The Australia ICOMOS Code on the Ethics of Co-existence in Conserving Significant Places as a Response to Australian Cultural Diversity

Introduction

This paper has two parts: the first part describes some of the background and history to the development of the Code of Ethics by Australia ICOMOS; and the second part discusses key aspects of the Code itself.

There are two initial things to keep in mind:

- none of this is rocket science; however,
- it does require sensitivity and commitment.

Background to the Development of the Australia ICOMOS Code

It is an unfortunate feature of history that this thing we call cultural diversity can be a contributing factor leading to conflict. Reflecting on the very recent past:

Palestinians say Opposition Tour of Holy Site could cause Bloodshed

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JERUSALEM (AP) - Palestinian leaders warned Wednesday that if Israel's hard-line opposition leader goes ahead with his tour of Islamic holy sites on a disputed hilltop in Jerusalem, it could spark bloody battles between Jews and Arabs.

Likud leader Ariel Sharon plans to enter the hill early Thursday morning to reinforce Israel's claim of sovereignty there. In Israeli-Palestinian negotiations, both sides claim the hill. Jews call it the Temple Mount, Judaism's holiest place, where the biblical Jewish Temples stood. A Muslim shrine and mosque [al-Haram al-Sharif], the third-holiest site in Islam, are built over the Temple ruins.

We now know the deadly reaction to this visit to a place which has a range of cultural heritage values to different cultures: Palestinian and Israeli, Islam and Judaism.

Australia is lucky in having nothing to compare with the fierce conflict which has focused on Jerusalem, although there have been serious conflicts about Australian cultural heritage places.

In March 1992 an Australia ICOMOS national conference in Western Australia was energized, if not startled or shocked, by a visit to the Goonininup/Swan Brewery site in Perth. We were met by protesters from the community known as the Swan Valley Fringe Dwellers, by Police and by the media. The conference heard of the range of cultural heritage values attributed to the brewery and the site, positive and negative values, and the basis for the conflict between different communities. Australia ICOMOS was wisely guided through this challenging time by its then President, Joan Domicelj.
The issues raised in Western Australia were picked up later in 1992 in the context of the ICOMOS International Conference on “Whose Cultural Values?”, held in Sydney. There was a determination to investigate the issues underlying cultural diversity, heritage places and the ethics of conservation. Following the Sydney conference, discussions between Australia ICOMOS and the Australian Heritage Commission led in 1993 to a project funded by the Commission to develop a discussion paper and guidelines for the resolution of conservation disputes. The focus was not the traditional conservation versus development dispute. Rather, it was those cases were cultural diversity and differing values were involved, such as the Goonininup/Swan Brewery site.

Joan Domicelj and I were the primary authors of the discussion paper and guidelines. Tamara Domicelj contributed a chapter on broader perspectives of cultural value conflict and dispute resolution, and Brian Egloff and Janet Fingleton contributed several case studies. The discussion paper and guidelines were finished in 1994. They were widely circulated by the Commission and Australia ICOMOS, and Australia ICOMOS finally adopted the guidelines in 1998 with a few minor amendments. The guidelines are called the Code on the Ethics of Co-existence in Conserving Significant Places.

The support and participation of the Australian Heritage Commission is warmly acknowledged.

Since its adoption, the Code has formed part of the intellectual framework of Australia ICOMOS, and it has also been publicised overseas. The impact of the Code is not fully known, as no evaluation or research has been undertaken. However, it was influential in the process to revise the Burra Charter, and it is published with the revised Charter.

Key Aspects of the Code

The Australia ICOMOS Code on the Ethics of Co-Existence in Conserving Significant Places (1998) provides a series of ethical principles and statements about ethical practices which:
- explicitly deal with cultural diversity
- promote respect for cultural diversity
- provide guidance about the rights and responsibilities of cultural groups towards their heritage
- promote an open and inclusive approach in dealing with values arising from cultural diversity
- promote the co-existence of values
- deal with issues concerning information about values, and involvement in decision-making processes by cultural groups.
The Code is an important contribution to this discussion of the management of heritage values arising when there are diverse cultures involved. While the development of the Code began in response to cases where cultural values conflicted, it must be stressed that the Code is not just about conflict situations – it is intended to assist in all situations where there are heritage values arising from diverse cultures. The Code was not specifically intended for World Heritage matters, or indeed for any particular level of heritage, but it is, I believe, of possible use across the range of heritage, including World Heritage.

While there are a number of issues considered by or related to the Code, I wish to focus on just four:
- recognizing and acknowledging the range of cultures and their heritage values in situations involving more than one culture
- participation of people from the range of cultures in such cultural heritage management situations
- recognizing the possibility of alternative conservation and management approaches the challenge for management to deal with complexity.

**Recognition and Acknowledgment of the Range of Cultures and their Heritage Values**

Fundamental to the ethical and effective management of heritage values is the need to look for and recognize the range of cultures which are associated with a heritage place, be it a World Heritage site or a place of local value. This is expressed in the Australia ICOMOS Code as follows:

**Article 9.**

Identify and acknowledge each associated cultural group and its values, while accepting the cultural right of groups to withhold certain information.

This article also deals with the acknowledgment of values. The reason for this is summarized in one of the ethical principles in the Code:

**Article 2.**

The co-existence of diverse cultures requires acknowledgment of the values of each group.

Unfortunately, there have been and continue to be cases where the heritage values of one cultural group or community are overlooked, diminished, denied or rejected by another party. This seems to happen at many levels of heritage. While cases involving the rejection of any heritage values by development interests are probably most common, there are still examples where the full range of cultural heritage values are not identified and acknowledged even though heritage conservation is the major objective.
Flynn’s grave near Alice Springs is an interesting and complex heritage site given its simple physical form, although this is not a case of World Heritage values. The early identification of the heritage values of the grave focused on the associational values of the grave with the Reverend John Flynn, founder of the Royal Flying Doctor Service and a leading missionary in outback Australia. Unfortunately, the construction of the grave also involved living heritage issues for two different Aboriginal communities, and these issues and values were not recognized and addressed until well after the construction of the grave in 1952. The resolution of the heritage issues firstly required recognition and acknowledgment of all of the associated cultural groups, two Aboriginal and the White communities, and their heritage values.

A good example of where the full range of values, including cultural heritage values, were considered is, I understand, the original Australian nomination of Uluru/Kata Tjuta National Park. Although the World Heritage system was not ready to deal with these particular cultural values in 1987, it is to Australia’s credit that the original nomination included them and Australia persevered to ensure their recognition in 1994.

Perhaps a special challenge arises in World Heritage matters because of the focus on outstanding universal values. While such values must be the basis for a World Heritage nomination, this does not mean that other heritage values should be ignored. I recall the concern expressed some years ago that the historic period heritage of Kakadu should be identified and appropriately managed. This led to the then Australian Nature Conservation Agency commissioning a heritage survey for historic places in Kakadu (Godden Mackay 1994).

Participation of People from the Range of Cultures

A second important issue relates to the meaningful participation of people from the range of associated cultures in decision-making processes regarding sites of significance to them. The Australia ICOMOS Code provides that:

Article 11.

[The practitioner applying the Code shall] enable each cultural group to gain access to, and inclusion and participation in, the decision-making processes which may affect the place

Australia has some good examples of encouraging the meaningful participation of associated cultures in the decision-making processes affecting their heritage. For example, the management arrangements for Uluru/Kata Tjuta and Kakadu National Parks involve a majority of Board members being indigenous representatives from the communities whose country is within the parks.
There are lots of examples of heritage places with a number of associated cultural groups or communities, in particular where such communities do not legally own their heritage place. Most of these places are not World Heritage but they include places like the Marree Cemetery and the Bonegilla migrant hostel. I do not know about the management of these examples but the general principle is that each associated cultural group should be able to participate meaningfully in the management of places of heritage value to them.

Recognition of the Possibility of alternative Conservation and Management Approaches

Having acknowledged the range of cultures and their values, and empowered these cultures through meaningful participation in management, we must turn to the possibility that there may be culturally valid and alternative conservation and management approaches.

The Australian conservation management framework for cultural heritage places provided in the Burra Charter focuses on a process which Australia ICOMOS hopes will be valid across all cultures. The Charter does not promote a particular conservation outcome, other than achieving the conservation of cultural significance. This outcome, being tied in specific circumstance to a specific culture or cultures, seems capable of accommodating a range of conservation and management approaches derived from the specific culture or cultures.

The Code makes no specific mention of this issue but relies on the intended cultural-neutrality of the Burra Charter.

The Challenge of Management

The art and science of management is, in my mind, not very important when situations are simple or when circumstances reconcile themselves readily. The challenge for management is when problems are difficult, complex and apparently not reconcilable. This is when managers earn their substantial salaries.

In this modern, fast moving, complex and stressful world there is a notable tendency to try and simplify problems or issues by ignoring complexity. In the heritage realm, this can take the form of denial: the view that either there are no heritage values, or perhaps few such values. While any heritage values may be considered an unwelcome complexity to be avoided if possible, cultural diversity is even more likely to be considered too hard.

We need to encourage all levels of management that deal with heritage places to embrace heritage values and cultural diversity, and that any resulting complexity is an important part of the real world to be addressed. In the case of World Heritage, there is a strong imperative to achieve a very high standard of conservation management including matters of cultural diversity. Perhaps World Heritage can.
Conclusions

The Code of Ethics is not just about conflict situations, but rather about good practice in cases of heritage places involving cultural diversity.

The Code is a relatively short document, being just over two pages.

I hope you will read the Code, use it and find it helpful. If it does not help, please tell Australia ICOMOS.

Finally, I would like to return to our commitment to the Code, as members and friends of Australia ICOMOS. In some ways it sets a standard for heritage conservation practice, perhaps a high standard. We must aim to meet this standard in its full measure and intent. Aiming for less is simply not right – in this aspect of heritage conservation or any other.

Bibliography


Australia ICOMOS 1999, *The Burra Charter*, Australia ICOMOS.

