

Problematizing Urban Indigenous Heritage in Settler-Society Countries: Australia and New Zealand

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Introduction

This paper surveys current global trends in heritage practices regarding urban indigenous heritage, with a focus on settler-society countries, namely Australia and New Zealand.¹¹ Urban indigenous heritage includes heritage sites, buildings, and components of the built environment of cities that are of significance to Aboriginal and Maori peoples. The following concentrates primarily on the dynamics of largely “white” European institutions of heritage practice, and the protocols adopted for indigenous heritage. The central argument is that while considerable changes have been effected in international awareness of indigenous heritage practices and policies, these changes have had little impact in settler societies. Cities continue to be the stronghold of heritage rooted in colonial precepts and values.

The issues that surround indigenous heritage in settler societies need to be understood against a backdrop of colonization and the impacts these have had on indigenous people, their culture, and history. This forms the first brief section of this essay. The next and longest section examines heritage as a Eurocentric institution that has promoted stereotypical images of indigenous heritage. This will be demonstrated through the case of Australian heritage practices, contrasted to the parallel but somewhat divergent New Zealand experience. The reason that the Australian experience is being compared with that of New Zealand is because Australia and New Zealand are similar in terms of their colonial pasts—as they were both British settler colonies—yet they have treated indigenous peoples differently since the early days of colonization. A discussion of the diverse approaches adopted towards indigenous peoples in Australia and New Zealand will allow for an exploration of the ways in which this difference translates into varying concerns towards Aboriginal and Maori heritage in these two countries.

The third section to follow reflects upon recent international trends pertaining to indigenous heritage that have sought to move away from the Eurocentrism of heritage practice. The fourth section traces the impact of these trends on Australian heritage practice. The central concern here is that urban indigenous heritage continues to be a deeply contested idea in cities largely dominated by colonial heritage. A key conclusion is that heritage practice in Australia needs to move beyond its colonial legacy, associating the city with European heritage, to become more inclusive of urban Aboriginal heritage.

Settler Colonies and Indigenous Peoples

Colonies such as Australia, New Zealand, and British North America were set up by European imperial powers for settlement and occupation. The occupation of these lands was justified on the basis of colonial ideologies promoted by contemporary philosophers and theorists. John Locke’s idea was that “those who did not cultivate the land had no rights to it.” John A. Roebuck’s definition of a colony was “a land without indigenous people whose inhabitant looked to England as the mother country.”¹² These ideas were underpinned by concepts of cultural and racial superiority, and they laid the foundations for a chiefly domination-based strategy of colonization.

Accordingly Australia was occupied from 1788 on the basis that it was *terra nullius*, an uninhabited land, which quite clearly sought to overlook Aboriginal presence and denied any claim to the lands. The British annexation of New Zealand 50 years later was under slightly different circumstances. The signing of the Treaty of Waitangi, between representatives of the British Crown and 46 Maori chiefs and over 500 Maori, was on the basis that the Maori ceded their sovereignty to Queen Victoria in return for the Crown guaranteeing them possession of their lands, forests, fisheries, and other property.¹³ While this outwardly gave the appearance of fairness, it would prove disempowering with Maori rapidly losing control over the sale of their lands to the non-indigenous “Pakeha”.

The marked difference in the way that Australia and New Zealand were brought under British rule has much to do with the way in which Aboriginal and Maori people were perceived and treated by the colonists. Representations that depicted indigenous peoples and cultures as “primitive”—as opposed to the colonizers, who were “civilized”—were widely employed by the colonists to establish their cultural superiority over indigenous populations. This in turn justified colonization and domination on the basis that the civilized and superior colonizers were obliged to rule the less fortunate primitive and indigenous peoples of settlement colonies.^[4]

The implementation of this colonial ideology was quite evident in the case of the colonization of Australia. Early descriptions of Aboriginal peoples—which were maintained over the years—included their characterization as savages, brutes, and incorrigibly unintelligent peoples.

On the other hand, European perceptions of the Maori, which were largely established by early settlers of Australia, were not as dismissive or debasing. The Maori were recognized as warrior tribes and were often described favorably as excellent navigators, willing to trade, “almost European” in terms of their looks (owing to their olive complexions), and possessing good heights and builds.^[5] However, with the settlement of New Zealand, these early perceptions of the Maori were soon replaced with images similar to the classificational fate of the Aboriginal people. Maori, like the Aboriginals, were subjected to ideas of Social Darwinism, which predicted the extinction of “primitive races.”

These colonial perceptions were echoed in the portrayals of indigenous histories. History was a powerful instrument in the subjugation of colonized people, as it emphasized certain events in European history, marginalizing other histories.^[6] In the case of Australian history, as noted by historian Henry Reynolds, there was a deliberate underreporting of Aboriginal Australian conflict and resistance to the colonial occupation.^[7] Reynolds argues that Aboriginal resistance to colonization fails to find its way into historical archives because the intention was to portray the peaceful takeover of Australia.^[8]

As a result of this historical omission, Aboriginal losses, in terms of dispossession and loss of lives and culture, has not been fully recognized. Instead, historical representations of Aboriginal people have associated the “authentic” Aborigine with the bush, tribalism, and pre-contact times, as opposed to the “detribalized”, drunk, unemployed Aborigine in urban settings.^[9] The common perception of a rigid and ancient Aboriginal culture collapsing under the pressure of the European invasion has flowed through to latter-day representations of Aboriginal heritage.

In New Zealand too, Pakeha versions of critical historical events such as the Treaty of Waitangi and the setting up of the nation were given precedence over Maori viewpoints. At the time of the signing of the Treaty, there were English and Maori versions of the document; however, the version that has until recently been predominant in the nation’s narrative has been the English version, according to which New Zealand joined the British Empire in 1840. Similarly, settler histories exclusively referred to the English text, reinforcing the idea that New Zealand was founded on “full and free consent.”^[10]

The Maori version of the Treaty stressed the constitutional equality of Maori people and their ownership over their lands. It was largely underrepresented and neglected by the dominant (Pakeha) narrative, leading—with other factors, such as the Anglo-Maori Land Wars—to the increasing dispossession of the Maoris.^[11] In the 1980s, after increasing, consistent pressure from the Maori, the Maori version of the Treaty was given precedence over the English version in international law. This recognition of the Treaty has been the distinguishing factor that has worked in favor of a wider representation of the Maori in New Zealand society at political and social levels.

Indigenous Heritage: In the Hands of a Eurocentric Practice

The development of the idea of heritage, the changing meanings of heritage, and the socially-constructed nature of heritage have attracted scholarly consideration and debate.^[12] Some of the issues surfacing in these debates are relevant to discussions of indigenous heritage.

David C. Harvey's argument that there is a need to focus on the development of heritage as an evolutionary process draws attention to the present-centeredness of heritage. That is, his thesis suggests that heritage is produced in accordance with current demands and is therefore more about the perceptions and priorities of people at a certain time in history.^[13]

In the case of indigenous heritage in settler societies, however, this present-centeredness is missing for two reasons. First, indigenous heritage is not about the perceptions and priorities of indigenous peoples; instead, it is decided in accordance with dominant and largely non-indigenous perceptions. Second, and more importantly, these dominant perceptions have tended to limit indigenous heritage to the distant past, focusing on aspects of indigenous culture that existed prior to settlement and colonization. The focus on past cultures is based on the problematic assumption that indigenous cultures that existed in pre-contact times were authentic compared to less worthy post-contact traditions and more recent expressions of indigeneity.

In the case of Australia, most Aboriginal heritage sites acknowledged by national, state, and local governments are limited to the pre-European or pre-contact time period. Melinda Hinkson, in her study of Aboriginal heritage sites in Sydney, notes that pre-contact sites such as stone engravings, shell middens, and rock shelters are relatively easy to find in and around Sydney. These sites are often marked on maps and signposted on the ground.^[14] By contrast, contact or post-contact sites, including all sites marking encounters between Aboriginal and non-Aboriginal peoples, are difficult to locate and "largely invisible; many receiving little if any public recognition."^[15]

The lack of attention paid to the heritage value of these sites is evidenced in the marked difference in the listing of pre-contact versus contact and post-contact sites. Hinkson established that only a few hundred of the 30,000 sites recorded in the New South Wales (NSW) National Parks and Wildlife Services Aboriginal Sites Register belong to the post-1788 period.^[16]

New Zealand, on the other hand, is quite different from Australia. There is a greater recognition of post-contact Maori heritage, especially of the *pas*, the "fortified villages to which Maori retreated when attacked by other tribes and during the Land Wars waged against Europeans in the 1840s and 1860s."^[17] Pas have formed a significant part of New Zealand's heritage landscape from as early as the 1880s and remain a prominent part of cityscapes all over the country.^[18] Not only are these sites that represent Maori and Pakeha relations, they also serve as reminders of Maori resistance to colonization.

While this collective memory of Maori-Pakeha relations demonstrates a sharing of Maori and Pakeha histories, the concern remains that Maori heritage, like Aboriginal heritage, continues to be constructed principally by dominant non-indigenous values.

Cultural heritage management in Australia and New Zealand has traditionally been dominated by a European, if not a middle-class British, view of what heritage should be kept and how it should be interpreted. Indigenous cultural heritage was long presented as representative of a past culture rather than part of a contemporary cultural tradition.^[19]

This argument against cultural stereotyping of indigenous heritage resonates with the understanding of heritage as a construct of modernity. If modern attitudes globally reflect a rather Eurocentric perspective of the world, so too would modernity tend to be Eurocentric in its dealings with heritage.^[20]

This Eurocentrism has perhaps been most observable in the assembly of the World Heritage List, which is supposed to showcase the diversity of heritage in different countries of the world. The United Nations World Heritage Center notes that a global study conducted by the International Council of Monuments and Sites (ICOMOS) from 1987 to 1993 revealed that the World Heritage List had an overrepresentation of sites related to "Europe, historic towns and religious monuments, Christianity, historical periods and 'elitist' architecture" as compared "living" or traditional cultural sites.^[21]

This study demonstrated that a European fixation with ancient monuments and pre-industrial heritage has dominated global perceptions of heritage.^[22] More importantly, it revealed that expressions of indigenous cultures—such as those of the Maori and Aboriginal cultures, which are living or traditional cultures—have been underrepresented on the World Heritage List.^[23] The World Heritage Center, which is responsible for listing, management, and protection of all world legacies, recognized this rather unbalanced representation of world heritage in 1994 by launching the Global Strategy for a Balanced, Representative and Credible World Heritage List.^[24]

Further instances of the Eurocentrism that permeates heritage practice, and that directly affects indigenous heritage, are evident in the rather confined definitions of heritage that are widely used. Of these different definitions, the two most commonly employed categories are “natural” and “cultural” (the latter including built heritage).

According to the World Heritage Convention (WHC), natural heritage consists of physical or biological formations or natural sites that have either outstanding scientific or aesthetic value.^[25] Cultural heritage includes monumental works with exceptional historic, artistic, or scientific value. This designation applies to architecture, sculpture, painting, archaeological structures, inscriptions, and cave dwellings.^[26] There is deliberate demarcation between natural and cultural heritage on the basis that the former involves minimal human intrusion whereas the latter is the direct result of human activities and interactions.

This distinction has been criticized as artificial, on the basis that just as people's recognition of cultural and built heritage is based on their own cultural and social values, so too are their ideas of natural heritage derived from their community beliefs and perceptions of the natural environment.^[27] That is, the distinction between cultural and natural sites is not absolute or fundamentally principled; one's cultural background dictates the perceived division between the categories.

In terms of indigenous heritage, an overlap of the two kinds of heritage is often clearly identifiable. As C. Michael Hall and Simon McArthur state, indigenous notions of heritage emphasize that “humankind is not separate from the landscape but is part of an indivisible whole.” Heritage is an “everyday lived experience.”^[28]

Recognition of different perceptions of heritage is a rather recent phenomenon. The development of heritage practice in Australia and New Zealand has been marked by an emphasis on the built environment, with sites of indigenous significance largely recognized as part of the natural environment.

To manifest the inconsistencies in this persisting approach to indigenous heritage in Australia and New Zealand, it is important to appreciate its imperialistic context.

According to Graeme Davison, the effect of imperialism on Australian heritage practice was perhaps most apparent in the early days of Australia's settlement, when the first- and second-generation descendants of European settlers sought to “create a tangible communal past” through the “deliberate creation of obelisks, statues and monuments commemorating … deeds of explorers, governors and military heroes.”^[29] Most of these statues and monuments “evidenced a strong regard for British imperialism.”^[30] The reason that these early settlers sought to mark the landscape with memorials was that they regarded Australia as a country without any traces of “a tangible past.” Unlike European countries, the land did not bear the known and familiar signs of a “thousand years of human endeavor,” with modified landscapes of buildings, factories, parks, fields, and canals.^[31]

The overarching Eurocentric emphasis on the *built* environment entailed scant acknowledgement of the fact that Aboriginal peoples had inhabited the land for 400 centuries before European settlement. Davison argues that this was because the early heritage movement, as a reflection of the dominant society, “had not yet learned to read the land for signs of an ancestral past.”^[32] We would argue that it was just not an inability to read the landscape that prompted the early inattention to Aboriginal history and its subsequent marginalization as relics set within natural settings; rather, the greater influence was the ingrained sense of colonial superiority based on ideas that Aboriginal peoples and cultures were less civilized.

Emergent interest in Aboriginal heritage was confined to pre-colonial history. This focus was also driven by erroneous belief and gross historical misrepresentation, that all Aboriginal people living in these areas had died, moved on, or simply vanished. According to Byrne, "Aboriginal culture in the southeast was perceived by white settlers to be a faded, static memory of a once vibrant 'traditional' culture."^[33] He further observes:

At the same time that various means were being used to decrease the visibility of living Aboriginal people in the landscape of the southeast various other means were being employed to enhance the visibility of the archaeological remains which, in a sense were replacing them there.^[34]

Byrne's argument alludes to the idea of "imperialist nostalgia," which has been defined by Renato Rosaldo as a sort of nostalgia "often found under imperialism, where people mourn the passing of what they themselves have transformed."^[35] According to Rosaldo, imperialist nostalgia gives way to ideologies "mourning the passing of traditional society" and perceiving the "vanishing primitive." This is consistent with the Social Darwinist ideas of early settlers who thought Aboriginal people to be a "dying race."^[36]

Evidence of the imperialist nostalgia that permeated the early settlers' minds is today visible in their extant paintings, etchings, and sketches that attempted to capture the "vanishing primitive" in loincloth and spear-carrying pose. These images of Aboriginal peoples were invariably set in "the bush" and crucially shaped the idea that Aboriginal heritage belonged to the natural environment.

During the early 1900s, the imperialist sense of heritage was replaced by the idea of "national heritage." Unity in the Federation of the former Australian colonies and their "involvement in imperial wars" brought a "heightened sense of nationalism."^[37] According to Davison:

In the nineteenth and early twentieth centuries, as new nation-states fought for legitimacy, people began to speak of a 'national heritage' as that body of folkways and political ideas on which new regimes founded their sense of pride and legitimacy. Australians, who modeled themselves upon the new nations of Europe and America, thus created their own national myths based upon the 'pioneer heritage' or the 'heritage of Anzac.'^[38]

The emphasis on pioneer and nation-forming wartime heritage continued into the post-World War II period, when Australia followed Europe and America in celebrating sites and buildings of "national or spiritual heritage."^[39] The emphasis on spiritual heritage did not extend to Aboriginal people's spiritual relationship with the land. Dominant Australian values were based upon settler history, which itself was based upon colonialism and the exclusion of cultures lesser than itself.

In the case of New Zealand, initial interest in heritage was generally centered around "pristine beauty and honoring early European events."^[40] The response to indigenous culture was to "lump Maori with the flora and fauna into 'Maoriland.'" This not only served to strengthen a sense of cultural superiority but also sought to celebrate colonialism and the idea of frontier society.^[41] Colonial ideas that the "savage" Maori had to be tamed by the civilized British colonists underlay the appropriation of aspects of Maori culture, for example in the replication of Maori villages as parts of international exhibitions.^[42] McLean notes that it was the elites who attempted to preserve and exhibit Maori culture, as the vast majority of New Zealand settlers were "people who wanted to leave their mark, happy to celebrate the replacement of raupo whare with timber Gothic, or wooden buildings with masonry structures."^[43]

New Zealand was therefore not very different from Australia in the initial stages of colonization. However, a difference in the way the two countries viewed indigenous heritage emerged in the late nineteenth century when the push to preserve old pa sites and prevent their sale was taken up by preservation societies in Wellington, Auckland, and Taranaki.^[44] There was therefore a slow movement toward preserving post-contact Maori heritage as the pas had been sites of Maori-British battles and conflicts. Further evidence of the interest in Maori heritage was displayed by the New Zealand Scenery Preservation Board, which in its 1918 annual report argued that historical monuments should include Maori pas, sites of Maori wars, rock paintings, and stone fences belonging to Maori and pre-Maori

times this in addition to recognizing various forms of European fortifications such as redoubts and blockhouses and buildings built by early colonists.^[45]

The difference in the way New Zealand recognized Maori heritage compared to the Australian experience is linked to contrasting patterns of early settlement. In New Zealand the basis of colonialism was the Treaty of Waitangi signed between Maori and British colonists. However flawed the Treaty was in the long run, it did lay the foundation for a continuing acknowledgement of Maori people and culture. However, in Australia, *terra nullius* sought to undermine Aboriginal presence and culture, thereby making it easier to perceive Australia as a blank slate ready for inscription of the European settler identity.

The 1960s and 1970s were the turning point for a wider recognition of Aboriginal heritage globally. Major changes to the idea of heritage were occurring. In 1970 UNESCO introduced categories of cultural, natural, and built heritage, and it was within the category of natural heritage that Aboriginal heritage first gained recognition. However, this grouping of Aboriginal heritage with conservation of the natural environment was hugely problematic, because it reiterated earlier colonial stereotypes that Aboriginal peoples and culture were part of the natural environment.

In addition, the emphasis placed on natural heritage did not necessarily work in favor of Aboriginal heritage. As noted by David Lowenthal, natural heritage was a major driving force for new countries like the United States and Australia, who attempted to "compensate for relatively recent human histories by celebrating their prehistoric natural heritage." For these countries, the antiquity of nature was more important than "prehistoric artifacts." Lowenthal argues that in the case of Australia it is evident in the fact that Australians "find roots in nature, not in aboriginal [sic] man [sic]."^[46] Celebration of natural heritage as a source of Australian identity sustained the colonizing ideal, according to which Aboriginal peoples and cultures were considered too "primitive" and "uncivilized" to draw upon for the nation's past.

In New Zealand, the focus on built heritage, local histories, and preservation of old colonial buildings became increasingly important, a process beginning during the 1930s with the approaching centennial of the signing of the Treaty of Waitangi. However, the attention being paid to New Zealand's colonial past did not mean that Maori history and heritage were considered less important.

In 1954 the Historic Places Act laid the groundwork for "seeing history as a continuum from the earliest habitation of New Zealand."^[47] This very significant act was based on the sharing and recognition of Maori and Pakeha histories and heritages, and it has been the reason that Maori heritage and history are such visible parts of New Zealand. A good example is the Te Ahurewa Maori Church (Anglican) in Motueka, built in 1897 and registered on the New Zealand Historic Places Trust Register of Historic Places.^[48] There are also the much celebrated and equally controversial Waitangi Treaty Monument and Waitangi House, which are on the Register of Historic Places on the basis of their historic significance in terms of the signing of the Treaty and the creation of New Zealand as a nation state.^[49] However, these sites are steeped in criticism and controversy; to Maori activists they signify a skewed version of New Zealand's history.^[50]

Australia, through national legislation starting with the National Parks and Wildlife Act of 1974 and the Aboriginal and Torres Strait Islander Heritage Protection Act of 1984, has sought to distinguish Aboriginal heritage as a separate type of heritage, and it has attempted to move beyond "the protection of relics and archaeological sites" to include "any Aboriginal area or object which is of particular significance to Aboriginal peoples, in accordance with Aboriginal tradition, irrespective of whether the object or place is on Crown or private land."^[51] However, the bias towards recognizing Aboriginal heritage as pre-contact and archaeological remains. This European bias, when recognized, has led to social conflict and overwhelmed more recent historical associations.

Shifting International Trends

Like Aboriginal and Maori peoples, indigenous peoples in other parts of the world have also been concerned about their heritage, its interpretations, and its representations. The Office of the High Commissioner of Human Rights notes,

Today, interest in indigenous peoples' knowledge and cultures is stronger than ever and the exploitation of those cultures continues. Tourism in areas occupied by indigenous people and the commercialization of indigenous art are growing. Indigenous medicinal knowledge and expertise in agricultural biodiversity and environmental management are used, but the profits are rarely shared with indigenous peoples themselves. Many indigenous peoples are also concerned about skeletal remains of their ancestors and sacred objects being held by museums and are exploring ways for their restitution ... For indigenous peoples all over the world the protection of their cultural and intellectual property has taken on growing importance and urgency. They cannot exercise their fundamental human rights as distinct nations, societies and peoples without the ability to control the knowledge they have inherited from their ancestors.^[52]

In accordance with this observation, the United Nations Commission of Human Rights Economic and Social Council appointed Special Rapporteur Erica-Irene Daes, of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to prepare "a study on measures which should be taken by the international community to strengthen respect for the cultural and intellectual property of indigenous peoples."^[53] The result was *Principles and guidelines for the protection of the heritage of Indigenous Peoples* (1995).

According to these guidelines, indigenous heritage includes:

... all objects, sites and knowledge the nature or use of which has been transmitted from generation to generation, and which is regarded as pertaining to a particular people or its territory ... objects, knowledge and literary or artistic works which may be created in the future based upon its heritage ... all moveable cultural property as defined by the relevant conventions of UNESCO; all kinds of literary and artistic works such as music, dance, song, ceremonies, symbols and designs, narratives and poetry; all kinds of scientific, agricultural, technical and ecological knowledge, including cultigens, medicines and the rational use of flora and fauna; human remains; immoveable cultural property such as sacred sites, sites of historical significance, and burials; and documentation of indigenous peoples, heritage on film, photographs, videotape, or audiotape.^[54]

This definition clearly establishes a distinctive quality of indigenous heritage in encompassing aspects of natural and cultural heritage. The guidelines also stress the importance of traditional ownership of indigenous heritage and the need for indigenous control of traditional territories and resources that are imperative to the teaching and transmission of indigenous heritage.^[55] Although these principles have been established at the international level, it remains to be seen how effectively national and state governments will apply them.

Australian Responses

In recent years Australia has witnessed some huge developments in terms of Aboriginal self-determination, reconciliation, and land ownership with the establishment of the Aboriginal Native Title Act of 1993, the success of the *Mabo v Queensland (No. 2)* 1992 and *Wik Peoples v The State of Queensland & Ors (No. 8)* 1996 cases, and the Royal Commission on Aboriginal Deaths in Custody (1991). In this political climate, heritage has also emerged as a major concern for Aboriginal people.

Australian heritage practice, in response to these changes at the national and international levels, has sought to shift its approach to Aboriginal heritage. The most observable indication of this shift has been the 1996 review of the Aboriginal and Torres Strait Islander Heritage Protection Act of 1984, undertaken by the honorable Elizabeth Evatt AC. Evatt observed that several states had very narrow definitions of heritage that focused on relics and not on Aboriginal cultural values.^[56] She also found that state and territory laws pertaining to Aboriginal and Torres Strait Islander heritage lacked compulsory standards. This has resulted in the states and territory all operating in their own ways, with marked differences in the laws, procedures, and level of protection for Aboriginal heritage.^[57] The

Evatt review helped bring about a wider recognition that Aboriginal heritage includes both natural and built environment sites and both pre- and post-contact sites.

The effects of the Evatt review extend to the workings of state-based heritage agencies. The NSW Heritage Office, for example, now seeks to define Aboriginal heritage as that which "can include natural features such as creeks or mountains, ceremonial or story places or areas of more contemporary cultural significance such as Aboriginal missions or post contact sites."^[58] In Queensland, the Aboriginal Cultural Heritage Act of 2003 and the Torres Strait Islander Cultural Heritage Act of 2003 replaced the older Cultural Record (Landscapes Queensland and Queensland Estate) Act of 1987 (Qld), which was considered inadequate because of its archaeological emphasis and lack of attention to Aboriginal and Torres Strait Islander tradition.^[59] These are long overdue changes, but they raise the issue of to what extent progressive legislation can equip heritage practice to deal with post-contact urban Aboriginal heritage.

The possibility that a gap may exist between legislation and practice is apparent in the case of the listing of Aboriginal heritage sites on the Australian Heritage Database, a repository managed by the Australian Government's Department of the Environment and Heritage that includes sites listed on the World Heritage List, the National List, the Commonwealth List, and the Register of the National Estate. Upon examining this list for sites that are listed or registered in terms of Aboriginal significance—pre- or post-contact, natural and built—it was found that the bias towards natural and pre-contact Aboriginal heritage sites is still quite pronounced.

Of the 622 sites, 174 are listed primarily as natural heritage with associated Aboriginal significance, usually with reference to rock art or engravings sites, associating Aboriginal heritage with nature. One hundred forty-three sites are classified as historic with shared European and Aboriginal histories. However, for most of these sites, the recognition awarded to Aboriginal histories reference pre-contact histories, reiterating the stereotyping of Aboriginal heritage.

Table 1.1 Buildings and urban sites listed on Australian Heritage Database for Aboriginal significance

| Site | Status |
|---|-----------------------------|
| Aboriginal Embassy Site, King George Tce, Parkes, ACT | Registered |
| Captain Arthur Phillip Fountain, Macquarie St, Sydney, NSW | Registered |
| Cyprus Hellene Club and Australian Hall, 150-152 Elizabeth St, Sydney, NSW | Registered |
| Darlington Conservation Area, Vine St, Darlington, NSW | Registered |
| First Government House Site, 41 Bridge St, Sydney, NSW | Registered |
| House, 1 Short St, Glebe, TAS | Registered |
| Mullagh Memorial, Blair Street, Harrow, VIC | Registered |
| Mullaghs Grave Harrow Clear Lake Rd, Harrow, VIC | Registered |
| Old Government House and the Government Domain - Parramatta Macquarie St, Parramatta, NSW | Assessment initiated by AHC |
| Old Parliament House and Curtilage, King George Tce, Parkes, ACT | Listed place |
| Oenpelli Aboriginal Houses, Oenpelli, NT | Registered |
| Parliament House Vista, Anzac Pde, Parkes, ACT | Listed place |
| Prince Henry Hospital Conservation Area, Little Bay, NSW | Registered |
| South Australian Old and New Parliament Houses, North Tce, Adelaide, SA | Listed place |
| Swan Brewery Precinct, Mounts Bay Rd, West Perth, WA | Registered |
| The Block, Redfern, NSW | Registered |
| The Round House High St, Fremantle, WA | Registered |
| Tommy Windichs Grave Hughes Rd, Esperance, WA | Indicative Place |
| Yarra Mission (former) Alexandra Av, Melbourne, VIC | Registered |

Source: Australian Heritage Database < <http://www.deh.gov.au/cgi-bin/ahdb/search.pl>>

As compared to the collective figure of 317 sites, which comprises 51% of all sites, there are only 63 that are listed or registered for post-contact Aboriginal significance and a mere 19 sites that fall into the category of post-contact Aboriginal heritage in cities. Table 1.1 above is a list of the sites that represent contemporary Aboriginal history in urban areas. Of these 19 urban heritage sites, several cases have already been the locus of conflict between Aboriginal and non-Aboriginal peoples and communities, indicating that it would be quite a while before urban Aboriginal heritage becomes a widely recognized and accepted reality.

Contested Urban Indigenous Heritage

The contested character of urban Aboriginal heritage is evident in a number of cases across Australia's major metropolitan cities. These include sites such as the Old Swan Brewery site in Perth, Australian Hall in central Sydney, and the Block in inner-suburban Sydney. The contested nature of heritage has been highlighted in theory as well as in practice. J.E. Tunbridge stresses that "all future enquiry needs to recognize heritage as an intrinsically contested, or contestable resource."^[60] Roy Jones and Brian Shaw argue that it is in the context of cities that the idea of contested heritage is most revealed:

...the dividing and the ruling power of heritage is particularly strong in urban areas. It is here that the economic stakes are often the highest, in terms of land and commercial values, that political symbolism is at its most potent in regional, state and national capitals, often the cherished locations of allegedly significant historic events.^[61]

They are referring to the powerful imagery that heritage commands in urban areas through either the processes of property development or projections of national and political history. Settler societies overlap the histories and heritages of the colonizers and the colonized. In terms of Aboriginal heritage, the power of gentrification in the inner suburb of Redfern in Sydney threatens the existence of the urban Aboriginal community.^[62]

Central to these debates is the idea of the colonial city. Jane Jacobs argues that in many contemporary cities that have "imperial or colonial pasts ... transformations which are routinely understood as postmodern – gentrification, mega-scale developments, spectacularisations – are inextricably tied to colonial legacies and the postcolonial formations to which they give rise."^[63] Sydney, like all other Australian cities, does have a very strong colonial presence in the built environment. It is still a colonial city in these terms; according to Jacobs this gives "spatial expression to the ordered rationality of colonial intent ... providing the spatial infrastructure for the distinction between the colonial self and the colonised other."^[64] Perpetuated is the distinction created between Aboriginal people and white settlers, with the city being occupied by the latter and the former living on its fringes. In any case, early ideas of heritage helped maintain the stronghold of the colonial city by promoting urban heritage as European while simultaneously limiting representations of Aboriginal heritage to the natural environment.

Hinkson argues that nature-based representations of Aboriginal heritage have effectively marginalized urban Aboriginal heritage by promoting the stereotype that "authentic" Aboriginal culture is confined to the relatively underdeveloped, under-populated, and isolated spaces of northern Australia.^[65] However, the "desired 'purity' of the colonial city" has always been compromised by the continuing presence of the colonised.^[66] This is perhaps most noticeable in terms of sites that represent an overlapping of Aboriginal and non-Aboriginal histories, a source of "impurity" for some European associations.

In light of the fact that sites with crucial Aboriginal heritage significance do exist in Australian cities and that heritage legislation as written seems largely sympathetic to the idea of Aboriginal heritage as part of the built environment, it would be fair to assume that this type of Aboriginal heritage will be increasingly recognized. However, sites such as the Old Swan Brewery and Australian Hall, which have been at the center of contestation between Aboriginal and non-Aboriginal peoples, also appear to indicate moves to restrict the wider recognition of urban Aboriginal heritage sites.

The Old Swan Brewery, which is along the Swan River near the central business district of Perth, has been a site steeped in controversy for over two decades. It has been described as "one of Australia's most complex heritage

debates" with "Aboriginal and environmental concerns pitted against claims of European significance."^[67] It was in the 1970s that the first signs of conflict sparked. At that time the site housed the main block of the brewery designed in 1897 by noted architect John Joseph Talbot Hobbes with 1920s and 1930s additions. There were also nineteenth century stables on site, which at that time were considered to be the only heritage aspect of the site.

The Swan Brewery was set up in 1879 and operational from 1888 till the 1960s as one of the largest employers of labor in Western Australia.^[68] Its European significance is not only in terms of its long brewing history but also in terms of being a landmark in the Perth cityscape. Illuminations on the river side of the brewery included the outline of a steamship during the Perth Empire Games in 1962; an outline of the *Endeavour* commemorating the bicentenary of Cook's voyage in 1970; and in 1979, the outline of the logo of Western Australia's Sesquicentenary.^[69] The brewery buildings are also considered to be amongst the last few remaining examples of late Victorian and early twentieth century brewery architecture in Australia.

The Aboriginal significance of the Swan Brewery site surfaced in the 1970s when the closure of the brewery brought up the issue of its sale. The site is sacred to the local Nyungar people, the Aboriginal people of the southwest of Western Australia, as it is connected to the myth of the Wagul, believed to be the creator in the Dreamtime of "all the big rivers of the Southwest."^[70] The larger area, known as Goonininup, had been a favored camping site as well as a teaching and ceremonial site for local Aboriginal groups such as the Mooro tribe in precontact times as well as during the initial years of Perth's establishment.^[71] Aboriginal resistance to European settlers occupying this site occurred in the 1830s. The colonial government marginally and quite ineffectively resolved the conflict through the setting up of a small Aboriginal reserve—the first Aboriginal Native Institution in Western Australia. In the years following, Aboriginal access to this site declined rapidly due to the closure of the Native institution and, most significantly, due to the stringent colonial policies of segregation that restricted the movement of most Aboriginal people into metropolitan areas.

When the brewery site went on the market for the first time in 1978, a public request was made by Ken Colbung, Chair of the Aboriginal Lands Trust, for the land to be returned to the Nyungar people, for it symbolized a link to their ancestral past and a continuing tradition.^[72] The commercial viability of the land and the various other parties involved in the ensuing debates only added to the contestation.

There were a number of players involved in the Swan Brewery conflict. Among these were environmental groups like the Foreshore and Waterways Protection Council, a "predominantly white" establishment, which opposed the proposed commercial redevelopment of the site on the basis that the brewery should be demolished so as to increase the foreshore of the Swan River.^[73] There were a number of other proposals supported by the Western Australia State government during the early 1980s, but they were rejected by the same environmental groups as well as by the National Trust and even the Perth City Council.

Aboriginal participation at this time was relatively low but increased substantially from 1986 onward, with increasing demands from the Aboriginal Legal Services to halt all development on the site and demolish the brewery and preserve the site as open space.^[74] However building redevelopment work continued on and the conflict between Aboriginal and non-Aboriginal, mainly state government, interests pertaining to the Brewery reached a flashpoint in 1988, when Aboriginal groups occupied the construction site during the 1988-89 Christmas and New Year break.

The onsite protests by Aboriginal peoples received widespread support from non-Aboriginal peoples: construction workers on the site; the Construction, Mining and Energy Union; and some of the churches in Perth. A number of non-Aboriginal supporters even joined the Aboriginal protesters on site. Despite this show of solidarity and support, the brewery was not pulled down nor was redevelopment prevented. In fact, in 1992 the Swan Brewery was permanently placed on the State Register of Historic Places for its European and Aboriginal significance.

Although this was a partial victory for the Nyungar people, it was also a strategic move on the part of the state government. Not only did the listing ensure that the Brewery was secure from demolition, but as noted by Jenny Gregory, it was an indication that it "was clearly of immense significance to the European cultural heritage of the state."^[75] Gregory further argues that recognition of the Aboriginal significance of the site was in no way reflected in the final redevelopment of the site as an exclusive apartment complex with a restaurant and brewery themed café

(Fig. 1.1). Nevertheless, a critical outcome of the Old Swan Brewery case has been the recognition of Aboriginal significance at a site in the midst of the city, debunking the myth that Aboriginal heritage can exist only in nature.



Fig 1.1 At the Old Swan Brewery in Perth, the redeveloped site shows the exclusive apartment complex. (Photo: Robert Freestone)

Around the same time that the Swan Brewery debate was coming to a close, a new contestation regarding Aboriginal and European heritage was emerging in Sydney. Australian Hall in the central business district of Sydney presents a more contemporary scenario of Aboriginal historical association. It marks the site of the first Aboriginal Day of Mourning and Protest Conference held in 1938, the sesquicentenary year of European settlement.

The Day of Mourning and Protest Conference is regarded as the cornerstone of contemporary Aboriginal political movements. It helped lay the foundation for later landmark events such as the 1967 referendum to remove racially discriminatory clauses in the Australian Constitution.^[76] The Conference was held on 26 January 1938 by the Australian Aborigines' League and the NSW Aborigines' Progressive Association. It was attended by a hundred Aboriginal Australian men and women who congregated to "mourn the loss of their lands and demand the same basic rights as the rest of the population."^[77] The site is therefore a powerful symbol of Aboriginal political resistance.

Like the Swan Brewery, Australian Hall is also a site that has witnessed both Aboriginal and non-Aboriginal narratives. It passed through the hands of numerous owners, including two migrant groups, the German and Turkish Cypriot communities. However, in 1989, when the site was first listed as a heritage asset in the City of Sydney's Local Environmental Plan, it was not because of its historical association with Aboriginal or non-Aboriginal communities. It was recognized for being "part of a rare Edwardian precinct in Sydney" and for exemplifying European architectural styles, thereby prompting the placement of a Permanent Conservation Order (PCO) on the building.^[78]

Ironically, the PCO was declared void, and in 1994 the Cyprus Hellene Club, as owners of the building, submitted an application to redevelop the site and demolish the Hall. Aboriginal interest in Australian Hall had been increasing since 1992, and it was at this critical juncture that Aboriginal groups, namely the Jumbunna Center at the University of Technology Sydney and the former National Aboriginal History and Heritage Council (NAHHC), became involved

in what would be a six-year-long struggle to prevent the demolition and have the Hall recognized as Aboriginal heritage. The NAHHC argued that it was critical that Australian Hall be listed, recognized, and protected as Aboriginal heritage in the city, for it was a step toward giving Aboriginal urban history and heritage the same status as non-Aboriginal urban heritage.^[79]

The Hall's central location in Sydney made the task of the NAHHC and Jumbunna even more difficult. It was not only the economic potential of the site that made Australian heritage practice reluctant to recognize the Hall; as noted by Gisele Mesnage, member of NAHHC, if the Hall were to be listed as Aboriginal heritage, it would threaten the 'purity' of the 'colonial city' and the birthplace of Australian history. In fact, early reactions to the Aboriginal significance of the Hall reiterated the stereotype that Aboriginal peoples do not associate with the built environment.^[80] The Cyprus Hellene Club, as well as the heritage consultants Perumal Murphy Wu Ltd who prepared the initial conservation management plan for the Club, argued that the Hall had been used by Aboriginal people for only a day and did not have any other known association with Aboriginal civil rights movements. They also stressed that any spiritual significance related to the site would remain even in a new building, thereby justifying their proposal to redevelop the site and retain only its main façade.^[81]



Fig 1.2 Australian Hall's main façade on Elizabeth Street, Sydney shows the redevelopment of surrounding sites in the background. (Photo: Vidhu Gandhi)

The NAHHC was supported in its struggle by the National Trust of Australia (NSW), the Australian Heritage Commission, Department of Aboriginal Affairs (DAA), National Parks and Wildlife Service (NPWS), Sydney City Council, NSW Aboriginal Land Council (NSWALC), and Heritage Council of NSW, as well as by many individual non-Aboriginal supporters. The main argument put forward by the Aboriginal lobby groups was that the Day of Mourning and Protest Conference was a significant event in Australian history, and this called for the Hall to be considered heritage. The NAHHC argued that of the 600 PCOs in the state of New South Wales that protected European and largely 'white' heritage, there was not even one that protected Aboriginal heritage and that this was a continuing failure on part of Australian heritage practice to recognize that Aboriginal people also associate with parts of the built environment in urban areas.^[82] The Hall's importance to Aboriginal and Australian history was addressed even by Commissioner William Simpson, who was in charge of the Australian Hall Commission of Inquiry.

Despite the Commissioner's decision in favor of recognizing the Hall as Aboriginal heritage, the NSW government appeared reluctant to comply with any such suggestion. It was only after a highly public and demonstrative three year campaign launched by the NAHHC, with the media and large numbers of non-Aboriginal people supporting the case of Australian Hall, that the site was finally recognized as Aboriginal heritage in 1998. It became the first building in Australia to be listed as Aboriginal heritage.

Both Australian Hall and the Old Swan Brewery represent cases of contested Aboriginal heritage sites. It is noteworthy that with both, Aboriginal lobby groups were widely supported by non-Aboriginal people, bringing to light the fact that the public is in favor of urban Aboriginal heritage. However, despite this and recent changes in legislation, state governments continue to be resistant to the notion of urban Aboriginal heritage.

Conclusion

Indigenous heritage in settler societies like New Zealand and Australia is set within the frameworks of predominantly White Eurocentric heritage practice. It is surrounded by a multitude of issues, the most important of which is the need to recognize the difference in Eurocentric and indigenous perceptions of heritage. Maori heritage, like Aboriginal heritage, was subjected to Eurocentric viewpoints in the past, but today it is based upon a very clearly established foundation of mutual sharing of Maori and Pakeha histories. This is evident in prominent sites like the Waitangi House and Memorial in New Zealand, which are jointly recognized as Maori and Pakeha heritage.

Aboriginal heritage, on the other hand, continues to be predominantly perceived as belonging solely to the natural environment and the pre-contact past. Not only have such viewpoints been driven by colonial ideologies of cultural and racial superiority, but they have also maintained the myth of an "authentic" Aboriginal past, thereby undermining contemporary Aboriginal history and heritage values. In order to break away from the constant stereotyping of Aboriginal heritage, it is crucial that Australian heritage practice addresses post-contact Aboriginal histories, including urban Aboriginal histories.

In recent years there has also been an increase in international awareness that indigenous perceptions of heritage do vary substantially from Western ideas of heritage. In Australia this has been recognized, and significant changes have been made to legislation, which now call for Aboriginal heritage to be considered present in the built and natural environments as well as to the pre- and post-contact time periods.

Notwithstanding these changes, certain colonial ideologies prevail within Australian heritage practice, especially the idea that heritage in cities is mostly European heritage. This idea not only negates the possibility that Aboriginal people might associate with sites or buildings in the city, but it also maintains the city as the stronghold of colonial heritage. However, the reluctance of Australian heritage practice to recognize urban Aboriginal heritage has been challenged by recent contestations regarding urban sites in Perth and Sydney. Both sites saw widespread support for Aboriginal heritage from non-Aboriginal people, including heritage bodies like the National Trust. These contested sites have not only successfully challenged the existing stereotypes prevalent in heritage practice, they have also undermined the colonial hegemony of heritage practice.

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