Jewels and Old Shoes

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Some men's memory is like a box where a man should mingle his jewels with his old shoes.

To be asked to write about the Australian Heritage Commission so soon after leaving it is disconcerting. The experience of the Commission is still so fresh that it is difficult indeed to distinguish between the jewels and the old shoes.

I have today two overriding impressions of my time with the Commission. The first is of the politics of the National Estate. As might be expected, the politics of the National Estate have at different times been lofty, mean, generous, absurd, confused, and ridiculous. Politics have dominated the whole of the Commission's life. There has hardly been a day when the Commission could relax and do its work without concern for some political threat or misunderstanding.

Although the term 'National Estate' was first used in Australia by Whitlam in 1970, it was Tom Uren, warmly supported by Moss Cass, who refined the idea and gave it formal life. In 1973 a Committee of Inquiry into the National Estate was appointed by Tom Uren, as Minister for Urban & Regional Development, and Moss Cass, as Minister for the Environment. The Committee, under the chairmanship of Mr Justice Hope, was asked to examine the nature and state of the National Estate and what should be done about it. The term alone was splendid. It gave a special freshness and flavour to the tired, hackneyed heritage alternative. So fond of the term did the Committee of Inquiry and its successor, the Interim Committee on the National Estate, become, that when it was later proposed that the new Commission should be called the Australian Heritage Commission there was a unanimous protest, a protest in which I believe Tom Uren and Moss Cass joined. But National Estate was not considered pompous or grandiloquent enough for the new body, and 'Australian Heritage Commission' it was duly dubbed.
The Committee of Inquiry Report is, I am sure, well known to readers of *Historic Environment*, but the amazing community response to the Committee deserves special comment. This is just some evidence of the remarkable strength of the voluntary conservation movement in Australia and of its expertise and commitment. The Committee was asked to carry out its hearings and to report in a very short time - a mercifully short time. And so the Committee's minds were wonderfully concentrated and the report was written and submitted in 1974. This gave the Government time to act. It's an important moral. The fate of the recommendations of the sister Committee of Inquiry into Museums and National Collections is a plain reminder of the cost of missing the tide.

The Committee of Inquiry recommended a permanent commission and, until it could be formed, an interim body. The Interim Committee on the National Estate was duly established under the same Ministers and had as its responsibility advice on the new Act and advice on the new National Estate Grants program. Both the Department of Urban & Regional Development and the Department of Environment at this moment decided that a separate commission was not necessary, but once again Tom Uren and Moss Cass had a longer view and were consistently supportive of the Interim Committee's recommendation. In fairness, it must be said that these departments and their successors have been extremely helpful and supportive ever since.

The *Australian Heritage Commission Act 1974* is an admirable Act. I have worked with acts of many different kinds and have given advice on others around Australia. There are few, if any, of which I could say the same. There were three distinguishing features of the drafting of the Act. First, the general concepts came from the private citizen, non-public servant, members of the Committee of Inquiry and Interim Committee. One of these ideas, strongly held by those private citizens, was that there should be a limitation placed on a commissioner's years of unbroken service. Secondly, the ministers, Tom Uren and Moss Cass, against their departments' recommendations, supported not only the establishment of the Commission but also the Interim Committee's proposals, notable amongst which was that the Commission should be independent from ministerial interference in most of its work, especially in the task of preparing the Register. Thirdly, the existence of a legal branch in the Department of Urban & Regional Development and of committed and able legal advisers ensured that the drafting instructions when they were finally written were very well prepared. The Parliamentary Counsel did the rest.
The Act was passed in June 1975 and the chairman appointed in July. Little did I think that I would have to wait another year for the appointment of the balance of the Commissioners. Cabinet had agreed on appointments and the list was before the Executive Council. For some reason it did not proceed further. It was November 11th 1975.

Before leaving the Whitlam years one further act of statesmanship from Tom Uren deserves comment. In the dying days of the Whitlam Government he continually encouraged me and others to be in touch with the Opposition. He also told me that he had appointed me, at least in part, because he thought I would be able to be persuasive with an alternative government.

The National Estate Report and the Australian Heritage Commission Act were both warmly supported by the then Opposition, and continuing support for the Commission formed part of the new Government's election platform. But once the Government was in power things were different. The first Commission was only appointed following an exhaustive review and after a strong press campaign when the Commission looked as if it was to be disbanded.

Allowing for different emphases, it might be thought that concern for the country's heritage would be an agreed policy of all parties, as it is in most places in the world. The Commission is not a political body, nor have its actions been politically inspired. The accomplishments of the Commission will surely have, if they do not already have, the full approval of all parties. The very independence of the Commission, which has enabled it to be effective despite its precarious standing, will, I'm sure, be recognised to have been of intrinsic importance. Why then has the Commission twice been close to extinction and several times been faced with the likelihood of major amendments to its Act? Why has it been accused of party political bias when it has been meticulous, even to the point of over-reaction, in observing all the political proprieties? These are intriguing questions. The labyrinthine maze of misinformation, preconception, suspicion, State rights reaction, political bureaucratic and industry lobbies would need a small book to unravel. Suffice it to say that when ideas and misconceptions get firmly lodged in political leaders' minds it is difficult to dislodge them. There were of course notable exceptions. When the Commission was under Ellicott's Ministry things were maintained in sensible proportion. Ellicott understood the Act, had no truck with people who fantasised about its Machiavellian undertones, supported the Commission in carrying out its statutory functions, perceived the value of its work, and defended it with
authority. With more junior ministers - and in other instances they were always the most junior in the Cabinet - regardless of their interest, the atmosphere was inevitably different. The Commission also received a great deal of support from a number of Liberal Party backbenchers. Many were not only interested in the Commission, but took the opportunity to inform themselves fully on its work. Their influence at a few critical times was especially significant.

The attitude of some of the States did not of course help. The Queensland Government, uniquely amongst the States in Australia, refused to submit nominations for the Register and refused to comment when consulted on proposed listings. It then made a practice of objecting in principle to nearly all listings in Queensland without ever presenting a technical argument. The Premier refused to meet anyone from the Commission, and at one stage even refused to see the Commission’s Minister. The Commission was faced with the simplest alternatives: not to list anything in Queensland or to go ahead and do its job in full awareness of the inevitable consequences. The Queensland Government's attitude of course affected and coloured other reactions in Queensland. Especially irritating was the Queensland press's refusal to publish rebuttals of incorrect statements it had previously printed. The Commission tried immensely hard, sometimes at considerable personal cost, to overcome these problems.

The Premier of Western Australia took exception to the school kit prepared in conjunction with the Curriculum Development Centre, now regrettably defunct, and to one of the Commission's annual reports. As the head of another Commonwealth statutory authority once said to me, a few published words which offend the powerful can be more dangerous to an agency than many significant deeds. The recent preoccupation with and the detailed scrutiny of every sentence produced by the Commission has been very notable. It's nice to know that people in high places in Australia support so strongly the maxim that the pen is mightier than the sword. So often it seems that their actions suggest the contrary.

From this it can be understood that people associated with the Commission believe that one of its chief accomplishments has been to survive at all. Now that The Heritage of Australia is published and is such an evident success, now that the World Heritage meeting is to be held in Sydney in October and Australia's first nominations are to be considered and some listings likely to follow, and now that certain changes in the structure
of the Parliament have taken place, the main dangers to the Commission appear to have passed. Indeed, its future can be said to be positively rosy. Even the Commission's detractors can rationalise a change of heart. The bad Commission has passed away and is no more. Long live the new Commission. If that is so, then the first Commission has in truth accomplished one of its most important tasks.

The second powerful impression is of the learning experience. It has been a great personal enrichment for which I am profoundly grateful. But this learning experience has, I hope, been important for other reasons. If, as a reasonably well informed citizen who had taken an interest in conservation issues for a number of years, I could be as ignorant of so much that is interesting and exciting about Australia as I was in 1973, it must say something about general perceptions and awareness in Australia. Thus what I have learned and have needed to learn - and indeed what I still have to learn - has caused me, and I think several others, to place the task of education and information at the forefront of the Commission's objectives. I don't need to recite in detail why it is important that Australians should have a greater knowledge and understanding of their National Estate. The personal rewards are well matched by the community benefits. An informed, unsatisfied electorate inexorably brings about political change. And of what are we mostly ignorant? You may like to read The Heritage of Australia to decide for yourselves.

From early in the life of the Commission, making available in an easily comprehensible and readable form the immense amount of information collected by the Commission in preparing the Register of the National Estate has been an important objective. The Commission began discussion with publishers nearly four years ago and entered into a contract with Macmillan some three and a half years ago. The result, The Heritage of Australia, is I'm sure riddled with minor imperfections. In twenty years time it will perhaps be considered with the affectionate scorn with which older children look back on their babyish toys. But today it is I believe a landmark, a large stepping stone in bridging the chasm of ignorance. Its remarkable sales success and the press it has received in the few weeks since it has been released and launched, demonstrate that The Heritage of Australia fills a need which has not been satisfied before despite the myriads of books recently published on Australia and Australian history.
A second project scarcely less important to the Commission has been the production of the school kit, *Investigating the National Estate*. The kit too has been acclaimed - not just by Sir Charles Court. One of the nicest reviews said of it that it was yet another of those ubiquitous landmarks, adding, in a cascade of alliterations, that it took 'heritage out of the realms of blue rinsed prissiness and elitist preciosity'. Getting the kit worked effectively into school curricula is, as with all materials of this kind, an ongoing problem.

The Commission has also made a film, *The Things We Want to Keep*, which is in constant demand. The three projects could be seen as complementary. Ideally they should all be used together. I hope that increasingly this will happen in schools across Australia so that, even if other adult education programs fail, the knowledge of the sons and daughters will be visited on the older generations.

It would be unfair to the Commission and to the people associated with it who have worked devotedly on many other aspects of the Commission’s responsibilities to suggest that this is all that the Commission has done. These are but two strong impressions in the immediate aftermath of the storm. Recollecting in tranquillity at some other time it may seem different. With such an experience to reflect upon during the wet days yet to come it will be of much interest to me, if to no one else, to see if that is so.

Yours sincerely,

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