



CENTRE FOR ABORIGINAL ECONOMIC POLICY RESEARCH

**Developing a land and resource management
framework for Kaanju homelands,
Central Cape York Peninsula**

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Abbreviations and acronyms

AIATSIS	Australian Institute for Aboriginal and Torres Strait Islander Studies
ANU	The Australian National University
ATSIC	Aboriginal and Torres Strait Islander Commission
CAEPR	Centre for Aboriginal Economic Policy Research
CAT	Centre for Appropriate Technology
CRAC	Coen Regional Aboriginal Corporation
CYPDA	Cape York Peninsula Development Association
DOGIT	Deed of Grant in Trust
IPA	Indigenous Protected Area(s)
IUCN	International Union for Conservation of Nature and Natural Resources
NARU	North Australia Research Unit
NHT	National Heritage Trust

Abstract

This paper outlines efforts by Kaanju families to develop a comprehensive framework for the management of traditional lands and their associated resources on Kaanju homelands. Based at the Chuula homeland camp on the upper Wenlock River, Kaanju people are attempting to move beyond involvement as mere partners or stakeholders in land and resource management projects, which involves a substantial re-orientation in the ways in which land and resource management are undertaken. Through engagement with the 'Indigenous Protected Areas' framework, and other categories devised by 'mainstream' agencies, Kaanju people are seeking a practical but substantial form of self-determination in partnership with local non-Indigenous people and regional and national agencies. This approach to local land and resource management is based on what Kaanju people understand to be their inalienable and substantial ties to their traditional homelands. The paper provides perspectives from the Chairman of the Chuulangun Aboriginal Corporation (David Claudie) and from an anthropologist (Benjamin Smith) who has researched Kaanju homelands aspirations for the past seven years. The paper outlines the opportunities and challenges entailed by this innovative approach, and the cultural and political contexts underlying Kaanju relationships with current land management structures.

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Introduction

This paper outlines efforts by Kaanju families to develop a comprehensive framework for the management of traditional lands and associated resources on Kaanju homelands. Based at the Chuula homeland camp on the upper Wenlock River, these efforts involve attempts by Kaanju people to move beyond involvement merely as partners or stakeholders in land and resource management projects run by mainstream agencies. Kaanju traditional owners want a more localised and self-determined approach to land and resource management, and this involves a substantial re-orientation of the ways in which such management is undertaken.

Through the incorporation of Kaanju traditional owners, registration of their homelands under the Indigenous Protected Areas (IPA) framework established by Environment Australia, and by their engagement with other frameworks and categories used by 'mainstream' agencies, Kaanju people are seeking a practical but substantial form of self-determination in partnership with local non-Indigenous people and regional and national agencies. This approach to local land and resource management is based on what Kaanju people understand to be their inalienable and substantial ties to their traditional homelands.

Drawing on a two-week period of research under the Centre for Aboriginal Economic Policy Research's (CAEPR's) Indigenous Visiting Fellowship Scheme and ongoing collaborative work by the authors, this paper provides perspectives on the development of local approaches to the management of traditional lands from the Chairman of the Chuulangun Aboriginal Corporation (Claudie) and from an anthropologist (Smith) who has researched Kaanju homelands aspirations for the past seven years. The paper outlines the opportunities and challenges entailed by the innovative approach of Kaanju people towards management of their homelands, and the cultural and political context underlying Kaanju relationships with current land management structures.

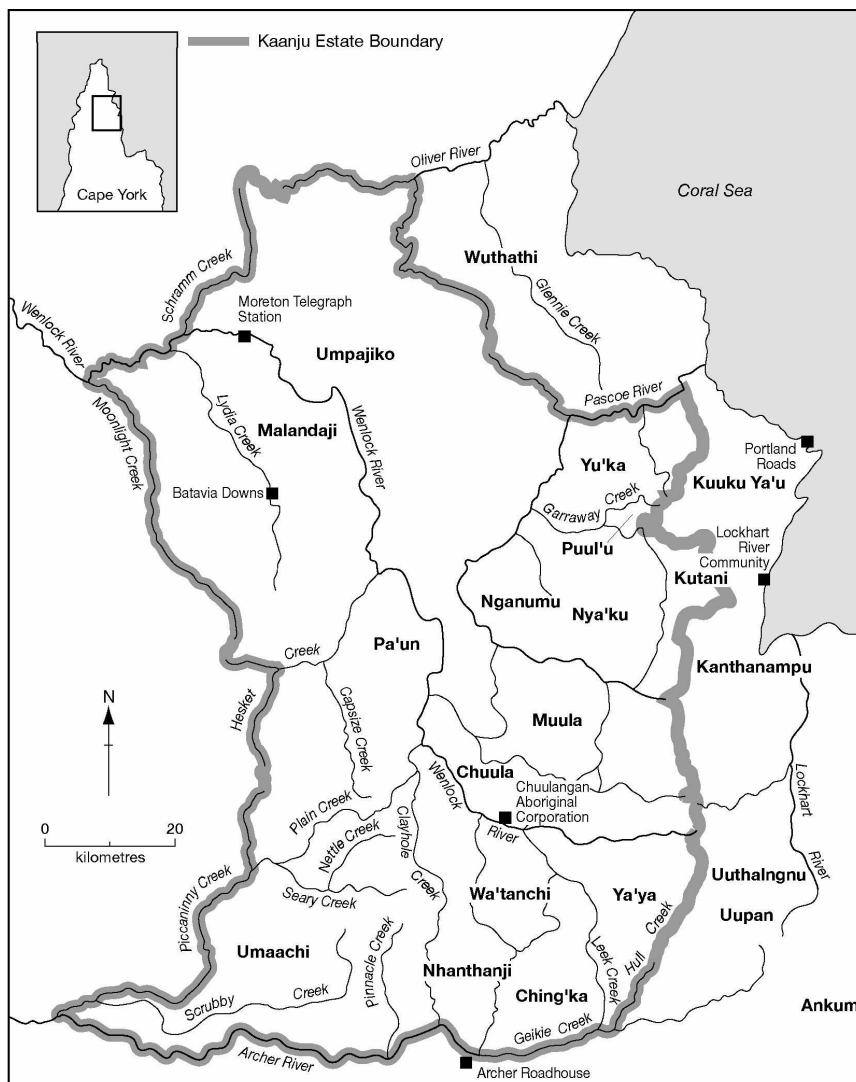
Kaanju country/*Kaanju ngaachi*

The homelands (*ngaachi*) of Kaanju people located to the north of the Archer River occupy an area of approximately 470,000 hectares, stretching through the Lockhart Valley and westward from the headwaters of the Wenlock and Pascoe rivers across Cape York Peninsula.¹ They include the Embley Range and run south to the Archer River and north along the Wenlock River to Schramm Creek. They also include the southern bank of the upper Olive River (see Fig. 1).

The Kaanju homelands encompass a variety of ecosystems including tropical woodland and open savanna; creek, river and lagoon systems with gallerine forest along the main river channels; and upland rainforest. The region is monsoonal, with the rivers reducing to a series of waterholes and only the main channels continuing to flow during the dry season, while the wet season sees the rivers swell hugely and seasonal creeks flood back into the rivers. The Kaanju

homelands contain a huge diversity of flora and fauna, including several rare, threatened or endangered species (e.g. the Wenlock River *Pseudophyrne* Frog, the Eclectus Parrot, Spotted Cuscus and Green Tree Python). Although much of the region remains relatively undisturbed the impacts of recent land use, including mining and pastoralism and the introduction of feral species, present significant threats to the region's biodiversity.

Fig. 1. Traditional Kaanju estates north of Archer River



Source: Chuulangun Aboriginal Corporation.

At the threshold of colonisation, Kaanju people lived in bands or camps, hunting, fishing and gathering across their homelands.² As with the other Aboriginal people of the region, Kaanju camps included people drawn from a number of patrilineal clan groups, each of whom held a particular connection with areas of Kaanju country that anthropologists call ‘estates’, and which Kaanju people identified by the name of a significant place in that country and the suffix *-thampanyu*. Thus Mula-thampanyu designates the country belonging to the Kaanju clan who own country centred on the place called Mula on the upper Pascoe River (see also Chase 1980; Thomson 1933: 534). As well as linking Kaanju clans, social ties extend eastwards to the Kawachi or Sandbeach people of the east coast, whose language varieties (e.g. Kuku Ya’o) are mutually intelligible with the Kaanju language. Kaanju people are similarly connected to the people now identified as the Wik and Wik Way peoples, whose country lies to the west, to other Kaanju people whose country lay to the south of the Archer River, and to the ‘McDonnell’ people to the north (Chase 1980). The primary socioeconomic and political ties across the region lie along the region’s river systems, and these ties remain important among the contemporary population of the central Peninsula.

The traditional land management practices of Kaanju people encompass material interventions in landscape including burning regimes or ‘fire management’ (Claudie 2003b; Rose 1995; B.R. Smith 2003a: 141–2), the seasonal use of resources (Chase & Sutton 1987) and ritual management practices (B.R. Smith 2003a: 133). Interwoven with these are the customary practices of resource use associated with classical mobility patterns and seasonal population shifts (B.R. Smith, in press) and they include the corpus of ‘rules’ surrounding resources. These rules include prohibitions on waste, in particular regarding meat foods, and the need to gain the assent of traditional owners to go onto their country and use its resources. The rules also entail the policing of presence of others on the homelands. This body of rules and customary practice thus underlies not only contemporary intra-Indigenous engagement with country, but also Aboriginal expectations of non-Indigenous people, for example the ‘third-party’ users of Kaanju country (including fishermen, pig hunters and tourists) discussed below. Aboriginal people commonly refer to this body of practices as ‘caring for country’. As Altman notes, such practices are not just materially productive, but also speak to the ‘ideology of looking after and having a reciprocal relationship with a sentient landscape’ (Altman 2003: 6; see also Bradley 2001; B.R. Smith 2002b; Strang 2000). ‘Caring for country’ concerns both Aboriginal people’s responsibility to manage land and resources, and the need to ensure that the land’s resources are not overused—in particular by outsiders—leaving insufficient resources for the people who ‘belong’ to the country concerned.

According to the oral traditions of Kaanju people, their homelands were shaped by the events of the ‘Story Time’ (or ‘Dreamtime’), when a series of creator figures, the ‘Stories’, shaped the landscape and left language and Pama (Aboriginal) law for the humans who would follow them (see also Rigsby 1999; Thomson 1933). Kaanju tradition records that this period saw the eruption of a series of volcanoes that remain as the high peaks of Kaanichi [upland or ‘on-top’] country. These

eruptions churned out what would become the people, flora and fauna of the region. According to this oral history, Kaanichi country was the first area to be populated. The lower ground later became available for human habitation as the seawaters receded and its peoples too had their origin in the volcanoes of the uplands. Many of the Stories (who are themselves often said to have been ‘a man before’) turned into animals, trees, plants or natural features. In their transmogrified state they remain an active part of the land, as do the spirits of the ‘old people’, deceased forebears whose spirits remain in Kaanju country and observe and intervene in the actions of the living. These old people give ‘luck’ to their descendants when they observe the rules of customary behaviour, and punish the infringement of Pama law.

The Story Time left a landscape constituted by a series of estates connected to particular groups of people, called ‘clans’ by anthropologists. The colonial and postcolonial periods have seen a process of transformation of Aboriginal social organisation, leading to the emergence of ‘a distinctive form of social organisation, centred on Aboriginal family identities and combining features of both classical Aboriginal and modern European societies, as well as a number of innovations’ (Sutton 1998: 59). Aboriginal people refer to the principal groupings of this contemporary form of Aboriginal social organisation as ‘families’, and Kaanju people refer to the descent ties of these families to the clan members from whom they are descended as ‘bloodlines’. These are understood to tie people to particular country, language and resources—and particularly to the species whose Stories lie in their *ngaachi*. Bloodlines form the grounds of the customary ‘management’ and ‘governance’ of Kaanju people and their neighbours. The use of terms like ‘management’ and ‘governance’ in Aboriginal English can mask the very different meanings the terms can have for Indigenous people (Bradley 2001: 295), but has increasingly enabled Kaanju people to embed Aboriginal values within ‘mainstream’ processes (cf. Yang 2000: 485–6).³ ‘Management’, as it is used by Kaanju people, refers to the interwoven complex of ownership, use and nurturance inherent to Aboriginal peoples’ relationship to country, while ‘governance’ refers to the system of territoriality founded in the region’s Pama law. In particular, Kaanju people’s use of the term ‘governance’ refers to the division of their country into different named *ngaachi*, each with its associated bloodline (shown in Fig. 1). It is this system of ‘traditional governance’ that underpins the customary management of Kaanju country.

It is particularly important to understand that the separation of ‘nature’ and ‘culture’ central to Western culture is not intrinsic to the Kaanju worldview. For the Aboriginal people of the region, the separation of a ‘natural’ landscape from a ‘cultural’ one is fundamentally nonsensical: the landscape always will be and already is the result of the action of sentient beings (the Stories). This view of the foundation for human existence has almost certainly prevailed through the history of human existence in and management of Kaanju country, with each succeeding generation leaving evidence of accreted human action in the landscape for those who follow them (see B.R. Smith 2003a).⁴

Settler land management on Kaanju homelands

Traditional Kaanju land and resource management was subject to disruption resulting from the rapid settlement of the region from the end of the nineteenth century (see also Strang 2000: 95–7). After initial exploration of the area in the 1870s, a series of gold rushes brought settlers from the goldfields of the south-eastern Peninsula into Kaanju country. The township of Coen was established at the southern end of the Kaanju language area and a number of fields opened up north of the Archer River. On Kaanju homelands a number of mines and a large mining camp were developed on the upper Wenlock River, close to the current Kaanju camp at Chuula. The presence of the miners also brought pastoralists into the area, and a telegraph line was constructed in the 1870s to connect the settlement at the tip of the Cape to areas further south. Telegraph repeater stations were established at Moreton Crossing and at Mein, both in the northern reaches of the Kaanju homelands, and a police camp was set up at the Mein Station. Pastoral runs were taken up across the Kaanichi area.

The impacts of this settler population were felt by Kaanju country and by Kaanju people. Introduced species—cattle in particular—caused disruption to the ecosystems of the Kaanju homelands and Aboriginal people were pushed off much of their country. In many cases, Kaanju people were removed to missions or towns on the Peninsula, including Lockhart River, Weipa and Coen, or were taken away to the southern missions at Cherbourg, Woorabinda, and Yarrabah or the punishment settlement on Palm Island (see also B.R. Smith 2000b). Kaanju people describe this period as one in which the ‘sovereignty was taken out of the land’.

Those Kaanju people who were taken to the missions and towns, or who lived as fringe dwellers around the stations and the Wenlock mining camp were placed under the control of Queensland’s *Aborigines Protection and Restriction of the Sale of Opium Act 1897* (‘the Act’) and subsequent legislation. These people became an indentured labour force for the region’s stations and miners, allowing many Kaanju people to maintain their connection with their homelands and those of their neighbours (see B.R. Smith 2002b, 2003a). People were able to continue caring for their country and to hunt and gather alongside or during their work for their non-Indigenous ‘bosses’. At Lockhart River, Kaanju people were able to maintain their ritual traditions—including the initiation cycle (*bora*)—on the country of their Sandbeach kin (Fig. 2), although their long-term residence at a township that lay on the country of others was cause for frustration and tension.

With the arrival of ‘the freedom’ in the late 1960s—the repeal of the Act, the granting of equal wages and the advent of Aboriginal citizenship—Kaanju people saw their ability to return to their homelands further curtailed by the collapse of Aboriginal employment in the pastoral industry.⁵ However, the development of local corporations and Aboriginal councils, in particular the Coen Regional Aboriginal Corporation (CRAC), and the founding of the Cape York Land Council in 1990 led to the resourcing of the decentralisation of the Aboriginal population (B.R. Smith, in press). A Kaanju camp was established at Chuula after

Kaanju people living in Coen and at Lockhart River had negotiated with the Lockhart River Council for access to the area, which was enclosed within the Lockhart River Deed of Grant in Trust (DOGIT) lands.

Fig. 2. George Moreton, David Claudie's *pula* (paternal grandfather) leading *bora* at Lockhart River, 1970s



Source: Chuulangun Aboriginal Corporation and Athol Chase.

Despite the return to their homelands, Kaanju people continue to be frustrated in their aspirations to resume the management of their country. Because the camp was located on the Lockhart River DOGIT lands it remained under the control of the Lockhart River Council. Pastoral leases, which limit access for traditional owners, covered most of the Kaanju homelands to the north of the Archer River. One former lease (Batavia Downs) was held by the Queensland Department of Primary Industries as an 'experimental farm'. Other areas remain under National Park management. This situation leaves the majority of Kaanju homelands under the management of non-Aboriginal people or non-traditional governance systems, setting limits on Kaanju people's ability to resume management of their lands or even excluding them from management processes (see also Lane & Chase 1996).

In addition, a number of third-party users including tourists, four-wheel drive enthusiasts, pig hunters, fishermen and prospectors visit and use Kaanju homelands, and Kaanju people have no powers to regulate their activities. Kaanju

people see this as a major management problem, exacerbated by the many unapproved roads and tracks that criss-cross Kaanju country, by tourist camps cleared without the authority of traditional owners, and by the accumulation of rubbish left behind by these third-party users. It is of great concern to Kaanju people that much of this activity occurs at places of vital significance to them, in particular at the key Kaanju Story Place (Dreaming site) at Malandachi. The depletion of traditional resources, in particular as a result of netting by fishermen on the Wenlock River, is also a major concern for traditional owners.

Kaanju people have increasingly been incorporated into management structures with responsibility for areas of Kaanju country, such as the Mangkuma Land Trust that now controls the former Lockhart River DOGIT lands (transferred under the Queensland *Aboriginal Land Act 1991*) or joint boards of management for national parks (Smyth 2001: 80–1). However, the practical and substantial marginalisation of Kaanju traditional ownership that is maintained through these ‘mainstream’ forms of governance, is unacceptable to many Kaanju people. This is especially the case where organisations or agencies employ a ‘regional’ or ‘sub-regional’ approach in their dealings with Aboriginal homelands, in direct contradiction to the customary forms of ‘management’ and ‘governance’ embedded in local Aboriginal sociocultural organisation, which are profoundly localised and personalised (Martin 1997: 12–14).⁶ Within the ‘Aboriginal domain’, traditional owners—in particular senior and knowledgeable people—remain the only ‘proper’ people to ‘talk for’ their country, and they see a micro-scale orientation towards ‘families’ and ‘estates’ as the appropriate scale for development and land management projects. The emphasis on localisation, both in terms of scale and control, is increasingly in conflict with the continuing administrative emphasis on regionalisation.

Although mainstream organisations and agencies promote the suitability of the ‘region’ as a site for the organisation of interaction, in the experience of Kaanju people this limits their involvement in decision-making with regard to their country. In their view the regional approach ignores ‘proper’ Aboriginal governance structures, and reproduces the dominance of mainstream forms of land management. They see this reflected in the attitudes of mainstream land management professionals and administrators, who are seen to presume the superiority of mainstream land management methods and the need to limit the control of Aboriginal people in land management decisions (see also B.R. Smith 2002a: 6–7; Strang 2000:106).

The Native Title claim undertaken by Kaanju people over Batavia Downs Station has also been a source of frustration for traditional owners for a number of reasons. These include the general opacity of the claim process, and the protracted negotiations between the Queensland government and regional Aboriginal organisations in which Kaanju interests have been subsumed by wider political interests. The negotiation process also downplays traditional distinctions regarding responsibility and ownership for Kaanju *ngaachi* in favour of state-oriented ‘tribal identities’ that leave Kaanju people whose main connections lie elsewhere—and who are often not resident on the Peninsula—‘talking for’ the

country of local Kaanju families (B.R. Smith 2000b). Further, the outcomes of such negotiations often separate out ‘Aboriginal’, ‘conservation’ and ‘pastoral’ interests. This directly contradicts Kaanju people’s understanding of themselves both as holding the primary responsibility for land management on their traditional homelands, and as experienced pastoralists (B.R. Smith 2003b, 2003c).

For Kaanju people, their continuing marginalisation is doubly frustrating because, for them, the substantial ties that exist between them and their *ngaachi* are essential to land management. Their frustration does not merely arise from a situation in which mainstream agencies consider their own management practices superior to those of traditional owners, while underfunding and poor use of land sees feral species and erosion degrading the land. It is also not simply about social justice. In addition, Kaanju people view the displacement of traditional owners from the management of their homelands as having profoundly practical implications. They consider that land cannot be properly productive, nor ecosystems sustainable, unless traditional owners are present on the land, engaged in ‘caring for country’.⁷ As Rose notes, Aboriginal people across northern Australia assert that:

[h]umans are embedded in the habitats or ecosystems that nurture them...*The relationship is reciprocal: you take care of the country, the country takes care of you.* You come into being only through relationships. *Not only your origin but your ability to keep on living from day to day is embedded within the relationships that nurture you.* The generation of life is the process by which life is unfolded by the actions of transient living things in interaction with Dreaming presence (Rose 2001b: 108, emphasis ours).

Management from Kaanju homelands

With the development of the Chuula (Wenlock River) homeland camp, Kaanju people began the reoccupation of that part of their homelands that lies north of the Archer River. During the camp’s infancy people lived in tents and sheds constructed out of bush timber and corrugated iron. They cooked on open fires, and a pit toilet and bush shower served as ablution facilities. Camp residents relied for transport on privately acquired vehicles and vehicles provided through CRAC’s homelands funding. In this early period the camp was occupied for two wet seasons under harsh conditions. Residents had to swim the flooded Wenlock River and walk several kilometres to collect supplies from the closest airstrip at neighbouring Orchid Creek Station (Claudie 2002).

By 1996, the camp’s infrastructure had been improved. Housing consisted of three galvanised iron sheds on concrete slabs (Fig. 3). Other infrastructure included a pit toilet, laundry and shower facilities supplied by a 5000 litre tank, a water pump and ‘donkey’ hot water system, a diesel-powered generator and a two-way radio linked to the CRAC office in Coen and other regional homeland camps. However, frustration with regional Aboriginal organisations

and the intermittent availability of vehicles soon led to declining habitation of Kaanju homelands.

Fig. 3. Chuula infrastructure, 1996



Source: Chuulangun Aboriginal Corporation.

Since 1999, Kaanju people have engaged in a renewed push to regain substantial control of land management on their homelands along the upper Wenlock and Pascoe Rivers, and to localise management and governance of Kaanju *ngaachi*. The Chuula camp is once again occupied throughout the year, despite being cut off from regional centres for up to six months during the wet season. The population ranges from four to six people in the wet season to up to 50 people in the dry. Kaanju people are also attempting to develop infrastructure on other homeland sites on the Wenlock River, including Pa'un and Malandachi downstream from Chuula. At Chuula, they have begun to develop an airstrip (lack of funds is hindering its completion), installed a permanent telephone and radio tower and a satellite dish, and made renovations to existing infrastructure. These improvements and the production of a planning report for Chuula residents (Balkanu 2000) have been undertaken despite the continuing uncertainty about support from Aboriginal organisations and government agencies. Regular and

emergency access to the homelands is a constant problem. The homelands vehicle has been repeatedly stranded in Coen awaiting repairs, and because of the unfinished airstrip there were two helicopter evacuations in the 2001 wet season and in one case a camp resident had to swim the flooded Wenlock River and walk 15 kilometres for assistance after the camp's phone was cut off.

These persistent sources of frustration, and the perceived marginalisation of some homeland groups within the management 'umbrella' of the Coen Regional Aboriginal Corporation, have increased the determination of traditional owners to return control of homelands development and land management to the Kaanju homelands. As a result, the initial drive for decentralisation of population to the homelands has now developed into a push for economic and political as well as demographic decentralisation, and has led to the incorporation of the Chuulangun Aboriginal Corporation, on 2 July 2002, under the Commonwealth's *Aboriginal Councils and Associations Act 1976*.

The stated objectives of Kaanju people in registering the corporation included the following:

- the establishment and operation of homeland-based community businesses that would incorporate sustainable land management principles;
- the development of homeland-based education and training projects to build the skills and self-esteem of Kaanju people;
- improvements in the health and the economic and social wellbeing of Kaanju people and the wider Aboriginal community;
- encouraging Kaanju people and their neighbours to return to their homelands and become more self-determining and self-reliant;
- the promotion of the principle that people must live on their particular homeland in order to have a say in its management; and
- to ensure access and control over the funds and resources available to Kaanju people to develop these objectives (Claudie 2003c: 1–2).

These objectives have been pursued through the development of the corporation's office at the Chuula camp, the establishment of a growing network of links between the corporation and regional, state and national agencies and organisations (making good use of the Internet and e-mail, as well as fax and telephone) and the development of funding proposals through a number of local, State and Commonwealth schemes.⁸ These proposals have included applications to the Cape York Peninsula Development Association, the Natural Heritage Trust, the Indigenous Land Corporation, the Aboriginal and Torres Strait Islander Commission (ATSIC), the Commonwealth Department of Transport and Regional Services and the Gambling Community Benefit Fund. All of these proposals are characterised by their localised nature, and focused on Kaanju homelands. Unlike the regional projects typically developed by the larger Aboriginal organisations, their foundation lies in Kaanju people's traditional ownership of their own homelands. Mainstream legislation and guidelines are purposefully

engaged on this basis in an attempt to prevent mainstream guidelines from compromising local governance and management.

The Indigenous Protected Areas application

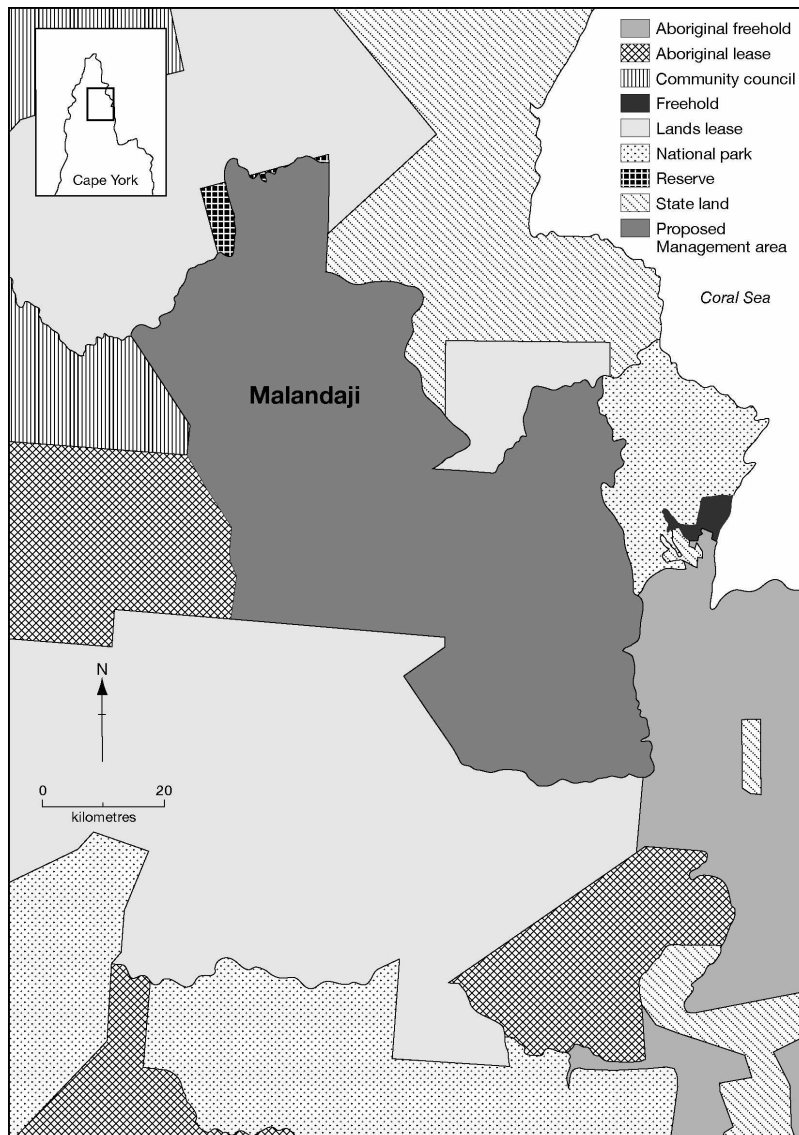
An example of the ways in which Kaanju people have sought to engage with mainstream agencies and the schemes that they administer is their current application under the Commonwealth IPA program, administered by Environment Australia as part of the National Heritage Trust scheme. The program is designed to encourage Indigenous people 'to participate in the National Reserves System through voluntary declaration of Protected Areas on their lands and [provide] support for greater involvement of Indigenous people in the management of existing statutory protected areas' (Environment Australia 2002: 3; see also Smyth 2001: 88–9), in particular, seeking:

- to establish partnerships between government and Indigenous land managers to develop a comprehensive national system of protected areas by assisting Indigenous people to establish and manage protected areas on homelands over which they hold title;
- to promote Indigenous involvement in protected area management through the cooperative management of existing protected areas; and
- to promote best practice approaches to cooperative partnerships, including the integration of Indigenous ecological and cultural knowledge into contemporary protected area management.

The program extends the scope of the national parks approach through recognising a human component in the environment and moving beyond the statutory definition and legal enforcement characteristic of the bureaucratic approach towards protecting landscapes and ecosystems.

The scheme is predicated on the belief 'that Indigenous resource use and customary land management can live in harmony with, and contribute to, biodiversity conservation objectives on protected areas' (Environment Australia 2002: 2). It reflects the more general global development of synergies between the concerns of localised Indigenous groups and the late-capitalist trend towards the protection of biodiversity. Both seek to limit the loss of natural resources through unbridled resource exploitation (Escobar 1999: 14; see also Yang 2000: 494). The IPA program provides funding for the consideration and development of management plans for Indigenous-owned land, possibly followed by further support, declaration of an IPA, implementation of the management plan, and monitoring of the progress of Indigenous management. It is expected that Indigenous groups seeking funding to develop an IPA should:

- have legal ownership of the land where they wish to establish an IPA, either as freehold, deed of grant or leasehold;
- have land that has high natural and cultural heritage values;
- have a clear intention to manage the land for the conservation of natural and cultural features for the long term;

Fig. 4. Land tenure on Kaanju homelands

Source: Chuulangun Aboriginal Corporation.

- not intend to use the proposed IPA for any land use that will have a detrimental effect on the cultural or natural heritage values;
- have legal or other effective means available to manage and protect an IPA, with Customary Law 'recognised as a form of management which satisfies

the International Union for the Conservation of Nature (IUCN) guidelines (Environment Australia 2002: 5).

As Smyth (2001: 89) notes, IPAs 'are attractive to some Aboriginal landowners because they bring land management resources without the loss of autonomy associated with joint management'. Kaanju people see the IPA program as presenting a significant opportunity to develop Indigenous management on their homelands, and to provide funding to further Kaanju people's aspirations. However, they recognise some limitations. Principal among these is that only part of the Kaanju homelands north of the Archer River can be recognised as being under the legal ownership of Kaanju people under the IPA guidelines. The Kaanju homelands are covered by a patchwork of forms of mainstream land tenure, which Kaanju people refer to as 'his management', that is, management regimes dominated by non-Indigenous knowledge and practice (Fig. 4). As a result, Kaanju people have limited their current application under the IPA program to only part of the Kaanju homelands—the areas under the control of the Mangkuma Land Trust and the former Batavia Downs lease, currently subject to a claim under the Commonwealth *Native Title Act 1991* (Fig. 5).

This limitation of 'ownership' to only part of the Kaanju homelands is in direct contravention of Kaanju people's traditional ownership under Aboriginal law. This is a point often stressed in Kaanju people's applications, for instance (in reply to a question on the suitability of the land for intended land management activity on one application form):

The land is suitable for our intended land management activity as it is our homelands and it is our right as Kaanju traditional owners to take control of its management,

or (in response to a question about whether the land management activity proposed relates to Indigenous held land):

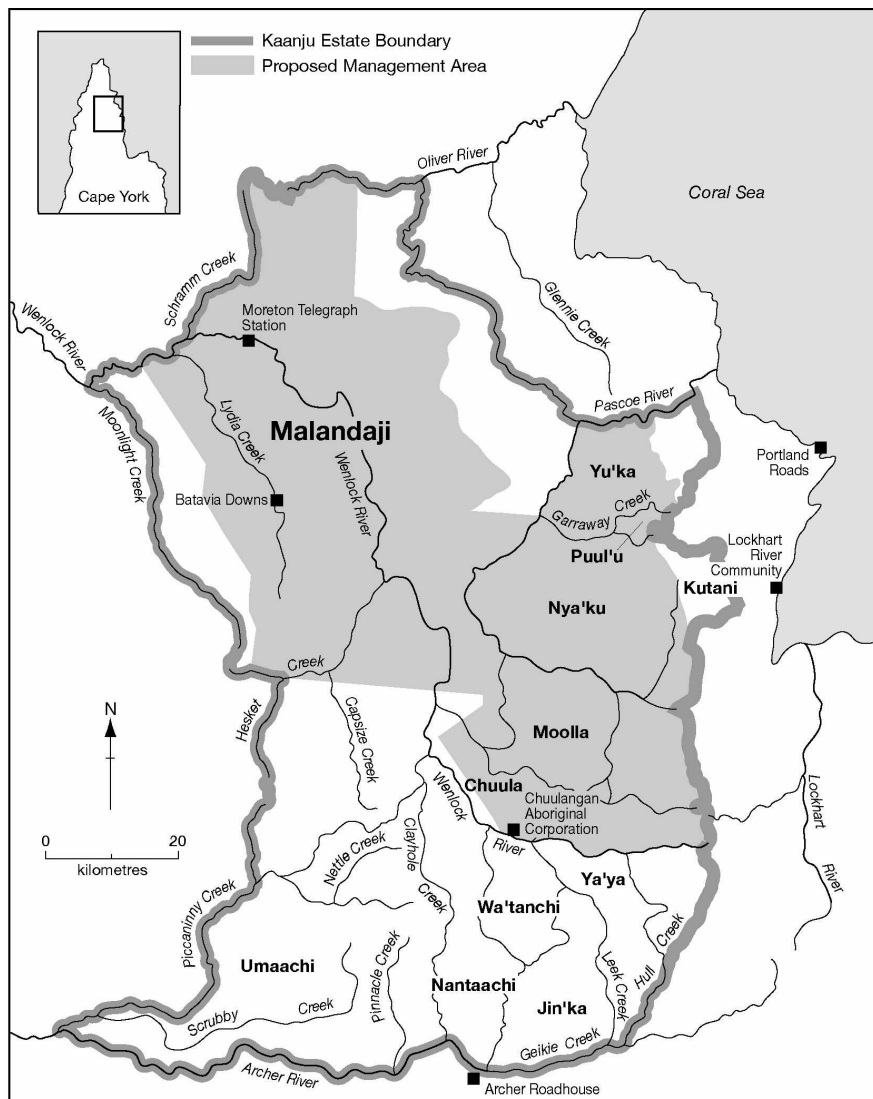
Yes, the land management activity will be undertaken on our homelands that we hold under traditional Kaanju laws and customs.

In their application to the IPA program, the Kaanju applicants similarly note their responsibility and obligation, under Kaanju law and custom, to undertake the management of Kaanju homelands and ensure the sustainability of its natural and cultural values for the benefit of current and future generations of Kaanju people. They stress their obligation to undertake immediate action to manage threats from feral species, land degradation and desecration of cultural sites by unregulated public access.

Kaanju people's engagement with the IPA program entails a compromise because Environment Australia is unable to extend its program over areas it treats as alienated from the ownership of Aboriginal people, despite the IPA program's stated intention to operate outside of the traditional parameters of statutory definition and legal enforcement. The Kaanju people represented by Chuulangun Aboriginal Corporation, on the other hand, intend eventually to develop the scope of their management to encompass the whole of the Kaanju homelands. Kaanju

people’s engagement with the scheme is thus part of their broader push to place themselves as the primary agents responsible for land management on their homelands. This differs from the rationale underlying the IPA program, which constructs Indigenous resource use and customary land management as a contribution to wider biodiversity conservation objectives in specific protected areas.

Fig. 5. Proposed Kaanju homelands IPA management area



Source: Chuulangun Aboriginal Corporation.

For Kaanju people, the limitation of Indigenous land management to those areas recognised as Indigenous-owned under mainstream legislation not only cross-cuts their own sense of ownership under Aboriginal law, but also retards their ability to engage in urgently needed intervention to prevent further degradation of Kaanju *ngaachi*. The pastoral industry relies heavily on the Wenlock River system to sustain cattle, and pastoral activities have created stress on this important ecological system. Erosion of the banks of the river and lagoon systems is increasing the level of siltation and affecting water quality. Environmental degradation also has implications for Story Places and other culturally important areas along the rivers (Rose 2001b). More generally, land degradation and erosion, weed and feral animal infestation, and changes in fire management are also impacting on Kaanju country (Claudie 2002; N.M. Smith 2003).

The inability of Kaanju people to extend their management over the whole of their homelands limits their ability to ‘care for country’ across the whole area for which they bear traditional obligations. It also affects their ability to properly manage the areas over which they can exercise control under mainstream legislation. Riverine links, knock-on effects across regional ecosystems and the spread of noxious species from neighbouring areas all make the piecemeal management of Kaanju *ngaachi* limited in its effectiveness. The whole of the Kaanju homelands is in immediate need of improved land care.

Through the development of the IPA, Kaanju people are taking initiatives that will ultimately benefit the whole of the Kaanju homelands. These include developing improved land management techniques, a land management database, and mapping for Kaanju homelands. They are also appointing and training Kaanju rangers, developing education and interpretation materials for the public (signage and protocols) and negotiating land use and management agreements with other stakeholders, including pastoralists whose stations are located on Kaanju homelands. As in similar moves in other areas of Australia (see Altman 2003; Altman & Whitehead 2003), the return of Kaanju people to their homelands provides the means for increased land management which will benefit from the activities of a local population who have maintained a body of knowledge and strong personal connection to the land in question, and who are likely to remain resident in the area in the future (Taylor & Bell 2002: 19). This potential role for Aboriginal people as land managers not only meets the need for urgent improvement in regional landcare, but offers possible avenues for addressing the social and economic problems faced by Aboriginal people living in the region.

The benefits of homeland development

The return of Kaanju people to their homelands, through the development of decentralised homeland communities, has the potential—if properly resourced—to produce sociocultural, environmental and economic benefits for Kaanju people and other residents of the region. It may also produce benefits for stakeholders at state and national levels. The resourcing required to foster such development is not merely financial. Its effectiveness also depends on changes to administration

and land management practice, shifting the focus to more localised management in which Aboriginal people and Indigenous values and knowledge are prioritised.

Cultural and social benefits

Potential cultural and social benefits linked to the restoration of Kaanju management and decision-making on Kaanju homelands include:

- improvements in the health and social wellbeing of the Kaanju people;
- the transmission of cultural knowledge of land to the younger generation; and
- the education of the wider community on the interrelationships between Kaanju people and their homelands (Claudie 2003a: 10).

The benefits of 'outstation movements' for Aboriginal people across Australia are widely recognised (see e.g. Cooke 1994a, 1994b; Port Stewart Lamalama & Centre for Appropriate Technology 1997; B.R. Smith, in press; see also Davis & Arthur 1998), not least in the opportunities afforded to homelands residents to remove themselves from the stresses and substance abuse rife in larger Indigenous settlements, either temporarily or for longer periods. For Kaanju people, these benefits are likely to be augmented as greater opportunities for land management are developed on their homelands. This will create meaningful employment opportunities and improve self-esteem, as well as safeguarding the continuing existence of homelands communities.

Homelands development is also linked to the transmission of cultural knowledge, both informally and with the assistance of mainstream agencies including the Coen State School and organisations such as Cape York Partnerships.⁹ Kaanju people want education to be focused on homelands, rather than in the region's townships, in particular because the transmission of knowledge customarily occurs 'on country' and through engagement with the local environment. Kaanju people are also seeking to educate the wider community through providing signage and protocols for tourists and other land-users, venturing into eco-tourism, and conducting joint research projects with university researchers on Kaanju homelands.

Environmental benefits

Potential environmental benefits that Kaanju people link to the management and redevelopment of their homelands include:

- improvements in the health of the environment, including water quality, on Kaanju homelands;
- the minimisation of further impact on the environment by third parties, weeds, feral animals, and so on;
- reduction of illegal fishing on waterways on Kaanju homelands;
- reduction of land degradation on Kaanju homelands;
- protection of biological diversity;

- maintenance of ecological processes and habitat protection; and
- the implementation of land use agreements with leaseholders on Kaanju homelands (Claudie 2003a: 10; see also Altman 2003; Altman & Whitehead 2003; Baker, Davies & Young 2001; Claudie 2003c; Cooke 1994a, 1994b; N.M. Smith 2003).

Kaanju people are already undertaking many of these activities, albeit on only part of the area over which they hold traditional responsibility, and at a level that falls short of their aspirations as traditional owners.

Some funding, provided by the National Heritage Trust (NHT) and by the Cape York Peninsula Development Association (CYPDA) for the protection of historical, social, cultural and spiritually significant sites, is already being used to erect signage and develop a web site to inform and educate the public about the natural and cultural values of Kaanju homelands. Regular patrols of the homelands are already being undertaken, and fencing is being erected to control movement of feral animals. Kaanju people are also working with employees of the Balkanu Cape York Development Corporation and with university-based researchers on land management projects.

Economic benefits

There are also a number of potential economic benefits from Kaanju people's development of their land management activities and homeland development. These include:

- improvements in the social and economic wellbeing of Kaanju people;
- employment and training of Kaanju people;
- improvements in the economic base of Kaanju homeland communities;
- increased involvement of Kaanju people in the wider Australian economy; and
- economic benefits for the wider community (Claudie 2003a: 10; see also Altman 2003; Cooke 1994a, 1994b).

Kaanju traditional owners are confident that their own skills and experience can contribute to the development of business enterprises that will help sustain them and their country into the future. Planning work on potential enterprise development has already been undertaken by regional Aboriginal organisations and secondees from Westpac, as well as by Kaanju people themselves (see e.g. Claudie 2002; Krieger 2002; Salmon 2002).

Attempts to develop enterprises on Kaanju homelands have long been a part of Kaanju people's shift towards decentralisation (B.R. Smith 2000a). They have been developing a cattle enterprise at the Chuula camp since the mid 1990s, with the assistance of neighbouring non-Indigenous pastoralists with whom Kaanju people maintain close relationships (see B.R. Smith 2003b, 2003c), and intermittent support from CRAC. Traditional owners have registered for an Australian Business Number, cattle brand and ear tag, developed fencing and

yards, and have cattle and horses available. However, a series of problems—including limited support from regional organisations, lack of funding and insufficient commitment by potential workers—has limited the success of the development of this enterprise. As a result, cattle-work at Chuula has mostly been at a subsistence level, rather than being a commercially viable enterprise.

Work also continues on the development of a market garden at the Chuula camp, a project commenced in 1996. A new nursery has recently been constructed and Kaanju people are now developing plans for the growth of native bush foods and tropical fruits and vegetables. These have potential to provide both subsistence crops and crops for sale in regional markets. Planning is also being undertaken (in conjunction with the Balkanu Cape York Development Corporation) on the development of a small-scale business enterprise based on oils extracted from tea tree and sandalwood.¹⁰ There are also plans to research the potential of traditional Kaanju plant medicines for pharmaceutical development.

Kaanju people are also seeking to develop eco-tourism enterprises, including the establishment of camping grounds on Kaanju homelands, in conjunction with small-scale tourism development that would draw on the natural and cultural heritage of Kaanju homelands.¹¹ As well as providing a further stream of potential income for Kaanju people, engagement with tourism is seen as a way in which the unwanted incursion of third-party users on Kaanju homelands might be managed through regulation, perhaps involving a registration or permit system and the charging of camping fees. The development of an IPA on the Kaanju homelands and the training and employment of Kaanju rangers may provide the means to develop such controls.

Conclusion

Kaanju people's attempts to develop a land and resource management framework on their homelands are based in the continuing connection between them and their *ngaachi*. They see such developments as the most likely means of providing sustainable landcare for their country. In their view, the basis of any successful management of Kaanju homelands must place land management under the control of Kaanju people living on their country, for reasons that include their spiritual connection and the practical demands of continuous monitoring and management of the landscape. Their view is supported by increasing evidence that traditional owners are likely to provide the best source of land management across remote northern Australia. Additionally, the successful development of Indigenous land management in regions such as central Cape York Peninsula may help address the social and economic problems facing Aboriginal people.

For Kaanju people, land management should not only be controlled by traditional owners, but should also necessarily be localised and focused on Indigenous homelands. This perspective is based both on long-standing sociocultural principles which emphasise the right and obligation of traditional owners to 'speak for' and 'care for' their country and on the frustration experienced in

dealings with regional and sub-regional Aboriginal organisations and government agencies. The evidence from the region indicates that regional organisations and government bodies are not adequately meeting the needs and aspirations of Aboriginal people living on their homelands. Partly as a result, Kaanju people feel more and more that:

funding and resources [should] be under the direct control of people living on their traditional lands, as at present it is clear that there is not the support or motivation at the regional level to administer outstation funds appropriately (Claudie 2002: 12).

Their frustration does not merely result from particular instances of poor governance. Rather, it reflects their understanding that regional or sub-regional approaches necessarily involve the structural compromise of principles of control over the 'business' associated with one's country that many of the Aboriginal people of the region continue to hold to.

Kaanju people's push for the localisation and shift towards Indigenisation of land management is not, however, intended to be exclusive of others. Rather, as noted elsewhere, Kaanju people assert that:

Aboriginal and non-Aboriginal, government and non-government bodies concerned with Aboriginal issues on Cape York must work together and with Aboriginal people at the grassroots [level] on their homelands in order to achieve proper change (Claudie 2002: 12–13).

Kaanju people want to reconcile their traditional rights and obligations both with mainstream land management and with the desires of others who wish to live on or visit Kaanju *ngaachi*, but in a way that places Kaanju land management at the core of future relationships. It remains the view of Kaanju people—and this view is grounded in past experience—that to do otherwise is not only to compound ongoing violence to the Indigenous system of land management, but also to continue what are arguably unsustainable models for management of Kaanju country. In pursuing this end, Kaanju people remain dependent on mainstream funding and programs, including the IPA scheme. However, they are increasingly determined that such mainstream structures and programs should fit local Indigenous management and governance structures, rather than holding to the (often tacit) expectation that Aboriginal people should adjust to others' criteria.

Kaanju people's aspirations to address current social, cultural and economic problems, and the developments that they propose, may also provide the most practical means of meeting land care needs for the Cape. The projects undertaken by Kaanju people on their homelands over the past decade—and particularly over the last four years—have already significantly increased land management activity on Kaanju *ngaachi*. However, as Altman notes, 'supporting Indigenous economic futures on country has the potential to generate benefits not just for Aboriginal people, but also for a diversity of other national stakeholders' (Altman 2003: 8). There is a growing body of evidence 'that there are economic, ecological and cultural benefits realised at local, regional and national levels from Aboriginal presence on country' (Altman 2003: 10).

Increased land management by Kaanju people is likely to lead to control of feral weed and animal species, protection of biodiversity, rehabilitation of degraded areas and regeneration of fire management. But the development of on-homelands land management holds wider opportunities through development (and management) of tourism, development of new regional economic enterprises and mitigation of the socioeconomic costs stemming from the past dispossession of Aboriginal people.¹² However, a number of barriers continue to limit Kaanju people's pursuit of these opportunities. Among the most significant are the limited funds available to support homelands-based land management, the unwillingness of others to relinquish non-Indigenous land management rationales and control over land management practice and a continuing emphasis on regionalisation, rather than on localised control and management, in government agencies and Aboriginal organisations.

Notes

1. *Ngaachi*—often translated as ‘country’—is a Kaanju word (shared by Umpila and other ‘Sandbeach’ languages) which can also have the sense of ‘home’, ‘ground’ and ‘(period of) time’ (Rigsby 1992: 354, fn. 3). The use of the term ‘homeland’ by Kaanju people similarly refers both to ‘country’ and to the living spaces or ‘camps’ that have been established by traditional owners on their country. This and other words from the Kaanju language (except for proper nouns) are italicised throughout the text, while ‘country’ and other terms from the region’s Aboriginal English (see Arthur 1996) are placed in inverted commas. As with the other languages of the region, the Kaanju language is part of the corporate property of the descendants of the Kaanju-speaking clans of the region, and the verb ‘(to) speak (for)’ in the region’s Aboriginal English denotes such ownership and the mutual connection of language and people to country that stems from the Story Time (see below; see also Rigsby 1999; Rumsey 1989).
2. The term ‘threshold of colonisation’ was coined by Ian Keen (2003).
3. The term ‘mainstream’ is used here to designate that domain of Australian society (and in particular its formal institutions) characterised by the liberal democratic norms of Australia’s majority ‘Western’ settler population.
4. For Aboriginal people across central Cape York Peninsula, the landscape is a constant reminder of a local history that stretches back to the Story Time, through the lives of the ‘old people’, the memories of older relatives and personal experience. In this way, events continue adding new history to places across the region.
5. The mines had closed in the 1950s, and most of those living at the Wenlock mining camp had been removed either to Lockhart River or to Palm Island in the 1930s and 1940s.
6. Similar regional approaches continue to be advocated by governments elsewhere in Australia, for example in the current Northern Territory government’s desire to ‘build

strong regions' in an attempt to rationalise service delivery (Frances Morphy, personal communication, 21 November 2003).

7. Such a perspective appears at first glance alien to those who are familiar only with non-Indigenous systems of knowledge. However, the emphasis on the independent agency and situated understanding that underpins this perspective is more amenable to recognition from 'Western' worldviews. Rose (2001a: 10–11) notes that some Western perspectives—including those held by natural scientists—emphasise the 'patterned connectivities' between ecosystems that maintain their own 'will to flourish' and those with the predisposition and knowledge to engage with these ecosystems.
8. Kaanju homelands now has a website, which interested readers are encouraged to visit. The address is: <<http://www.kaanjungaachi.com.au>>.
9. Cape York Partnerships, a Cairns-based organisation headed by Noel Pearson, has recently developed the 'computer culture' project with the Coen State School. The project involves school students, young adults and older members of the region's Aboriginal population in the production of family biographies and in learning about traditional artefact production in conjunction with the development of Indigenous-controlled computer resources (Clan News 2003).
10. In particular, this process of planning has involved Nick Smith, an ethno-botanist who has worked closely with Kaanju people on their homelands (see N.M. Smith 2003).
11. Simonsen (2003) notes that the economic opportunities offered by tourism on Cape York Peninsula are limited, and are best dealt with as part of wider strategies for economic development by Aboriginal groups.
12. As Altman (2003) notes, there is also the potential for regional benefits in land management and for national economic benefits from carbon abatement and trading stemming from increased development of local, Indigenous-focused land management in northern Australia.

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