

## **The Rights of Rock Art Using and Abusing Ancient 'Images' in a Modern World?**

**Sally K. May**, Flinders University, South Australia  
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Rock art is many things – artefact, sacred object, ancestral being, gateway to other worlds – and commodity exploited by advertisers, authors, film-makers, tourists and looters. Indeed, archaeologists and heritage workers also use rock art as a commodity. After all, we make at least some of our salary through using rock art imagery in articles, displays, films, lectures. This is not necessarily a bad thing because some uses of rock art do a lot of good for their makers and their descendants. Indigenous, originator and custodial communities now have to deal with intellectual property rights relating to the representation and control of artefacts in their care, to manage the constant stream of outside claims made on their rock art. Many communities use 'Western' legal systems to protect their art – as the Canadian Snuneymuxw First Nation did by trademarking 10 of their images most abused because are "*considered the official marks of the Snuneymuxw First Nation, in the same way the Canadian flag is considered an official symbol of Canada*". But can rock art bring 'Western' and 'Indigenous' forms of law and co-operation into conversation, enabling mutual reform? Central to such a conversation would be to downplay human agency and pay more attention to rock art as a living tradition and even being that itself can reasonably expect certain rights and courtesies. *The Rights of Rock Art* session seeks to review failed and successful case studies relating to the use and abuse of rock art and to provide a forum for sharing ways to prevent or reduce abuse and to promote negotiated use while respecting originator-community wishes to have no outside use of certain images and places.

## SESSION STRUCTURE

### **Appropriation and Reclamation in the Reuse of Southern Maori Rock Art**

Gerard O'Regan, Ngai Tahu Tribe, New Zealand

### **Rock Art for the Rainbow Nation?**

#### **Forging new identities in post-Apartheid southern Africa**

Sven Ouzman, University of Pretoria, South Africa

### **To See or not to See? The deleterious effects of permitting tourism at an Aboriginal site in a fragile environment**

Esmee Webb, Edith Cowan University, Western Australia

A.M. Rossi, Edith Cowan University, Western Australia

### **The Appropriation of Indigenous Images**

#### **A review of Ian Wilson's *Lost World of the Kimberley***

Claire Smith, Flinders University, South Australia

### **Whose site, whose interpretation? Understanding and managing the Gummingurru Aboriginal stone arrangement site, Darling Downs, Queensland, Australia**

Annie Ross, University of Queensland, Queensland, Australia

### **Keeping Culture Strong: Archaeology and Oral Tradition Working Together**

Bruno David, Monash University, Victoria, Australia

Louise Manas, Mualgal Corporation, Torres Strait Islands

## SESSION STRUCTURE

### **Appropriation and Reclamation in the Reuse of Southern Maori Rock Art**

**Gerard O'Regan**, Ngai Tahu Tribe, New Zealand

Some traditional Maori art forms such as meeting house carving survived Western colonisation. Others have gone through more recent renaissances, such as the *ta-moko* (tattooing) that has spread to pop culture well beyond New Zealand's shores. The creation of carvings and paintings in the landscape did not survive as a living tradition among South Island Maori and, to date, the rock art remains standing as treasures of old. Yet the motifs have jumped beyond the sites into a host of re-uses both within and beyond Maori society. This presentation will track the re-use of selected Ngai Tahu rock art motifs, probing the increasingly indistinct boundary between 'misappropriation' of motifs by others and 're-appropriation' by the tribe. It will explore a blurring of intellectual and cultural property issues that increasingly forces tribal notions of culturally appropriate re-use from 'what is being done' to 'who is doing it'.

### **Rock Art for the Rainbow Nation? Forging new identities in post-Apartheid southern Africa**

**Sven Ouzman**, University of Pretoria, South Africa

Archaeology is best understood as a powerful, if partial, set of observation techniques that focus on artefacts, sites, landscapes, ethnographies and so forth. But Archaeology's failure to engage with especially Indigenous communities may be in large part due to the insistence on using words to describe 'things', like rock art. More complexly, these 'things' or 'artefacts' are not lifeless pieces of 'evidence' – they have life histories and are integral to human identity. This understanding may bring archaeological interpretations closer to many Indigenous notions of certain objects, landscapes and so on being alive and in conversation with humans. Southern Africa provides a rich archaeology that plays an active role in everyday life. For example, the 'Cradle of Humankind' hominid sites at Sterkfontein connect with a shared human desire to understand their points of origin and subsequent trajectories from those points. Rock art is especially visible and appears at the centre of South Africa's coat of arms as well as being used and abused in the heritage industry. Indigenous communities like the San have

taken steps like establishing a media and research contract to prevent academic and commercial exploitation of certain aspects of their history and modern life. Pushed a little further, this initiative may make people understand that what we call 'objects' also have rights and expectations and they form a partnership with people in creating a less anthropo-centric world.

### **To See or not to See? The deleterious effects of permitting tourism at an Aboriginal site in a fragile environment**

**Esmee Webb**, Edith Cowan University, Western Australia

**A.M. Rossi**, Edith Cowan University, Western Australia

Mulka's Cave, near Hyden, is a comparatively 'ordinary' Aboriginal rock art site on the eastern edge of the Wheatbelt in southwestern Australia. Due to its proximity to Wave Rock, a heavily-promoted natural granite weathering feature, Mulka's Cave is visited by about 80,000 tourists a year. Analysis of old photographs and survey data shows that about one metre of the archaeological deposits within the cave has disappeared in the last 50 years, prompting us to question whether large numbers of tourists should be allowed unfettered access to Aboriginal sites in fragile environments. This study developed out of management work recently undertaken at the cave with the whole-hearted support of the Aboriginal people with links to the surrounding country, to reduce tourist impact and, it is hoped, arrest degradation of the site.

### **The Appropriation of Indigenous Images A review of Ian Wilson's *Lost World of the Kimberley***

**Claire Smith**, Flinders University, South Australia

Ian Wilson's *Lost World Of The Kimberley: Extraordinary Glimpses Of Australia's Ice Age Ancestors* is an example of how Indigenous images are appropriated in search of a 'good story' with little consideration of that story's impact on the Indigenous community. Wilson revives the notion that Australia may have been inhabited by a pre-Aboriginal 'mystery race'. He interprets the Gwion Gwion figures, an ancient Kimberley rock art tradition, as material evidence of this mystery race. Wilson's book provides no independent evidence, other than his own interpretations of the paintings, to support the notion of a mystery race. Wilson's work also raises a number of other ethical problems regarding the use of Indigenous images. This presentation discusses these problems in the light of wider trends in Australian society and in scholarly publishing. So, who is to blame for this book? While Wilson wrote

the words, he operates in a world of inter-connections and relationships. I argue that previous researchers in the Kimberley should carry some of this responsibility. In particular, the influence of Graham Walsh, including his (1994) book *Bradshaws: ancient rock paintings of north-west Australia*, is evident. Furthermore, the publisher has to accept some culpability. I discuss how the book has been presented not only to attract an audience but also to attribute authority to the author. Finally, I suggest that we all share a responsibility to address the inaccuracies contained in publications such as this, especially when they are likely to (mis)inform public perceptions of Australia's past.

### **Whose site, whose interpretation? Understanding and managing the Gummingurru Aboriginal stone arrangement site, Darling Downs, Queensland, Australia**

**Anne Ross**, University of Queensland, Queensland, Australia

Aboriginal stone arrangements occur throughout Australia and are generally known to be of ritual importance to Aboriginal peoples. In the late 19th century Gummingurru, a large stone arrangement on the Darling Downs, southeastern Queensland, was part of a highly significant men's initiation site on one of the main routes between the coast and the Bunya Mountains but by the early 20th century most of the traditional custodians of the site had been removed to Cherbourg. In the last five years, traditional custodians have returned to the site and have given the place and its cultural landscape a new meaning. As part of their re-interpretation of the site, traditional custodians are finding new patterns in the stone arrangements. In this paper I examine the archaeological and cultural heritage implications of this re-formation of the past and argue that intellectual property issues are central to understanding and accepting such interpretations of the past.

### **Film: Keeping Culture Strong: Archaeology and Oral Tradition Working Together**

**Bruno David**, Monash University, Victoria, Australia

**Louise Manas**, Mualgal Corporation, Torres Strait Islands

The film is a collaborative project, and produced, by the Mualgal (Torres Strait Islanders) Corporation and the Programme for Australian Indigenous Archaeology at Monash University. The film documents archaeological work requested by the Kubin community on Mua island in Torres Strait, and ensuing community celebrations. It concerns the discovery of a faded painting, revealed through digital enhancement, of a character in an important oral tradition.

This discovery was an opportunity for the Mualgal, the Indigenous people of Mua island, to celebrate culture, identity and the passing of cultural information to the younger generations. It documents how cultural heritage places remain important dimensions of community identity; Indigenous rights to cultural places is not just a legal matter, but an ongoing question of identity and of social relationships.

**Discussion: Dr. Bruno David and Louise Manas**