Place Theory and Place Maintenance in Indigenous Australia

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ABSTRACT This paper applies a cross-cultural theory of ‘place’ to Australian Indigenous groups, both in terms of their classical and post-colonial places and cultural landscapes. It then explores how the ability of Indigenous people to access, protect, maintain and manage their places and landscapes, has been compromised by Cultural Heritage, Native Title and Planning legislations.

Key Words: Indigenous Australians, place, cultural landscape, cultural heritage, Native Title

Introduction

This paper examines issues in the maintenance of Indigenous places in contemporary Aboriginal Australia. It begins by briefly outlining a set of cross-cultural theoretical findings and models on the nature of place as a phenomenon, drawing on the authors’ previous research. The authors believe that any scientific, political or professional analysis of the cultural heritage values of places or sites should be firmly founded in such a theory of place. Within this model, culturally distinct aspects of Indigenous places will be described. These aspects have been selected to introduce and to some extent explain the existence of a range of issues and conflicts over Indigenous place values in contemporary Australia.

Place as a People–Environment Interaction Process

The authors take the theoretical position that place is made and takes on meaning through an interaction process involving mutual accommodation between people and the environment. Places and their cultural meanings are generated through one or a combination of three types of people–environment interactions. A place can be created by altering the physical characteristics of a piece of environment. Such physical features may be natural or human-made (for example, clearing a ground surface of debris for a dance).
A place can be partly or wholly created by enacting special types of behaviour at a particular piece of environment. Such behaviour becomes associated with that place. Territorial relations with place are a special form of place behaviour. People move into new environments, establish new places in such, create boundaries around their places and may be prepared to defend them. Such behaviour may be linked to cultural mechanisms of survival. People also display emotional behaviour in relation to place—affection, nostalgia, dislike, etc. A place can also be created by the association of knowledge properties such as concepts, past events, legends, names, ideals, or memories. Places may be made using a combination of the above methods, resulting in physical–psychological complexes of multiple inter-related properties. However, it is important to note, especially from an Indigenous perspective that physical structures may not necessarily be a component of place (more on this later).

A social intelligibility of place originates and develops, and is then maintained by groups of people having collective experiences at those parts of the environment and reinforced through feedback from ongoing experiences at such places. Social intelligibility also develops from social interchanges with others who have had further experience or knowledge of particular places. If places are in existence before one interacts with them, it is because other people have made them, through their past processes of environmental activity. Properties of place are transmitted socially and thus may stay constant through generations and cultural periods.

Humans have a special role in defining place. Bonds between individuals (or social groups) and places constitute part of the personal identity of those individuals (or the identity of the social group). Thus people can be seen to be dependent upon the concept of place for their self-identity (and social-identity), just as places are dependent upon people for their identity. This illustrates the mutual interaction process of people–environment relations (Memmott, 1979, pp. 493–495).

Classical Place Models of Aboriginal Australia

When considering the place properties of ‘classical’ Aboriginal Australia, i.e. prior to major cultural changes brought about by British colonisation, there are three broad structural dimensions that can be identified in the place-related data. Firstly, there is a hierarchy of spatial units each of which can be conceptualised as a place in itself. Thus there is typically (from the largest to the smallest), (i) the large territorial grouping, e.g. cultural blocs, nations, tribal units, sub-tribal units, language and dialect group territories, and language family units; (ii) clan countries; (iii) local named places; and (iv) sub-units of local named places. See Figure 1 for a model of such, for the Lardil of the North Wellesley Islands.

Embedded in this hierarchy are Indigenous ecological or environmental units which in many cases will more or less correlate with Western scientific units such as land systems, ecosystems, habitats, etc. (Crawford, 1982; Memmott, 1986). An example of such taken from Kalumburu area in the Kimberley is illustrated in Figure 2. Secondly at the sub-level of named places, a variety of social and economic place types can be identified and are classifiable by their function or use, and typically include camp site (with associated refuse area, including middens, as well as hearths and ovens), water source, food source (plant, animal habitat), material source, trading place, initiation ground, dance
ground, fighting ground, sacred site (or 'story place' or 'Dreaming place', includes art sites, stone arrangements, and there may be a range of sub-categories of such in the local ethno-classification of place), conception place, birth place, burial or body disposal site, and pathway.

Of the qualitative variables of the interaction processes making places, a number of more specific ones have been isolated by the authors from case
studies as being of an Aboriginal character, imbuing Aboriginality to place, and providing a unique cultural repertoire of places. Types of place-specific knowledge include knowledge of seasonal harvest indicators and associated climatic knowledge, as well as identification and knowledge of local native plants and animals and their distribution, procurement and usage. There are complex models of traditional ownership of places and territories, and associated roles and responsibilities, as well as access restrictions to various places and the need for certain forms of approach behaviour. Rich cultural repertoires exist of symbolic and indexical elements derived from cosmologic and cosmogenic belief systems (especially invisible beings, entities and energies). The rules and customs for the passing on of place-specific knowledge represent another important area of Indigenous knowledge that is partly embodied in ceremony and ritual. The secret/sacred nature of the Aboriginal place knowledge associated with customary religious and ceremonial practice brings with it restricted access to
certain places across gender, age, and level of initiation, a contemporary aspect of which is the tension when asked to reveal knowledge in court settings such as public inquiries or land claims (e.g. see Rose, 1995; Bell, 1998).

There are some striking cultural contrasts between Indigenous models of people–environment relations and those of Western science. For example, most groups believe that their land and marine systems were shaped and installed with resources by their ancestral heroes displaying supernatural powers. The explanation of Western science is in terms of geomorphology, and does not involve the influence of humans. In the Aboriginal explanation, the country was shaped by people; in the Western one, by nature. Aboriginal groups also believe that they can influence the weather and the reproductivity of plants and animals with special songs and actions at places—whereas Western science provides explanations which, again, do not involve the human influence.

Another example is that of ‘totemism’, of identifying with places and special energies said to be contained in those places which belong to or are derived from animal and plant species. Such identity is so strong that Aboriginal people believe (in the classical system of knowledge) that they contain some place energy, and that special places contain a part of their own energies—a sharing of being. This in turn leads to strong emotional attachments to places as the foci of collective clan identities (Strehlow, 1947; Peterson, 1972). Such systems of belief illustrate the necessity to avoid regarding people–environment relations as a simple dichotomy.

Much Western thought classifies people and their technology apart from nature (e.g. Norberg-Schulz, 1977, p. 5), but from a phenomenological viewpoint the terms ‘people’ and ‘environment’ do not provide mutually exclusive categories for classification in all cross-cultural situations. Rather, they are overlapping and interacting dimensions. The relation between humans and nature is an interactive process, one that appears to vary from culture to culture and which in so doing generates variable models of these two concepts (Memmott, 1979, p. 494; Young, 1992).

Indigenous behavioural patterns associated with places typically include codes of spatial behaviour, local resource collection and processing and manufacturing techniques, as well as specific behavioural episodes enacted at ceremonial sites, public dancing grounds, and initiation grounds. The more elaborate of these formal ceremonies aim either to return the spirits of the deceased into particular places or to cause the fertility or reproduction of species or natural phenomena at specific sites (e.g. see Peterson, 1972). Larger-scale kinds of behavioural patterns were created by the characteristic modes of population distribution in the environment, which were subject to change due to social, economic and seasonal influences. (Settlement size and location were directly related to this.)

Artefactual properties of places reported in Aboriginal societies can include tools, weapons, decorations, sacred objects, shelters, hearths and ovens, cleared ground surfaces, mounds, stone arrangements, rock wall fish traps, hunting hides, animal traps and pit-falls, various burial or body storage markers and structures, carved tree trunks, rock art, earth sculpture, dams and canals. Ways and types of place-specific environmental modification include extraction of raw materials for use; deposition of sacred objects in places; alteration of the physical environment for resource procurement (e.g. removal of stone for walls, or fish traps, the digging of drains for water collection); and alteration of organic or
inorganic elements (e.g. trees, rocks), to give or express meanings (e.g. stone pecking, carving of tree trunks and rock art).

**Cultural Landscapes**

The geographer Sauer (1925) can be attributed with providing one of the earliest definitions of the ‘cultural landscape’. The major downfall of Sauer’s definition for describing Indigenous cultural landscapes, is that he considers people and the environment to be mutually exclusive. It was pointed out that the terms ‘people’ and ‘environment’ are not mutually exclusive categories in Indigenous knowledge systems. Furthermore, Sauer and others (e.g. Fowler, 1987, p. 174) treat the cultural landscape as an historic dimension. Such a definitional framework tends to exclude considerations of contemporary, continuing and future people–environment interactions (Anderson and Gale, 1992, pp. 3–5; Young, 1992, pp. 255–256).

Cultural landscapes are again a category of people–environment interactions. The same interactional processes which create and maintain places also create and maintain cultural landscapes, hence the terms cultural landscape and place can be used synonymously. The difference between local places and cultural landscapes is one of scale. A cultural landscape may incorporate a larger area than a local place, for example the area of a cultural landscape often extends beyond the visual field (or beyond the horizon line). Cultural landscapes may consist of one large-scale place, or on the other hand they may consist of a hierarchy of place types (multiple places or complexes of places). The cultural landscape was identified by UNESCO in 1992 as a World Heritage category after its classificatory division of ‘cultural heritage’ and ‘natural heritage’ places was realised to be too simplistic a dichotomy (Titchen, 1996).

The integration of natural and cultural elements in a complex of places with place maintenance mechanisms, has been conceptualised by UNESCO as a ‘cultural landscape’ as follows:

Cultural landscapes often reflect specific techniques of sustainable land-use, considering the characteristics and limits of the natural environment they are established in, and a specific spiritual relation to nature. Protection of cultural landscapes can contribute to modern techniques of sustainable land-use and can maintain or enhance natural values in the landscape. The continued existence of traditional forms of land-use supports biological diversity in many regions of the world. The protection of traditional cultural landscapes is therefore helpful in maintaining biological diversity. (UNESCO, 1998, para. 38)

The UNESCO definition thus emphasises a wide-scale set of sustainable places, irrespective of cultural context. A common type of cultural landscape in the classical Aboriginal geographic system is a tract of country for which there is a high density of Indigenous place properties involving not just large numbers of places, but a wide range of the place types and properties in accordance with the ethno-geography of a local tribal or language group (and as described earlier). See Figure 3 for a mapped example.

Research is indicating that the Australian continent was an entire Indigenous cultural landscape in the classical Indigenous geography; all of the continent was known, and much of it was named (Langton, 1996). To some extent Indigenous
Figure 3. A detailed map of a cultural landscape showing the correlation between local place names, place types and land systems. Source: Memmott, 1979: North Wellesley Islands.

Australia can still be considered as one cultural landscape, or as comprising numerous cultural landscapes that correspond with different Aboriginal societies or cultural blocs. But there are also interrelationships between the cultural landscape of one group and that of another. Such interrelationships occur through (i) the actions of ancestral beings, (ii) travel and exchange relationships, (iii) shared contact histories, and hence, (iv) shared experiences at, and knowledge of place. These perspectives involving the socialisation of the land are in contrast to those of non-Aboriginal explorers, geographers and tourism entrepreneurs who describe the more remote parts of Australia as ‘pristine wilderness’ (compare Head, 2000, pp. 9–10).

The cultural landscape has been a longstanding and central concern in the ethnographic literature on Aboriginal Australia, to the extent that most anthropological studies of Australian Indigenous societies are concerned in some way with the people–environment interactions of the cultural landscape. Recent examples of this concern with the cultural landscape include Myers’ (1991) work which emphasises the need to explore the dialectic of individuality and collectivity (including social structures) in the creation and maintenance of place; and an emerging body of works that are concerned with cross-cultural concepts of the cultural landscape and change in Aboriginal cultural landscapes within the context of the history of Aboriginal relations with others (Memmott, 1979; Young, 1992; Morphy, 1995, Gelder and Jacobs, 1998; Merlan, 1998; Baker, 1999). Since the 1970s and the advent of land rights and native title, the study of Indigenous cultural landscapes has intensified. For example, native title claims require evidence concerning the ‘connection’ between people and particular parts of the environment.
Despite this established concern with the cultural landscape there are areas of research which require further investigation including: (i) the interrelationship of places and their densities within an Aboriginal cultural landscape, (ii) the commonalities and differences of place properties within a cultural landscape, (iii) the extent of cultural landscapes and whether they are bounded, (iv) the interrelationship of cultural landscapes, and (v) cultural change and cultural landscapes. A unified and agreed-upon cross-cultural theory of cultural landscapes is still in the making.

Cultural Landscape Corridors, Pathways and Travel Routes

A special category of cultural landscapes, also described within the UNESCO literature, comprises long linear areas which represent culturally significant transport and communication networks marking the cultural interchange of objects, resources and ideas (UNESCO, 1999). (They are also sometimes referred to as ‘cultural itineraries’.)

In the classical Aboriginal period, the Australian continent was criss-crossed by such units, being exchange and travel routes. Many of the river systems, apart from providing local economic resources, residential and sacred sites, were utilised by wider Aboriginal groups as transport corridors, these being significant trade routes (McCarthy, 1939). In many cases the trade and travel routes were created by the ancestral beings, and as a result, ‘Story Places’ or ‘Dreaming Places’ are to be found along such routes where ancestral beings have interacted with each other and with the environment, and left behind sacred energies.

The trade routes not only acted as a travel route for material exchange but also for the exchange of knowledge and behaviour, sometimes encoded in songs and ceremonies. European artefacts and information concerning the Europeans (as well as their diseases) travelled along such routes well ahead of the colonial invasion. Often the exchanged knowledge would be used in order to resist the invasion. The invading pastoralists and explorers also followed and usurped Aboriginal travel routes due to the presence of reliable water sources (which were in themselves sacred sites) (McCarthy, 1939; Reynolds, 1995).

Indigenous travel and exchange corridors are thus lineal cultural landscapes containing concentrations of places along such routes.

Aboriginal Place and Spatio-temporal Properties

There exist a number of important orders of time relevant to the nature of Aboriginal places that require special mention. In the first instance, the natural time properties of the environment are incorporated into and form the basis of the secular perception of time in the traditional Aboriginal world. The role of time was (and still is) one of ordering and associating events of both natural and human origins. Such sequences and associations include seasonal, solar and lunar rhythms and associated diurnal/nocturnal cycles and animal behaviour; births and deaths; ceremonies and catastrophes; seasons, moons and tides; the flowering of plants and the ripening of fruits, etc. Seasonal changes influence local movement patterns, exploitation of resources, campsite selection, settlement and shelter form, and camp behaviour. Aboriginal places thus display cyclic changes of place properties caused by natural environmental rhythms.
However, these patterns of Aboriginal life are regularly interrupted by social factors.

Another characteristic aspect of the Aboriginal time perspective is the extensive periods of waiting behaviour often enacted at places. This reflects the lack of necessity to continually quantify time and the emphasis on the social quality of the event and its sequential and causal relation to other events. Whorf (1956, p. 140) has expressed this idea in his discussions on the Hopi of America, by stating that length of time is not regarded as a length but as a relation between two events in lateness.

The above ideas apply similarly to Aboriginal attitudes towards space. Distances are not usually measured in fine quantitative units. During geographic discussion, emphasis is often on the correctness of spatial sequence of places during travel, and on the variation of qualitative features between places. Spatial units are not added or totalled but rather individualised. Places are linked through sequential mental operations representing imaginary journeys through the landscape (Memmott, 1979, pp. 481–482). For example, the Yuwaalayaay of the Narran River in central-north NSW employ a term ‘mandi’ meaning ‘step’, ‘climbing notch’ or ‘generation level’, whereas ‘mandiwawu’ is a series of steps or levels. The latter term was “used in relation to a particular type of public recital of place names in sequential order, practiced formerly.... This was known as ‘telling the country’, and a skilled recital of geography in full and correct order, ‘from the top to the bottom’ was highly admired....” (Sim, 1998, p. 20). This is (and was) a widespread feature of Aboriginal geographical practice.

There are then no abstract units of time and space used to measure distance between events, i.e. no quantified geometry of space or chronology of time. The overall result is the possibility of expanding or compressing time and/or space in historical and geographical thought. Scale is less important than sequential correctness of events in space and time, and the nature of causal links between them.

The ‘Dreaming’ or the ‘Dreamtime’ represents another time construct in the Aboriginal world. Although some may consider that it is an invention of Aboriginal thought, and thus part of the traditional perception of time, this is not the expressed belief of Aboriginal people themselves. In the interests of cultural heritage (as well as phenomenology), the Dreamtime must be regarded as a separate system in both space and time.

For example, in accordance with Lardil philosophers of the North Wellesley Islands, the Dreamtime is a second spatial universe that somehow split away in remote history. It coexists in time with the worldly environment but lies in a separate space dimension not visually accessible under normal circumstances. Although there are allegedly two separate universes, there is a spatial contradiction in that there are places where the properties of one overlap with the properties of the other, providing certain links, respectively via dreams and ‘Story Places’ or sacred sites (Memmott, 1979, p. 483).

**Place and Change**

Discussion on the properties of time lead on to the subject of the changing properties of place. A number of types of place change can be distinguished. The first type of change is that of visiting or attending a place to perform a function; then departing. Such a visit may occur only once, or in contrast, a place may be
visited regularly by local Aboriginal people. In the classical model of place, visits to many places are related to seasonal and climatic changes, and to lunar (tidal) and diurnal influences, all units of natural time. Alternatively, the time of visiting a place may not be closely related to natural time cycles, the motive for travel being a social one. Time of place use may occur at regular intervals or be entirely irregular. In the classical model of place, one could make a synchronic study of the distribution of the entire population of an Aboriginal tribe or language group for a particular given time, drawing conclusions on the whereabouts of people at places and of the nature of camp sizes. This class of changes pertains then, to the times at which places are used for the purposes which characterise them as places. The length of time of use can be termed the duration of the place-bound activity.

If the above level of change can be called ‘the focusing of activity at places’, then a second type of change is closely related, namely that of focusing mental attention on to a place, not necessarily one that is nearby, but rather referring to a distant place and its attributes during reflection or conversation. This process involves mental operations in a passive interaction with place rather than one of physical interaction. This mental connection with place is no less important as a form of place maintenance than activity enactment, despite the current legal processes of Native Title proof attempting to only recognise the latter mode.

A third type of change consists of the internal transformations which occur at a place whilst it is in use. In this type of change there are complex interactions between spatio-behavioural patterns, buildings, artefacts, information, roles, behavioural rules, space–time loci, etc. The length of time of such place activity may vary from a few minutes (e.g. at resource places), to several hours (e.g. in the case of a dance performance). A camp is partly composed of patterns of place-related behaviour that may be repeated daily for periods of weeks or lunar months. Here there is internal cyclic change. A socially permanent place of this order of complexity consists of internal properties and change patterns that are ordered and stable despite the irregularity of occurrence of the event at the first level of change, i.e. variations in time of place usage. Thus over a period of several years, a funeral can be seen to be enacted in a fixed manner and procedure displaying consistent structural properties, regardless of when or how often a death may occur in such a period. On the other hand, some places undergo repeated internal transformations at regular intervals. An example in the classical Aboriginal geography would be the daily use pattern and associated changing properties of camps.

**Place Maintenance and Control**

Many of the changes at place are thus not random. This consistency is an important contribution to their ‘placefulness’. Such consistency of change, particularly internal change, is maintained by a number of self-directing, self-controlling, and self-maintaining forces at places (Memmott, 1979, pp. 485–487).

The first is the ongoing fulfilment of relevant place-control roles, namely place custodians, operating and maintenance staff at places, correctors of deviant behaviour at places. A type of conservatism, typical of many Aboriginal groups, concerning requisite correct behaviour and knowledge associated with a place, often causes a resistance to change amongst users. A second form of place maintenance comprises education processes that teach and correct place behav-
Place Theory and Place Maintenance

Place behaviour knowledge is reinforced by ongoing consistency of style of place usage by people; this is particularly relevant in the case of places of economic value whose regular usage and constancy of properties is necessary for survival. The permanency of support structures and artefacts (includes buildings), and the permanency of important natural properties (visual character, plant resource reproduction) are further contributing controls of place structures. A sixth form is the existence of signs (indices, symbols) that indicate the location, time and type of normal place activity. These might range from written notices and graphic symbols to the artefactual remains of activity at places, and extend into a repertoire of natural signs such as for example the flowering of bloodwood trees indicating the time to seek ‘sugarbag’ (honey) at a place, etc. Yet another form of place maintenance is that of maintaining artefactual attributes. In classical Aboriginal cultures examples included burning areas of country, cleaning plant growth from sacred sites, seasonal rebuilding of villages and camps, sweeping domiciliary spaces and replenishing rock art ochres. The various forces listed above, imbue stability to place character (Memmott, 1979, pp. 497–498).

It can be seen then that places consist of a piece of environment and some of the variable properties discussed (behaviour, artefacts, etc.) which all undergo interrelated transformations or internal change. However, there is maintained constancy of place character and repetition of internal change due to the stabilising or equilibrating effects of internal forces which control place form.

Cultural Change and the Transformation of the Place Models of Aboriginal Australia

There is another category of change pertaining to place that is distinctly different to internal change, that resulting from externally imposed forces. These interrupt the equilibrium of place units, disturbing their cultural stability. The most severe of these forces are natural catastrophes (e.g. cyclones), but in the case of Aboriginal place repertoires in Australia, we find that the most regular have been of human origin over the last two centuries, and in particular of Western colonial origin.

The origin of these externally directed changes on Aboriginal places can be explained at an historical scale of analysis. It has been seen in many cases that the source of place change lies deep within cultural change processes that impact across complex systems of social structure, economy, sacred beliefs, etc. It is argued that although Indigenous place systems were undergoing self-directed change in the classical period, change was imposed and accelerated in the contact period.

The capacity of traditional Aboriginal places to withstand externally directed change has been shown to be not high in some cases. Complete places have been lost or destroyed resulting in ‘placelessness’, whilst most have undergone some form of internal change. The latter forms of change include disruption of internal control mechanisms, replacement of constituent place elements, adjustment of space/time parameters and alteration through the forced removal or addition or replacement of a key property. This includes the forced removal of people from their cultural landscapes and the prohibition or prevention of people interacting with particular places, i.e. carrying out place-specific behaviour. An example of place-specific behaviour is culturally distinct
hunting practices. Throughout contact history, non-Indigenous forces have attempted to suppress Indigenous hunting. However, Indigenous people continue to undertake traditional hunting practices and there have been a number of recent legal cases concerning the recognition of Indigenous hunting rights.

The place properties of contemporary Aboriginal people thus derive from both (a) the classical tradition, albeit adapted or eroded in various ways dependent upon the type and history of cultural change undergone since intense contact with the British colonists, and from (b) Western traditions imposed during the contact period. There are still further place values and properties which are synthesised from both classical Aboriginal and Western sources. Thus new properties of knowledge, behaviour and artefacts have come to be associated with places, whilst certain classical properties have been either lost or integrated with the new properties.

An important category of acculturated place, of value to Aboriginal people, is that of sedentised settlements where people have established permanent homes or communities, at least for significant periods of time. The spatio-temporal patterns of population distribution in the environment have thus changed, also leading to shifts in densities and intensities of place-properties. The symbiotic relation that arose between the Aboriginal residents and their sedentary settlements also generated new places of cultural significance with a synthesis of properties; for example, town cemeteries where Aboriginal burials regularly came to occur, old schools or stores with which groups strongly associated, and pastoral outstations, stockcamps, droving routes, town camps and the like.

With colonial contact a new construct of time entered the life of Aboriginal people, that of Western time—a time concept linked to diurnal and seasonal rhythms (two segments of 12 hours, the calendar year), and broken down into sub-units to permit quantification and measurement. The imposition on Aboriginal people of Western time structures in Mission, pastoral, agricultural and mining settings, disrupted traditional Aboriginal time structures. However, despite this new system of relating to time, natural time influences still prevail for many groups in the contemporary situation. Seasonal factors can still effect styles of domiciliary behaviour, shelter forms, and hunting and gathering practices. Extensive periods of waiting time and leisure time also remain prevalent at everyday places and are socially acceptable in many contexts. The contemporary Aboriginal experience of space and time in relation to place is now based upon multiple cultural constructs due to the introduction of these Western time properties and spatial concepts (Memmott, 1979, p. 484).

Changes within Indigenous cultural systems may have an unexpected or unintended impact on the nature of place over several generations. The changes in place properties can be focused on the physical, behavioural or conceptual aspects of places. In many cases these processes have adversely affected places of significance to Indigenous people; such places have been disrupted, degraded and in some instances destroyed. In other cases, changes in geographic knowledge and the abandonment of regular behavioural practices at certain classical categories of place have occurred, e.g. at fighting and ‘square-up’ grounds. Whole repertoires of place have been lost due to the annihilation or government removal of local Aboriginal groups.

Sedentism has often brought about an increased repertoire and intensity of places and their properties near the resultant settlements, but a decrease in the
reertoire of classical places in areas more distant from such settlements. In recent decades, however, this has been countered amongst some groups by outstation movements and land claims that have fostered a recuperation of traditional places and their properties.

An example of the changing properties of place is the increase in value within the Aboriginal geographic system of so-called ‘archaeological sites’ or Aboriginal sites that are defined through associations of artefacts left behind during the classical period of customary lifeway. Amongst Aboriginal groups who have undergone major cultural change and who have lost a substantial portion of their classical Aboriginal geography, the value of such artefact-based sites can become greatly enhanced, being the remnant repertoire reduced from what was once a much larger repertoire. Such sites can take on a strong spiritual value linking contemporary Indigenous people with their ancestors’ lifeways, whereas those whose classical geographies remain largely intact (e.g. amongst certain northern and central Australian groups), may not hold these archaeological sites in such strong spiritual awe. Thus there is a value enhancement of one category of place in response to a loss of other categories and properties of place.

Given the overlaying of Western places on the classical Indigenous landscape which was already abounding in places and cultural landscapes, it is understandable that cross-cultural conflicts in place values are likely to occur; well-known examples in recent decades are Noonkanbah, Coronation Hill, the Todd River dam site, the Swan Brewery, Hindmarsh Island bridge, to name but a few (e.g. see Merlan, 1991, 1998; Bell, 1998).

Also, given the transformation of classical Indigenous place properties being drawn from both the classical and Western sources, it is not surprising that conflicts in values of place have also occurred between Aboriginal groups, particularly in the context of groups who have undergone separate and different processes of cultural change, despite having descended from the same geographic area.

The Inadequacy of Australian Statutory Law to Protect Indigenous Place

Archaeology and its particular scientific paradigm has exerted much influence on Australian heritage legislation and its agencies. Legislation purporting to protect Indigenous place heritage has been largely characterised by Eurocentric heritage and concepts of place, with an emphasis on the protection of the tangible and physical elements of Aboriginal cultures. In these cases “legislation has operated to exclude Aboriginal and Torres Strait Island world views and intellectual traditions from cultural heritage management practice” (Williams, in Ellis, 1994, p. ii). Elsewhere the authors have, by way of example, critiqued the ‘Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987’ (Memmott and Long, 1998).

Several principal deficiencies within the contemporary legislative regimes need to be noted. The first is the lack of recognition of the ongoing cultural value of Indigenous sites or landscapes that do not necessarily have artefactual properties or the physical remains of human activity deposited at them. Of central concern here is the failure to specifically protect sacred sites, sites created by ancestral Dreamtime Heroes and imbued with spiritual energies. Attached to such places are often knowledge and behavioural properties of place as well as emotional values that fail to be detected by the archaeologist’s sieve. The cultural
heritage of Indigenous sacred place and geography is one of intellectual complexity and beauty, but not one that can be readily detected or defined using conventional archaeological methods. Any external attack on such places is often an attack on Aboriginal identity since such identity is defined within a cognitive domain of place-specific knowledge and invisible properties of place.

A second key issue is the failure to move the legal recognition of ownership and the power of control of Indigenous cultural heritage places into a suitable Indigenous-dominated administration structure (Evatt, 1996; Janke, 1997). There has in the last decade been greater emphasis placed on consultation with Indigenous communities (McBryde, 1995, p. 121). But too frequently this becomes a situation whereby the ‘‘powerful’ consult with the ‘powerless’ and having done so, do as they will’’ (Ellis, 1994, p. 18).

The issues to be examined in this dialogue are challenging. At present it is the State Government Heritage Agencies who have compiled the major databases of sites. However, there are those Indigenous people who fear that by placing information about Aboriginal sites with the Government Heritage Agency, it could ultimately be used against them by State Government lawyers opposing land claims or Native Title Claims in the current political climate. Traditional owners in communities often argue for their own local database. On the other hand, officers of Government Heritage Agencies at times warn against duplication of databases by Indigenous organisations, given the limited resources for such systems. There is a need to sensitively address this issue with some compromise on all sides.

Most agree that local Aboriginal control over cultural heritage knowledge is ethically preferred if the motivation and resources exist to implement such. Alternatively, there is a strong argument for regional Indigenous organisations, such as Land Councils or Native Title Representative Bodies to provide an interim storage system of cultural heritage records until such time as an appropriate level of quality control of records is achieved at the local level. In this way the information is kept under Aboriginal control and brought closer to locally based communities while taking the pressure off those communities to supply infrastructure and trained personnel prior to the return of information. It may also be seen as a workable solution in situations where complex communal politics and concerns over who can access such information, may prevent the establishment of a workable system of storage being developed in a community, at least in the short term.

Ultimately it is up to Indigenous organisations to formulate their own strategies in this regard. However, it is suggested that Indigenous regional Cultural Heritage agencies might work towards a ‘Heads of Agreement’ between (a) the Traditional Owners of the region, (b) the State (or Territory) Government Heritage agency, (c) the Australian Heritage Commission, and (d) the Indigenous regional agency itself, concerning the distribution and control of cultural heritage information, as well as other related matters such as (a) exemption from site recording permits for traditional owners, (b) exchange of information for analysis, and (c) funding sources for such.

A further key legal issue is the understanding and applying of Indigenous values within the heritage measures used by the Commonwealth agencies. Assessments of national estate values are generally undertaken with reference to the criteria for significance outlined in the Australian Heritage Commission Act 1975, and the sub-criteria currently utilised by the Commission (AHC, 1990). In
discussing the National Estate criteria with Aboriginal geographers, there is a need to reduce or deconstruct the lengthy and wordy verbage of these criteria to simple conceptual models, which can be readily used by Aboriginal consultants in making comparative assessments with their Indigenous systems of place knowledge and values. Memmott and Stacy (1997, pp. 65–66) have attempted to produce such a preliminary conceptual model which contains two dimensions, (a) place type properties, and (b) place value properties. The ‘place type’ represent the range of categories of place into which any given Aboriginal place must be categorised to become eligible for registration in the National Estate, whereas the ‘place values’ represent the criteria for relatively assessing why a particular place should be registered above numerous other available examples. By utilising this broad model, it is hoped that cross-cultural correlation will generally be facilitated, and that any arising anomalies in such correlation will be highlighted.

A further potential methodological problem is whether, despite the possible high significance of a particular place to Aboriginal societies, the place can in fact be categorised within the range of categories offered by the AHC. Elsewhere Memmott and Stacy (1997, pp. 70–71) have shown that Aboriginal place values do indeed, fit easily within all of these criteria. All of the AHC criteria may potentially serve to nominate places and areas with Indigenous values to the national estate. However, researchers should not feel confined to use particular AHC criteria when describing Aboriginal sites but, in a lateral thinking mode, explore all areas of overlap between the emic and etic or Indigenous and European value systems.

To properly assess place-based knowledge systems and to formulate strategies which allow their Indigenous owners to protect and maintain them, it is necessary to map entire cultural landscapes and corridors and their dynamic and holistic cognitive properties, rather than merely selecting isolated ‘best-example’ sites to record and protect (Memmott and Long, 1998, p. 13). However, cultural landscapes, as opposed to isolated cultural sites, impede large-scale economic exploitation of the environment. Whereas miners, pastoralists, foresters, etc. may be quite prepared to leave isolated ‘islands’ of sites within their development areas, statutory recognition of the value of a cultural landscape is likely to preclude development for the most. There is thus a basic conflict of interest which, without adequate legislative (as well as political) support, mitigates against the preservation and maintenance of cultural landscapes. There is a need for the theoretical and pragmatic introduction of these constructs of cultural landscapes and landscape corridors into State cultural heritage legislations, politics and practices.

The advent of Native Title ‘rights and interests’ provided Indigenous groups with a hope, a trust, and an apparent means to access, use and protect their places and cultural landscapes. This has been manifested in Native Title Claims as Rights to access and use resources at particular places, to protect sites of cultural significance and to carry out environmental management. The Right of environmental management is premised on the mutually inclusive nature of people–environment transactions and the recognition that natural and cultural properties are intertwined. A parallel development is the widespread emergence of Cultural Heritage Rangers appointed from within their own Aboriginal groups whose duties are to protect and maintain places and landscapes of cultural importance. Unfortunately if the Commonwealth Native Title Act of
1993 appeared originally to provide protection of Indigenous Rights in place, it has been gradually eroded by subsequent amendments (1998), State Native Title Acts and High Court interpretations (e.g. see Keon-Cohen, 2001). Jonas (2001, pp. 3, 131) also emphasises that this Act transfers Cultural Heritage protection back to woefully inadequate State legislation.

Similarly, whereas some planning authorities have embraced the recognition of Native Title, many others have only provided token recognition. Rather than redress the imbalance in power, autonomy and socio-economic status between non-Aboriginal and Aboriginal people, land use planning and environmental management too often continue to serve economic growth and profit (Jackson, 1996). Sites are disengaged in planning from their context of cultural landscape and people–environment relations, and reified as static entities, devoid of their dynamic properties of place. There remains a need for planning authorities to recognise and respond to the history and ongoing maintenance of Indigenous places and landscapes (Jackson, 1996, p. 101).

Nevertheless, the legal recognition of Native Title has propelled the development industry into nation-wide negotiation with Indigenous people on their ‘rights in place’. Government legislation on Indigenous cultural heritage sadly lags well behind such negotiation, resulting in many legal tensions as more complex issues of place dynamics, hierarchical place structures, identity and place, and conflicting place values are encountered. This paper has provided an overview of some of these political issues as well as associated theoretical constructs at the interface of cross-cultural place contestation.

Notes
1. See website: www.aboriginalenvironments.com
3. The definition of a ‘sacred site’ is a complex issue in itself, of pertinence to the politics of Cultural Heritage. For an introduction see Maddock (1991) and Merlan (1991).
4. The unit of a ‘behavioural episode’ is taken from Barker and Wright (1955, p. 10) and can be defined as characteristic sequences of molar behaviour, although the setting for that behaviour may change.
5. Such concepts of space and time correspond closely to the topological concept of space (Sauvy and Sauvy, 1974, p. 25).
6. The etic perspective “… is concerned with formulating universal understanding of phenomena through methods and theories abstracted in advance of field research, on the basis of standard, accepted criteria. The emic perspective in contrast, as represented in the ethnographic studies of cultural anthropologists, tries to look inside the culture under study to find indigenous analytic units and synthetic systems” (Stea, 1997, p. 23).
7. For a case study see Jackson (1996, p. 100).
8. This terminology derives from the High Court Mabo decision in 1992 and is formalised in the Native Title Act 1993 (Cth).

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