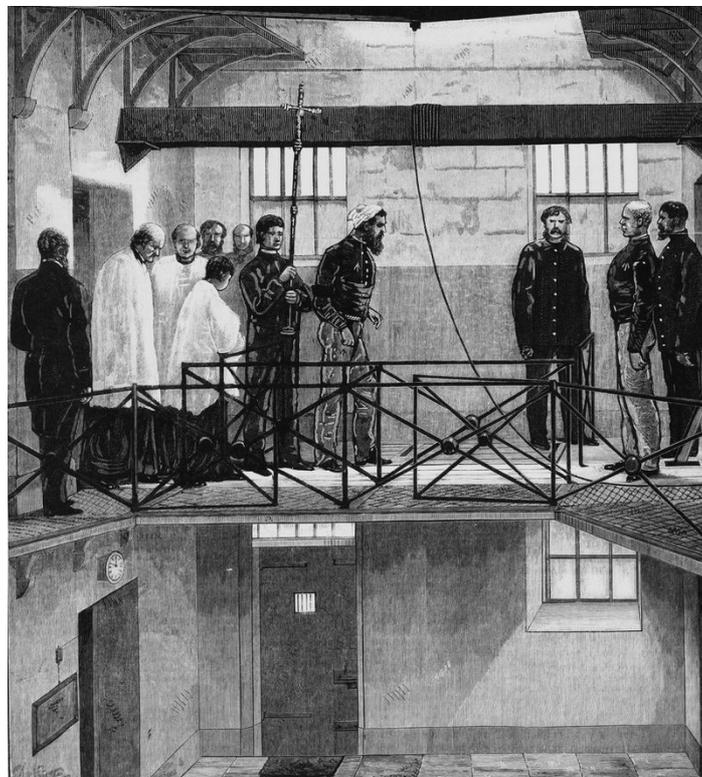


Image 5: Ned Kelly, 25-years-old, goes to the Scaffold, Melbourne Gaol, Victoria (1880).

Artists: Alfred May and Alfred Martin Ebsworth. State Library of Victoria.

On 11 November 1880 Kelly was hanged, found guilty of murdering Constable Thomas Lonigan. “However, Ned Kelly was never trialled for the murder of Sergeant Michael Kennedy or Constable Michael Scanlan. This must have been incredibly difficult for Sergeant Kennedy’s wife and children and Constable Scanlan’s family” (Toohill, 2015, pp. ix-x). Poignantly, Kennedy’s pocket watch was handed down to his great-grandson: Senior Constable Michael Kennedy of the Victorian Police (Dunstan, 1980, p. 107).

The physical and mortal impact of the Kelly Gang, over two short years of outlawry, produced a startling list of victims. Nine people died (including three police officers and a child) and seven people (including two police officers, a police volunteer and a child) were wounded between April 1878 and June 1880 (Anon., 1880c, p. 10). The victims are largely forgotten – especially the victims of Stringybark Creek: “If you ask members of the public who [Kennedy, Lonigan and Scanlan] are, most would not have heard of them. But ask anyone who Ned Kelly is and they instantly recognise his name” (Toohill, 2015, p. viii). Kelly is the ultimate Australian criminal celebrity. If we choose to remember Kelly’s name, it is important, too, to remember the names of his victims, for:

While we must sympathize with the individual whose domestic environment and circumstances were such that poverty and hardship were their everyday problems, we cannot condone behaviour which is against the accepted standards of the community, nor can we make a hero of one who would kill and rob to achieve his ends. (Holden, [1968]1980, p. 190)

Ned Kelly was hanged but he lives on. Manning Clark has explained this as being the result of what Kelly might teach us, and how that:

Despite all the sermons and homilies and leading articles, and all the attempts of the explainers, and the hounders of the weak, Ned became a folk hero. [...] Perhaps there is something of Australia in his story – something of that nostalgia for the life of the free, the fearless and the bold, uncorrupted by industrial civilization, with its railways, its petrol engines, and all its conformism. ([1968]1980, p. 22)

Or, perhaps it is how the “Eureka Stockade, Ned Kelly and Gallipoli celebrate defeats – a quirk in our national character” (Macfarlane, 2012, p. 204). There is, it is argued here (in this necessarily brief article), no better example of how, within the Australian record, one story can support so many different truths; contributing to the construction of two diametrically opposed histories. Two factions: one that shows sympathy for an outlaw and understanding for his personal situation; another that demands decisive punishment as retribution for crimes committed. It was a need to ensure a society that was safe for all, which was regularly cited as the primary need for the punishment of Kelly.

As G.W. Hall wrote, the year before the Siege of Glenrowan:

To all right-minded and law-abiding men it must seem in the highest degree desirable, both from a moral and social point of view – in accordance with justice and policy – that evil-doers should meet their deserts in proportion to the enormity of their several offences, not only with a view to punishing the culprits, but also with the object of discouraging others from inflicting injuries upon society. ([1879]2015, p. 133)

As Huggan asked: “Who is it, exactly, that Kelly represents? And who is it that his memory has been made to serve?” (2002, p. 153). Tensions around these questions can be seen today, as evidenced by the ongoing debate that surrounds Ned Kelly and the Kelly Gang.

## **Conclusion**

Ned Kelly’s story has been told and retold: the result is, not a neat narrative, but a colloquium of voices, a suite of contested, fabricated and forgotten truths. As noted by Dorothy Simmons:

Through word of mouth or click of mouse, stories are how we make sense of our world, or worlds. Not all stories, of course, are memorable enough to be mythologized; that is, stored in our collective consciousness for generations. (2014, p. 416)

The practice of mythologising Kelly, celebrating the man and his deeds across a range of creative outputs including art, crime fiction, true crime, film and song, is not, however, undertaken without some criticism. There are certainly some who consider Kelly to be a hero, a young man rebelling against unwarranted police persecution and profiling. A man with dreams of a republic and a better life. Yet many others, position Kelly as a villain, one who did not hesitate to engage in, and to lead others in, a diverse range of criminal activities from the stealing of livestock to the murdering of policemen. These multiple truths see Kelly simultaneously situated as one of the good “badmen” and one of the bad “badmen”. Perhaps the only certainty is that Edward Kelly will always be on trial; evidence continually assessed, displayed and reimagined in various attempts to tell his story and argue for his position as a hero or as a villain.



Image 6: Ned Kelly, 25-years-old, Melbourne Gaol, Victoria (1880).  
Photographer: Charles Nettleton. University of Melbourne Archives.

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