The Burra Charter and Indigenous Cultural Heritage Management

1 Purpose

This Practice Note provides guidance to practitioners about the application of the Australia ICOMOS Burra Charter, 2013 (hereafter Burra Charter) within the field of Indigenous cultural heritage management. It is not a substitute for the Burra Charter. Another valuable source that includes examples related to Indigenous cultural heritage management is the Illustrated Burra Charter (2004). The 2001 Australia ICOMOS Statement on Indigenous Cultural Heritage provides an important policy platform that underpins this Practice Note. The Resources list at Section 4 of this Practice Note includes other useful guiding documents that may be relevant.

This Practice Note is for all practitioners, with a particular relevance for those who work with Indigenous communities and Indigenous cultural heritage places.

In this Practice Note, the word ‘Indigenous’ refers to Australian Aboriginal and Torres Strait Islander peoples. Many Aboriginal and Torres Strait Islander people prefer that their tribal, language or clan group name is used in preference to the terms ‘Indigenous’, ‘Aboriginal’ or ‘Torres Strait Islander’.

Scope

This Practice Note covers:

1 Purpose
2 The concept of cultural significance
3 Common issues in Indigenous cultural heritage management
4 Resources

2 The concept of cultural significance

The concept of cultural significance is used in Australian heritage practice and legislation to encompass all of the cultural values and meanings that might be recognised in a place. The Burra Charter's definition of cultural significance is broad and encompasses places that are significant to Indigenous cultures.

The Burra Charter Process

Understanding a place and assessing its cultural significance are the first two steps in the Burra Charter Process. The Burra Charter Process should be followed for both Indigenous and non-Indigenous places. The assessment and management of Indigenous heritage places may require the practitioner to adopt modified methodologies, placing greater emphasis on some aspects than others. For example, comparative analysis may not always be appropriate for beliefs that are fundamental to Indigenous tradition.
Of key importance is the fact that the practitioner may not necessarily be equipped with the knowledge to make an assessment of significance about a place where that knowledge resides in Indigenous parties. This calls for a particularly inclusive, holistic and consultative approach from practitioners working within this field.

### 3 Common issues in Indigenous cultural heritage management

This section provides guidance about a range of issues that may arise when assessing the cultural significance of an Indigenous heritage place.

**Issue: The Burra Charter definition of ‘place’ (Article 1.1) is construed too narrowly**

*The Burra Charter applies to Indigenous places.*

**Guidance:** The *Burra Charter* definition of ‘place’ is broad and encompasses Indigenous places of cultural significance.

‘Place’ includes locations that embody spiritual value (such as Dreaming places, sacred landscapes, and stone arrangements), social and historical value (such as massacre sites), as well as scientific value (such as archaeological sites). In fact, one place may be all of these things or may embody all of these values at the same time.

In some cases the find-spot of a single artefact may constitute a ‘place’. Equally, a suite of related locations may together comprise a single ‘place’, such as the many individual elements that make up a Songline. These more complex places are sometimes called a cultural landscape or cultural route.

**Issue: The Burra Charter definition of ‘cultural significance’ (Article 1.2) is wrongly believed to exclude Indigenous cultural heritage**

*The Burra Charter applies to places of Indigenous cultural significance.*

**Guidance:** The *Burra Charter* defines ‘cultural significance’ very broadly to include ‘aesthetic, historical, scientific, social or spiritual value for past, present or future generations’. This definition captures places of cultural significance to Indigenous cultures. It also includes places that provide a physical location that is integral to the existence, observation and practice of intangible heritage. The *Burra Charter* definition of cultural significance encompasses all forms of spirituality, regardless of the culture from which it emanates. Similarly, aesthetic value is not limited to a ‘western’ perception of aesthetics.

Although the *Burra Charter* also recognises that places may be of cultural significance for their historic and scientific values, it does not preference these, or any other kind of value.

Indigenous cultural heritage can include any place with significant Indigenous connections and history. Some of these places may also be valued by other Australians. One place may embody both Indigenous and non-Indigenous values, and all aspects of a place’s cultural significance must be considered as part of the assessment. A rural homestead may represent the entwined histories all of those who lived and worked there: a non-Indigenous pastoral family, Aboriginal stockmen and their families for example.

Values may be ‘shared’ or be distinctly different. In some instances values will be conflicting; Article 13 of the *Burra Charter* and the *Code on the Ethics of Co-Existence in Conserving Significant Places* (Australia ICOMOS: 1998) provides guidance to assist the practitioner. Establishing the conservation
requirements for a range of values can be challenging and tensions may arise concerning the emphasis placed on the different values in the assessment and conservation processes.

Places with shared or diverse values are complex in nature. They may be protected under several distinct pieces of legislation and regulations. The group of stakeholders for a place with shared values is larger and more diverse.

**Issue: The knowledge and expertise of Indigenous peoples is ignored**

*It is critical that assessments of cultural significance for Indigenous heritage places reflect the views and input of the relevant Indigenous knowledge-holders.*

**Guidance:** Indigenous people are the relevant knowledge-holders for places of Indigenous cultural significance. Their traditional knowledge and experience must be appropriately used and valued in the assessment of places. Advice may need to be sought on who are the relevant knowledge holders.

Practitioners should work collaboratively with Indigenous people and engage with the Indigenous knowledge-holders to gain historic, ethnographic and anthropological data which may be held in a variety of sources including oral, and visual sources, as well as drawing on and sharing information from other sources such as published accounts. Article 4 of the *Burra Charter* guides that:

> Conservation should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the place.

**Issue: Practitioners’ preconceptions may inappropriately bias their work**

*Assessments of cultural significance need to be impartial.*

**Guidance:** The overriding objective for heritage professionals is to prepare an assessment of significance and a conservation policy that are expert, credible and effective.

It is important that practitioners do not approach Indigenous heritage with preconceptions about how Indigenous people may value a place. They should listen carefully to the views of Indigenous people and seek to capture those views in the assessment of significance without bias.

During consultation, practitioners should seek to exercise objectivity, and they should be rigorous in the process of gathering relevant information. Practitioners should not be afraid to respectfully ask in-depth questions of traditional owners if those questions will clarify issues relevant to significance and conservation. It may be necessary to carefully test the information that is provided.

Practitioners should always ensure that they consult with the appropriate people to speak for country. Practitioners should seek to gather information from a wide range of knowledge-holders, taking account of all kinds of connections, whether ‘ancestral’, ‘traditional’ or ‘historical’.

**Issue: The place being assessed, and the nature of its significance, are imprecisely presented**

*Practitioners must define the location and form of a place, and the values that it embodies, with sufficient clarity to inform an assessment or the development of policy.*

**Guidance:** Insofar as cultural sensitivities allow, practitioners should avoid generalisations when identifying and assessing Indigenous heritage places. The goal should be to be clear about the location and extent of all places of cultural significance. Further, the practitioner should be specific
about how cultural significance is embodied at a place while remaining responsive to the wishes of some Indigenous people to control knowledge about some kinds of places for cultural reasons.

Practitioners should seek to define the boundaries of the place, and the links or relationships between places, while acknowledging the different perceptions of some Indigenous people on these matters.

Practitioners should not generalise about how Indigenous people see the world. There are many dimensions to Indigenous culture, and world views within it may vary according to the age, gender, political affiliations, upbringing, and other attributes of the Indigenous people consulted.

**Issue: Cultural significance may change**

*Assessments of significance need to be responsive to the dynamic nature of Indigenous cultures.*

**Guidance:** Indigenous heritage values can change over time, like the heritage values of all communities. Places of significance to Indigenous people, and the reasons for their cultural significance, may change as Indigenous traditions adapt and evolve, and as Indigenous people are able to reconnect to places that have been denied to them in the past. For example, a place initially assessed as being of spiritual significance may be recognised as a place holding social or scientific value as Indigenous culture changes over time. Assessments of cultural significance should be sensitive to such changes, and this may require revision of assessments of significance.

**Issue: Tangible heritage is emphasised at the expense of intangible heritage**

*Heritage practitioners must not inappropriately privilege tangible places and objects over the intangible aspects of heritage.*

**Guidance:** When preparing an assessment of cultural significance, always be aware that a place may provide the tangible locus for aspects of intangible heritage including traditional stories, medicine, cuisine, songs, dances, and ceremonies.

The associated intangible heritage may be dependent upon the very existence and form of the place. The intangible heritage may also form a key part of the significance of the place, and vice versa. Intangible heritage may be a part of more recent expressions of meaning and association or it may reference traditions inherited from past generations.

**Issue: Indigenous cultural protocols may limit the information that can be shared and used in the assessment of cultural significance**

*Be sensitive to Indigenous cultural protocols concerning the sharing of information.*

**Guidance:** Some Indigenous social relations are governed by rules about the sharing of cultural knowledge that can limit the nature and amount of information that can be shared with a practitioner engaged in assessments of cultural significance and policy development.

Assessments of cultural significance, and the development of policy, should be based on comprehensive research, which requires the sharing of knowledge between the participants in the process (Articles 4, 25, 31 and 32). However, people from some Indigenous backgrounds may consider that relevant information about a place should only be disclosed to people of a particular gender, age, level of initiation, or cultural background. Their desire to manage the disclosure of
culturally sensitive information should be respected. Assessments of significance should acknowledge any limitations that this has imposed on the process.

The same consideration may be relevant to how the location of a place is identified in an assessment of cultural significance (see Article 9 of the Burra Charter). There are often sound reasons that some Indigenous people seek to protect information about a place from wide public dissemination. These include physical security, a desire to restrict access, cultural sensitivity or to protect the place from vandalism.

This issue can be addressed in a variety of ways, including the preparation of a confidential assessment, or the use of only general information which is not sensitive in the assessment.

**Issue: Setting (Article 8) is incorrectly assumed to apply only to matters of visual amenity**

**Assessments of significance that concentrate on the visual characteristics of a place, and use those characteristics to establish a ‘boundary’ for the place, may fail to appreciate its broader cultural or spiritual setting.**

**Guidance:** Places of significance to Indigenous people require a holistic approach to ‘setting’. ‘Setting’ may encompass the broadest of experiential factors including a sense of ‘intrusion’ occasioned when people of the ‘wrong’ gender, age or level of initiation trespass on defined areas, as well as auditory and visual intrusion.

For some Indigenous peoples, nature and culture are indivisible. The social significance and spiritual significance of a place for Indigenous people may be wholly or partly dependent on the natural environment that the place forms a part of, including aspects such as biodiversity, and totemic and resource species.

**Issue: Objects are assessed in isolation from the place itself (Articles 10 and 11)**

**Assessments of significance should include an analysis of objects associated with the place.**

**Guidance:** Some Indigenous people believe that objects hold great power or embody spiritual beings, and that they should not be removed from their place of origin: when such objects are removed from their ‘country’ then illness or misfortune may befall the custodians of that country. Therefore, the link between place and object can be a powerful and symbolic one, such that the significance of some places cannot be fully assessed without an analysis of certain objects found there or linked to the place.

Heritage practitioners should not assume that Indigenous people will consent to elements of their material culture being removed to museums, laboratories and research facilities for scientific analysis or exhibition. It is essential to consult with the relevant traditional owners if the removal of objects is proposed or envisaged in order to avoid causing offence or concern.

It may be of great importance to Indigenous people that objects that have been removed in the past be returned or ‘repatriated’ to their place of origin. The existence of such objects may enhance the cultural significance of the place.

The nature, form and location of ‘keeping places’ should be determined by the relevant Indigenous people, with heritage practitioners advising on the requirements for the conservation of objects and materials held at a keeping place.
Issue: Maintenance, preservation, restoration, reconstruction and appropriate ‘change’ can be culture dependent (Articles 15-20)

Practitioners may identify conservation needs and responses that are at odds with those identified by the traditional owners of a place, with the potential for misunderstanding and conflict.

Guidance: In some Indigenous cultures there is a strong social requirement to ‘care for country’, with serious physical and spiritual consequences for failing to do so. With respect to places of cultural significance, Indigenous perceptions of what constitutes an appropriate level of physical intervention, or appropriate forms of physical maintenance, may differ from those of heritage practitioners. Indigenous cultures may be more accepting of change, including physical deterioration, at a place of cultural significance. The appropriate response will require balancing the conservation requirements and ongoing cultural traditions, and should be approached on a case by case basis.

In some Indigenous cultures, traditional techniques in arts and crafts, in the harvesting of resources and in construction, may have been lost due to the dislocations caused by the colonial period. Conservation of significant places provides an opportunity for these traditional skills to be revived, augmented where appropriate by modern techniques.

4 Resources

The following National, State and Territory guidelines are useful resources for practitioners in the field of Indigenous cultural heritage management. Most of these documents are available online. This is not a comprehensive list but provides direction to helpful advice.

Primary resources


Other key guidelines

NSW


Queensland


South Australia


Tasmania


Victoria


Western Australia


Other useful information:


