



AMRA Newsletter

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Dampier update — May 2006

The largest, longest and most bitterly fought confrontation between state vandals destroying rock art and the people defending it has made good progress during the last year. As reported previously (*RAR* 22: 111), the free public exhibition *Visions of the Past: the world's most endangered rock art* was premiered in the Walkington Theatre of Karratha, near Dampier, on 28 April 2005, and was then open to the public until 5 May. About 8 % of the population of Karratha went to see it. It was subsequently shown in Port Hedland, further along the coast, where it was held in the Civic Centre from 9 to 12 May 2005.

During the same month, May, we discovered that the Heritage Council of Western Australia, the state government's relevant agency, has always adhered to the policy that its responsibilities specifically excluded indigenous heritage. After I queried this practice it asked the State Solicitor for a ruling. Essentially, it only concerned itself with British heritage, such as buildings and monuments, neglecting non-British elements (e.g. Macassan or early Dutch or heritage, unless valuable shipwrecks were involved) and completely ignoring Aboriginal ones. This means effectively that the Heritage Council has until now managed only non-indigenous or alien heritage, and primarily that from a specific ethnic origin (British); a century after Federation it still operated as an anachronistic tool of a colonial state, a relic of the 19th century. Western Australia may well be the only state in the world that applies a system of cultural apartheid in this time and age.

On account of the continuing destruction of rock art at Dampier, the World Monuments Fund announced on 23 June 2005 that it would keep the monument for another two years, 2006 and 2007, on its list of the world's most threatened monuments. As a result of the Dampier rock art exhibition having been shown in Karratha, a group of local residents under the leadership of Gary Slee, Chairman of the Karratha and District Chamber of Commerce and Industry, formed a local action group in July and August. Called COBRA (Champions of Burrup Rock Art), this advocacy group is strongly opposed to the destruction of

Dampier rock art and stone arrangements.

In September I travelled to France to present the case of the destruction of this major monument to Unesco, and to help draft new recommendations for the universal protection of rock art. At this stage the struggle to save the Dampier rock art began taking on a new dimension, as it became a beacon in the campaign to improve the preservation of rock art worldwide, and a catalyst in the reassessment of the responsibilities of states concerning such heritage.

A month later, on 4 October 2005, the Dampier exhibition came to Melbourne, where it was opened by Professor Elery Hamilton-Smith and shown until 12 October. The campaign of public awareness continued to gain momentum, not only through the exhibition, but also through various other measures, including the burgeoning web-site.

Meanwhile, back at Dampier, Woodside Petroleum, the operators of the natural gas liquefying plant, began its bid to secure a site for its proposed new Pluto plant. The company preferred two sites on Murujuga (Burrup), but it decided to gauge opposition to this plan by first calling a public meeting in Karratha and making media announcements that it was considering four alternatives. However, at the same time it also made applications to the Environmental Protection Authority (EPA) to clear designated land at Dampier. I discovered this only at the beginning of December, and on 4 December lodged an appeal against the application. On the following day, we placed a half-page advertisement in the major Perth newspaper, *The West Australian*. In it, a large number of organisations and individual scholars, whose support I had hastily secured, appealed directly to Woodside not to place their Pluto plant at Dampier without a full environmental impact study (see acknowledgments below). We then learned that Woodside had also lodged referral and scoping documents with the EPA, which are essentially applications to establish the level of assessment required. My appeal to reject the fast-tracking of environmental approvals was lodged on 15 December, and several other but similar appeals were submitted

about the same time. Eight days later, having become aware of the possibility of securing the support of the federal Department of the Environment and Heritage to place a High Court injunction on further damage to the Dampier Cultural Precinct, I made application to the Department for this purpose. As the year drew to a close, Woodside was being actively encouraged to opt for its alternative Onslow site.

On 16 January 2006 the Premier of Western Australia, Dr Geoff Gallop MLA, threw in the towel and announced that he would resign immediately. The following day, his Minister for the Environment, Judy Edwards, followed his example, citing as he also did personal reasons to quit her job immediately. Both of them are leaving behind a quagmire, including potential compensation claims amounting to hundreds of millions of dollars, and an environment portfolio that lost much credibility.

Three years after Dr Gallop's promises of an \$8 billion bonanza in petrochemical plants to be established at Dampier ('a natural gas-based Goldrush', no less), almost all of the dozen or more industry proponents he was wooing initially have left the negotiation table, in some cases after securing generous financial incentives from the government. Only one, Burrup Fertilisers, has actually built a plant, but it cannot export now, because there are no suitable port facilities. Moreover, this plant has been erected on land that is prone to occasional surge tides. The construction of the east-west service corridor, which as I reported has involved the destruction of many rock art sites and the relocation of 159 decorated boulders (*RAR* 21: 207), is of little use now, and the entire plan of the government is beginning to unravel. If we can convince Woodside to take the Pluto plant to Onslow, the government's Dampier plans are practically scuttled, and there may not be any new development at Dampier at all. It would follow the recent decision of another major player, BHP Billiton, to place its \$5 billion natural gas plant at Onslow, a decision rewarded by the government with a blunt threat to that company.

But there is more yet to come. There is an endless list of problems at Dampier, ranging from the endangered marine environment (the lowering of seawater pH threatens the continued existence of the valuable coral reefs, which are as extensive and stunning as the Barrier Reef) to increasing trade union action, from the massive and growing acidic (nitric oxides) and carcinogenic (e.g. benzene) emissions to the anti-foulant paint on the Chinese ships calling at Dampier (banned in Australian ports).

Three days after the sudden and totally unexpected resignation of Dr Gallop and his environment minister, on 19

January 2006, Plentex announced its withdrawal from the Dampier project. Plentex is a company that had planned to build an ammonia plant with international explosives giant Dyno Nobel. The following month, the ruling party of Western Australia replaced Dr Geoff Gallop with Alan Carpenter MLA as Premier.

On 9 March 2006 Colin Barnett MLA, Member for Cottesloe and the former Opposition Leader, addressed parliament most passionately in favour of preserving the Dampier rock art. He, a former Minister of the previous government, had recently gone to Dampier to see for himself what all the fuss was about, and realised immediately that we had been right all along in demanding the protection of the monument.

Another admission of this had come only a few weeks earlier, in the form of a letter from the previous Minister for State Development to the Minister for Heritage, included in a draft agenda for the Heritage Council. For four years, the government had strenuously rejected my estimate that between 20 % and 25 % of the rock art on Murujuga ('Burrup Peninsula') had been destroyed by 2002. It now admitted that about 900 of an estimated 3690 initial rock art sites had been destroyed, or 24.4%. These figures agree completely with my estimate.

Having worked on a book telling the entire story of the Dampier rock art, of the end its creators met at the hand of the colonial police in 1868, of the rock art's rediscovery, and especially of the long campaign to save it, I have just published *Australian Apocalypse*, a damning account of some of the people that have been governing Western Australia since British settlement (see announcement on p. 84 of the current issue of *RAR*). The publication of this book, the first publicly available record of the Dampier rock art, represents a major milestone in the campaign to save the Dampier Cultural Precinct. The book was published last month under AURA's imprint and is now available to members at a 50 % discount (see below).

Acknowledgments

The cost of the advertisement we have placed in the *West Australian* on 5 December 2005 was met from a number of donations from various sources, including AURA and several individual AURA members. I wish to thank the latter especially, for stepping forward and supporting this extremely worthy cause. The AURA members who made individual donations were Steve Cameron, Dr Noelene Cole, Julie Drew, Professor Claire Smith and Dr June Ross.

Robert G. Bednarik

Australian Apocalypse: the story of Australia's greatest cultural monument

OCCASIONAL AURA PUBLICATION No. 14

First published in Melbourne, April 2006

All money recouped from the sale of this volume is directed into the Rock Art Protection Fund of the International Federation of Rock Art Organisations, which meets the cost of the campaign to save the rock art of Dampier Archipelago.

Please support the campaign to save the Dampier rock art by purchasing this volume or by donating directly to the Rock Art Protection Fund. No-one else will save it!



Tasmanian rock art vandalism

AURA founding member Peter C. Sims OAM has alerted us to the most recent episode in the ongoing rock art vandalism on the west coast of Tasmania. One of the State's finest rock art sites, Greenes Creek on the beautiful Tarkine coast, has been severely vandalised, apparently in early January 2006. Within days of the incident, on 12 January, Sims produced a detailed report for the relevant state minister, entitled *Anarchy on the Tarkine coast: a report on the damage to the Aboriginal and natural values of the Arthur Pieman Conservation Area*. The vandalism was briefly reported in the media (Anon. 2006, and ABC radio news 11 January), and has since received extensive coverage in Tasmania.

Sims has illustrated that this most recent damage is only the latest development in a long list of previous occurrences, and that these seem to be the result of persistent opposition by a section of the local population in north-western Tasmania to efforts to preserve the natural environment, and of racially inspired opposition to values of Indigenous culture. Vandalism of Tasmanian rock art has been observed and chronicled since 1960, and has included the painting of swastikas over petroglyphs, and the destruction of protective signs because they bore the word 'Aboriginal'.

Sims, the foremost rock art specialist of Tasmania (Sims 1977), has warned about this issue literally for decades, but so far there has been no constructive response from the responsible government agencies. As a result of the latest incident, he has enlisted the help of the local media and has requested the support of IFRAO. In response, I have travelled to Tasmania in March 2006 to examine the damage and the circumstances of its occurrence. There appears to be a connection between endemic rock art vandalism along the west coast north of Pieman River and a general disregard for the status of the Arthur Pieman Conservation area. Local people ignore the rules governing cattle grazing, camping and use of off-road vehicles consistently, they are strongly opposed to the demands of environmentalists and Aboriginal people to close access to these activities, feral plant species are not controlled, and the park ranger is essentially ineffective. This state of affairs appears to be connected to the stand-off between the conservationist lobby and the religious fundamentalism (Brethrens and other sects) of the local population of Circular Head, the far north-west of Tasmania. It is against this background that the repeated destruction of rock art sites, especially at Greenes Creek and Sundown Point, needs to be seen. The only rock art motifs that have escaped this vandalism at the former site are those that are too hard to recognise by the inexperienced eye, therefore all prominent motifs have now been severely disfigured at Greenes Creek.

I have written to the Premier of Tasmania on behalf of IFRAO and made copies of this letter available to the media after receiving an evasive response. IFRAO will take additional action to prevent further vandalism. One measure already established is that no new rock art discoveries



Circle petroglyph at Greenes Creek, Tasmania, internal cross added with steel chisel in early January 2006.

in Tasmania are to be reported to the government authorities, and I request that members of AURA abide by this decision which has the full support of the Aboriginal custodians. There is a clearly established case that the state government and its relevant agencies lack the capability, political will and competence to protect Tasmania's indigenous cultural heritage. As I have pointed out to the Premier, there are agencies in Australia that have the demonstrated competence of protecting rock art sites effectively, such as the National Parks and Wildlife Service, and if the state government's facilities cannot deal with this endemic problem satisfactorily, the help of such an entity must be sought. Meanwhile, protective legislation must be upgraded to match best practice on the mainland, with severe fines, effective site signage and substantial rewards for information leading to a conviction.

Campaign leader Peter Sims presents his report on the Tasmanian west coast vandalism in the May 2006 issue of *Rock Art Research*.

Robert G. Bednarik

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Theft of petroglyphs in Nevada

In September 2003, three petroglyph-bearing boulders were stolen from a rock art site on USDA Forest Service land west of Reno, Nevada, at Peavine Mountain. The chairman of the local Washoe tribe, Brian Wallace, made this statement in the *Reno Gazette-Journal* on 16 September 2003:

These messages [the petroglyphs] are the essential elements and evidence of our existence and we view their theft as a reflection of the ultimate contempt for creation, this land and its sacred heritage. It is an unutterable crime against the eternal and unseen.

In response to the theft, the Washoe tribe, the Reno-Sparks Indian Colony, the Forest Service and the Nevada Rock Art Foundation (a member of IFRAO) together offered a reward for information leading to the arrest of the perpetrators. Two men, John Ligon and Carrol Mizell, were eventually apprehended and charged. They were found guilty of theft of government property, but to also prosecute them under the Archaeological Resources Protection Act the jury had to be convinced that the petroglyphs were over 100 years old and their value exceeded \$500. The defence then hired Dr Ron Dorn and Dr David Whitley, introducing them as 'world-renowned' dating experts (Associated Press, 1 June 2004), after they were first approached by the prosecution. The brief of the defence attorneys is not to prove innocence, but to introduce sufficient doubts in the minds of the jury. The two defence expert witnesses succeeded in this and the rock art vandals were acquitted of the second charge.

Jack Sprague, the Chairperson of the ARARA Conservation and Preservation Committee, then offered Ron Dorn the opportunity to explain why he acted on behalf of the defence of the two thieves. His detailed explanation (Dorn 2005) is most interesting to read, particularly in view of the factual errors it contains. For instance, Dorn claims that he does 'not accept remuneration'. This is a claim that I could make truthfully, but he cannot. Dorn gives two reasons why he acted for the defence: the prosecution did not attempt to 'meet its burden of proof'; and what he perceived as 'irresponsible federal inaction'. His justification for his controversial action is followed by a response by

one of the supporters of the actions against the rock art vandals, IFRAO Representative Dr Alanah Woody (2005). Despite the efforts by Dorn and Whitley, the District Court jury in Reno convicted John Ligon, Reno, and Carroll Mizell, Van Nuys, California, of the first charge, theft of government property.

The most recent instalment in this unfortunate chain of events is summarised in a report of 21 March 2006 (on KRNVTV Reno), according to which the Ninth Circuit Court of Appeals in San Francisco ruled that it had not been demonstrated that the petroglyphs on the three boulders had any significant commercial value. A three-judge panel rejected the claim by the federal prosecutors that the petroglyphs were up to \$8000 worth, and therefore a conviction was not warranted. They ruled that archaeological value 'is different than market or commercial value'.

The theft or destruction of rock art may be an 'unutterable crime against the eternal and unseen', but unfortunately the eternal and unseen have no market value. The discipline is much obliged to Drs Dorn and Whitley, for helping us to clarify the finer legal points as they pertain to the protection of rock art. I do, however, reject the claim of the defence attorneys that Dorn and Whitley are world-renowned rock art dating experts. The numerous dating results they have published between 1983 and 1996 were based on what Dorn conceded were 'critical mistakes' which had 'blinded' him, and he has withdrawn all these results (Dorn 1996a, 1996b, 1997). Having published countless rock art datings that are either false or have been withdrawn does not define a 'rock art dating expert'.

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Please visit the Save the Dampier Rock Art site at
<http://mc2.vicnet.net.au/home/dampier/web/index.html>
 and sign the Dampier Petition. Thank you!

AURA Newsletter

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