

Recognition of Aboriginal maritime culture in the Great Barrier Reef Marine Park: an evaluation

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Introduction

Aboriginal maritime interests in the Great Barrier Reef Marine Park (GBRMP), and the recognition of those interests in contemporary management of the Marine Park, are detailed in the preceding paper (Benzaken et al.). This short accompanying paper seeks to evaluate that recognition and provide some discussion as to where this evolving process might lead.

This evaluation is not based on recent consultations with coastal Aboriginal peoples associated with the Marine Park. Rather it is based on an examination of steps taken by the Great Barrier Reef Marine Park Authority (GBRMPA) in the context of earlier documentation of Aboriginal maritime interests (Smyth 1989, 1990, 1992, 1993 and 1995) and in the context of undertakings made in the 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area (GBRMPA 1994).

This paper is therefore a personal perspective of developments in this field over the 20-year history of the GBRMP, with some thoughts on future developments. As a personal perspective, it should be clear that I do not seek to speak on behalf of Aboriginal people associated with the GBRMP; rather I am seeking to reflect on the extent to which Aboriginal maritime interests, as expressed to me during earlier consultations, are currently and potentially reflected in the management of the GBRMP.

Kinship: the basis of Aboriginal maritime culture

The basis of Aboriginal maritime culture is kinship. That is, an inherited relationship to places on land and sea, other people, animals, plants, sacred and other cultural sites and Dreaming tracks. Associated with the comprehensive relationship between individuals and groups and their physical and cultural environments are knowledge and belief systems which are a composite of 'traditional' Aboriginal and contemporary Australian knowledge and beliefs.

It is important to acknowledge that while kinship in this widest sense is associated with knowledge and belief, it is not utterly dependent on them. Younger coastal Aboriginal people may retain the strong sense of kinship with community members and coastal environments without necessarily having a comprehensive store of 'traditional' knowledge or beliefs. Kinship should be understood therefore as meaning 'belonging'. It is the kin relationship between Aboriginal people and their environment that distinguishes them from other Australians with an interest in the Marine Park.

It is from this reality of belonging to a place, to a clan, to a clan estate and to a community that all the implications of rights and responsibilities derive. It is the partial recognition of these rights and responsibilities that in turn have lead to Aboriginal involvement in the management of the GBRMP.

Recognition of rights and responsibilities

Table 1 attempts to summarise the key Aboriginal maritime rights and responsibilities and the extent to which they are recognised in current management of the Marine Park. Some of these issues are explored further below.

Table 1. Recognition of customary Aboriginal rights and responsibilities in the context of contemporary Marine Park management

Rights and Responsibilities	Recognition
Economic exploitation of marine resources, including subsistence hunting, gathering and fishing	Subsistence activities recognised in zoning plans not as rights, but regulated through use of permits and some small prohibited zones. Economic rights have not been allowed to develop into contemporary commercial rights.
Transmission of maritime culture between generations	Encouraged by recognition of subsistence activities. Discouraged by many other social and political factors relating to past government policies beyond the scope of Marine Park management.
Control of access by outsiders to maritime clan estates	Not widely recognised. Limited recognition through control of hunting permits by Councils of Elders in some areas.
Control of seasonal take of resources	Not recognised
Control of distribution of resources within groups	Not recognised (e.g. restrictions on transport of dugong meat to family outside Trust Areas)
Access to sacred and other cultural sites	Not explicitly recognised. Restrictions imposed by coastal development, including aquaculture, rather than GBRMP management.
Opportunity to derive economic benefit from maritime estates.	Limited to subsistence take, essentially 'freezing' local economies; no direct control by traditional owners of economic activities of outsiders (fishing, tourism, shipping etc.)
Opportunity to maintain sustainable use of maritime estates.	Limited control over subsistence take only; no control by traditional owners over other depleting and polluting activities.

Economic issues

Prior to European colonisation, the maritime environment provided the total economy of coastal Aboriginal people - that is, food, shelter and material possessions. Since colonisation, Aboriginal economic opportunities in maritime environments have diminished, while the overall economic exploitation of the marine environment (fishing, shipping, tourism etc.) has increased.

The establishment of the GBRMP has provided a degree of security for the continuation of Aboriginal subsistence economy, by permitting traditional hunting and fishing and by establishing a management regime aimed at protecting habitats, species and ecological communities. However, with the exception of some short term, part time Community Ranger employment, Marine Park management has not facilitated a broadening of economic benefit to Aboriginal people.

Because of the reluctance of governments to recognise the totality of the relationship between coastal Aboriginal people and the marine environment, Aboriginal economic benefits have

been restricted to pre-colonial activities. While there has been recognition that technologies associated with traditional hunting can legitimately evolve, there has been no recognition of an evolving economic relationship between Aboriginal people and marine resources. In particular, commercial fishing industries, involving the extraction and sale of resources from within Aboriginal maritime estates, have developed without the approval or involvement of traditional owners.

Aboriginal participation in planning and consultative processes, including membership of fisheries Management Advisory Committees (MACs) and Zonal Advisory Committees (ZACs) provides an indigenous voice in decision-making processes but does not reflect the ownership and custodianship roles indigenous peoples once had and to which they continue to aspire. This comprehensive role for coastal Aboriginal people is reflected in the several native title claims within the Cairns and Far Northern Sections of the GBRMP.

It can be expected that, whatever the outcome of native title claims, coastal Aboriginal people will seek a greater share of the economic benefits currently derived by the wider community from various extractive and non-extractive commercial uses of their estates within the GBRMP. For example, the current review of Aboriginal involvement in the management of the Far Northern section, being undertaken by the Cape York Land Council and funded by the GBRMPA, is examining the dollar value of commercial fisheries within specific clan estates in the GBRMP (Baker and Johnson, pers. comm.).

Transmission of maritime culture

Increasing recognition of Aboriginal maritime culture in GBRMP management has the potential to encourage the transmission of that culture between generations. At present, however, much of that cultural information is being provided to planners and managers for use by the managing agency, rather than being utilised directly by Aboriginal people in the management of their estates within the GBRMP.

Over the last five years, many Aboriginal people have generously shared their traditional knowledge of the reef with managers, planners and consultants in the belief that the GBRMP would be managed better and that their long-standing role as marine managers would be formally recognised. While considerable advances have been made, that formal recognition has yet to make a substantial difference on the water and the actual involvement of Aboriginal people in day to day management remains minimal.

The support given by GBRMPA, the Queensland Departments of Environment and Primary Industry and other agencies to the Community Ranger Training program has provided further encouragement to the transmission of Aboriginal maritime culture between generations. Aboriginal involvement in such training programs has occurred in the belief that employment opportunities and management roles would follow. Government management agencies now have a responsibility to ensure that this occurs.

Control of access to maritime estates

Traditional owners of maritime estates have virtually no formal control over access by others to their sea country. Limited control has been granted over the use of resources within clan estates by other Indigenous people, via the establishment of Councils of Elders in some areas. The reality for most traditional owners, however, is a situation of ongoing trespass into and through their sea country by outsiders.

The GBRMPA is limited by current legislation in its capacity to recognise Aboriginal customary rights to control such access. Negotiations to establish Aboriginal Management Areas, and efforts to mediate native title claims within the Far Northern section, represent an opportunity to resolve this issue. It should be stressed, however, that control of access does not equate with exclusive use. Aboriginal traditional owners and custodians have long expressed a willingness to share their sea country with other Australians, in the context of recognition of their customary rights and responsibilities.

Distribution of subsistence resources

Current restrictions over the distribution of subsistence resources, such as dugong and turtle meat, represent a limitation on the expression of contemporary Aboriginal culture. Families who are obligated and wish to share traditional foods with kin living outside communities come into conflict with state laws. Recognition that contemporary kin obligations can span many hundreds of kilometres and beyond state borders presents a challenge for law makers and managers. It is, however, a management issue which should be addressed in order to promote the continuation and transmission of culture.

The process of change

Progress towards the recognition of Aboriginal interests in managing customary estates within the Marine Park has largely resulted from a process of interaction between Aboriginal groups and Marine Park managers and planners over many years. It is important to acknowledge the pivotal and patient role played by key indigenous individuals and organisations in helping agency staff to understand the significance of Aboriginal maritime culture to contemporary Marine Park management.

This personal approach has been assisted by several significant events, including:

- The appointment of specialist Aboriginal liaison staff within GBRMPA and the Department of Environment;
- Funding several consultancies documenting Aboriginal maritime culture within the GBRMP;
- Employing agency staff with experience in the joint-management of protected areas elsewhere in Australia;
- The *Mabo* native title decision;
- Increasing support from GBRMPA executives to seek strategic resolution of indigenous issues in GBRMP management;
- The development of the 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area.

The impact of these events, supported by the personal commitment of indigenous people to the cultural education of agency staff, has resulted in the initiatives noted in the preceding paper and a general change of status of indigenous peoples from being a minor user group to a partner in management.

It should be noted however, that these changes have occurred largely within the managing agencies in relative isolation from other arms of government and the general community. Indigenous peoples have interacted with and responded to Marine Park managers and planners in an attempt to have their broader marine environmental and resource management rights and interests recognised. It is now clear, however, that significant indigenous rights and interests are beyond the capacity of the Marine Park agencies to recognise alone, and will require the involvement of other agencies as well as the support of the wider community.

It can be expected therefore that the next phase of the process must involve other government agencies and the wider community. While maintaining the personal links already established with agencies, it may be appropriate for indigenous groups to make a strategic shift from agency by agency interactions to negotiations with whole of government.

Current negotiations to establish a 'Sea Council' for the Far Northern section is an indication that that process is already underway. It is an attempt to encourage governments to recognise that Marine Park management is a sub-set of indigenous maritime management issues. Recognition of wider indigenous interests, and good environmental and resource management, will not be achieved until the broad relationship between indigenous peoples and the sea is acknowledged.

It is beginning to be acknowledged that indigenous maritime interests within the GBRMP cannot be successfully addressed unless there is a resolution of fisheries, tourism, shipping and other issues. It is to be hoped that the experience of GBRMPA and the Department of Environment can rapidly assist other maritime agencies to become involved in the process. Without that integrated approach it is doubtful if recognition of indigenous interests within the GBRMP can progress much further.

Marine Park management agencies have an opportunity and an obligation to pass on their experience of the last twenty years to other agencies and the wider community. In doing so they will be doing a service not only to indigenous peoples of the reef, but to the management of the reef itself.

Indigenous maritime culture and the state of the reef

Early progress towards the recognition of indigenous interests in Marine Park management largely took the form of agency concessions. That is, dugong and turtle hunting is a concession to the practice of indigenous culture; indigenous membership of advisory committees is a concession to indigenous peoples as a special interest group.

More recently, indigenous involvement is seen as a necessity; indigenous demands for involvement are not going to go away, so they need to be addressed strategically. This need is supported by increasing requirements placed upon governments to permit the full expression of indigenous cultures, as a result of international conventions and other agreements.

The next, and possibly more difficult phase, is to achieve recognition not only for these pragmatic reasons, but also because full expression of indigenous rights and interests is good for the state of the reef itself. This involves recognition that the link between indigenous peoples and reef is two way. Indigenous maritime culture is part of what the reef is.

Traditional knowledge, stories, ceremonies, hunting activities etc. are all part of the 'software' of the reef ecosystem. The current Great Barrier Reef environment has only existed in the presence of Aboriginal and Torres Strait Islander peoples. Without them and their culture the reef itself is diminished.

As in the past, the connection between indigenous peoples and the reef environment requires management to be kept in balance. As in the past, the best people to achieve that balance are the indigenous peoples themselves.

¹ It is proposed that the Sea Council would include representatives of coastal Aboriginal groups and Government Marine Park and fisheries management agencies.

The concept of indigenous culture as a component of what the reef is has implications for future monitoring of the state of the reef. Much of the cultural connection between indigenous groups and the reef has already been lost; but much has been retained, and not only in the far north. For a healthy state of the reef it will be necessary to ensure that its cultural connections are nurtured. This is a complex task, which will include:

- Community education about indigenous maritime culture;
- Recording of indigenous maritime culture by and under the control of indigenous peoples;
- Training, education and employment opportunities which enable indigenous people to become increasingly directly involved in research, planning and management of the reef;
- Recognition that indigenous cultures will continue to change and adapt;
- Whole of government strategic planning to recognise indigenous interests in marine management.

The resolution of native title claims in the sea should be seen as an opportunity to take the necessary strategic, whole of government approach. In particular, the possibility of negotiating regional agreements in which indigenous maritime interests are addressed in the context of the historical and legal rights and interests of other groups is likely to be particularly rewarding.

Indeed, the development of a zoning plan, such as is currently being undertaken in the Far Northern section, should be seen in the context of an emerging regional agreement. The establishment of a Sea Council for the Far Northern section could provide the forum for addressing both the GBRMP and fisheries issues which would form the cornerstone of any maritime regional agreement in the far north, and elsewhere in the GBRMP.

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