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Nicholas Skilton

University of Wollongong, nb366@uowmail.edu.au

Michael Adams

University of Wollongong, madams@uow.edu.au

Leah Maree Gibbs

University of Wollongong, leah@uow.edu.au

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Keywords

cape, york, making, conflict, heritage, common

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Conflict in Common: Heritage-making in Cape York

Nick Skilton*, Michael Adams, Leah Gibbs

Department of Geography and Sustainable Communities, and

Australian Centre for Cultural Environmental Research

University of Wollongong

Northfields Ave

Wollongong, NSW 2522

* Corresponding author

nb366@uowmail.edu.au

Abstract

The outstanding natural and cultural values of Cape York have been acknowledged for decades, but those decades have been characterised by deep conflict. Non-Government Organisation intervention in local politics has seen a forceful push for nominating some or all of the Cape York Peninsula as a World Heritage site. We illuminate the authorised heritage discourse at work in heritage-making, and highlight contested issues of ownership, governance, authenticity, and value. These themes contribute to the possibility of marginalising the voices of local people who wish to contribute to heritage-making in Cape York. Politics infuses all aspects of heritage-making in Cape York, and the specific experiences on Cape York reflect larger political processes occurring in World Heritage discourse. The paper draws on interviews undertaken in May and June 2012.

Keywords

Cape York, World Heritage, authorised heritage discourse, indigenous, UNESCO, Wild Rivers, nature/culture

Introduction

Local sites listed through the 'World Heritage Convention concerning the Protection of the World Cultural and Natural Heritage' (UNESCO n.d.) are by definition brought into a global and universalising discourse of heritage. Despite World Heritage existing for the 'common good' of human kind (Frey and Pamini 2009, P.3), the World Heritage regime is increasingly forced to compete with development interests, particularly in the resources sector, that view locations with high environmental or cultural amenity as potential sites of capital exploitation (Affolder 2007). Cape York, much like the Northern Territory in the 1990s, or the contemporary struggle in Tasmania to retain its iconic World Heritage areas, has the potential to become a key battleground in the fight for conservation objectives (Holmes 2011).

The outstanding natural and cultural values of Cape York have been acknowledged since the early 1970s by Australian scientists (Valentine 2006). The following decades have been characterised by deep political conflict. This conflict is situated both within and between Cape York communities and outside stakeholders, and between Cape York governance organisations and national and state government, whose power is concentrated in Brisbane and Canberra (geographically and politically removed from Cape York). Cape York is situated in far northern Queensland, Australia (Figure 1), and is noted for its unique environmental attributes, including relatively undisturbed tropical savannah and rainforests (Mackey et al. 2001). Cape York is often described as 'wilderness', though this term is highly contested and largely acknowledged as inappropriate from an Aboriginal perspective (see, for example, Langton 1998, 2012). It is home to many Aboriginal communities who have inhabited, utilised and cared for these lands since time immemorial, and currently comprise more than half the population (Australian Bureau of Statistics 2012). The Wilderness Society and Australian Conservation Foundation are the primary environmental non-government organisations (NGOs) working towards environmental protection in Cape York (Holmes 2012), and can be major powerbrokers in the framing of election issues (Holmes 2011). As the frontline for one of the largest

social and political movements in the world today—environmentalism—their actions and acumen in the realm of politics have consequences for local places of environmental importance (Castree 1995).

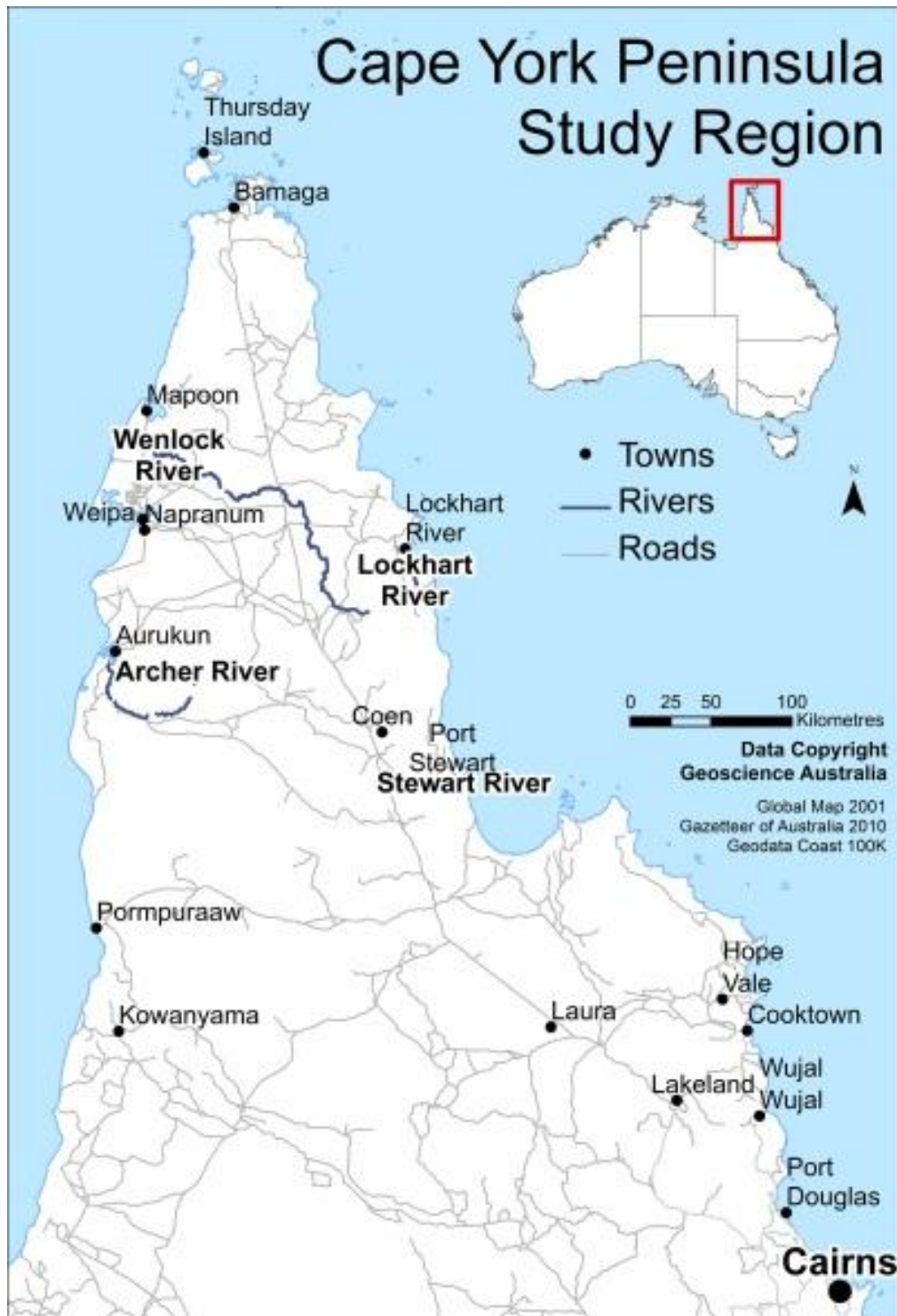


Figure 1: The Cape York Peninsula Region

In Cape York, there has been a forceful NGO push for nominating some or all of the Cape York Peninsula as a World Heritage property. Conservation NGOs were politically supported in this endeavour by a succession of Queensland Labor governments (Holmes 2011) until the February 2012 election, won by the conservative Liberal National Party. The mutually beneficial political alliance between conservation NGOs (who could leverage conservation outcomes in exchange for political preferences) and Queensland Labor committed all parties to developing a World Heritage nomination to be presented to the United Nations Educational, Scientific and Cultural Organisation (UNESCO) for inscription onto the World Heritage list (The Wilderness Society 2010). However, two proposed Australian government deadlines have now passed with no nomination, highlighting the political framing of heritage).

Cape York has been recognised since at least as early as 1982 as a potential World Heritage property (Valentine 2006), but a concerted effort to produce a nomination did not begin until the *Cape York Peninsula Heritage Act 2007* was passed by a Queensland Labor government. The legislation enacted a process of community consultation attempting to determine which areas of Cape York contain 'outstanding universal value' required for the nomination. Conservation groups argue that it is the threat of mineral exploration in Cape York that requires its immediate listing as a World Heritage property (The Wilderness Society 2012). However, other groups in Cape York are resistant to a World Heritage nomination being submitted to the World Heritage Committee. This includes some Aboriginal communities and individuals, pastoralists, and business interests. Where resistance intersects with a determined government and NGO sector working towards a nomination, the issue of who has authority to speak on behalf of Cape York – its natural and cultural values, or vision for future management – becomes a site of power and conflict within a network of agents and landscapes.

This paper provides a snapshot of the interplay of power in Cape York following the March 2012 Queensland state election. The aim is to bring to the fore the wider socio-political dimensions of heritage-making. Here, the uneven distribution of power becomes a social justice issue. As Logan (2013, pp. 170-171) argues:

[T]he size and complexity of the proposed site – a vast bio-cultural region containing diverse landforms and 37 Aboriginal language groups – stretches the notion of cultural landscape. Also, what does ‘community participation’ and the right to free, prior and informed consent mean in the context of so many communities? Who makes the decision? Wherein lies the authority?

Through an analysis of the organisational interplay on Cape York on World Heritage issues, this paper demonstrates how power is deployed around the issue of consultation and the framing of conservation or economic issues. Furthermore, it critiques the World Heritage process as a process that, through its hierarchical nomination structure, fails to account for the histories of support and dissent for various policies in Cape York. The legacy of these histories cuts across contemporary relationships, encompassing the multiple fractured and unifying experiences within Cape York politics. Together, these experiences have helped produce a community with a strong sense of place built through geographic and economic marginalisation. Contemporary environmental activism, in its control of land for conservation purposes, stages a heightened postcolonial intersection between the Aboriginal residents of Cape York and the State. Combined with the institutional push towards a World Heritage nomination, these unique historical circumstances provide an opportunity to analyse the application of the World Heritage Convention by UNESCO and nation-states in a timely fashion after its recent 40th anniversary.

Methods

This paper engages with the idea of ‘decolonising research’ discussed by Howitt and Stevens (2005, P.32), and attempts to ‘break down the cross-cultural discourses, asymmetrical power relationships, representations, and political, economic, and social structures through which colonialism and neo-colonialism are constructed and maintained.’ Empirical material in this paper was collected during fieldwork undertaken in May and June 2012. Fieldwork comprised interviews with representatives of organisations operating in Cape York that have played a role in the World Heritage debate.

Interviews took place in Cairns, which despite being located outside Cape York, is home to many of the offices of organisations operating there. Other interviews were conducted in Brisbane, where some senior organisational personnel are based. Semi-structured interviews were conducted with the most senior, or most relevant to Cape York or World Heritage, member of organisations. A total of nine people were interviewed, from eight organisations. Those organisations are:

- Balkanu Cape York Development Corporation (Balkanu) – an Aboriginal organisation that, in their own words, supports the improvement of economic and social structures in the region.
- AgForce Queensland – representing pastoral interests.
- Cape York Sustainable Futures (CYSF) – representing economic development interests.
- The Wilderness Society (TWS) – representing the Australian conservation sector.
- Australian Conservation Foundation (ACF) – representing the Australian conservation sector.
- Cairns and Far North Environment Centre (CAFNEC) – representing local conservation interests.
- Cape York Peninsula Region Scientific and Cultural Advisory Committee – representing a local advisory body to the Queensland government.
- Department of Environment and Resource Management (now Department of Environment and Heritage Protection) (DEHP) – representing the Queensland Government.

In qualitative research, and particularly in semi-structured interviews, rigour and depth is achieved in part by bringing ‘people “into” the research process’, which ‘capture[s] informants’ views of life’ (Dunn 2005, P.103). The participants in this research represent a broad range of perspectives,

emerging from their experience within organisations involved in the World Heritage debate. However, given that people were interviewed in their organisational capacity, the empirical information gained through interviews represents a professional, rather than personal, voice. The rapidly unfolding political events since fieldwork in 2012 means, as previously stated, the empirical material is a snapshot in the history of heritage-making in Cape York. We analysed subsequent developments through media reports and organisational websites. Empirical data gathered through the interviews is referred to in the paper in the form of interviewee job title, place of employment, and month of interview. Further data was obtained from analysis of organisational website statements on World Heritage and media commentary.

‘Universal Values’ and Heritage-making

Heritage-making is the practice of creating heritage properties or evaluating heritage values (through community consultation or authorised expert opinion) in places that may be considered to have universal value to a nation state or the international community. Heritage-making has been recognised as a political process in World Heritage properties around the world (Bianchi and Boniface 2002; Graham 2002; Hazen 2008; Maswood 2000). Institutionalised heritage-making may be supported by, or exist in contradiction to, local understandings of the significance of a property. According to Graham (2002, P.1006), heritage is ‘a knowledge, a cultural product, and a political resource’ utilised in identity making and the legitimisation of power. Predominantly, this power attempts to universalise local places within the wider globalising discourse and is applied from above. Graham’s coupling of heritage and power can be applied to the World Heritage nomination process to question whether World Heritage is an appropriate vehicle for protection and security of the ‘cultural’ and ‘natural’ components of nominated properties. Central to assessing the universalising process of heritage-making in Cape York is the need to unpack the discursive nature of heritage and how heritage discourse is employed.

The various official conventions, charters and operational guidelines that form the basis of discourse on heritage-making, reworked over the years since the initial inception of World Heritage in 1972, denote the sanctioned boundaries within which 'heritage' can be articulated. The *Australia ICOMOS Burra Charter* (2013) became a global standard and plays a prominent role in what Smith (2010) describes as the 'authorised heritage discourse'. Within this discourse, heritage assumes 'a certain common sense understanding' that belies the complex and often disparate ways that people recognise place and heritage (Smith 2010, P.63). Waterton *et al.* (2006) developed a complementary methodology that can be applied to investigating heritage-making, which we use in this paper; namely, Critical Discourse Analysis. For Waterton *et al.* (2006, P.343), Critical Discourse Analysis is a means of pursuing a 'progressive, emancipatory and empowering social agenda'. It renders visible instances of 'common-sense' in the field of science, and the use of 'experts' who dominate heritage discourse, such as those on the IUCN (International Union for Conservation of Nature) and ICOMOS (International Council on Monuments and Sites) advisory bodies to the World Heritage Commission. Obscuring common sense understandings are the tensions of changing 'cultural, social, economic and political needs and circumstances' (Smith 2010, P.63). Waterton *et al.* (2006) argue that deeply ingrained 'common sense' renderings of heritage-making within the authorised heritage discourse undermine and marginalise some speakers, while maintaining the authority of those who determine what values are acceptable. Power then, as it is applied through common-sense, effectively restricts any practical adjustment made through revisions to the Burra Charter that may increase community engagement. This accentuates the disjuncture that often occurs between local understandings of heritage and the global agencies that manage heritage.

The *Nara Document on Authenticity* (ICOMOS Symposia 1994), a key document in the authorised heritage discourse asserting a need for a greater understanding of cultural diversity in heritage-making, claims that heritage should be determined by 'local cultural understandings' (Alberts and Hazen 2010, P.61). The World Heritage Convention however assumes a universalising discourse that

validates a hierarchy prioritising the global over the local, which may marginalise indigenous or local people. In UNESCO's own words: 'World Heritage sites belong to all the peoples of the world, irrespective of the territory on which they are located' (UNESCO n.d.). In effect, UNESCO is saying that local ownership of land, heritage, and the management of such is superseded by international values. Accordingly, where local objectives are inconsistent with international objectives for a site, the needs of the many outweigh the needs of the few. For Cape York, this means that while heritage values will be compiled by committees of local heritage experts (although what constitutes 'local' here could be contentious), the final nomination will be written and submitted by the federal government, and evaluated at UNESCO by heritage experts in the IUCN, ICOMOS and ICCROM (International Centre for the Study of the Preservation and Restoration of Cultural Property) who are removed from the particularities of embodied lives in Cape York.

When Queensland legislated the *Cape York Peninsula Heritage Act 2007*, which brought together Cape York heritage experts under two distinct Cape York World Heritage Advisory Committees, they may have been working under the presumption that this qualified as 'local cultural understandings' (as per the *Nara Document*). The two Heritage Advisory Committees are (Department of Environment and Resource Management 2011):

- **Cape York Peninsula Regional Advisory Committee** – advises the Queensland Government on 'matters relating to community engagement and on matters of concern in their particular interest areas' and has a membership of 'conservation, pastoral, mining and tourism and local government interests'.
- **Cape York Peninsula Region Scientific and Cultural Advisory Committee** – advises government on matters relating to cultural and natural heritage values' and has a membership of 'experts in a range of disciplines including cultural and natural heritage, economics, environmental sciences, anthropology, ecology and land management'.

Heritage must be made to fit one or more of the 10 'natural' or 'cultural' criteria in the World Heritage Convention in order to qualify as having 'outstanding universal value', and this value is dictated by the authorised heritage discourse and the remote authority of scientific heritage experts 'with their own disciplinary bias' (Taylor and Lennon 2011, P.545). When these are experts who are (often but not always) working externally and in different contexts to Cape York residents, then the specificities of Cape York heritage may be lost through the top down processes and application of power. The two Cape York advisory committees have been assembled in such a way that maintains a separation between 'community' and 'scientific' heritage evaluation. Epistemic differences that may exist between some Aboriginal and Western knowledge systems that fracture the 'common-sense' separation of nature and culture are reified in the structure and function of these committees. Although the World Heritage Convention has introduced the category of 'Cultural Landscapes' in response to sites like Uluru Kata-Tjuta National Park in Australia, and Tongariro in New Zealand, which trouble the binary, the onus remains on those preparing the nomination to demonstrate why a site should be listed as a Cultural Landscape. There is ongoing contestation of values within the Cultural Landscape category (Adams in press; Adams 2011; Aplin 2007), but Taylor and Lennon (2011, P.541) argue that much of the Pacific region's heritage can be conceptualised as Cultural Landscapes. Arguably, *most* of the 981 sites on the World Heritage List contain cultural *and* natural values that are not easily separated, and yet sites are still routinely listed through a process that asserts separation, rather than Cultural Landscapes being the default category. This is demonstrated by just 3% of sites worldwide being listed under dual natural and cultural values. As long as specific committees remain to evaluate 'natural' (IUCN) or 'cultural' (ICOMOS & ICCROM) values, the nature/culture binary looks likely to remain. Recently, members of both IUCN and ICOMOS have begun to engage with these issues, including exploring the relationship between human rights and heritage (Ekern et al. 2012), and while the IUCN has commissions that engage across social and environmental issues, the dichotomy remains persistent and unresolved.

The authorised heritage discourse explains a landscape in which the wants and needs of local people are frequently overwhelmed by the external power of the World Heritage evaluation process, from marginalisation in the process of compiling a nomination, through evaluation by heritage experts, and continuing to the final decision by an increasingly politicised World Heritage Committee (Meskell 2014). However, further consideration of what is hidden in the discourse of natural and cultural heritage values reveals the contested understanding of what nature means to different groups in environmental management, which can be viewed as a contest over 'whose knowledge is "right"' (Pedykowski 2003, P.738). Pickerill (2009, P.72) notes in current conservation discourse that while non-Aboriginal conservationists respect the inseparability of the cultural from the natural in the Aboriginal domain, they do not necessarily adopt it in their respective institutions' policies, preferring to utilise '[Western] science as the mechanism through which to prioritise areas for environmental protection, thus undermining Indigenous understandings of the cultural significance of land.' Castree (1995), through the concept of social nature, raises questions over what nature is, how it is constructed, and who is authorised to speak on its behalf. Those granted authority or who claim authority to speak on behalf of nature (resource and heritage managers, scientists, bureaucrats), position themselves as 'nature's "defenders"' (Braun 2002, P.43). Positioning themselves this way maintains the performance of an authorised heritage discourse. Suchet (2002, P.148) argues that managing natural heritage actively creates and maintains an illusion in which cultural heritage management does not exist:

Rendered invisible in this discourse are management mechanisms such as roads, fences, constructed water points, wildlife counts, reintroduced animals, culling quotas, feral animal baits and tourist infrastructure, as well as experiences of interaction and dispossession.

Carter (2010) meanwhile argues that in an Australian institutional context, the language of values in heritage management has damaged interdisciplinary collaboration for landscape protection. Such

collaborative arrangements might include, for example, the recognition of ontological pluralism for Aboriginal understandings of landscape and heritage. Carter (2010, P.400) states that:

There is a tendency to exclude or downplay Indigenous perspectives when these separationist paradigms are maintained in and by settler societies because the complex connections between nature and culture are often ignored or misunderstood by the dominant institutional perspective.

Accommodating pluralistic views when planning for heritage assessment, nomination and management might empower local and indigenous people to articulate values of local importance in contrast to ones seen to universalise and globalise.

Environmental Politics in Cape York

One key observation by Holmes (2011) about Cape York politics is that there are at least two distinct political positions on development within Aboriginal communities. These are directly linked to interactions with the conservation agenda for the region, and can be roughly described as ‘traditionalist’ and ‘developmentalist’. Holmes (2011, P.54) argues that it is:

[M]isleading to interpret contests as if solely between conventionally identifiable power groups, such as between miners, developers, pastoralists, Indigenous people and conservationists. Recent contests are characterised by flux in alliances and schisms between and among the two recently emergent and currently dominant contenders, Indigenous and conservationist.

The Cape York Land Council (CYLC), a statutory authority whose primary function is to facilitate native title claims for Aboriginal people within its jurisdiction, and its economic development arm, Balkanu Cape York Development Corporation (hereafter referred to as Balkanu), are amongst the most financially and politically well-resourced Aboriginal organisations in the state. While Balkanu is a forceful advocate of the developmentalist paradigm (Holmes 2012), their relationship with the Aboriginal populations they represent is complex. According to Smith (2005, P.7):

Many local Aborigines, including those involved with Balkanu-sponsored projects, remain critical of the political implications of these projects and the forms of knowledge on which they are based. Despite stated intentions to ensure that projects of this kind are community-based initiatives, which place an emphasis on local control and Aboriginal cultural values, many among the Peninsula's Aboriginal population continue to see them as the projects of outside agencies, in particular the Cairns-based organisations, despite claims by these organisations that they represent Aboriginal interests.

Developmentalist adherents are likely to advocate development through interaction with mainstream economies. The notion of Cape York Aboriginal peoples engaging in mainstream economies features prominently in, and in many ways originated with, Noel Pearson's vision of a 'real' economy for Cape York (Pearson 2000). Although the 'real' economy is rarely defined (Altman 2013), at least in Cape York, the two main industries of tourism and mining are cited as examples (Cape York Institute for Policy and Leadership 2005). The two major Australian conservation organisations on the Cape have taken divergent strategies in their recognition of Aboriginal interests. The Australian Conservation Foundation has given primacy to overcoming Aboriginal disadvantage and endorsed the developmentalist agenda of Balkanu, sometimes willing 'to forego declarations on National Parks where in conflict with substantial Indigenous concerns' (Holmes 2012, P.262). An alternative traditionalist agenda for Aboriginal Cape Yorkers has advocates aligning themselves more closely with the hybrid economy model initially described by Jon Altman (2001), and further developed by Altman (2012). This approach generally favours less conspicuous economic activities, like ranger programs and eco- or cultural tourism linked to customary economies and state support. The Wilderness Society has fostered alliances with traditionalist Aboriginal leaders who are resistant to developmentalist objectives.

In both circumstances, there is a recurring theme for Cape York peoples, in which political visions are determined by remote authority. These visions are imagined and articulated in the offices of various

institutions located in increasing distances from Cape York: namely Cairns, Brisbane or Canberra. As distance from Cape York increases, there is an increasing likelihood that decision makers will be removed from local specificities, and therefore fail to account for local cultural obligations, dynamism and development interests. These facets are all components of the region's heritage. The way that institutions based externally to Cape York – primarily state and federal governments, and NGOs – choose to prioritise or exclude local visions of heritage in their pursuit of World Heritage for Cape York will ultimately affect future governance structures and political agency. The interaction between these sometimes unifying and sometimes competing visions is explored in the following section.

Power and Conflict in Heritage-making in Cape York

Power and political agency are defining features in the heritage-making process. The unfolding political environment in Cape York, combined with the authorised heritage discourse, illuminates contested issues of value, governance, authenticity and ownership in the following paragraphs.

The complexity of Cape York relationships between the parties working around World Heritage issues was readily and repeatedly acknowledged in interviews. Conflict and grievance were frequently framed around issues of difference in *values and vision* for Cape York. The Director of the DEHP World Heritage division argued that community anxiety is unnecessary because unlike previous World Heritage listings in Australia, Cape York is a new opportunity:

Most of the World Heritage areas in Australia and Queensland have been born out of battles for conservation ... So in the community's mind, World Heritage has been a weapon, a blunt instrument to stop stuff happening. And that's a bit of a mindset. And what we've tried to do with the Cape York thing is actually say "No, hang on a minute. This isn't an instrument to stop stuff; this is actually an instrument to empower communities to shape their future"

(Director, Partnerships and World Heritage, DEHP, June 2012)

The Manager of the National Indigenous Conservation Program at The Wilderness Society appeared frustrated with organisations that oppose The Wilderness Society vision for Cape York. For example, he invokes oppositional politics when the choice is, in his opinion, 'between destruction or protection' (Manager, Indigenous Conservation, TWS, June 2012). This conflict is one that he says is occurring everywhere, all the time. He questions the deeper motives of conflict at play in Cape York, asking whether it is 'a big contest because of Aboriginal rights versus greenies? Or ... just ... because it's the contest?' (Manager, Indigenous Conservation, TWS, June 2012). These statements frame an important position for this person, where binaries are at the core of conservation politics. Binaries inevitably posit parties at opposite ends of an ideology spectrum, and standpoints such as this may obscure opportunities for collaboration and muddy the processes of heritage-making rather than clarifying them. This is particularly problematic when there is a differential in power, such as between local Cape York residents, and between governments who create policy, and those who are advocating for social change, like NGOs. The CEO of CYSF, an 'apolitical' group promoting sustainable economic development in the region, objected to the preconceived ideas of conservation groups, maintaining that their door was open for negotiations on regional development:

But everybody needs to work together as opposed to fighting each other ... One of the things we're going to try and do in the next few years is to engage them [TWS] a bit more ... because they don't want to come and talk to us in the first place. They have a preconceived idea of what they want to see for Cape York that may not work at the end of the day ... we still should be able to talk and respect each other's differences (CEO, CYSF, May 2012).

There were those in conservation organisations who recognised that the problem is not simply about regional inter-organisational conflict. Regional development is particularly important for Cape York. An employee of the ACF raised the problem of the wider-socio economic implications of

marginalisation and inaction, and in doing so, rejected the binary of 'Aboriginal rights versus greenie':

There's been planning studies. There's been regional strategies. There's been investment of money. There's been a rollout of a whole range of things but it still has not supported the region as a whole to advance ... you know we still have a lot of people living under the poverty line. We have a lot of social issues, we have a lot of health issues, educational issues ... If they want to have an instrument like World Heritage, there has to be something that accompanies it (Cape York Program Officer, ACF, May 2012)

This statement underlines the general presumption that many people in Cape York have more immediate concerns that might take precedence over negotiating their aspirations under World Heritage.

Cape York residents are concerned that power is applied predominately from above in order to achieve government or NGO aspirations. This relates to issues of *governance and power*. A Cape York World Heritage nomination was, until recently, being advocated by a determined green bloc and a government that had a considerable investment in the nomination proceeding. At the national World Heritage Symposium held in Cairns in 2012, it was argued that acceptance of a World Heritage nomination is increasingly the only justifiable outcome for the significant investment made by nation states, reflected in the 'growing disjunct between the recommendations of the Advisory Bodies ... and the decisions of the Committee regarding nominations' (Murphy 2013, P.41; see also Shadie 2013). This analysis has been subsequently demonstrated by Meskell (2014) and Logan (2013). In the case of Cape York, the February 2013 deadline was the last opportunity for the then Federal Environment Minister, Tony Burke, to succeed in creating that particular political legacy prior to the 2013 federal election. The subsequent election of the national Coalition government in 2013 has added yet another chapter to the Cape York story, with the delisting of some Tasmanian World Heritage Areas almost immediately under discussion (Baxter 2013). Although the new Queensland

Government consulted with Aboriginal and other communities until October 2012, they eventually removed themselves from the process citing it a 'waste of taxpayers' money for the State Government to duplicate consultation' with the federal government (Burke and Nancarrow 2012). The Queensland Deputy Premier has since stated to the media: 'I've got no interest in the World Heritage nomination' (Kim and Nancarrow 2013). Instead, Queensland has chosen to prioritise the statutory Cape York Regional Plan process, which claims to 'balance economic development' 'with the protection of areas with significant environmental values' (Department of State Development, Infrastructure and Planning 2014; Jabour 2014; Kim and Nancarrow 2013). By February 2014, the World Heritage assessment and nomination process for Cape York had been indefinitely suspended, although the federal minister has insisted the government remains committed to the idea (McKenna 2014). Should it continue, since the federal government stated that a nomination can only proceed with the consent of Traditional Owners, it becomes necessary for those in favour of World Heritage nomination to convince Traditional Owners that World Heritage is in fact something to be desired. What remains unclear is who the Traditional Owners are who are consenting to this process, considering the diversity in tenure forms and the unresolved nature of current or potential native title claims (which can be political and divisive amongst Aboriginal groups, see for example Burnside 2013).

Country-based planning is a method of supporting 'Traditional Owner groups and their advisors to develop and implement effective plans for their traditional country' with the aim of securing their support for a World Heritage nomination (Smyth 2011, P.4). It had been employed by the Queensland government in their World Heritage consultation process as an attempt to renegotiate the terms of power that were so heavily criticised in an earlier consultation process for the controversial *Wild Rivers Act 2005* (hereafter referred to as *Wild Rivers*). While the conservation sector applauds the country-based planning process for its inclusiveness, engagement and consent

mechanisms at the appropriate levels, the CEO of Balkanu raises concerns that it is still a top-down process:

The problem with the way government consults, which is the difference to the way Balkanu say consults or the NLC [Northern Land Council] consults, government consults in a way that government wants to sell the policy ... They've got riding instruction about what to tell people, because they're there to sell what government's already committed to (CEO, Balkanu, May 2012).

The CYSF CEO commented on 'bribery' at work in the country-based planning approach: 'why are people not going to take that money? ... Because they've got none' (CEO, CYSF, May 2012). It is ironic that custodial lands attached to Aboriginal Australians since time immemorial are now used as 'bribes' to support conservation objectives. The North Regional Manager for AgForce sees this inequity as a return to colonial times:

I've always said the only difference between Wentworth and Lawson in Victorian years ago and today is they used trinkets and beads, and we use land tenure and Toyotas. We're still doing the same thing (Regional Manager, AgForce, May 2012).

This manager, in his experiences working with pastoralists and tourist operators, also holds practical concerns for Cape York residents about a government consultation process that operates strictly according to government guidelines:

You're going out there to talk to bushies that work from daylight till dark and plus ... so you just need to sit down and talk with them on a one-to-one basis and leave out all the jargon with 'correct engagement' and 'social wellbeing' ... [The government] don't consider the mail systems inside Cape York. It can be anything up to 3 to 4 weeks for a turnaround for mail ... Then when they start planning meetings which are crucial planning meetings in February, well ... half their major stakeholders ... can't make it [because of the wet season] ... So it's very conveniently planned, or it's stupidity, or a combination of both (Regional Manager, AgForce, May 2012).

This person here questions whether exclusion of certain voices is intentional, or simply wilful ignorance on behalf of government consultation process. These concerns raise the spectre of colonising or frontier discourses. Individuals and organisations are forced to scramble for power when confronted with imposed government deadlines, rights to negotiate, or financial aid. Heritage-making under these circumstances becomes oppositional by its very nature.

Conflicted inter-organisational relationships in the region, combined with the binary traditionalist/developmentalist vision for Aboriginal futures on Cape York demonstrate how the politics of heritage-making are historically embedded. Failed policies, broken relationships, ideological and philosophical opposition, and consultation fatigue all contribute. The Wild Rivers legislation, in particular, has soured relationships between many organisations working in Cape York, even amongst groups that were previously allies (Slater 2013). Neale (2012a and 2012b) identifies issues of consent and contested authority as lying at the heart of the Wild Rivers debate. Community concerns were over a perceived lack of government consultation before passing the legislation, as well as contributing to a longstanding disaffection with government process. In response, Cape York communities felt as if they continued to be 'powerless against the state and the ongoing processes of colonisation' (Slater 2013, P.766). Wild Rivers and subsequent legislative proposals resulted in three federal inquiries, extensive media debate and a backlash against some conservation NGOs (Neale 2012a), playing a key role in the continuing dynamic of Green vs. Black politics (Holmes 2011). The representative from The Wilderness Society earlier insinuated that this may have been simply because people like a contest (Manager, Indigenous Conservation, TWS, June 2012).

The oppositional politics generated by Wild Rivers supports the assessment by Pickerill (2009) that organisations are unwilling to cede any power they maintain in a relationship. Organisational positions are entrenched, so often ideas do not get the 'proper play out' in remote Aboriginal

communities where people need to hear multiple perspectives in order to be informed of the issues relevant to a decision (Coordinator, CAFNEC, May 2012). That conservation groups have had a greater degree of power than other stakeholders during consultation and land management decisions in Cape York is acknowledged even within conservation groups themselves (Cape York Program Officer, ACF, May 2012). The Balkanu CEO maintains that Queensland government support for World Heritage came simply because they 'can see votes in it' (CEO, Balkanu, May 2012). The potential for organisations to renegotiate their current oppositional positions was increased by the 2012 Queensland election of the conservative Liberal National Party Government, which promised to repeal Wild Rivers in favour of a Cape York Regional Plan (Powell 2012).

The Balkanu CEO has been a vocal opponent of Wild Rivers, but stated that he has always seen World Heritage more positively as 'part of the mix' for Cape York (CEO, Balkanu, May 2012). He holds concerns that the ideological position of conservation groups is largely driven by their ongoing need to be seen as "“saving” somewhere to raise funds' (CEO, Balkanu, May 2012). This statement neatly articulates the political nature of heritage-making. Whilst conservation groups may claim what they are doing is merely protecting heritage values (apolitically acting as Braun's (2002) 'defenders' of nature), the requirement to effectively utilise membership funds in the defence of nature to satisfy the financial investment made by their membership base places a mercenary spin on conservation efforts. If conservation groups have a high degree of control over the World Heritage-making process for Cape York in the development stage, but retreat when it comes to ongoing delivery and management, any financial or administrative burden the World Heritage site accrues is unevenly distributed on the shoulders of other organisations that may have had less influence over World Heritage in its conception and development stage.

The position of both The Wilderness Society and the Australian Conservation Foundation is to campaign strongly for World Heritage status for Cape York because it 'provides the best protection

nature and culture can receive while providing real economic development and employment opportunities for Cape and *Cairns* residents' (The Wilderness Society 2010, emphasis added), and provides 'long term conservation and cultural protection ... [bringing] tangible socio-economic opportunities to the region' (Australian Conservation Foundation n.d.). It is here that the question of who is an *authentic* voice with the right to speak on or profit from Cape York issues comes into play. For example, the Wilderness Society considers Cairns residents should be dual beneficiaries of a Cape York World Heritage listing (despite the city being approximately 150km from the southernmost 'boundary' of Cape York), when it is Cape York residents who must live with the responsibility of a World Heritage site in their backyard. The Cape York advisory committees also highlight questions of authenticity. Although they may have been 'exceptionally good at offering advice to the minister on the whole process' (Chair, Cape York Region Scientific and Cultural Advisory Committee, June 2012), their role as independent experts means they (inadvertently or otherwise) become the spokespeople for 'truth' in the region. This creates problems on multiple levels, potentially conflicting with local, Aboriginal Cape York understandings of representation:

Cape York Indigenous people are not just people who should be sitting on a committee where you've got stakeholders on there who have got little stake in Cape York ... And one of the issues for Richie [Ah Mat, former Chair of the Cape York Regional Advisory Committee and a member of the Cape York Indigenous community] was government would say on the one hand, "well you're here as an individual, you're not here to represent the Cape York Land Council [CYLC]." But on the other hand, [local] people expected him to be there ... and so what government tried to stop was any caucusing of Indigenous reps ... And so what would happen to Richie is Richie would on the one hand be told by Cape York Peninsula Regional Advisory Committee, you're here as an individual, but other people would say and government on the other hand would often say, well CYLC's there [being represented] (CEO, Balkanu, May 2012).

If conservation organisations choose to support World Heritage by valorising some Aboriginal voices in favour of others, this ongoing division between traditionalist/developmentalist scenarios (as per Holmes 2012) is very likely to leave some Aboriginal people outside of planning processes. This could potentially embed existing conflict between Aboriginal communities with differing views on the best way to manage heritage values. However, Holmes' claim of substantial operational differences within the conservation sector, between the traditionalist and developmentalist positions of The Wilderness Society and the Australian Conservation Foundation respectively, failed to materialise in this research project. This may reflect the sector's ability to confront single issues with a cohesive response to achieve relatively compatible goals, despite operational conflict on other fronts. Acting as a 'green bloc' in response to common conservation goals only adds to the perception held by local people that there is a collusive alliance between the city-based political elite that acts to disempower local governance. This resonates with organisations already harbouring reservations about what exactly World Heritage can provide.

The final issue resides in tensions over *ownership*. While Traditional Owners legally or morally own the land, they must contend with the universalizing discourse of the World Heritage convention, which argues that 'World Heritage sites belong to all the peoples of the world' (UNESCO n.d.). In Cape York, the greatest leverage Aboriginal people initially had in their dealings with the government was that the then federal and state governments had both said Traditional Owner consent was mandatory for a World Heritage nomination to proceed (Department of Environment and Resource Management 2011). This was an initiative of the federal government rather than the World Heritage Committee and was a genuine step forward in heritage-making. Whilst making advances in this respect, the government simultaneously challenged Aboriginal agency by working towards World Heritage deadlines, such as the annual February deadline for sites to be put on the World Heritage Tentative List. Although the three conservation NGOs interviewed had formally

agreed to the government's original deadline, one at least conceded to having some reservations about setting a date for finalisation:

[I]f you're pushing for a particular timeframe and there's a government political imperative to get it done before next February, then you're also pushing those communities through a process that they may need much longer to work through (Coordinator, CAFNEC, May 2012).

This is further confirmation of 'sell[ing] what government's already committed to' (CEO, Balkanu, May 2012). When asked about those other identified problems in Cape York, such as poor infrastructure, under-developed economy and land tenure resolution, the Coordinator of CAFNEC articulated the opportunistic nature of heritage-making:

[W]hen I talk to people who wanted to see Cape York with a World Heritage nomination for that long, they just say "yeah well we've just got on with it because it's the only time we've ever really had an opportunity" (Coordinator, CAFNEC, May 2012).

This statement reflects an attitude that the political climate of the time in some way validates the process, and that the end justifies the means. By ignoring the detail of heritage-making, such as appropriate consultation procedures and informed consent as is being attempted through the country-based planning process (Smyth 2011), the site becomes merely a symbol of national prestige.

In response to the marginalisation of Indigenous people in geographically remote locations like Cape York, Howitt (2010, P.2) argues that state intervention, if necessary, must be done in a way that acknowledges cultural pluralism and embraces new discourses of 'presence, coexistence and belonging.' Resisting forms of hegemonic governance must involve a commitment to building locally negotiated institutions with high levels of ethics, accountability, cross-cultural development and autonomy (Howitt 2010). The stakeholder organisations on Cape York must evaluate their perspectives and envision cooperative structures for governance that appropriately recognise both

the large geographic scale and the diversity of cultures, 'natural' landscapes and politics of the region. A more collaborative approach is vital, and as the CEO of Cape York Sustainable Futures argues: 'The egos have got to get out of organisations' (CEO, CYSF, May 2012). These ideals should be central for recontextualising heritage-making by local organisations and governments in their negotiations over the World Heritage listing of Cape York.

Conclusions

The complex and contested world of heritage-making is imbued with the politics of expert opinion, the recognition and deconstruction of binary nature/culture values, and power struggles between various actors with competing agendas. By analysing the way employees of organisations engaged with the Cape York World Heritage nomination process understand Cape York and its politics, a picture of subjectivities, experiences and prejudices that shape local-local, local-State and local-global relationships can be drawn. These specific experiences on Cape York reflect larger political processes occurring in World Heritage discourse, demonstrated in the discussions at the 2012 World Heritage Symposium and in other research. By focusing solely on the negative, conspiratorial, or antagonistic, organisations risk delivering negative outcomes for the communities that live with(in) World Heritage sites. The conservative inertia of large international institutions, and the politicking of regional powerbrokers fighting for the right to have their voice heard in the process of compiling a nomination, risks marginalising the voices of truly local Cape York people who may wish to contribute to heritage-making in Cape York, but question the authorised heritage discourse and its institutions. The danger here is that any nomination that incompletely represents the region's heritage through an absence of participation, or that lies in complete opposition to local aspirations, could perpetuate existing conflict about possible futures in Cape York. Similarly, if governments now abandon both consultation and heritage processes, irrespective of outcomes so far, in favour of development discourses, they will again demonstrate their disdain for some local aspirations. This conflict, of which Wild Rivers has been a highly visible and continuing example, may further

exacerbate tenuous relationships between Cape York Aboriginal and non-Aboriginal residents, NGOs, and government, who must ultimately cooperate if there is to be action on heritage and a raft of other regional issues.

Despite Australia's colonial history and the unresolved condition of Aboriginal sovereignty in higher political institutions, individual people (with largely altruistic intentions) employed by organisations working on World Heritage can play a positive role in shaping heritage-making in Cape York organisations. Persistent conflict in the region overshadows the multiple opportunities for collaboration when individuals and organisations are willing to work creatively and synergistically around existing problems or ideological differences. When employees of organisations make assumptions on the standpoints of other organisations without first seeking clarification, they actively undermine this opportunity. The federal government has a particular role in heritage-making as they are the State Party to the World Heritage Convention and ultimately responsible for submitting nominations (Planning for People 2011). Current methods of consultation used by government to determine what values and places can or should be included in the nomination dossier, such as country-based planning, are challenged as 'nonsultation' (CEO, CYSF, May 2012) – consulting with the specific purpose of pushing through a pre-existing agenda. Governments (state or federal) involved in World Heritage could utilise their authoritative position to build 'locally negotiated institutions' that respect the needs of the community and engage with them on their terms, within their cultural precepts (Howitt 2010, P.2). Alternative approaches that re-visualise heritage values, and see heritage as inclusive and celebratory rather than conflicted, could contribute to an emancipatory politics empowering local people and protecting heritage. Alternatively, pressuring communities to work to a deadline when they have more pressing concerns, including cultural obligations or employment burdens, will only further embitter people against the universalising discourse of a global World Heritage Convention that has not yet demonstrated its worth in the region.

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