

BULLDOZING STONEHENGE

FIGHTING FOR CULTURAL HERITAGE

IN THE WILD WILD WEST

by Sally Morgan, Ambelin Kwaymullina and Blaze Kwaymullina

A few short months ago, a group of Bardi people from the Kimberley region of Western Australia danced at Stonehenge as part of the Salisbury Arts Festival. They walked across the green lands where the First Fleet set sail over 200 years ago and set their feet to the timeless rhythms of their own ancestors among the ancient stones of the Britons. Frank Davey, one of the Bardi performers, remarked: '[t]he first settlers did come from England and we came back here to let people know that we still survived.'¹ An ocean away, our people – the Palyku people of the Pilbara – had been meeting to speak of the stones in our own country; granite rocks, boulders, bedrock and granite hills that are covered in engravings far older than Stonehenge. But we were not dancing. We were facing a David-and-Goliath battle, fighting – as Aboriginal nations have always done since 1788 – to save the oldest and most sacred places on earth.

The historical irony of the moment was not lost on David Milroy, a member of the Palyku Native Title Working Group, who was attending the Festival. He noted at the time:

While the Bardi sang and danced their Inma at Stonehenge, I couldn't help thinking about how much the dust of the iron ore industry has blinded our politicians to the significance of our rock art and sacred places. While they willingly acknowledge the value of such places in other lands, they refuse to assign the same significance in Australia, even when archaeologists say they have world heritage value.²

The most critical issue facing Indigenous people today is the fight for our cultural survival. It is a fight of global significance which, if lost, will lessen all of humanity. The frontier of this battle in Western Australia is found in the rich red granite country of the Pilbara. Miners first came to this country in the late 1890s, hauling their handcarts and pickaxes. Now they come with 4WDs, explosives and giant bulldozers. The Australian Mining Industry Council's logo used to read:

The only thing we're looking for is Australia's future³

... but if mining Australia's future means destroying the foundation of Australia's past, then a new vision for this ancient continent is urgently needed.

LIVING IN THE WILD WILD WEST

Since the advent of the *Native Title Act (Cth)* 1993, industries have been forced to engage with Indigenous peoples through Native Title Claimant groups. However Native Title Representative Bodies are overworked and under-resourced, which is why some of the salaries of those who work for them are paid for from buckets of money coming directly from the companies with which Aboriginal groups have to negotiate.⁴ It is hard to imagine another situation where this would not be considered a serious conflict of interest. To complicate matters further, an historical precedent is being played out behind closed doors even today. The pattern for relationships in the West was set two centuries ago when Captain James Cook arrived in the East bearing a chest full of beads, nails, ribbons, combs and mirrors; the gifts Britons gave at that time to peoples they thought were uncivilised. Cook was throwing his trinkets onto the beach while still in the surf, in the hope that the traditional owners of the area – who were loudly warning him not to land – would want them. He was sadly disappointed. When his shouts of 'I come in peace!' also failed, he fired his musket. For the next week he left small piles of beads, nails, ribbons, combs and mirrors at any empty hut or dead campfire he came across. For Indigenous peoples involved in the native title process, it sometimes feels as if we are surrounded by Captain Cooks; all of them wanting to exchange beads and ribbons for our lands and cultural heritage.

These days they wear Italian suits and bring out lawyers instead of muskets, but the effect is much the same. Agreements resulting from negotiation processes are often touted as 'landmark' and 'win-win', by both government and industry, but the truth is that the situation is never 'win-win' for Aboriginal people. We have to deal with the destruction of our cultural heritage, and the royalties that are eventually received are frequently used to provide services for which the government has primary responsibility, but refuses to adequately fund.

The end result of all this is that Aboriginal groups are forced to negotiate to protect what they can, where and when they can. They are only too aware of how simple

it is for a powerful company to go directly to the State Government for development approval. They also understand how easily the protection of legislation, such as the *Aboriginal Heritage Act 1972* (WA), is overturned by the Minister for Indigenous Affairs' veto.⁵ Worse still, there are a number of sections under the Act which allow for sites to be cleared. Sadly, if a site happens to be part of the granite bedrock in the Pilbara, then it is usually destroyed. Although, as industry representatives explain, a photograph will be taken first, so we can all remember what was there. Companies also offer to cover up sites in order to minimise damage; to fence them off, or even move them elsewhere in the bush. They think these are acts of generosity and their representatives find it difficult to understand how deeply, spiritually distressing this whole process is for us. As David Milroy comments:

As Palyku people, we are the caretakers of our country and all the sites that are found within it. This is a responsibility we have carried for thousands of years under our own Law. Yet Australian law dictates that the State Government is the caretaker of our country. Through our engagement in the native title process, it has been made very clear to us exactly what this means: they take our sites and they don't care. It's as simple as that.⁶

Heritage is in a mess in Western Australia. If Stonehenge were in the Pilbara, it would no longer exist. The processes for making decisions on important cultural heritage matters in this State are not only wholly inadequate and unfair, but fatally flawed. The State Government uses the cloak of public interest as a rationale for its actions, but its piecemeal, pro-development approach means that, at the very least, the Government has now assumed the role of covert vandal in order to ride high on the resource boom.⁷ There is an urgent need for an independent review of how heritage matters are managed and decided upon. The situation is so dire that it requires federal intervention.

THE WOODSTOCK-ABYDOS RESERVES

Our current fight in the ongoing cultural heritage war is one of the most critical we have ever faced. While the public debate over the terrible devastation and destruction wreaked in the Burrup continues to rage,⁸ another area of world heritage significance,⁹ the Woodstock-Abydos Reserves, is slowly being opened up for industry. The Reserves are one of the oldest and richest rock engraving sites on earth. There are tens of thousands of engravings in this area and many other sites as well. Some large granite hills are literally covered in engravings, which were slowly and carefully made by the ancestors of the Palyku and Karriyarra peoples many thousands of years ago. While

these engravings are described as rock art, they are much more than that to us. They are who we are; our heart, our spirituality, our homeland. In the Reserves also stand stone arrangements and many other sites which show a way of life now lost to us. This whole area is a living library and a huge site in itself. Even today, this area is used for important cultural business. Archaeologists have told the Native Title Claimants to this country – the Palyku and Karriyarra peoples – that it is so significant it should be world heritage listed.

But what does the Government think?

Recently, the Minister for Indigenous Affairs, Culture and the Arts, and Tourism, Sheila McHale, issued a Press Release stating that the Protected Area status of the Reserves would be varied in order to allow the building of a railway line.¹⁰ The point was made that the rail corridor isn't too wide, but a variation also means that that strip of land can be mined, and quarrying is allowed too, as are access roads. This was shattering news. It is likely to be only the first in a number of variations made to accommodate industry. Slowly, the protected status of this area will be undermined. In Western Australia, it seems there is no such thing as a 'protected area'.¹¹

Prior to this decision being handed down, the Palyku people had been very vocal in opposing any variation to the Protected Area status of the Reserves, recommending that industry detour its infrastructure around this significant place in order to keep it safe for future generations of Australians. Detour was possible; it increased the cost of the proposed project, but would not substantially dent the huge projected profit. This option, it seems, was never seriously considered. Members of the Palyku people voiced their strong opposition to the variation at a meeting of the Aboriginal Cultural Materials Committee ('ACMC')¹² in Perth earlier in 2006, urging them to keep the Protected Area status intact.

Under no circumstances do Palyku people support the lifting or part lifting of the Protected Area status ... the proposed minimisation of impact on Aboriginal sites contained in the area ... still constitutes a desecration of significant cultural and material heritage and is unacceptable to the Palyku people. Palyku people urge the ACMC to inform the Minister of the dangerous precedent that will be set if Protected Area status is lifted from the Reserves.¹³

In deference to this opposition, the Minister for Indigenous Affairs agreed to a site visit at which both the Palyku and Karriyarra peoples could express their concerns. The Minister spent one hour onsite, where

she was shown some beautiful engravings as well as an access road that had already been carved through the land without any consultation with the Palyku Native Title Working Group. Due to the visit being so short, she was invited to return and spend time camping in the country. A second visit never eventuated. Instead, the Press Release allowing the variation was issued a few weeks later. Her decision was acclaimed as a win-win situation, due to the fact that both Claimant Groups would benefit economically from the development. We wondered in what other country a decision impacting so significantly on world heritage could be made after a one-hour site visit by a politician whose own portfolio is to have the interests of Indigenous peoples and the Arts at heart.

THE HEART OF THE MATTER

At a recent Native Title Working Group meeting in the Pilbara, a question was put to a mining company executive: 'What is your vision for Australia?' Perhaps he thought it was irrelevant, because no answer was forthcoming. The question arose from a fiery debate over what Palyku people perceive as the sudden and unjust decision of the Minister. The question went to the deep heart of the matter. Can government and industry embrace a vision that transcends economic imperatives? There are other questions that need answering too. Who is setting the boundaries for industry? Why aren't there no-go areas for culturally significant places? Where is the accountability? If government continues to fail abysmally in its leadership role, then is it possible for industry to take the lead? Where are the international best practice models for protecting Indigenous cultural heritage? Currently, heritage decisions are being made in a leadership vacuum.

As Indigenous people, all we have left to fight with now are our voices. We find the courage to speak even in the face of veiled threats of defamation and other sly legal innuendo. We do not have the resources to arm ourselves with expensive teams of lawyers. We are prepared to risk all to protect what we believe should be handed on to the children of tomorrow. But it's not just our battle. Those who would bulldoze the sacred places of the Palyku are selling their own future just as surely as they are selling ours. Anyone who has ever visited Stonehenge or any other ancient sites will have felt the power of those places and experienced the awe and wonder of standing in the presence of so much beauty, history and meaning. It is likely that in another 20 years, any Australian who wants to experience the power and meaning of an ancient place will probably have to travel to England to do it. As David Milroy comments:

In years to come, as the canyons of mining fill with water and the railways rust into the Earth, Stonehenge, the Pyramids, the Amazon rainforest, and other ancient places on the earth will weep for the memory of the Pilbara rock art and the people who tried to save it. And wherever we are, in this life or the next, we will weep with them.¹⁴

When the last special place finally disappears from this continent what will we be left with? An empty hut, a dead campfire, a soulless nation.

A VISION FOR AUSTRALIA

We call upon all governments and industry to embrace the ancient sacredness of this land. We call upon them to have a vision for the future of Australia and her peoples that leaves the children of tomorrow a priceless inheritance. We make this request in the deep knowing that this land can make us – all of us – together. It is the heart of every nation ever birthed here. With that understanding, we call upon ordinary Australians to protect the heart that keeps us all safe together.

Speak up for this land by writing to or emailing the Premier of Western Australia, asking for the Woodstock-Abydos Reserves to be protected for future generations of Australians:

The Hon Alan Carpenter MLA, Premier of Western Australia
197 St George's Terrace, PERTH WA 6000
email: wa-government@dpc.wa.gov.au

Write to or email the Federal Minister asking for the Woodstock-Abydos Reserves to be heritage-listed under Federal legislation:

Senator The Hon Ian Campbell, Federal Minister for the Environment and Heritage; Senator for Western Australia
Parliament House Canberra ACT 2600
email: senator.ian.campbell@aph.gov.au

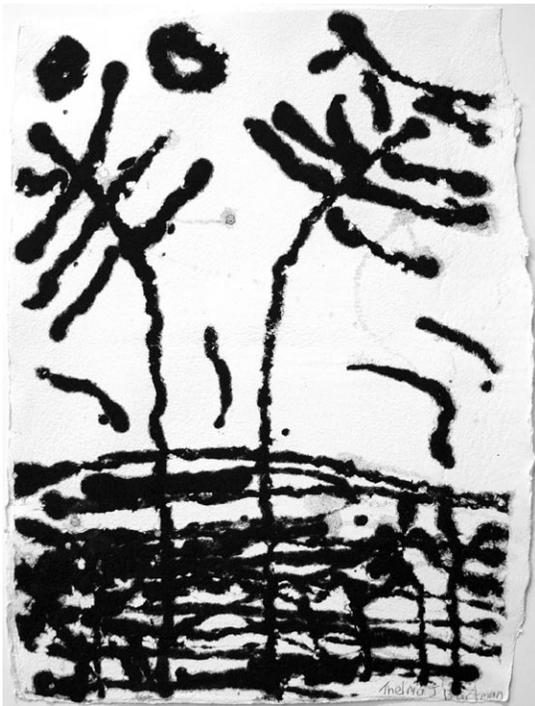
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For further information on the campaign or on the cultural heritage of this region, please email: <palyku.rockart@yahoo.com.au>.

- 1 Stephanie Kennedy, 'Dancers Take Dreamtime to Stonehenge', *ABC News Online*, 10 June 2006; <<http://www.abc.net.au/news/newsitems/200606/s1660189.htm>> at 20 July 2006.
- 2 Interview with David Milroy (telephone interview, 22 July 2006).
- 3 Australian Mining Industry Council logo from 1994. In 1995 the Australian Mining Industry Council became the Minerals Council of Australia.
- 4 Marcus Priest, 'Brand New Day?', *Australian Financial Review Magazine* (Melbourne), August 2006, 40-45.
- 5 Sections 21 and 25 *Aboriginal Heritage Act 1972* (WA).
- 6 Interview with David Milroy (telephone interview, 22 July 2006).
- 7 Western Australia, *Parliamentary Debates*, Legislative Assembly – Estimates Committee, 25 May 2006, E511-E519 (Sheila McHale MLA, Minister for Indigenous Affairs).
- 8 Leigh Dayton, 'Archaeologists Push to Protect Rock Art', *The Australian* (Sydney), 3 May 2006; 'Burrup Aboriginal Art Protected', AAP, 11 July 2006; 'Burrup Hilltops Being Bulldozed: Brown', AAP, 15 July 2006.
- 9 Leigh Dayton, 'Archaeologists Push to Protect Rock Art', *The Australian* (Sydney), 3 May 2006.
- 10 Sheila McHale MLA, 'Protection of Rock Art Paramount in Decision' (Press Release, 13 July 2006).
- 11 Protected area status is dealt with under section 19 of the *Aboriginal Heritage Act 1972* (WA).
- 12 See <<http://www.dia.wa.gov.au/heritage/ACMC/>> and section 28 *Aboriginal Heritage Act 1972* (WA).
- 13 Submission to the Aboriginal Cultural Materials Committee by the Palyku Native Title Working Party, (May 2006).
- 14 Interview with David Milroy (telephone interview, 22 July 2006).

Trees in Black and White
Thelma Bartman

Cotton rage pulp, 420 x 600mm



NEWS & REVIEWS

PROTECTING CULTURAL HERITAGE

Western Australia's Environment Minister has announced a plan which allows for joint management of a 'Burrup Peninsula Conservation Reserve' by the State Government and an Aboriginal body corporate. Environment Minister Mark McGowan says that the plan will protect the area's ancient rock art and 'protect [the land's] cultural and environmental values, and also... tourism development.' A draft management plan has been prepared by the traditional owners and has been released for a two-month public comment period. The plan can be viewed at <<http://www.naturebase.net/haveyoursay>> or at various public libraries. Written submissions should go to:
Management Planning Coordinator
Burrup Peninsula Conservation Reserve Planning Advisory Committee
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983
e: <planning@dec.wa.gov.au>
Submissions must be in by 15 September 2006

NAIDOC WINNERS

Congratulations to all of this year's winners in the National NAIDOC Awards, held this year in Cairns, Queensland:

LIFETIME ACHIEVEMENT AWARD:

Elizabeth Morgan Hoffman (Victoria)

ELDER OF THE YEAR (FEMALE):

Judy Tatow (Queensland)

ELDER OF THE YEAR (MALE):

Vince Ross (Victoria)

PERSON OF THE YEAR:

Stephen Hagan (Queensland)

YOUTH OF THE YEAR:

Jo-Anne D'Cress (Western Australia)

SCHOLAR OF THE YEAR:

Dr Chris Sarra (Queensland)

APPRENTICE OF THE YEAR:

Daniel Rogers (South Australia)

SPORTSPERSON OF THE YEAR:

Patrick Mills (Australian Capital Territory)

ARTIST OF THE YEAR:

Warren H Williams (Northern Territory)