

**POTTER
INTER-
DISCIPLINARY
FORUM**

Water



**POTTER
INTER-
DISCIPLINARY
FORUM**

Water

Water

Published by the Ian Potter Museum of Art following the event Water: Interdisciplinary Public Forum, held at the Potter and the Old Quad on 24–25 May 2019. The forum was developed and presented in collaboration with the Centre of Visual Art, University of Melbourne: <https://art-museum.unimelb.edu.au/events/water-interdisciplinary-public-forum>.

Text © the authors and the Ian Potter Museum of Art,
University of Melbourne, 2020

Images © the artists and photographers, unless otherwise stated

This publication is copyright. Apart from fair dealing for the purposes of research, criticism or review as permitted under the *Copyright Act 1968*, no part may be reproduced, stored in a retrieval system or transmitted by any means without the prior permission of the publisher. The views expressed in this publication are those of the authors and do not necessarily reflect those of the publisher.

ISBN 978 0 7340 5613 9

Edited by Dr Kyla McFarlane, Senior Academic Programs Curator,
Museums & Collections
Design by 5678 Design
Printed by Bambra Press
Copyediting by Hilary Ericksen, Phraseology

Ian Potter Museum of Art
University of Melbourne
Victoria 3010, Australia
potter-info@unimelb.edu.au
www.art-museum.unimelb.edu.au

Patrons

Lady Potter AC
Christine Simpson Stokes



POTTER
MUSEUM
OF ART

CULTURAL COMMONS

The Ian Potter Museum of Art is part of the University of Melbourne's Museums and Collections.



A catalogue record for this book is available from the National Library of Australia

The Potter acknowledges the Traditional Owners of the land on which the museum stands, the Wurundjeri and Boon Wurrung peoples, and pays its respects to their Elders, past and present.

Inside front and back cover images:

Hoda Afshar (Iran/Australia, b. 1983), *Remain* 2018 (detail from still), single-channel digital video, colour, sound, 24 mins. Courtesy and © the artist

Contents

- 5 Introduction
- 8 Epilogue: The Swan Country
Alexis Wright
- 14 Ancestral Memory
Samantha Comte
- 20 A Voice for the Birrarung? River Rights, Sovereignty
and Water Management
Erin O'Donnell
- 28 Where Was Australia Day? The Hidden River
that Founded a Nation
Olivia Barr
- 40 Sea-Level Rise and Small Island Developing States
Celia McMichael
- 48 Water
Geraldine Kirrihi Barlow
- 58 Reflections on *Remain*
Claire Loughnan
- 67 Zenadth Kes: Living Waters
John Wayne Parsons
- 73 Contributor Biographies



Olafur Eliasson (Denmark, b. 1967), *Riverbed* 2014, site-specific installation at the GOMA.
 Courtesy of the artist, neugerriemschneider, Berlin, and Tanya Bonakdar Gallery,
 New York and Los Angeles. Photograph by Natasha Harth, QAGOMA

Introduction

Bringing together visual artists, performers and researchers from various disciplines, the Ian Potter Museum of Art's interdisciplinary public forums propose art-making as a form of knowledge creation, alongside other academic fields of inquiry. Each forum in this ongoing series seeks to address a pressing theme of our time from interdisciplinary perspectives, presenting these to a broad audience.

The series is a direct outcome of the work of the Potter's Academic Champions Committee (ACC), a group of academics from various disciplines that meet regularly to discuss potential intersections between the Potter's programs and faculty teaching, research and engagement. This collaboration with our academic colleagues and the creative community reflects the opportunity afforded by the university art museum, its place in the academy, its connections to history and its relationship with living artists.

Held on 24–25 May 2019 at the Potter and the Old Quad on the university's Parkville campus, our first forum engaged with the theme of water. Its significance was explored in a range of areas, including climate change, river rights and sovereignty, customary song, water policy, the ocean as a border-crossing site and more. Experts in law, geography, chemical engineering, criminology and literature from the University of Melbourne joined visual artists, performers and curators for a robust program of talks, performance, conversation and song.

The contributions in this publication follow the order of event proceedings, which began with a reading from *The Swan Book* by Professor Alexis Wright, Boisbouvier Chair in Australian Literature at the Australian Centre, in the School of Culture and Communication. It closed the following day with 'Zenadth Kes: Living Waters,' songs performed in Meriam by John Wayne Parsons, a Yugerra/Ugaram Le high-baritone opera singer, who is also Schools and Community

Liaison Officer at the Wilin Centre for Indigenous Arts and Cultural Development, Faculty of VCA & MCM, accompanied by James Howard, a Jaadwa musician and PhD candidate at the University of Melbourne's Faculty of Fine Arts and Music.

Brought together a year after the forum, several of the texts assembled here update research findings and reflections presented on the day, while others take a different form. We extend our thanks to the many of our original forum participants, who enthusiastically contributed to this outcome. As a long-term record of the event, it is intended to capture the spirit of both its creative and research contributions and to reach new audiences.

Water: Interdisciplinary Public Forum was developed by Dr Kyla McFarlane, Senior Academic Programs Curator, Museums & Collections, in collaboration with ACC member Dr Danny Butt, Associate Director (Research), Victorian College of the Arts, Faculty of Fine Arts and Music, and Dr Suzanne Fraser, Coordinator, Centre of Visual Art (CoVA), University of Melbourne. Presented in collaboration with CoVA, the forum was a key event in the Potter's Inside Out program, aimed at shifting the audience experience by exploring the artistic opportunities that exist both inside and outside our galleries. This program was generously supported by Peter Jopling AM QC, Andy Zhang and Calvin Huang.

The full program for this public forum can be viewed at <https://art-museum.unimelb.edu.au/events/water-interdisciplinary-public-forum>.



Hoda Afshar (Iran/Australia, b. 1983), *Remain* 2018 (still), single-channel digital video, colour, sound, 24 mins. Courtesy and © the artist

Epilogue: The Swan Country

Alexis Wright

[From *The Swan Book*, Giramondo Publishing, Artarmon, NSW, 2013]

All the raspy-voice myna birds have come here, to this old swamp, where the ghost swans now dance the yellow dust song cycles of drought. Around and around the dry swamp they go with their webbed feet stomping up the earth in a cloud of dust, and all the bits and pieces of the past unravelled from parched soil.

A crew of myna birds foraging the waste toss useless trinkets this way and that. The prickly pear trees that had grown up, and all the rusted junk scattered across the bone-dry swamp, were the sort of places where only the myna birds lived.

From a safe distance, you could hear these birds swearing at the grass in throwback words of the traditional language for the country that was no longer spoken by any living human being on the Earth. While crowding the stillness the little linguists with yellow beaks sang songs about salvaging and saving things, rearranging sound in a jibber-jabbering loudness. All the old sounds were like machinery that rattled and shook while continuously being reworked into a junket of new pickings. In this mood—Well! You had to hear these soothsaying creatures creating glimpses of a new internationally dimensional language about global warming and changing climates for this land. Really listen hard to what they were saying.

One day, all that will be left of old languages will be what has been vaulted up in the brainwashed minds of myna birds. They listen to every single sound, but all that they will remember of the English language of these times, will be the most commonly used words you would have heard to try to defeat lies in this part of the world. Just short words like *Not true*.

Oblivia sat on the hull with her old Stranger swan dozing on her lap, and through the reddened haze of midday she gazed across the ravaged landscape that had once been a swamp. Trees that were long dead

creaked sometimes, but after a while, only the dust-stained First Lady of whatnot spoke to the drought.

She was not surprised when the drought echoed her words in the North country's open space. Why wouldn't it speak back to her? It was a close relative who had always lived in the same house. They echoed each other: *Listen, Hard Up! No-hearted cruel thing! Lucky for me with no words left to come into my mouth that I got back.*

Having lived in the dry country for several thousands of years, the ghostly spectre of the drought woman had seen as many generations born and die and when those beautiful swans rose up one day to the skies and disappeared, it broke the water lilies and weed-covered lagoon, pulled itself out of its resting place, and filled the atmosphere from coastline to coastline of rotted tree stumps, flat plains, or solemn river bends across the country. Then it continued in the southerly direction that the birds had flown.

In its far-flung search for the swans, the slow-moving drought left behind smouldering ashes and soil baked by the dryness, and the whole country looking as though it had been turned over with a pick and flattened with a shovel. When the swans were found, the drought turned around on its hot heels and howling winds, while fires blew smoke across the lands on fast moving currents, and came back to the swamp.

Oblivia claimed that party time was over at dustbowl, and told the drought she was jack sick of it.

You got your old job back. I am giving this last black swan back to you, and to tell you the truth of the matter, I am done with carrying it around with me. You look after this swan, she ordered. His name is Stranger. Thinks he doesn't belong in drought country. See if you can make more swans from this old pensioner.

The drought woman seared the atmosphere like ancient chastising aunties anywhere across the world from the back of beyond, and screeched: *Don't drop the swan.*

A *jamuka* whirlwind jumped in Oblivia's face from out of nowhere, swung through the door of the abandoned hull of the warship still sitting in the dry clay, and stood in front of the First Lady thing nursing that black swan on her lap. Oblivia always sensed the way old fingers work, that were now invisibly examining the swan she was holding next to her chest.

Feathers ruffle across the bird's back, on its breast, along its neck—in a manner suggesting all was not well, of things not being done good enough, of things not being taken care of properly. A pondering turbulence circled in the hull, where pots and pans were slammed, creating an impression of foul nature for as long as it went on being a din, while another sound coming up from underneath, a jarring song, was being sung with words that were vaguely familiar to her. Strange melodies abruptly begin and end, as heavier things of her old abandoned home are slammed on the floor.

A creepy voice full of dust said exactly what Oblivia already thought about the old wreckage of scraps: *There and there for one thing! Feathers properly wind damaged, frayed, singed and all that—can't walk.* The drought woman told her of all people, *You have to carry the swan.* Oblivia thought she was being put upon by some proper big dependency that was now far too much for her, and she snapped at the swan, *That was the big problem about being a survivor swan—outliving your lifespan, getting too fond of gobbling up the muck in the sewerage ponds of life, and not laying down and dying like the others!*

The old swan leader kept throwing back his head over his wing, and his long neck flowed like a snake resting over his black plumed body. His eye canvassing the landscape like a stranger trying to find the quickest way out of the place. The huge bird was never the same after losing his flock. It found being alone unbearable. It never stopped looking for the other swans. It was the kind of creature that belonged in old Banjo Paterson's poem about black swans, perpetually straining for the sound of wings beating, of *lagging mates in the rearward flying.* The old swan's red beak clicked twice, then as time passed, as it does but not for nothing, it clicked three times, or perhaps, twice again. The

swan had some strange equation going on in its head. This continuous clicking of his beak exaggerated even greater numbers of swans he anticipated would return in his ghostly rendition of what life once was.

Oblivia sensed that he was waiting for the equivalent of one thousand years of swans, an immense flock, one that was capable of overcoming all adversity, but she told him straight in the eye to give up. *They have all gone now and finished up, and none are coming back.* Talk like this grieved the swan. It swooned and dropped its neck to the ground. To see the swan like this made the girl feel sick of the virus thing talking in her head, and telling her that she and the swan were joined as companions, of being both caught up in a *mal de mer* from the yellow waves of dust spreading over the land. The old swan would have to fight to win back control, to settle the dust, and return the rain. He was old now, but the girl tells him: *If I could fly high up in the atmosphere like you instead of swilling around in dust storms, I'd make it rain.*

But how in the hell would I know? Its belligerence was unbelievable. It was not interested in saving the world. Defying everything. How would she keep telling the swan another million times that the lake was gone, having to hold its beating heart closer to prevent its wings from spreading in a swim through the dust, treading it like water, and whispering the truth: *Deader than a doornail! Drier than Mars! Don't you see that it is all bulldust out there?*

Her mind was only a lonely mansion for the stories of extinction.

They say that the gift from God kept getting out of his grave after Warren Finch was finally buried in his country, beside the river of that time long ago when he first saw a swan. The story goes, *He wanted to give his promised wife some gift. Oh! Yes! He still had power of eating the brains of politicians. That was why there were no smart politicians in the country any more. It was really true.*

It was just fate that brought him back. On the face of it, his body could have been anywhere else on the planet by now, if the semitrailer's axle hadn't broken down on a bad day in the North, and the mad driver

hadn't called it a day by dragging the heavy sassafras coffin out into the boiling heat that one last time, and telling Warren Finch, *I am going to bury you here you bastard, and be done with it, then I am going home.*

This might be the same story about some important person carrying a swan centuries ago, and it might be the same story in centuries to come when someone will carry a swan back to this ground where its story once lived. Well! Talk about acts of love. A place where white whirlwinds full of bits of dry grass and leaves blew in ashes from a tinder dry giant eucalypt, where a swan once flew in clouds of smoke from fire spreading through the bush land, with a small slither of bone in its beak.

It has been said by the few heart-broken-homes people, *mungkuji* left for that *kala* country, who come back from time to time to visit the swamp after Warren Finch had the place destroyed, and they had seen the girl wife, First Lady of whatnot, Oblivion Ethyl(ene), that she always stayed like a *wulumbarra*, teenage girl. Well! She walks around the old dry swamp pretty regularly they say, and having seen her where there is a light moving over the marshes in the middle of the night, like a will-o'-the-wisp, they thought that they had heard her screaming, *kayi, kayi kala-wurru nganyi, your country is calling out for you*, which they described was just like listening to a sigh of a moth extending out over the landscape, or a whisper from the scrub ancestor catching a little stick falling from a dead tree, although nothing that could truly be heard—just a sensation of straining to hear something, which understandably, was how anyone should whisper on this spirit-broken place, from seeing their old homes scattered to kingdom come, of being where the Army owned everything, every centimetre of their traditional land, every line of buried song, stories, feelings, the sound of their voices, and every word spoken loudly on this place now.

There is a really big story of that ghost place: a really deadly love story about a girl who has a virus lover living in some lolly pink prairie house in her brain—that made the world seem too large and jittery for her, and it stuffed up her relationships with her own people, and made her unsociable, but they say that she loved swans all the same. Poor old

swanee. You can see swans sometimes, but not around this place. It is a bit too hot and dry here. *Jungku ngamba, burrangkunu-barri. We're sitting down in the heat now.* It's really just sand-mountain country. Like desert! Maybe *Bujimala*, the Rainbow Serpent, will start bringing in those cyclones and funnelling sand mountains into the place. Swans might come back. Who knows what madness will be calling them in the end?



Ancestral Memory

Samantha Comte

The Old Quadrangle (Old Quad) is the oldest and perhaps most iconic building on the University of Melbourne's Parkville campus. Built between 1854 and 1970, its architecture and internal design reflect the founding aspirations to create a leading university. The Old Quad has a rich history, being the first site for arts and law teaching, the university library, council chambers and an early professorial residence; it also has a long history of public engagements, ceremonial events, lectures and cultural activities.

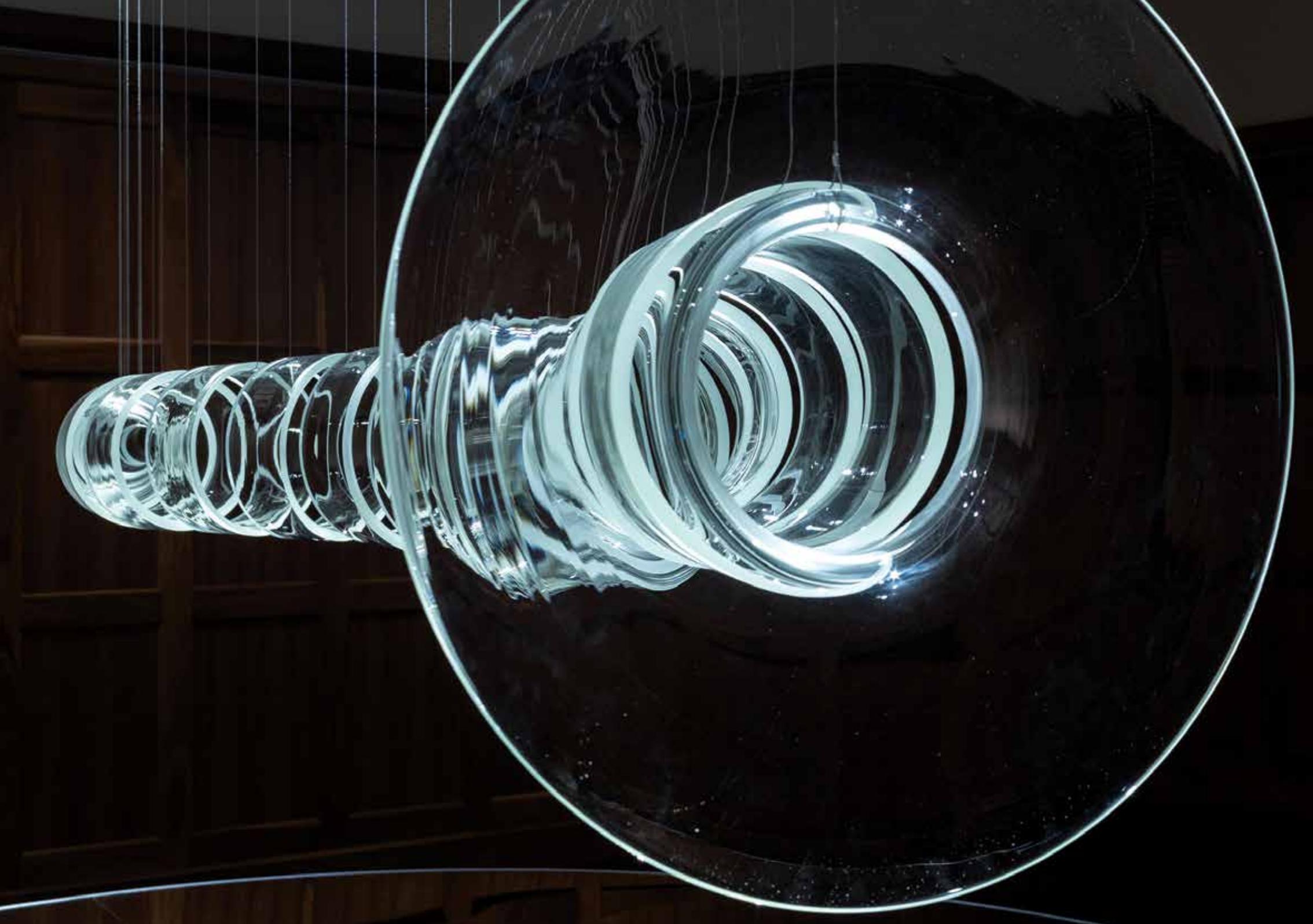
In 2018–19, the Old Quad building was refurbished, reopening in May 2019 as a restored and reinvigorated ceremonial space at the heart of the university. The ground floor Treasury space now provides a venue for exhibitions that celebrate the history of the university and its cultural collections. One of the goals of the Treasury exhibition program is to instil in visitors a sense of place that extends beyond the founding of the university in 1853, an appreciation that the people of the Kulin Nations have walked the grounds upon which the university stands for more than 60 000 years.

Ancestral Memory, the inaugural exhibition in the Treasury space, was held between May and October 2019.¹ It acknowledged the Indigenous heritage of this land and celebrated the continuation of culture through a major new commission and exhibition curated by Mutti Mutti, Wemba Wemba and Boon Wurrung woman Maree Clarke. The exhibition told the story of water on the lands of the Kulin Nations, where the University of Melbourne's Parkville campus is located.

Informed by research conducted by Indigenous architect Jefa Greenaway for the development of the university's new student precinct, this water story emerged from conversations with members of the Wurundjeri, Boon Wurrung and Wathaurong communities, as well as research into the university's collections of maps and archives.

Opposite and overleaf: Maree Clarke (Mutti Mutti / Wemba Wemba / Boon Wurrung, Australia, b. 1961), *Ancestral Memory* 2019 (details), installation views at the Old Quad.

Photographs by Christian Capurro



These varied perspectives all reveal a place deeply connected to water—a place of underwater aquifers, creeks and marshes, where people gathered and camped for generations. Despite the land being cleared and built upon for nearly 200 years, the water story continues to traverse the campus.

Today, the remnants of this story can still be seen in the majestic 300–400-year-old river red gums that grace the northern side of the campus, and the occasional sight of eels rearing their heads from campus ponds, as they navigate storm drains that were once natural waterways. The continued presence and resourcefulness of these eels were central to *Ancestral Memory*. Demonstrating extraordinary adaptation to different environments, eels swim between saltwater and fresh water, and migrate vast distances across Australia, New Zealand and South America, and back again. For Greenaway, they symbolise ‘the notion of resilience. Resilience of Indigenous people after 240 years to showcase culture, connect and maintain relationships to country.’²

In *Ancestral Memory*, the metaphor of the eel revealed a story of connection across time and place, a story of resilience and adaptation, a story that has been pushed below the surface but has never been lost. The exhibition featured a major contemporary commission by Maree Clarke—an eel trap, made from ribbons of glass, suspended above a mirrored plinth—displayed alongside a selection of her exquisite super-sized river reed necklaces and three traditional woven eel traps made by senior Gunditjmara artist Connie Hart and Gunai artists Patrick Bellamy and Edith Terrick.

The exhibition focused on regenerating cultural practices in order to encourage people’s awareness of Indigenous culture, while also reflecting on the scale of loss of cultural knowledge. Clarke has reclaimed the techniques for making river reed necklaces from a detailed study of anthropological texts and photographs held in academic institutions around the world. Connie Hart taught herself weaving from memory at the age of sixty-five, having watched Elders making eel traps when she was a child. Both artists have shared their

skills and knowledge with the next generation. This continuation of culture sat at the heart of *Ancestral Memory*, an exhibition that, through its exploration of a story embedded in the land, celebrated the fact that Aboriginal culture is living and dynamic, and has been practised from ancestral times to our contemporary era.

1. *Ancestral Memory*, Treasury at Old Quad, University of Melbourne, 6 May – 11 October 2019; curator, Maree Clark; creative consultant, Jefa Greenaway; project curators, Samantha Comte and Jacqueline Doughty.
2. ‘The Water Story: A Conversation Between Jefa Greenaway and Samantha Comte,’ *Ancestral Memory*, exhibition catalogue, Treasury at Old Quad, University of Melbourne, 2019, p. 6.

[A Voice for the Birrarung? River Rights, Sovereignty and Water Management](#)

Erin O'Donnell

The Birrarung is a river of mists and shadows—the river and its environs are a living, breathing entity that follows Wurundjeri songlines.¹

In 2017, a new chapter in relations between the state government and the Wurundjeri Woi wurrung people opened with the passage of the *Yarra River Protection (Wilip-gin Birrarung Murrn) Act*. The millennia-long relationship between the river and the Wurundjeri Woi wurrung people, the Traditional Owners of Country stretching from the hills to the east of Melbourne through to the plains of the west, has been recognised as part of the new institutional arrangements to protect the river. The new legislation achieved a number of firsts for river management, formal recognition of Traditional Owner governance, and water justice. It is the first Victorian legislation to include a Traditional Owner language (Woi wurrung language), and the first in Australia to recognise a river and its lands as a living and integrated entity, a concept grounded in Wurundjeri Woi wurrung values and law, and reflecting a broader international trend. Importantly, the passage of this legislation relied on Traditional Owner insights and support, including a speech on the floor of the Victorian Legislative Assembly—another first. Will this innovative legislation deliver water justice for the Wurundjeri Woi wurrung, as well as for the Birrarung (Yarra River) itself?

In writing this essay, I acknowledge the long leadership in water justice from Indigenous peoples, including scholars such as Jacinta Ruru,² Anne Poelina³ and Linda Te Aho,⁴ and particularly acknowledge the Wurundjeri Woi wurrung, who have consistently asserted their sovereign rights to land and water. I also acknowledge my own role as a situated knower: I am a member of the Birrarung Council, which provides me with a privileged insight into the process of giving voice to a river.

Margreet Zwarteveen and Rutgerd Boelens argue that water justice ‘includes but transcends questions of [water] distribution to include those of cultural recognition and political participation, and is intimately linked to the integrity of ecosystems.’⁵ This emphasis on cultural and political outcomes is particularly important for Indigenous peoples, who ‘are struggling for water justice across the globe.’⁶ In Australia, First Nations peoples have been systematically dispossessed of their inherent rights to land and water.⁷ Redressing this ongoing injustice must be a central commitment of land and water management.

The Birrarung Act bucks the trend of ‘legal systems sustaining water policies [that] emphasize unity and uniformity,’⁸ by creating a specific, place-based piece of legislation that centres and celebrates the diversity of the people who love the river. The Birrarung Act explicitly acknowledges the relationship between the Wurundjeri Woi wurrung and the river and its lands, and in learning from the laws and values of Traditional Owners it created new space within settler-colonial law to acknowledge the relationship between the river and all people who live along and near it. The legislation gives formal weight to the *Yarra River 50-year Community Vision*, released in 2018, which in combination with the ‘Nhanbu narrun ba ngargunin twarn Birrarung’ (Ancient Spirit and Lore of the Yarra) provide an essential statement of the aspirations and visions of the community for the river. Together, these visions provide a uniquely legitimate foundation for the forthcoming Yarra Strategic Plan, a renewable ten-year strategy to implement and achieve these visions.

Along with recognition in law as a living and integrated entity, the Birrarung has been given a ‘voice’ through the Birrarung Council, which was appointed in 2018. The council is the first bi-cultural management institution for the river and it includes three Wurundjeri Woi wurrung Elders among its eleven appointed members. It is required to advocate for the interests of the river and to advise the minister on the implementation of the Yarra Strategic Plan.



As a living entity, the Birrarung joins a growing number of rivers around the world with the status of a legal or living being, including rivers in Ecuador, Colombia, India, Bangladesh and Aotearoa New Zealand. This profound and radical shift in the legal status of rivers rests on the leadership and advocacy of Indigenous peoples and local communities.⁹ On the one hand, this change in the status of rivers can emphasise the relationship between people and the river, requiring us to work together, with the river, as partners in our collective futures. On the other hand, however, where the river entity is a *legal* person, this creates specific rights and powers in law, including the capacity to sue (and be sued) in court. In addition to giving the river the capacity to defend its own interests, these new powers can frame the river as a competitor for resources, such as the rights to use land and water, pitting the river against the interests of humans to continue extracting water or constructing infrastructure on river lands. In these circumstances, humans and the river can be locked into a struggle, and our reciprocal relationship can be obscured by the conflict. For example, Lake Erie, in the United States, received legal rights in 2019, but these rights were lost after less than a year, when farmers and other developers, fearful of being sued, challenged the constitutionality of the new legal status of the lake in court—and won. The Ganga and Yamuna Rivers in India have faced similar turnarounds; their rights have been appealed by the same state government that was appointed by the courts to act as the rivers' guardian.

So far, this particular source of conflict is unlikely to emerge for the Birrarung; the river is not a legal person and cannot go to court on its own behalf. However, as development continues in the river catchment (including Victoria's largest-ever road transport project, the North East Link), there is continued pressure on the river to give way to human developments. The Birrarung is also the source of up to 70 per cent of Melbourne's drinking water. Although the Birrarung Act is visionary, significant impacts on the river, such as major developments and water extraction, are not required to follow the Yarra River Protection Principles, leaving a significant gap in the protection of the river.

The Birrarung Act takes an important first step towards water justice, by establishing formal leadership roles for Wurundjeri Woi wurrung people in river management; requiring more substantive partnerships between the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation and the various public entities involved in Birrarung land and water management; and articulating a new strategic vision for the future of the river and all the varied communities of the river. But for this first step to become a giant leap, settler-state governments need to keep the wellbeing of river at the heart of all land and water management decisions. We all need to listen to the words of Wurundjeri Woi wurrung Elders:

The Birrarung is alive, has a heart, a spirit and is part of our Dreaming ... Since our beginning it has been known that we have an obligation to keep the Birrarung alive and healthy—for all generations to come!¹⁰

1. Wurundjeri foreword to Yarra River Community Assembly, *Yarra River 50-year Community Vision: Wilip-gin Birrarung Murrong*, Melbourne Water, Melbourne, Vic., 2018, p. 4.
2. Jacinta Ruru, 'Listening to Papatūānuku: A Call to Reform Water Law,' *Journal of the Royal Society of New Zealand*, vol. 48, 2018, pp. 215–24.
3. Anne Poelina, Katherine S Taylor and Ian Perdrisat, 'Martuwarra Fitzroy River Council: An Indigenous Cultural Approach to Collaborative Water Governance,' *Australasian Journal of Environmental Management*, vol. 26, 2019, pp. 236–54.
4. Linda Te Aho, 'Indigenous Challenges to Enhance Freshwater Governance and Management in Aotearoa New Zealand – the Waikato River Settlement,' *Journal of Water Law*, vol. 20, 2009, pp. 285–92.

5. Margreet Z Zwarteveen and Rutgerd Boelens, 'Defining, Researching and Struggling for Water Justice: Some Conceptual Building Blocks for Research and Action', *Water International*, vol. 39, 2014, p. 143.
6. Jason Robison, Barbara Cosens, Sue Jackson, Kelsey Leonard and Daniel McCool, 'Indigenous Water Justice', *Lewis & Clark Law Review*, vol. 22, no. 3, 2018, p. 842.
7. See Virginia Marshall, *Overturning Aqua Nullius: Securing Aboriginal Water Rights*, Aboriginal Studies Press, Canberra, 2017; and Lana D Hartwig, Sue Jackson and Natalie Osborne, 'Trends in Aboriginal Water Ownership in New South Wales, Australia: The Continuities Between Colonial and Neoliberal Forms of Dispossession', *Land Use Policy*, vol. 99, 2020.
8. Zwarteveen and Boelens, p. 146.
9. Erin O'Donnell, Anne Poelina, Alessandro Pelizzon and Cristy Clark, 'Stop Burying the Lede: The Essential Role of Indigenous Law(s) in Creating Rights for Nature', *Transnational Environmental Law*, vol. 9, no. 3, 2020.
10. Preamble to the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017 (Vic.)*, p. 2.



The lower Birrarung (Yarra).
Photograph by Erin O'Donnell



Algernon Talmage RA (England, 1871–1939), *The Founding of Australia 1788* 1937, original (oil) sketch. Mitchell Library, State Library of New South Wales

[Where Was Australia Day? The Hidden River that Founded a Nation](#) Olivia Barr

On 26 January 1788, a flag was planted. Algernon Talmage's 1937 oil sketch *The Founding of Australia 1788* is commonly used to illustrate this iconic moment.¹ Notice the Union Jack just raised, full regalia uniforms, gun salute by the shore, cups raised toasting King George III, trees felled, tents erected—and the complete absence of the Gadigal, the Aboriginal nation whose Country this was and still is.

Each year the anniversary of this day is mourned, celebrated, protested and debated. Reflecting on this, Stan Grant, a proud Wiradjuri and Kamilaroi man, writes:

This is me. All of it. We are all of this. It just is.

But then, it isn't. Now it feels like a battleground. It is as if this day – Australia Day – must pit my ancestors white and black in some conflict without end.²

Australia Day raises complex issues of identity, allegiance, history and, strangely, law too. This essay sketches a little-known story about a hidden river that founded a nation. This water, seen in the background of Algernon's painting, enticed the British to this precise location. This water was the practical and legal reason for planting the flag then, and there.

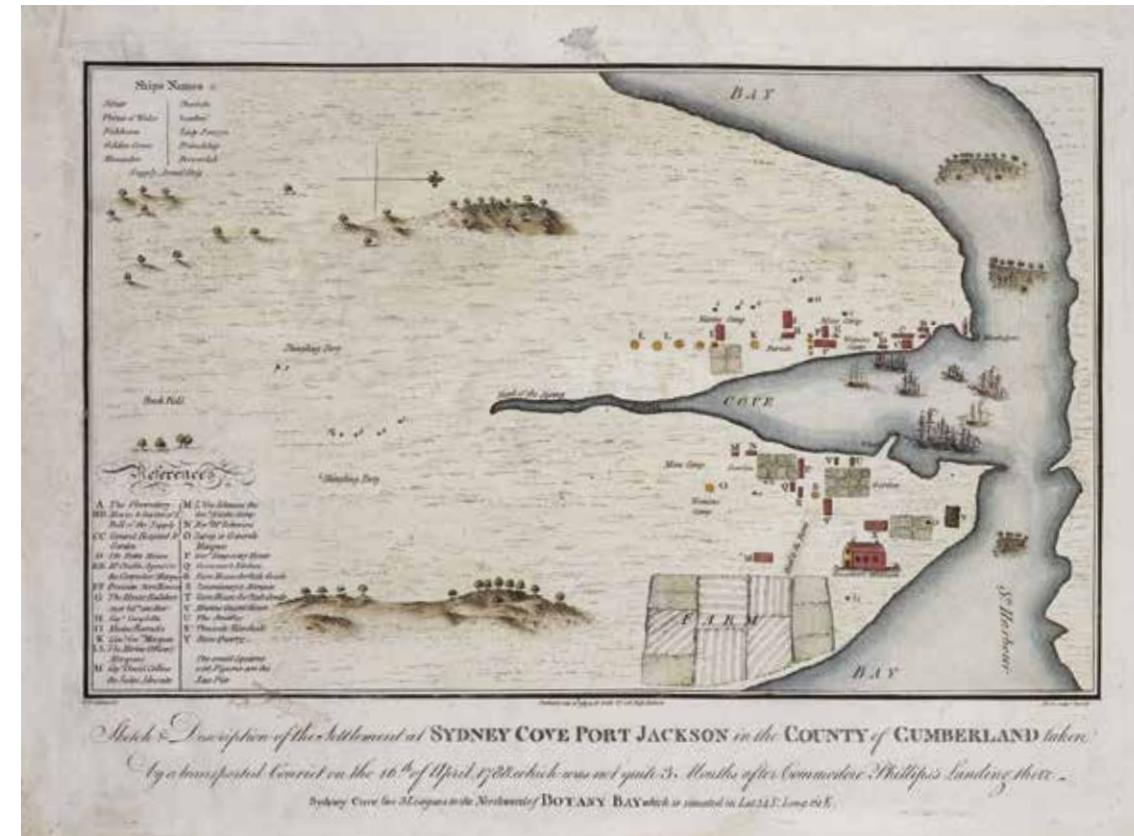
On 18 January 1788, the First Fleet started arriving on Bidjigal Country (Botany Bay), but found no freshwater. On 21 January, Captain Phillip led a search party and found 'a Run of fresh Water Runing [*sic*] down into the Center of the Cove.'³ Phillip returned, prepared the fleet to relocate, and on 26 January moved to Warrane (Sydney Cove), where he planted the flag. Why wait until then? Two reasons. Practically, freshwater keeps people alive, so first things first. Legally, the flag worked better there.

Under international law, new lands can be claimed by war (conquest), treaty (cession) or 'just found it' (*terra nullius*).⁴ Despite protests and nimble legal work in recent decades, like the famous case of *Mabo v Queensland (No. 2)*, Australia still legally insists it was 'just found'.⁵ This requires completing two steps, neither clearly satisfied. Step one demands a ceremony, such as a flag-raising, gun salute or royal toast, and its location matters. By planting a flag at a river mouth, the legal significance of the ceremony stretches upstream to the head of the river. Ironically, the British weren't aware this seasonal stream ended 2 kilometres inland. Step one was technically met, but merely signalled a legally insignificant claim to 2 kilometres of land: certainly not a continent.

Before land can be claimed under international law, the equally necessary second step requires 'effective occupation,' such as people, buildings and roads. This was not met in 1788, and may not even be satisfied in remote parts of Australia today. Misleadingly, Australia Day reifies and exaggerates the ceremony (step one), while ignoring the requirement of occupation (step two).

The slow-moving traces of occupation can be seen in artworks and maps of this watercourse. Francis Fowkes' 16 April 1788 'sketch' places the stream central to the new colony. Notice the head of the spring and buildings each side, setting up early class divisions. In March 1788, with the stream drying, Governor Phillip issued a greenbelt order protecting a 50-foot corridor of trees either side of the stream.⁶ During the 1789 drought, tanks were built to well the water, creating its current name: Tank Stream.⁷

George William Evans' 1803 watercolour titled *View of the East Side of Sydney Cove* shows the Tank Stream at low tide, estuary mud flats exposed (now Circular Quay) and the recently rebuilt stone bridge. While signs of occupation in this valley are present in the buildings, boats and roads, the near and far horizons indicate this is far from 'effective occupation' of the Colony of New South Wales, let alone Australia as a whole.



Francis Fowkes (England, act. in Australia 1788–1800), *Sketch & Description of the Settlement at Sydney Cove, Port Jackson in the County of Cumberland, New South Wales, Taken by a Transported Convict on the 16th April, 1788 Which Was Not Quite 3 Months After Commodore Phillip's Landing There*, image 19.2 × 31.3 cm, sheet 27.9 × 41.1 cm, engraved by Samuel John Neele, published by R Cribb, London, 24 July 1789. Mitchell Map Collection, Mitchell Library, State Library of New South Wales



George William Evans (England/Australia, 1806–52) (attrib.), *View of the East Side of Sydney Cove*
c. 1803, watercolour drawing, image 31 × 52 cm, framed 41.5 × 63 cm. Dixson Galleries,
State Library of New South Wales

Like the Gadigal, the British used the Tank Stream for drinking water and washing.⁸ The 1788 greenbelt order was rarely enforced, and by 1826, with pigsties on the stream's banks, it was an 'unofficial sewer.'⁹ After forty-nine years, the Tank Stream was replaced, in 1837, as Sydney's official water source by an engineering feat called Busby's Bore.¹⁰ As Frederick Garling's 1842 painting *The Tank Stream* shows, despite its corruption, the stream was still used for daily life.¹¹ Trickling towards Bridge Street's stone bridge, the slow crawl of occupation dominates the scene.

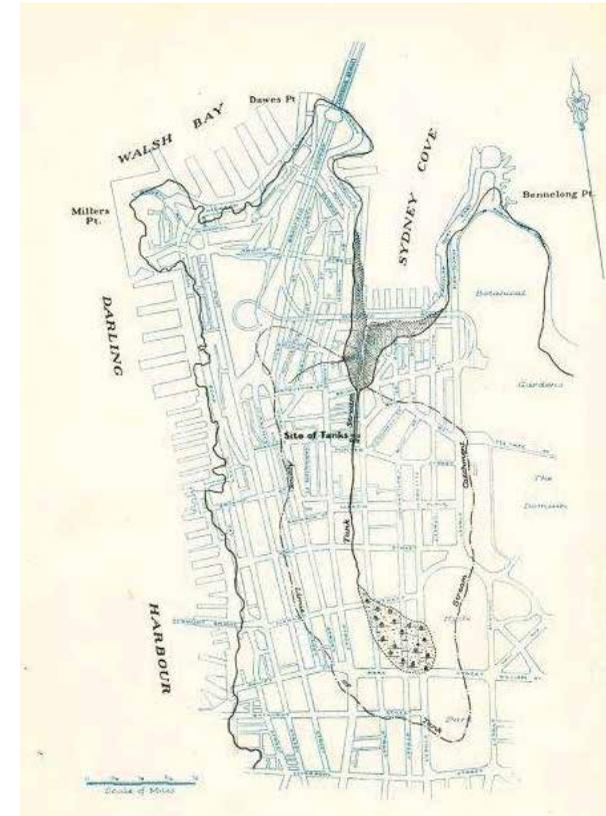
Then, the Tank Stream started to slowly disappear. In 1849, it became Sydney's main drain—a sewer by 1857. From 1852 it was slowly enclosed, beginning with the 152-metre downstream stretch from Bridge Street, where the flag was planted. By 1860, the Tank Stream was completely built over.¹²

Hidden from sight, the Tank Stream still runs invisibly beneath Sydney. This 1961 map by WV Aird shows a superimposed Tank Stream, including its catchment area, spring and estuary.¹³ Today, it still runs under George and Pitt Streets, crossing Bridge Street, before emptying into Circular Quay near the entrance to the Museum of Contemporary Art.



Frederick Garling (England/Australia, 1806–73), *The Tank Stream* 1842, watercolour and gouache with underdrawing, image 24.1 × 35.1 cm, framed 44.8 × 54.5 cm.

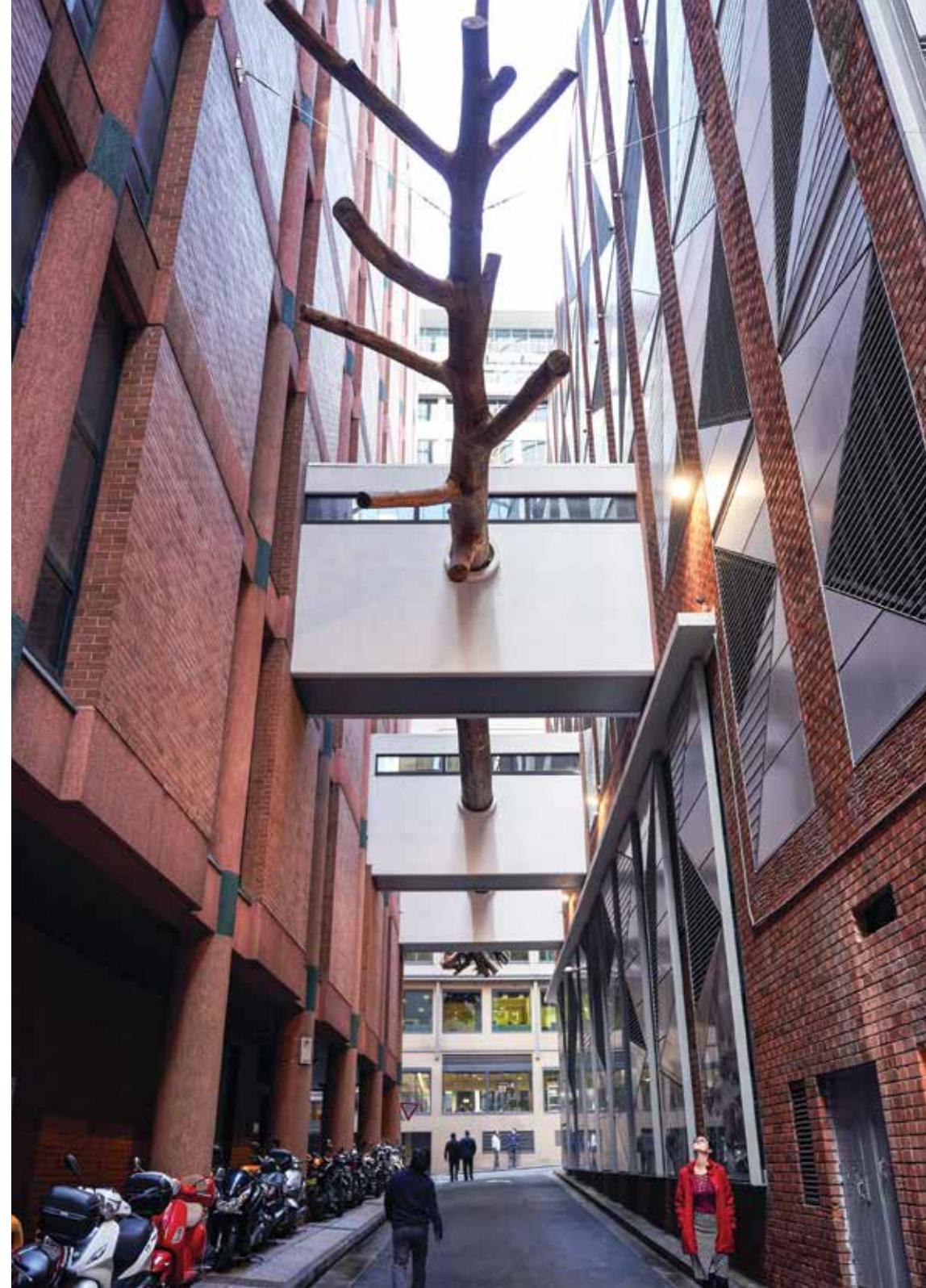
Mitchell Library, State Library of New South Wales



The Course of the Tank Stream Superimposed on the Sydney of Today, originally published in WV Aird, *The Water Supply, Sewerage, and Drainage of Sydney*, Metropolitan Water and Drainage Board, Sydney, 1961. © Sydney Water Corporation 1961 and Water NSW 1961, image courtesy of Sydney Water / Water NSW Historical Research Archive

The Tank Stream has shaped the dipping contours of Sydney's landscape, and continues to do so. Michael McIntyre's 2017 public artwork *Underwood Ark* suspends a 35-metre, 20-tonne Blackbutt eucalyptus tree in the air, floating above a laneway, the Tank Stream directly below.¹⁴ McIntyre's work dramatises the immense changes that have occurred with 'effective occupation', by reconciling the natural and urban environments in a monument to both the past and invisible present.

Below this root base, hidden underground, lies an ancient freshwater stream that was used as drinking water for at least 60 000 years. Praised by the British before being corrupted and hidden before being mostly forgotten, this modest course of freshwater, now known as the Tank Stream, lured a flag that founded a nation. We would do well to remember that this repressed stream still runs. Even out of sight, its tidal flows nurture a mosaic of historical events, questionable legality, and complex and contested national identities, played out so virulently each Australia Day. As Stan Grant wrote: 'This is me. All of it. We are all of this.'¹⁵



Michael McIntyre (Australia, b. 1969), *Underwood Ark* 2017, *Eucalyptus pilularis*, wire, concrete, 350 × 300 cm. Photograph courtesy of Roger D'Souza and UAP

1. Interestingly, this work was commissioned by Frank Albert to celebrate 150 years of European settlement of Sydney.
2. Stan Grant, *Australia Day*, HarperCollins, Sydney, 2019, p. 5.
3. Jacob Nagle was a 27-year-old common sailor and part of this search party, who, uncommonly, wrote a diary, held by the State Library of New South Wales, called 'Jacob Nagle His Book A.D. One Thousand Eight Hundred and Twenty Nine May 19th (Canton, Stark County Ohio) 1775–1802, compiled 1829'; p. 83, https://digital.sl.nsw.gov.au/delivery/DeliveryManagerServlet?embedded=true&toolbar=false&dps_pid=FL995531 (viewed September 2020). His diary was later published as Jacob Nagle, *The Nagle Journal: A Diary of the Life of Jacob Nagle, Sailor, from the Year 1775 to 1841*, Weidenfeld and Nicolson, New York, 1988.
4. This is called the 'Doctrine of Discovery': For a classic statement of this rule as relevant to 26 January 1788, see Emer de Vattel, *The Law of Nations; or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns* [1758], Joseph Chitty (trans.), S Sweet, London, 1834, pp. 206–7. For the British legal interpretation of this international doctrine, see William Blackstone, *Commentaries on the Laws of England*, Clarendon Press, Oxford, 1765–69. For a recent survey, see Robert J Miller et al. (eds), *Discovering Indigenous Lands: The Doctrine of Discovery in English Colonies*, Oxford University Press, Oxford, UK, 2010.
5. *Mabo v Queensland (No 2)* (1992) 175 CLR 1. This position was most recently reinforced in February 2020 in the High Court decision of *Love v Commonwealth; Thoms v Commonwealth* (2020) 94 ALJR 198; [2020] HCA 3.
6. The greenbelt order declared: 'The run of water that supplied the settlement was observed to be only a drain from a swamp at the head of it; to protect it, therefore, as much as possible from the sun, an order was given out, forbidding the cutting down of any trees within fifty feet of the run, than which there had not yet been a finer found in any one of the coves of the harbour', in David Collins, *An Account of the English Colony in New South Wales*, vol. 1 [1798], Libraries Board of South Australia, 1971, p. 24.

7. *ibid.*, pp. 189–90.
8. It is likely the stream, and the whole area of Warrane, is a sacred site. See, for example, Grace Karskens, *The Colony: A History of Early Sydney*, Allen & Unwin, Crows Nest, NSW, 2009, pp. 56 and 59. David Collins records Aboriginal peoples' continued use of the stream after it became known as the Tank Stream; Collins, *An Account*, vol. 1, p. 297.
9. Office of Environment & Heritage, Government of New South Wales, 'Tank Stream' (SHR listing 00636), <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045604> (viewed September 2020).
10. *Sydney Water Supply Act 1833*, 4 Wm IV. The first water supply legislation in Australia was enacted to protect Busby's Bore.
11. Compare this with John Skinner Prout, *The Tank Stream, Sydney* c. 1842, watercolour, 25.5 × 37.5 cm, Art Gallery of New South Wales.
12. See Rural Bank, 'The Tank Stream: Sydney's Historic Rivulet', [24 January 1949], *Building and Engineering: The Official Organ of the Master Builders' Federation of Australia, The Illuminating Engineering Society of Australia*, Masonite Corporation, Sydney, p. 45; Godden Mackay Pty Ltd, Tank Stream Tunnel, report prepared for Sydney City Council, 1995, p. 4.
13. 'The course of the Tank Stream superimposed on the Sydney of today', in WV Aird, *The Water Supply, Sewerage, and Drainage of Sydney*, Metropolitan Water Sewerage and Drainage Board, Sydney, 1961, insert between pp. 6–7.
14. The project was delivered by UAP in partnership with the National Art School, Mirvac and Doug Schutz from The WoodYard.
15. Grant, *Australia Day*, p. 5.



Vunidogoloa old village (by coast).
Photograph by Celia McMichael

Sea-Level Rise and Small Island Developing States

Celia McMichael

With continuing increases in greenhouse gas emissions—due to high energy demand, limited improvement and uptake of energy technologies and the absence of effective climate change policies—a global mean sea-level rise is projected of between 0.43 to 0.84 metres by 2100 (relative to 1986–2005).¹ Future sea-level rise could, however, be even higher. This will depend on emission trajectories and the rate of ice-sheet melt in Greenland and Antarctica.² Beyond biophysical processes, how does sea-level rise affect people around the world?

The human impact of global sea-level rise is often understood, in stark terms, through reference to flooding and even submergence of low-lying places and settlements. In 2019, the Intergovernmental Panel on Climate Change estimated that 680 million people are living in the low-lying coastal zone and projected this number would reach more than one billion by 2050. It is difficult, however, to be definitive about the number of people who will be displaced by sea-level-rise impacts. This is because the impacts of rising seas—for example, flooding, saltwater intrusion and coastal erosion—intersect with other social, political, economic and environmental factors that shape migration.

Sea-level rise with resulting population displacement is a topic that has generated significant debate. The categories of ‘climate refugee’ and ‘climate migrant’ are often the human face of climate change, a means of rendering climate change less a biophysical phenomenon and more a phenomenon that bears directly on human experience.³ Yet, for people living in low-lying areas, such as Small Island Developing States (SIDS), sea-level rise is not yet commonly cited as a driver of migration.⁴ Many people living in SIDS resist projections of inundation and displacement.⁵ They oppose the fatalism of the ‘exodus’ scenario, whereby people are ‘climate refugees’ in waiting.⁶

The stark reality is that the seas are rising and will continue to rise this century and beyond. With business-as-usual greenhouse gas emissions, tens of millions of people will be exposed to significant risk. Some countries, such as the Federated States of Micronesia, the Marshall Islands, the Solomon Islands, Fiji and Kiribati, are developing policy and practice responses that include migration and planned resettlement of vulnerable populations in response to sea-level rise.⁷

In Fiji, sea-level rise, flooding and coastal erosion are now high-profile threats in low-lying coastal communities. Isolating the effects of sea-level rise from other factors that shape coastal geomorphology is extremely complex. Nonetheless, residents of some low-lying villages are experiencing flooding and coastal erosion, and many are worried about the impacts of sea-level rise in coming years and decades.⁸ Residents of the low-lying village of Vunidogoloa, in Fiji, relocated to higher land in 2014 because higher tides and flooding were damaging their homes and crops, and coastal erosion was washing away village land and homes. As one man said:

Well it all started about ten years ago when we noticed the sea water coming into the village. At first we used to have spring tide that came up, but then it was almost a daily occurrence. The bread fruit trees weren't fruiting well because of the saltwater. Some of the houses were washed away.⁹

With the support of government ministries and international agencies, Vunidogoloa residents built a new village 2 kilometres inland. While people still walk to their old village to fish and swim, the new site has fish ponds, pineapple plantations and better access to roads and schools. Villagers agree that relocation uphill has allowed them to adapt to climate change and to protect their livelihoods and community



Vunidogoloa new village.
Photograph by Celia McMichael



Karoko village before sea wall.
Photograph by Celia McMichael



Karoko sea wall.
Photograph by Celia McMichael

In low-lying Karoko village, a rock revetment, or sea wall, was built in 2016, with financial and technical support from international donors. Prior to its construction the village experienced flooding and damage to houses. One man explained that his house was lost due to coastal erosion and he relocated to higher land: 'Sea level is coming higher. It goes through the houses all over ... the land was washed away from under [the house]. It happened quickly. We were living in it. We were worried. I relocated myself.'¹⁰ The rock revetment provides temporary improved protection from coastal change and impacts.

Importantly, many residents of Fiji understand the socio-political inequity of greenhouse gas production relative to climate change impacts. Some residents explain that their immediate environments, lives and futures are compromised by greenhouse gas emissions produced by higher income countries, noting 'other big countries caused the problem. And the small countries suffer.'¹¹

Migration can be an adaptive response to climate change impacts, including sea-level rise. Yet it should be a last resort. Higher income countries have financial capacity to adapt, and population displacement might be prevented or forestalled through other forms of adaptation. Indeed, some of the world's most populated coastal cities have already been managed and engineered for flood risk, including Tokyo, Shanghai and Bangkok. And yet in some SIDS, the retreat and relocation of people living in low-lying sites is seriously considered as an adaptive option. It is critical that the international community takes decisive action to cut greenhouse gas emissions and create a low-carbon world that will allow people to remain in sites of belonging.

1. Intergovernmental Panel on Climate Change, *Special Report on the Ocean and Cryosphere in a Changing Climate*, Geneva, 2019.
2. Matthew Thomas and Ting Lin, 'Illustrative Analysis of Probabilistic Sea Level Rise Hazard', *Journal of Climate*, vol. 33, 2000, pp. 1523–34.
3. Andrew Baldwin, 'Climate Change, Migration, and the Crisis of Humanism', *WIREs Climate Change*, vol. 8, no. 3 (e460), 2017, doi: 10.1002/wcc.460 (viewed October 2020).
4. Alex Arnall and Uma Kothari, 'Challenging Climate Change and Migration Discourse: Different Understandings of Timescale and Temporality in the Maldives', *Global Environmental Change*, vol. 31, 2016, pp. 199–206.
5. Baldwin; and Carol Farbotko, Elaine Stratford and Heather Lazrus, 'Climate Migrants and New Identities? The Geopolitics of Embracing or Rejecting Mobility', *Social & Cultural Geography*, vol. 17, no. 4, 2016, pp. 533–52.
6. Silja Klepp and Johannes Herbeck, 'Politicising Climate Change Adaptation: Negotiating Environmental Migration in the European Union and the Pacific', in Dimitra Manou et al. (eds), *Climate Change, Migration and Human Rights: Law and Policy Perspectives*, Routledge-Earthscan, Abingdon, 2017; and Karen McNamara and Chris Gibson, "'We Do Not Want to Leave our Land": Pacific Ambassadors at the United Nations Resist the Category of "Climate Refugees"', *Geoforum*, vol. 40, 2009, pp. 475–83.
7. Matthew Hauer et al., 'Sea-Level Rise and Human Migration', *Nature Reviews Earth and Environment*, vol. 1, 2020, pp. 28–39.
8. Celia McMichael and Manasa Katonivualiku, 'Thick Temporalities of Planned Relocation in Fiji', *Geoforum*, vol. 108, 2000, pp. 286–94.
9. Personal communication.
10. *ibid.*
11. *ibid.*



William Forsythe (United States, b. 1949), *The Fact of Matter* 2009, installation view at GOMA, polycarbonate rings, polyester belts, steel rigging. Courtesy of the artist, Gagosian Gallery, New York, and Forsythe Productions, Berlin. Photograph by Chloë Callistemon, QAGOMA

Water

Geraldine Kirrihi Barlow

We evolved in water and emerged from water. We carry the ocean within us. On a cellular level, our bodies move to the deeply remembered rhythms of this early environment. Water has sustained life over millions of years, but rising waters are now a measure of our response to the slow-burn existential challenge of global warming.

Running across the ground floor of GOMA, at the Queensland Art Gallery and Gallery of Modern Art, the summer 2019–20 exhibition *Water* drew together works by international and Australian artists to express the many ways in which this vital element connects us, our deep past and our shared future. The exhibition opened seven months after the Ian Potter Museum of Art's timely public forum on the subject.

The global disruption caused by the coronavirus pandemic and the subsequent community and government responses confirm that it is possible to find new ways to work together. Listening to expert advice, we can act, we can adapt our behaviour. Yet, we see from examples across the world that comprehending new urgencies and organising how we act in response is profoundly challenging. The pandemic also led to the early closure of the *Water* exhibition. Prior to this, against a dramatic backdrop of continuing drought and unprecedented bushfires, we were deeply moved to see how *Water* sparked conversation, debate and reflection, from its opening until the early months of 2020.

Water set out to offer affecting and relevant artworks through a sequence of five chapters: 'A rising tide,' 'Deep,' 'Pulse,' 'Cycles' and 'Held'.

Overleaf: Installation view featuring Mata Aho Collective (Aotearoa New Zealand), *Kiko Moana* 2017, polythene tarpaulin, cotton thread, 400 × 1100 cm, collection of the Museum of New Zealand Te Papa Tongarewa, Wellington; and Trevor Paglen (United States, b. 1974) *Undersea Cables* 2015, C-prints on paper mounted on aluminium. Courtesy of the artist and Metro Pictures, New York. Photograph by Natasha Harth, QAGOMA



We are born fluid. Full of creativity and potential, we are always learning new skills. 'A rising tide' featured William Forsythe's field of suspended rings, *The Fact of Matter* 2009, which asked us to lift and extend our bodies. Although the work was playful in spirit, the challenge represented was real: how will we navigate rising sea levels—as individuals and collectively? Deciding where to focus our energy, which way to go, was no easy task. We live in times of immense change. As the curator, I felt it was important in this exhibition to ask if we can learn to move together differently, with urgency, agility and care.

Other works in this opening chapter included Angela Tiatia's *Holding On* 2015, filmed at dusk in Tuvalu, where the artist offers her own body as a measure of the ever-rising tides; David Medalla's sculptural fountain of rising white foam, *Cloud Canyon No. 25* 1963/2015; the long lines of photographs in Patrick Pound's installation *Divers (left)* 2019 and *Divers (right)* 2019; and Quandamooka artist Megan Cope's layered midden of cast-concrete oyster shells, echoing the heaped mounds once found along the river and around Moreton Bay in her *RE FORMATION (Noogoon)* 2019.

The precarity of our ecosystem was emphasised by Julian Charrière's *The Blue Fossil Entropic Stories* 2013, a dramatic record of an arctic performance in which he takes a blowtorch to an iceberg, reminding us of the impact of the industrial age. Like an endangered species out of place in subtropical Brisbane, Peter Fischli and David Weiss's *Snowman* 1987/2017–19 relied on electricity—and human ingenuity—to power his life-supporting freezer. While he had very little room to move, we ourselves have more. For the moment.

'Deep' sought to offer a journey down, and back, through time. Water links us to past generations, like a layered timeline or the spiralling double-helix structure of DNA. Aotearoa New Zealand collective Mata Aho's monumental *Kiko Moana* 2017 rose up through the gallery, as if from the depths, representing the sea as vast and vivid, a rippling body of blue. The artists gave tactile form to the Māori conception of *taniwha*, spiritual entities living in water. Brisbane-based Waanyi



Vera Möller (Germany/Australia, b. 1955), *cajalía* (detail) 2019, modelling material, acrylic, approx. 200 × 250 × 350 cm. Courtesy of the artist and Philip Bacon Gallery, Brisbane.
Photograph by Chloë Callistemon, QAGOMA



artist Judy Watson acknowledged the creative power of the rainbow serpent Boodjamulla in the dappled blue, ochre and indigo hues of her painting *wanami* 2019. Trevor Paglen's *Undersea Cables* 2015–16 offered an unexpected portrait of the internet, with each photograph locating a site that had been tapped by government agencies. The long cables laid across the ocean floor are a reminder of the physicality of information networks, the pulsing relays of data connecting us, as if to create a larger, partially sentient organism.

Water pulses with life, and we seek a pulse or a heartbeat when looking for signs of life. Like a city of small beacons or a landscape of electrically linked neurons, the fluctuating glow of Vera Möller's installation *cajalía* 2019 mimicked the interconnected aerial roots of mangroves as they reach up from the river's edge. In his *Little Sunfish* 2019, Michael Candy imagined the titular submersible robot, originally designed to monitor the damaged Fukushima Daiichi nuclear reactor, escaping to travel the ocean. Tacita Dean's 16mm film *Disappearance at Sea* 1996 focused on the revolving beam of a lighthouse as dusk falls. As well as warning of danger, each pulse of light sent out over the water offers a potential point of connection.

'Cycles' observed water as it changed form, from clouds to snow, from ice to water. In this chapter of the exhibition, Tomas Saraceno's *Biospheres* 2009 modelled the interrelation of all living systems. They were a reminder of the water molecule H₂O, a single atom of oxygen attended by two hydrogen atoms, an apparently simple compound from which such complexity has evolved.

Installation view featuring Dhuwarrwarr Marika (Rirratjingu, Miliwurrwurr people, Australia, b. c. 1946), *Milngurr* 2018, enamel paint on aluminium composite board (Alupanel), 150 × 150 cm, purchased 2019 with funds from Anne Best through the Queensland Art Gallery | Gallery of Modern Art Foundation, collection of QAGOMA; and Wukun Wanambi (Marrakula Dhurili people, Australia, b. 1962), *Wawurritjpal (Larrakitj)* 2017, *Larrakitj* 2017 and *Larrakitj* 2017, wood with white clay and natural pigments, purchased 2017 with funds from Pamela, Michael and Jane Barnett through the Queensland Art Gallery | Gallery of Modern Art Foundation, collection of QAGOMA. Photograph by Natasha Harth, QAGOMA

Wukun Wanambi adapted traditional hollow log coffins to express the cycle of life and spirit in new ways. His three *larrakitj* represented a sacred group of rocks in Trial Bay, East Arnhem Land. Also drawing on Yolgnu culture, Dhuwarrwarr Marika painted the sacred spring Milngurr, in her 2018 work of the same name, in concentric circles of white, which also refer to the fontanelle of a newborn child.

Drawing from the Icelandic landscape of his ancestors, Olafur Eliasson's *Riverbed* 2014 was an enormous undertaking for the gallery. A small stream weaved its way through a monumental landscape of water-rounded stones. This exterior–interior environment was disconcertingly out of place. It looked natural but also felt threatening, as if a catastrophic landslide had just occurred and the rocks might move again. Without vegetation, birds or other markers of time and place, it was unclear whether we were standing in a near-empty riverbed or the first upwelling of a new water source—in a place in which life began or in a posthuman landscape. In this uncanny environment, the sound of flowing water, the opportunity to touch water, was precious.

'Held' asked our visitors to imagine cupping a small amount of water in their hands. This chapter included a rare group of coolamons from western Queensland, made to hold water but sometimes also grain or a newborn child. Wiradjuri artist Nicole Foreshew displayed her sculptures *ngayirr (sacred)* 2016–18 on a long shelf. The sparkling mineral salts accrued through the action of water on timber 'limbs' buried beneath the earth. Our youngest artist in the exhibition, Ruby Djikarra Alderton, was just seventeen when she created her vivid film *Mayarj* 2011, reflecting her experience of water and the joy of swimming in the creek where generations of her family gathered on Yolgnu Country. As she says: 'this water, it's always been a part of me.'



Ruby Djikarra Alderton (Yolngu language group, Australia, b. 1993), *Mayarj* (still) 2011, digital video, 16:9, 3 mins 32 secs. Courtesy of the artist, Buku-Larrnggay Mulka Art Centre and the Mulka Project, © Ruby Djikarra Alderton and Buku-Larrnggay Mulka Art Centre

Reflections on *Remain*

Claire Loughnan

Manus Island, the largest island in the Manus Province of Papua New Guinea, lies 500 kilometres north of the Papua New Guinea mainland. There are many uninhabited atolls throughout the province that can be visited easily by boat and where you can stroll through thick, verdant jungles and swim in clear, dark waterfalls and streams. The white sandy beaches are protected by coral reefs. Manus Island is like a sparkling jewel. Between 2013 and its 'closure' in 2017, more than 1500 men were imprisoned there as a form of punishment for seeking asylum without prior authorisation to do so by the Australian government under its policy Operation Sovereign Borders. Yet Article 31 of the Refugee Convention states that no penalties are to be applied to those seeking refuge, irrespective of how they arrive in a country that is signatory to the convention.¹ In 2013, Behrouz Boochani, a Kurdish Iranian scholar and activist, described his first glimpse of Manus Island as the plane passed through the clouds during his transfer there from Christmas Island, the Australian territory on which he arrived as a refugee,² an act for which he was to be punished for seven years:

... there it is—Manus Island in the distance. A beautiful stranger lying in the midst of a massive breadth of water. Where the ocean meets the shore, the water turns white, but further out the ocean wears swampy shades of green and blue. It is a riot of colours, the colour spectrum of madness. now the ocean is behind us and we are face to face with an exquisite and pristine jungle ... Manus is beautiful. it looks nothing like the island hell that they tried to scare us with. Full of trees, pristine attractions, the allures of nature—an untainted creation of nature.³

Yet Manus has also been a place of violence and dispossession, and it quickly becomes a 'green hell' for the men soon to be imprisoned there. The film *Remain*, by Hoda Afshar and made in collaboration with some of the men detained in Manus, was produced six years after Boochani's arrival. It portrays the unremitting yet quietly unfolding





Hoda Afshar (Iran/Australia, b. 1983), *Remain* 2018 (still), single-channel digital video, colour, sound, 24 mins. Courtesy and © the artist

violence of imprisonment in a place that looks like an island paradise. At the time of the film's release, twelve men had died on Manus Island while being detained at the hands of the Australian government through an arrangement with the government of Papua New Guinea. These deaths, says one of the men, gives them a 'really bad feeling ... every day we count our names on that death list too.'⁴ Afshar's film is a testimonial to the deaths of these men, and a testament to those who remained there, as prisoners of the Australian government. We also see the ghostly chunks of discarded military equipment that lie in water ways and strike out from beaches, slowly rusting and corroding as a reminder of the history of Manus Island's use as a military outpost by imperial states. This film subtly conveys the concrete traces of a long history of dispossession by imperial states.

I first saw *Remain* in late 2018. What struck me most about it was its disclosure of grief, oppression and survival on an island of immense beauty. Yet this film is a rejection of the public fantasy of refugee men either as savages or as suffering victims; against their common representation as mere casualties of an inhumane border protection policy, *Remain* delivers a story of their dignity, as heroic figures who struggle with the presentiment of death, marked by the lives that have gone before them and of the persistent reminder of their own potential death.⁵ Reflecting this, Susan Sontag has remarked that 'to take a photograph is to participate in another person's (or thing's) mortality, vulnerability, mutability.'⁶ Yet here the images created by Afshar and some of the men reveal vulnerability *and* strength and agency. *Remain* is a refusal of the image to become an avenue for the consumption—or symbolic possession, in Sontag's terminology—of the other. It does more than challenge the 'predatory' effects of image-making; it dissolves them.⁷ *Remain* is not just about the image, however. We hear gentle sounds of the sea on the beach, dark water pouring from waterfalls, voices speaking, the soft tread of feet on sand and through jungle, the noises of insects and birds, and human song; these provide a compelling aural presence. In one scene, two of the men lie together as the salty waves fall upon them, to a sound of tenderly falling water. In other scenes, *Remain* shows some of the men stepping into the pristine sea around Manus. One man cradles another,



as if in a baptismal scene in which they appeal to the sacred quality of the water, holding his brother until he can carry him no more; they drop silently and slowly into the sea, as if drowning.

These oceans are the watery graves of those who did not make it there. Several thousand asylum seekers have drowned trying to cross the oceans to seek refuge in Australia. Likewise, the fresh waterways of Manus are places of death. On the day that Afshar started filming, Boochani took her to a waterfall where he swam, while she was mesmerised by its beauty. Afterwards he asked: 'Do you know where we are at? This is where Kamil Hussain died.'⁸ It is the mourning for lost lives and the horror of the possibility of their own deaths that torment the men in a place of excessive beauty, its loveliness too much to bear for some of them. Afshar recounts that when one of the men saw the ocean for the first time in five years, he wept uncontrollably. When I was invited to give a public presentation with Afshar at the Water Forum convened by the Ian Potter Museum of Art, there were moments during the screening of the film when I had a palpable sense of her own sorrow in its making, of the pain that she was bearing witness to all over again.

The aquamarine sea, pearl sand and emerald forests of Manus resemble a lush paradise. But this was no paradise for the men held there. Afshar has remarked that it was this disturbing contrast between the allure of Manus and the stories of the men, between 'the beauty and the trauma,' that she sought to convey.⁹ The visible loveliness of Manus coupled with the invisible yet tangible suffering in a place that reeks of death is realised by *Remain*. However, despite the misery, these men have still held to their love of life. As Boochani recounts of the film, 'they recite poetry and they wander through the jungle. They are telling us: we are still alive, we want to continue living, we want to live our lives.'¹⁰ Their survival, together with their resistance and their rage at the policies leading to deaths at sea, and the presentiment of their own death, reverberates in a moment in the film where Boochani says, 'I have the anger of a thousand oceans inside me, oceans that brought me to the shore with a thousand corpses. Do not press your foot upon me, I will drown you.'



1. *International Convention Relating to the Status of Refugees*, open for signature 28 July 1951. 189 UNTS 137 (entered into force 22 April 1954).
2. Boochani has since been granted residency status in New Zealand, and lives and works in Canterbury.
3. Behrouz Boochani, *No Friend but the Mountains*, Pan McMillan, Sydney, 2019, p. 101.
4. Slowly, many of the men who remained were transferred to Port Moresby or granted resettlement. Those who are still in Papua New Guinea continue to endure the pain of remaining there, made worse by the loss of friends who have since departed.
5. Afshar, interview, *National Gallery of Victoria*, <https://www.ngv.vic.gov.au/multimedia/hoda-afshar-remain> (viewed September 2020).
6. Susan Sontag, *On Photography*, Rosetta Books, New York, 1977, p. 11.
7. *ibid.*, p. 10.
8. Andrew Stephens, 'Manus looked like paradise, but seeing the ocean made one man weep,' *Sydney Morning Herald*, 31 July 2020, <https://www.smh.com.au/culture/art-and-design/manus-looked-like-paradise-but-seeing-the-ocean-made-one-man-weep-20200728-p55g7o.html> (viewed September 2020).
9. *ibid.*
10. Behrouz Boochani, 'A Conversation Between Hoda Afshar and Behrouz Boochani,' *The Collecteurs*, <https://www.collecteurs.com/interview/a-conversation-between-hoda-afshar-and-behrouz-boochani> (viewed September 2020).

Zenadth Kes: Living Waters

John Wayne Parsons

Meriam Acknowledgement of Country

Debe ger ger, Maiem kara nei dike Sakoin Wannie, Ka Ugar-em le ka nali Zenadthkes-lam. Ka Meriam mir detauti wabim, Ka esor-erapeida able ged kem le, Boon Wurrung / Woi wurrung—Kulin Nations lam.

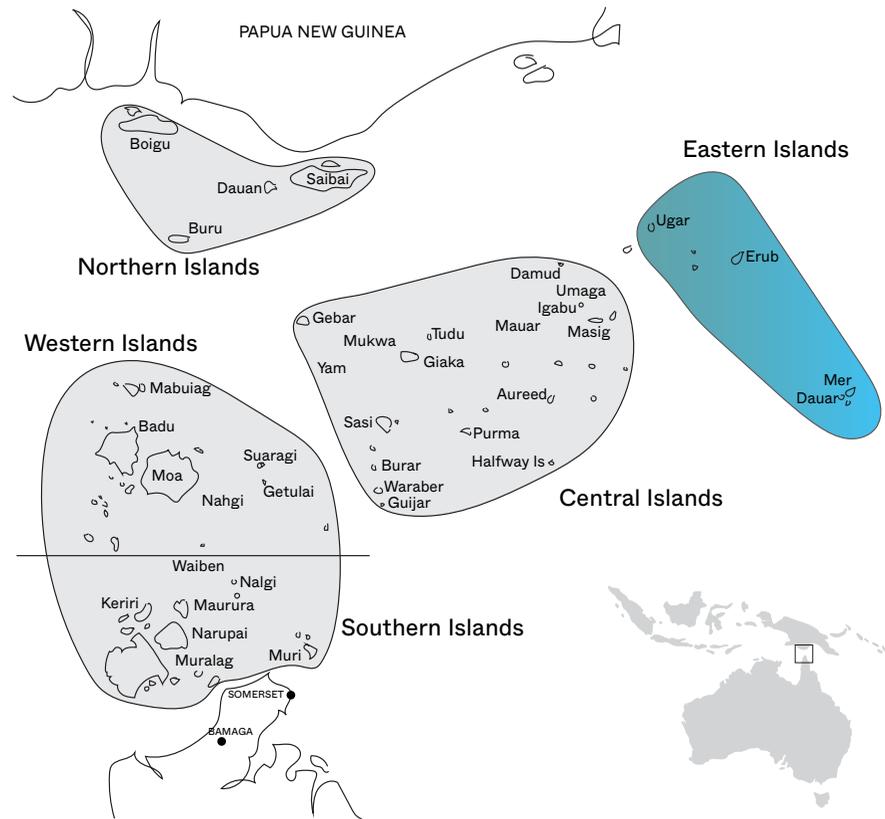
(Good day, greetings, my name is John Wayne, I am a Stephen Islander from the Torres Strait. I am speaking the Meriam language, I acknowledge the traditional custodians of this land, the Boon Wurrung and Woi wurrung of the Greater Eastern Kulin Nations.)

Introduction

Since becoming an uncle, a husband and now a father, as well as being an active Aboriginal and Torres Strait Islander community member, I feel a strong conviction and cultural responsibility within my communities to build on my plural cultural foundations and to maintain cultural integrity as a vocal performer and practitioner.

My vocal showcase shares three Meriam *mir wed* (Meriam language songs) from the Eastern Islands of the Zenadth Kes (Torres Strait). These *wed* (songs) have been composed in three eras, starting with 'Ter Ge' an *emeret wed* (old song) chosen to honour *kara lu Giz* (my ancestors) and Augadth/Zogo Kerker (spirituality time); second is a historical *wed* called 'Emeret Ge' that marks the arrival of Christianity in the straits; and the last *wed* is an *ailan kores* (island chorus) called 'Ka Kara Pa' that I learnt while attending the church of my maternal grandfather, Athe Robbie. These *wed* represent Zenadth Kes, Meriam *mir wed*, cultural heritage and spirituality, which I draw upon as part of my arts practice. Singing these *wed* honours *kara lu Giz* and the Creator (God). I share the sound, rhythms and melodies with an island

flavour. Each *wed* can be performed by groups of singers, both church choirs and community groups, and is often accompanied by guitar, bass, drums and *ailan* instruments, like the *warup* (traditional island drum) and *kulups* (shakers).



Map of the Torres Strait Island groups (in blue is the Eastern Islands also known as Kemer Kemer Meriam)

Meriam *Wed*

'Ter Ge'

'Ter Ge' is a traditional *emeret wed* (old song), which translates as the Home Reef, composed by an unknown Meriam *le* (man).

Terge

zeuber-o

dugdug bakoli

opem sik barapeda

maiso mena mir igali

The lyrics reflect the edge of the reef, the waves' surging is rolling high up and far down in the open seas, (you can see) the white from the waves breaking (you can hear) the sound of the surf.

The *wed* starts with a hypnotic, sustained low drone that captures a haunting stillness from the depths of the ocean. My pre-recorded vocals, whispering in Meriam *mir*, are looped into the soundscape of the sea. As the sound of the whispers become louder, it begins to imitate the rise and fall of the waves swelling, rolling and crashing with the strategic accompaniment of the roll of the *kulups* over my hands. The whispers cease and I begin to sing the *wed* once through in a steadfast vocal that pierces the atmosphere until the last line of the *wed* is sung with a decrescendo of the lyrics. My pre-recorded whispered vocals are looped again into the soundscape, along with the rise and fall of the crashing waves reaching again a crescendo. This offers my cue to sing the *wed* in a fortissimo vocal until the very end.

'Ter Ge' reminds me we are a seafaring people, and on the ocean, even at night, we are able to navigate by the stars to get safely back to our island home. The ocean is the source for living and our cultural existence. The *wed* embodies and echoes the voices of *kara lu Giz*; the rolling waves crashing against the reef still sings.

‘Emeret Ge’

Composed around 1928 by Fred Nain (Meriam *le*), this is a historical *wed*. This is a section of the *wed* in Meriam *mir*.

lesu ra mer, giz ge omaida

Mer ge baziarda

Igairé Torres Strait.

‘Emeret Ge’ is about the Word of God and how it was shared with Torres Strait Islanders. Word of God or ‘Coming of the Light’ arrived at Kemus beach on Darnley Island on the 1 July 1871 and spread throughout the Torres Strait.

This song is set up in performance with a reading of the storytelling element that captures the first sighting of the London missionaries by a warrior called Dabad, who accepted the Bible he could not read. Then Christianity changed his life and his people, the message soon spreading throughout the islands of the Torres Strait.

My vocal arrangement of the ocean soundscape is followed by the warning of a *bu* shell (trumpet shell) sounded out three times. This announced the arrival of the missionaries. The *wed* ‘Emeret Ge’ starts off with acapella, with the continuation of the ocean sounds, followed by the chorus, which is started with the beating of the *warup*. For me this symbolises the heartbeat of curiosity and anxiousness at the time, which soon turns to celebration. In the second part of the chorus, the single beat of the *warup* is accompanied by the layering of the *lamut* (two bamboo sticks beating on a larger bamboo drum) and then finally the distinct shake of the *kulups*. This builds to a crescendo, then suddenly the traditional instruments drop out except for the shake of the *kulups*, which continues until the first part of the *wed* is sung again acapella. Towards the last line of the *wed*, a ring of a church bell chimes distinctly three times to resolve the *wed*, with the continuation of the ocean soundscape. This signifies the transformation of a village with the acceptance of a new spiritual introduction to Christianity.

Singing this historical *wed* is how I continue to pass on my oral traditions. This *wed* is usually sung annually across Australia by Torres Strait Islanders on 1 July, known as the Coming of the Light (also known as Zulai Wan).

‘Ka Kara Pa’

Composer unknown, this *ailan kores* was taught to me by cousin Aicey Zaro (Meriam *le*). The word *kores* is Kriol and originates from the English word ‘chorus’, and began in the 1960s with the influence of the Anglican and the Pentecostal churches.¹

Ka kara par itimeda, idid bakirge x 2

Ka kor bagogri

idid bakirge, idid bakirge

E pe lesu dali

The lyrics are about throwing my anchor on a solid rock, where I build my foundation, on a solid rock, it is Jesus.

Ailan kores could be seen as a contemporary version of sacred songs, with a shift in deity occurring with a change from traditional islander beliefs to Christianity. *Ailan kores* has continued in contemporary Zenadth Kes Le communities and on the mainland of Australia until this very day.²

I sing the *wed* firstly in Meriam *mir*, followed by English and then concluded in Meriam *mir* with guitar accompaniment.

The anchor in ‘Ka Kara Pa’ (I threw my anchor) refers to stability, keeping our boats secure while *kara lu Giz* toiled the sea. The *wed* links me back to our family origins, culture and identity, but most importantly the strong connection to the spirituality that we had prior to Coming of the Light has continued into a new era. Elements of musical style have also served to praise and connect us to family.

These Meriam *wed* are our oral literature, a vessel that carries stories and honours *kara lu Giz* in the Zenadth Kes. This timeless practice of *wed* echoes the sounds and rhythms of the past with messages for the present and the future.

Au Esoau
(Big Thank You)

Creative Contributors

Artist: For the Water Forum performance, Jaadwa musician James Howard provided creative soundscapes, merging field recordings with contemporary and traditional instrumentation.

Information sources: Meriam *le*, *kebi baba* (small father) Brian Williams, *Aua* (Uncle) Elimo Tapim and Reggie Simbolo, Auntie Mabege Tabo; *balas* (brothers) Matthew Starr, Luke Captain, Aicey Zaro and Toby Whaleboat; linguists Nick Piper and Helen Fairweather (formerly known as Lawrence); personal communication, Meriba Kerker (Our Time).

1. Helen Reeves Lawrence, ““Bethlehem” in Torres Strait: Music, Dance and Christianity in Erub (Darnley Island); *Australian Aboriginal Studies*, no. 2, 1998, p. 59.
2. Helen Fairweather, Philip Matthias and Toby Whaleboat, ‘Revitalising Meriam Mir through Sacred Song’, *Recirculating Songs: Revitalising the Singing Practices of Indigenous Australia*, Hunter Press, Hamilton, NSW, 2017, p. 324, <https://trove.nla.gov.au/version/251445478> (viewed October 2020).

Contributor Biographies

HODA AFSHAR was born in Tehran, Iran, and is now based in Melbourne. She completed a Bachelor of Fine Art – Photography in Tehran, and recently completed her PhD in Creative Arts at Curtin University, Perth. Through her art practice, Hoda explores the nature and possibilities of documentary image-making. Working across photography and moving image, she considers the representation of gender, marginality and displacement. She employs processes that disrupt traditional image-making practices, play with the presentation of imagery and merge aspects of conceptual, staged and documentary photography. Hoda’s work has been widely exhibited locally and internationally, and published online and in print. She is a member of Eleven, a collective of contemporary Muslim Australian artists, curators and writers whose aim is to disrupt the current politics of representation and hegemonic discourses.

GERALDINE KIRRIHI BARLOW is Curatorial Manager, International Art at the Queensland Art Gallery | Gallery of Modern Art (QAGOMA), Brisbane. As a curator, Geraldine is interested in the energy that arises from the intersections between people and cultures, drawing on her mixed Anglo-Celtic and Maori descent, and her work over the past two decades with artists from Australia and around the globe. She has explored questions concerning individual agency, memory, space, trauma, justice, beauty and the creative process. Since arriving in Brisbane, her curatorial projects have included *Water* (2019), *Picasso: The Vollard Suite* (2018), *Gerhard Richter: The Life of Images* (2017), *Sugar Spin: You, Me, Art and Everything* (2016) and *Tim Fairfax: A World View* (2015).

DR OLIVIA BARR is a senior lecturer at Melbourne Law School, University of Melbourne. She has worked as a government solicitor, in law reform and for the United Nations Permanent Forum on Indigenous Issues. Olivia writes about the unsettled place of law in Australia, by engaging with geography, history and contemporary public art practices. She is currently working on a book titled *Legal Place?*, which follows on from her earlier book, *A Jurisprudence of Movement: Common Law, Walking, Unsettling Place* (Routledge, 2016).

MAREE CLARKE is a Mutti Mutti, Wemba Wemba, Boon Wurrung woman from Mildura, in north-west Victoria, and a multi-disciplinary artist living and working in Melbourne. Maree is a pivotal figure in the reclamation of south-eastern Australian Aboriginal art practices, reviving elements of Aboriginal culture that were lost—or lay dormant—through colonisation, as well as a leader in nurturing and promoting diverse contemporary south-eastern Aboriginal artists. Maree's multi-media installations of photography, painting, sculpture and video explore the customary ceremonies, rituals and language of her ancestors.

SAMANTHA COMTE is Senior Curator, Art Museums, Museums & Collections, University of Melbourne. Her previous roles have included curator at the Ian Potter Museum of Art, University of Melbourne, acting senior curator at Monash University Museum of Art, curator of the Michael Buxton Collection, director of Sutton Gallery and director of Gertrude Contemporary. Samantha has also worked at the National Gallery of Australia, as an assistant curator of international prints and drawings; visual arts coordinator of the 1996 and 1998 Next Wave Festival, Melbourne, and the program coordinator for the National Gallery of Victoria Gallery Society.

DR CLAIRE LOUGHNAN is a lecturer in criminology in the School of Social and Political Sciences, University of Melbourne. Her research focuses on the experiences, effects and implications of a policy of mandatory immigration detention. She is currently exploring the carceral expansion accompanying offshore processing—including iterative patterns of openings and closures of immigration detention centres—through the lens of what Kurdish writer and refugee Behrouz Boochani has termed 'Manus prison theory'.

DR CELIA McMICHAEL is a senior lecturer in the School of Geography, University of Melbourne. Celia has conducted applied work and research in the areas of forced migration and health, including with the World Health Organization in Angola and the United Nations Population Fund (UNFPA) in Sri Lanka. A focus of her research is environmental change and human migration, and she is currently working with United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), the International Organization for Migration, the Pacific Conference of Churches and local researchers and communities on research projects on climate mobilities in the Pacific Islands region. She is researcher on the *Lancet* Countdown on health and climate change.

DR ERIN O'DONNELL is a water law and policy specialist. She is recognised internationally for her research into the groundbreaking new field of legal rights for rivers, and the challenges and opportunities these new rights create for protecting the multiple social, cultural and natural values of rivers. Erin's work is informed by comparative analysis across Australia, New Zealand, the USA, Bangladesh, India, Colombia and Chile, and her book *Legal Rights for Rivers: Competition, Collaboration and Water Governance* was recently published (Routledge, 2018). Erin is a research fellow at the Melbourne Law School, University of Melbourne, and in 2018, she was appointed to the inaugural Birrarung Council, the voice of the Yarra River.

JOHN WAYNE PARSONS is a Yuggerabul and Meriam *le* (man), with a high baritone, who has always loved singing and growing up in a family with strong spiritual and cultural influences. John is Schools and Community Liaison Officer at the Wilin Centre for Indigenous Arts and Cultural Development, Faculty of Fine Arts and Music, University of Melbourne, and a PhD candidate at the university. John investigates how a cultural custodian can maintain and build cultural foundations in their performance practice when living off Country, while also managing complex inter-cultural protocols and practising new musical forms.

ALEXIS WRIGHT is a member of the Waanyi Nation of the Gulf of Carpentaria and the author of the prize-winning novels *Carpentaria* (Giramondo, 2006) and *The Swan Book* (Giramondo, 2013). Her most recent book, *Tracker* (Giramondo, 2017), was awarded the 2018 Stella Prize. She holds the Boisbouvier Chair in Australian Literature in the Australia Centre, University of Melbourne.





POTTER
MUSEUM
OF ART