

ESSAY: WHOSE HERITAGE IS IT?

Joann Schmider, Mamu people, Millaa Millaa.

Joann is an Indigenous woman with 30 years' experience in government and Indigenous community engagement including at national level. Amongst other matters, her work in cultural and natural resource management includes working with Rainforest Aboriginal peoples across Far North Queensland promoting cultural recognition, maintenance and promotion, including interfaces with mainstream arts, culture, history and tourism fields.

Peter James AM, LLB, MICOMOS

Peter was made a Member of the Order of Australia in 2001 for his services to the development of legislation and the improvement of the management of heritage places in Australia.

Peter was also the inaugural Chair of the Tasmania Heritage Council from 1997 to 2006. He has served on various ministerial committees throughout Australia advising government on a range of heritage issues. Peter has taught Heritage Law at the University of Tasmania, Tropical Heritage Law at James Cook University and has been a guest lecturer at other universities in Australia and overseas. Peter is currently responsible for heritage work for JNP Pawsey and Prowse in Cairns.

SETTING THE SCENE

Before beginning to address the questions asked, the authors want to make a few salient points that have coloured, and in our opinion will always colour the conservation of the Australian Heritage.

The first of these points is that the 'Western' approach and language is not necessarily appropriate to the task of explaining and defining particularly an Indigenous Australian weave within Australian heritage. In the context of "Whose heritage is it?" is the concept 'ownership' relevant or should another term be used? (See later.) Should heritage only be limited to the National, State and Local system legal concepts currently underpinning Australian heritage protection and management, or should it be extended to group, family and individual heritage issues?

The second point derives from the first but is a separate and far-ranging issue. That is, the various divisions and separations currently used in and characterising Australian heritage systems are not relevant.

Differentiating Indigenous, Natural and [European] Cultural Heritage may be inappropriate – all are intertwined and almost inseparable. The authors consider the newly accepted [in Australia] concept of the 'cultural landscape', a far more appropriate framework with all elements of physical [tangible] and non-physical [intangible] heritage being considered integral parts of an holistic approach to Australian heritage.

This approach may well not meet with approval from many Australian governments and bureaucrats as they depend on the division of heritage issues into many separate boxes for administrative and job retention purposes. (See later.)

A recent news article proffering that museums should be considered part of the arts field is a good counter example of Australian agency siloing of arts, culture, heritage and natural resource management fields. How will the National Cultural Policy and National Heritage Strategy work together and how does the national Caring for our Country major funding program sit alongside?

If we could begin all over again it would be easy – just one authority or department for each of the National, State and Local government levels. Even this is artificial in many aspects – for example, the administration of the Murray River would require only one National Authority if you are being honest – any state or local issues could be dealt with by advisory committees or other public involvement.

If we recognise individual, family and group heritage as part of a national heritage protection and management system, and the contribution of local heritage networks alongside the work of the State and National heritage structures, how can the system better accommodate a shared responsibility, cooperative management approach? How can we better think through a collaborative governance (and planning, and research) framework across community, non government and government agencies?

Thirdly, we identify a key problem with the need under Australia's current legal system to tie everything to a land title reference – hence the inability to easily accept, recognise and where necessary protect any and all parts of our intangible heritage which to much of the Australian community is as important as the tangible heritage. As one of the authors of this paper has written before, even the major spiritual beliefs, Christian or Muslim as example, in non Indigenous society have organised the Almighty to stick to the system – in the case of the Christian Faith, God (Father, Son and Holy Ghost) – by staying in tangible places – e.g. Churches or Temples or in the case of Muslims' Mosques and not just appearing all over the countryside. A good example of the problems that attitude gets us into is the system of Saints (see later) such as the recent sanctification of the Australian Mother Mary McKillop. In her case there were in fact tangible places which could have been identified but were not¹ because they were not directly relevant to her 'miracles' although they could give tangible evidence of her life and work. This recognition of an internationally acclaimed figure (certainly on a par with World Heritage listing!!) is less 'provable' than many of the Indigenous intangible issues such as Aboriginal Dreaming heritage and spiritual places. Why are Indigenous spiritual places any less recognisable than non-indigenous? These various points are addressed (though not in great detail) later in this paper.

WHAT IS THE IMPORTANCE OF HERITAGE, AND WHOSE IS IT?

*"Having a heritage is what makes it [a country or a place] a culture. Otherwise, it's just a lot of disconnected people. Preserving the artefacts and language and pivotal events of the past is a significant part of what gives meaning to living."*²

The authors draw your attention to several heritage scenarios, and ask you to reflect on "Whose heritage is it?" as you work through them.

a) Australia's natural heritage

Natural heritage can be said to refer to the land and environment that is inherited by anyone who lives in that area at local, regional, state and even national level. Natural heritage is also noted as an

¹ Wentworth School NSW

²<http://answers.yahoo.com> comment on "What is the importance of heritage?"

important part of a society's heritage – the legacy of natural objects and intangible attributes in the natural environment, including the flora and fauna.

Aspects of the preservation and conservation of natural heritage include ethnobotany (Indigenous knowledge), iconic animals and plants (your State flower emblem), and rare breeds conservation (the Wollimi Pine) and heirloom plants. Natural heritage also encompasses geological elements.

Heritage can also include cultural landscapes (see later) (natural features that may have cultural attributes) e.g. Uluru and the national park. These kinds of heritage sites often serve as an important component in a country's tourist industry, attracting both domestic and international visitors.

Individual land owners can choose to set aside acreage as nature refuges. At a broader societal level, public agencies are tasked under legislation to manage major waterways (the Snowy River), national parks and protected areas including Australia's 17 World Heritage Areas (the Great Barrier Reef). All state level jurisdictions are being urged to incorporate Traditional Owners into the management regimes of these areas, and to more strongly involve the public so that there's some shared valuing about such areas.

If individual land owners hold responsibility for natural heritage, how can public agencies better support them? For example who is responsible for the 3 major Queensland river systems that feed into Lake Eyre? The current multi-authority system clearly does not work.

b) Australian cultural heritage

Cultural heritage is said to be *"the legacy of physical artifacts (cultural property) and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations"*³ (although this is not a description used exactly in Australia). So cultural heritage can be what you inherit by being part of a particular nationality.

Cultural heritage includes tangible culture (such as buildings, monuments, landscapes, books, works of art, and artifacts), intangible culture (such as folklore, traditions, language, and knowledge), and natural heritage (including culturally-significant landscapes, and biodiversity). Managing cultural heritage and prioritizing resourcing for this is based on the values embodied in the various aspects of tangible and intangible heritage. We know that values can both compete and change over time, and that heritage may have different meanings for different stakeholders.

So, whose values inform or dominate the worth accorded to different aspects of cultural heritage? A classic example we think, is western institutional thinking about "art and culture". In Aboriginal and Torres Strait Islander and many other worldviews, art comes from culture. How should the industry, and Australian societal institutions, prioritise concrete support to those key people who are the cultural knowledge holders to ensure such knowledge and cultural practice is valued and transmitted in appropriate ways for future generations?

Another aspect of Indigenous cultural heritage is repatriation, being the return of art or cultural objects to their country of origin or former owners (or their heirs). The disputed cultural property items are physical artefacts of a group or society that were taken from another group usually in an

³ See http://en.wikipedia.org/wiki/Cultural_heritage

act of looting, whether in the context of imperialism, colonialism or war. The contested objects range widely from sculptures and paintings to monuments and human remains.⁴

c) Local community heritage

Repatriation can refer to knowledge held such as research information. Traditional knowledge recording, cultural heritage mapping and Indigenous Knowledge Centre initiatives bear resounding witness that Traditional Owner communities everywhere across the country are looking to (re)collect, (re)collate and (re)frame past and present knowledge about their peoples, cultures and country.

In the wider community there are about 1,000 local historical societies in Australia, and state/territory networks and a national peak body. The Federation of Historical Societies sees its role to assist the members including through guides to identifying heritage and protection, heritage tourism, publishing historical materials, etc. Local historical societies are known to be involved in centenary celebrations and publications, signage for historic architecture, and local monuments and memorials.

As every parent, most young people and the adult population at large would know that at several schooling points educators support students going out to the wider community to interview family, Elders and significant adults, and undertake local history and environment projects. Not just school children but TAFE and University undergrad and postgraduate students too. Over the 11 decades since 1900, imagine how much history that was contained in such local history, culture and environmental projects is now lost – lost to the people and descendants of people who gave that information, lost to the community at large, and the local knowledge lost to science even.⁵

Is there significant opportunity and responsibility that can be carried out by the formal education institutions to ensure local community and Australian studies' related student projects are captured in databases so they become a robust local and regional reference available to community and future generations?

d) Family heritage

Family heritage refers to something inherited from your ancestors. It usually refers to intangible things, such as traditions, history, stories and traits, rather than a physical inheritance (such as money or land). Your particular family's history becomes a key part of your heritage. Being the child of the local Traditional Owner community, or of immigrants, or being the child of the family who contributed to your hometown, being part of a family that moves often – all of these are particular to your own family heritage. The memories and stories that are known within your family are passed down from one generation to the next and are a special element in creating your family heritage. Physical traits inherited from your ancestors are also part of your heritage. The "family" nose, the long legs you got from your grandfather, the curly hair that no one but you and your uncle inherited – these are physical representations of your family.⁶

⁴ Refer http://wiki.ask.com/Art_repatriation?qsrc=3044

⁵ Refer UNESCO – sustainable development – Local and Indigenous Knowledge http://portal.unesco.org/en/ev.php-URL_ID=5065&URL_DO=DO_TOPIC&URL_SECTION=201.html

⁶ Refer http://www.ehow.com/facts_5669348_family-heritage_.html?ref=Track2&utm_source=ask

While it fits well under “local community heritage”, we can also talk about Australia’s heritage from immigration under “family heritage”. Cultural diversity is a central feature of our national identity.

“Australia’s diverse culture and lifestyle reflect its liberal democratic traditions and values, geographic closeness to the Asia–Pacific region and the social and cultural influences of the millions of migrants who have settled in Australia since World War II. Australia is a product of a unique blend of established traditions and new influences. The country’s original inhabitants, the Aboriginal and Torres Strait Islander peoples, are the custodians of one of the world’s oldest continuing cultural traditions. They have been living in Australia for at least 40 000 years and possibly up to 60 000 years. The rest of Australia’s people are migrants or descendants of migrants who have arrived in Australia from about 200 countries.....Migration has contributed to Australia’s emergence as one of the most cosmopolitan and dynamic societies in the world. It has also resulted in the growth of community language schools, ethnic media, businesses, diverse religious and cultural activities, and variety in foods, restaurants, fashion, art and architecture.”⁷

If family history is local, and Indigenous and migrant history significantly contribute to national identity and heritage, whose responsibility is it to actively support and promote local festivals, celebrations and events?

e) Intangible heritage

Cultural heritage is not limited to material manifestations, such as monuments and objects that have been preserved over time. This notion also encompasses living expressions and the traditions that countless groups and communities worldwide have inherited from their ancestors and transmit to their descendants, in most cases orally.

Many years of research undertaken by UNESCO on the functions and values of cultural expressions and practices have opened the door to new approaches to the understanding, protection and respect of the cultural heritage of humanity. This living heritage, known as intangible, provides each bearer of such expressions a sense of identity and continuity, insofar as he or she takes ownership of them and constantly recreates them.

As a driving force of cultural diversity, living heritage is very fragile. In recent years, it has received international recognition and its safeguarding has become one of the priorities of international cooperation thanks to UNESCO's leading role in the adoption of the Convention for the Safeguarding of the Intangible Cultural Heritage.⁸

How does the current Australian system for protection of cultural heritage cope with these intangible heritage concepts?

f) Cultural heritage management

Cultural heritage management is about identifying, interpreting, maintaining, and preserving significant cultural sites (e.g. the Quinkans) and physical heritage assets (e.g. old Queenslander homes), although intangible aspects of heritage, such as traditional skills, cultures and languages are

⁷Refer http://www.dfat.gov.au/facts/people_culture.html

⁸Refer <http://www.unesco.org/culture/ich/index.php?lg=EN&pg=home>

also considered. The issue is usually given attention, and resourcing, when there's threat – typically from development but also from extinction (e.g. the loss of all known Aboriginal languages). Cultural heritage management is an important aspect of tourism.⁹

Heritage is....



Whose heritage is it?

The Australian heritage system recognises these three components, but separately, not as part of one overall inclusive concept.

¹⁰ Refer <http://www.umass.edu/chs/about/whatisheritage.html>

Natural, Indigenous cultural and non-Indigenous cultural heritage are related in that together they form Australia's heritage even though the laws which control them differ throughout the country. Ever since the formation of the (then) Australian Heritage Commission in 1975, the following definition has received Australia wide acceptance as a comprehensive definition of the 'national estate', or our overall heritage:

"The National Estate consists of those places being components of the national environment of Australia or the cultural environment of Australia which have certain values."

The National Estate goes on to refer to

'[places] that have aesthetic, historic, scientific or social significance or other special values for future generations [of Australians whether indigenous or non-indigenous] as well as for the present community.'

By way of comment on this definition it is interesting to note that in 1984 Australian ICOMOS commented

"the categorisation into aesthetic, historic, scientific and social value is one approach to understanding the concept of cultural significance. However, more precise categories [of places and the people who consider them significant] may be developed as understanding of a particular place increases."

Indigenous cultural heritage is inextricably linked with the natural heritage in the Australian landscape – even in Australia's most densely populated and urbanised cities, the Traditional Owner stories live on despite massive disruption with the ongoing effects of colonisation to the continuity of the storylines.

Non-Indigenous cultural heritage is also inextricably linked with our natural heritage – who cannot appreciate what it might have been like for Leichhardt as his party sought to explore the continent, and similarly for Walter Brooks' wife Annie coming up from Victorian farmlands in to dairying life in the "jungle scrub" when he settled country newly opened up around Millaa Millaa at the turn of the century?

Non-Indigenous stories across the continent are often interwoven with Aboriginal stories – whether it's about Aboriginal groups directly assisting with knowledge of country, or the increasingly accepted knowledge that bullocky tracks that have become the highways and byways originally followed the Aboriginal walking paths.



In its publication *“Protecting Local Heritage Places: A Guide for Communities”*, the Australian Heritage Commission developed a concept which the authors consider valuable to this context – the “cultural landscape”, involving perceptions, beliefs, stories, experiences and practices giving shape, form and meaning to the landscape.¹² The example given looked at the interrelations across a scarred tree, artefact scatters, a shell deposit, non-local traded trees and three foresters’ huts in a landscape involving two rivers and a mountain. The concept of “cultural landscapes” lends to telling the stories behind the features and their various associations and gives a far better framework for the conservation of individual places and structures.

The authors suggest “cultural landscapes” as a stronger term for Australian heritage, highlighting associations across natural, Indigenous and non-Indigenous heritage. For instance, the Australian heritage values which can be ascribed to the dingo – the animal is part of Australia’s natural heritage, there are a variety of strong Aboriginal associations, and dingo traps are part of the non-Indigenous associations. Similar examples can be drawn across Australia’s nature reserves. For instance, the Great Barrier Reef is the largest reef in the natural world; there are around 70 Traditional Owner group associations, and five mainstream NRM (Natural Resource Management) bodies abutting it along the eastern coastline. Uluru is alleged to be the largest rock in the world; we seek to honour Pitjantjatjara and Yankunytjatjara (Anangu) knowledge, traditions and practice, while at the same time, seeking to manage domestic and international visitors’ climbing “the Rock”. We don’t have to scratch hard to uncover Indigenous heritage associations with cricket as a national sporting tradition or the Stockman’s Hall of Fame; with Australia’s military history; or with paddle steamers on the Murray River and Australian inventiveness e.g. the Royal Flying Doctors’ Service. Similarly, heritage which might at first glance be considered “Indigenous” can be easily unpacked to highlight non-Indigenous heritage associations – who can forget the sense of national pride with Cathy Freeman, the Garma and Laura Dance Festivals, songlines across the continent.

The authors propose the concept of “cultural landscape” should be used to describe associations between human activity and natural habitat, it can be effectively and better utilised as terminology for Australian heritage regardless of context.

What do you think? Can you consider natural, Indigenous and non-Indigenous tangible and intangible heritage interconnections across native animals; nature reserves; icons and landmarks; man-made icons and landmarks; historic architecture / buildings; sporting traditions; celebrations / festivals / events; Australian personalities; early white / Anglo Saxon settlement; immigration / multiculturalism; Aboriginal and Torres Strait Islander cultures; Australian art and cultural works; military history; major waterways; Australian inventiveness¹³.

CAN SPECIFIC GROUPS CLAIM OWNERSHIP OF SPECIFIC PARTS OF AUSTRALIA’S HERITAGE?

The answer to this question is clearly “yes” – but not absolute and unqualified ownership to the exclusion of all other Australians. Whether it is a house in Paddington, or wetlands in Cape York, the “ownership” must be qualified by the right of all Australians to have a say in the future protection of conservation of the place. For if any such place meets the necessary qualifications to be considered part of the National Estate or part of the heritage of a State or Territory, then there is an inherent right

¹²P115 Australian Heritage Commission *Protecting Local Heritage Places: A guide for communities* 2000

¹³The 15 dimensions of Australian heritage identified by Deakin University’s Heath McDonald in his 2010 survey

for all Australians to have a say in the future of the place regardless of who the 'owner' is – legally, morally or culturally.

Clearly, to avoid anarchy and confusion, there will be some person or group of people who will have the final say, but in doing so, that person or group must take into account the views of other Australians.

The most obvious 'group' of people who will have rights, which might not always be clearly understood by the majority of Australians, will be the Indigenous people of the Country including the Torres Strait Islanders (regarding the Torres Strait and associated mainland cultural matters).

Indigenous claims may often be based on facts or beliefs which do not at first instance seem to the wider Australian community, to fulfil their understanding of ownership or right to use but this does not make those issues any the less valid.

Thus issues such as Indigenous beliefs and spiritual traditions must be taken as equally valid, as for example, non-Indigenous Christian beliefs as to the spiritual values of a site or place or thing.

Non-Indigenous people also have beliefs that cannot be substantiated by present physical manifestations of those beliefs as stated at the beginning of this paper under the heading 'Setting the scene'. For example, Mother Mary McKillop is now a Roman Catholic Saint. But there is nothing in Australia as evidence of that claim to sainthood – nevertheless, her sainthood is recognised and the place where she is supposed to have carried out the 'miracles' which enabled her to be sanctified is now recognised as being of significance. There is nothing different to an Aboriginal or Torres Strait Islander person's or group's claim that they have a spiritual connection with a particular place because of beliefs which have been carried forward for thousands of years – much longer than the 100 years or so since Mary McKillop's miracles.

THE ISSUE OF "OWNERSHIP"

'Ownership' may not even be the right word when discussing Indigenous or mixed Indigenous/non indigenous cultural heritage. Ownership in the Australian common law sense does not encompass all the concepts and ideas of Indigenous cultural heritage – e.g. spiritual beliefs and stories that may 'belong' to many people and many groups and ancestors?

Ownership denotes in the Australian Legal system an exclusive right or a bundle of individual rights and concepts. Whilst this system may recognise different classes of rights to, for example with a piece of land there can be ownership of the freehold to the place, a lease to use the place for particular purposes and a licence to carry out certain activities on the land – all three can co-exist in the Australian legal system but it is not so easy to accept different owners having the same legal rights.

Following on from this discussion of ownership come the questions "how" and "by whom" is heritage 'owned'?

In the Australian Legal system there are three 'levels' of what is called ownership but which is really 'control' and/or management (see later). These are in descending order – Commonwealth; State and Territory; and then Local Government. But none of these really accommodate the concept of 'Australian' ownership (or even control) in the overall sense of every Australian, regardless of race,

creed or belief having a direct interest whether by ownership or responsibility. That concept really is not recognised at present nor is there a mechanism to accommodate it.

Then there is the issue of it all belonging to 'humankind' – which whilst it is morally correct (in our view) is a concept which is beyond the power of a national government – of any kind – to legislate for or to control – even though the overall concept of the interests of humankind is valid and to a certain extent recognised by the World Heritage Convention.

When approaching this topic from the viewpoint of Australia's Indigenous peoples it could be well argued that 'ownership' of heritage is the wrong word and that some less constrictive and more all embracing term is required.

Is the challenge that of deciding 'ownership' or in the concept of recognising who is responsible for the heritage (it will not always be the same people and/or body for all places and concepts of heritage) and along with the concept of responsibility of the 'management' of the heritage. One thing is clear – you cannot have responsibility vested in a body or person without an equivalent requirement for management – ultimately for each place or heritage place or concept these two requirements must reside in (if not exercised by) the same person or body or there will not continue to be any cultural heritage. (This does not mean that one must comply with the Burra Charter¹⁴ – a national document relating to the non-Indigenous heritage, but just that there must be some identifiable person or group who carries out, or sees to the carrying out of the two concepts of responsibility and management.)

"Stewardship" or "custodianship" is an ethic that embodies responsible planning and management of resources. This concept has been applied in diverse realms, including with respect to environment, economics, health, property, information, and religion, and is linked to the concept of sustainability. The concept brings interesting ownership and management concepts to consider.

The principle of "custodianship" has been adopted by New South Wales, Queensland and Western Australian governments in relation to the care and maintenance of information and spatial data. The overriding philosophy in the activities associated with custodianship is that custodian agencies manage the information as trustees in a partnership to enable the integration and wide spread use of information for the benefit of the wider community and the government. The principle of custodianship assigns to an agency certain rights and responsibilities for the collection and management of the information on behalf of the government and the community it serves. The rights and responsibilities include the right to set marketing conditions for the information and responsibilities regarding the maintenance and quality of the information. It also ensures accessibility of the information and provides a recognised contact point for the distribution, transfer and sharing of the information.¹⁵

Within the nation, we recognise Aboriginal custodians as the Traditional Owners of country and Aboriginal custodianship over 50,000 years of human existence. The central tenet of traditional Aboriginal society is recognised as the belief in the interconnectedness between the spiritual, human and natural worlds, between the tangible and the intangible, between the country and the spirits, and in the systems of law, language, cultural practices, customs, religions and traditions which guide social behaviour. What more of an example of the 'cultural landscape' concept is there than this?

¹⁴http://en.wikipedia.org/wiki/Burra_Charter

¹⁵<http://www.nrims.nsw.gov.au/policies/custodian.html>

It is necessary to explore further the concept of 'ownership' or its alternatives e.g. responsibility as suggested above and also the question of management.

Under management we need to look at the various laws that exist in Australia to see if any of them are really appropriate for the management of the various forms of heritage from an "all-of-Australia including Indigenous" viewpoint.

WHAT'S THE CURRENT CULTURAL HERITAGE GOVERNANCE FRAMEWORK?

Australia has a very complex set of rules or laws governing the overall protection of the Country's 'heritage'. These include at least three, if not more, pieces of legislation in each jurisdiction which either specifically exclude Indigenous heritage or at best make very little and not very useful comment on the subject.

There is separate legislation in all States and Territories and at the Commonwealth level – depending upon restrictions placed by the Commonwealth in certain areas so this means nine different sets of laws or controls. Then in each of these nine jurisdictions, for the most part, the legislation is divided into that which applies to Indigenous (Aboriginal and Torres Strait Islander) heritage, the Natural environment and then European (or non-Indigenous) cultural heritage which in almost all cases does not refer to or specifically excludes Indigenous heritage. *"East is East and West is West and never the twain shall meet!"* is the present position. Finally this legislation only refers to 'tangible' heritage and thus the 'intangible' still has to be dealt with.

What all this means is that there is very little room legislatively at the present time for any 'sharing' of heritage as there are too many laws or rules in place to prevent it. Thus to properly deal with Aboriginal and Torres Strait Islander heritage protection and management there needs to be a complete review of current legislation – both that applicable to Indigenous and to wider Australian issues.

International or world heritage places are not ultimately within the 'control' of the Commonwealth Government as they are, where they have been proclaimed, established by International Conventions – such as the World Heritage Convention¹⁶ and the Ramsar Convention¹⁷. The World Heritage Convention has already played a part in the protection of several Indigenous sites in Australia. The Convention is of particular significance in countries with a Federal system of Government (such as Australia, Canada, Switzerland) as it gives powers to the 'national' government of a Country to control activities of its state members because of the national governments powers/obligations under the particular Convention. This is not needed today in Australia because of the Commonwealth's existing overarching powers in Indigenous matters but it is always a useful argument to mount that the lack of action by an Australian Commonwealth government to protect Indigenous places in a World Heritage Area puts Australia in breach of its International obligations and this is always an embarrassment to a National Government.

MANAGING WHOSE HERITAGE

It is therefore clear, amongst other issues, that specific groups can claim ownership of specific parts of Australia's heritage, that all Australians have rights to have a say in protection and management of the nation's heritage and the challenge is in the concept of recognising who is responsible for the heritage.

¹⁶ The Convention Concerning the Protection of the World Cultural and Natural Heritage, refer <http://www.environment.gov.au/heritage/about/world/convention.html>

¹⁷ The Convention on Wetlands of International Importance, refer http://www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0

A shared responsibility approach to cultural heritage protection and management can deliberately recognize all the relevant stakeholders – community, organisations and government agencies; at all relevant levels – local, regional, state, national and international. It is a deliberate multi party relationships approach to managing the heritage.

Shared responsibility is about communities of stakeholders working as partners and sharing the responsibility to achieve best outcomes in the agreed agenda. Shared responsibility arrangements can be achieved through agreements at local and/or regional levels that are inclusive of all groupings, through appropriate structures. Agreements detail the obligations of all parties. They can be voluntary arrangements to advancing the agreed priorities and needed outcomes.

Another way of thinking about shared responsibility is joint management or co-operative management. Joint management is mostly a natural resource management context – how full circle to think about heritage in the natural landscape then.

Joint management involves partnership in which government works together with a community party or multiple parties (for instance, Aboriginal Traditional Owners, local shires, non-government bodies vested with care, control and management) to manage the natural landscape. Responsibility and decision making is shared so that the natural and cultural heritage of the natural environment is conserved, the community party benefit and interests are taken into account, and public benefits are provided.

Joint management is about shared management, not ownership. The underlying ownership of the heritage matter doesn't need to change as a result of a joint management agreement.

How joint management is carried out depends on the provisions of a joint management agreement and a management plan. The agreement may specify membership and procedures for a joint management body to operate.

The range of benefits expected to come from joint management include improved management practice (for instance, using local and traditional knowledge together with scientific approaches), increased opportunities for interpretation and hence richer user experience, social development and economic opportunities for the community groups, and recognition and respect for each of the stakeholder groups' rights and interests and aspirations.

A collaborative (environmental) governance and planning science is emerging from the last 20 years' of Australian experience.

*"Tjukurpakatutjangerantja. The cover of the Uluru–Kata Tjuta National Park Plan of Management starts with these words, meaning 'Tjukurpa above all else', and this is the way the Park is managed. Acknowledgement of Uluru–Kata Tjuta as a cultural landscape is fundamental to the success of the joint management arrangement. The rights, interests, skills and knowledge of the traditional owners respected and integrated in all Park management programs."*¹⁸

This concept of governance and planning science gives a good example for the future protection and management of cultural heritage.

¹⁸<http://learnline.cdu.edu.au/tourism/uluru/background/jointmanagement/management.html>

Another example of multiple 'owners' managing cultural heritage in several, and jointly agreed ways comes also from Indigenous Australia. Cultural Heritage Information Management Systems (CHIMS), also known, amongst other terms, as Cultural Heritage Mapping systems (CHMs), are information management systems which map and record natural and cultural heritage sites and additional information, using Geographical Information Systems (GIS), multimedia, web and database (and any other) technologies.

The databases being developed in Aboriginal Australia (and there are many), use account and password protection measures for culturally sensitive material e.g. gender specific. In this way, individuals and community groups can protect and manage the sharing of information and knowledge they 'own' about the natural and cultural heritage sites and additional information. Much of the database work can be contributed by government agencies, collecting institutions and researchers being prepared to, and organising the sharing of information they have collected relative to that group and /or their country.¹⁹ All these systems rely, albeit unknowingly, on the concept of 'cultural landscapes' as being the framework within which they operate.

CONCLUSION

A collaborative cultural landscapes governance and planning scientific model could incorporate community groups' capacity building, including direct project support; nongovernment organisational measures (including Traditional Owner community based organisations, multicultural organisations, culture and heritage focussed organisations at local, regional, state and national levels); and government measures especially including institutional arrangements for collaborative working relationships with community, and as part of the community/NGO/government framework.

¹⁹Refer <http://www.culturalss.com.au/download.html>