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Article

Environmental Leaders and Indigenous Engagement in Australia: A Cosmopolitan Endeavour?

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Abstract

The World Heritage Convention protects sites of universal natural and cultural values, sometimes in combination. In 2015, it was amended to incorporate references to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). International conventions are always in danger of becoming the hand-maidens of their signatory states. When evidence emerges that they have succumbed, it fuels criticism of cosmopolitanism. At the same time, environmental leaders sometimes clash with Indigenous people over efforts to conserve the natural values of traditional lands for the 'global good'. This article asks how international instruments with cosmopolitan ambitions influence the discourse and practice of national and subnational environmentalists attempting to find common ground with Indigenous groups. Drawing on interviews with 25 Australian environmental leaders, it finds the World Heritage Convention and UNDRIP have encouraged a pragmatic cosmopolitan practice among environmentalists, despite continuing intercultural differences in some quarters.

Keywords: cosmopolitanism, environmental movement, Indigenous movement, Indigenous rights, World Heritage, UNDRIP, informed consent, environmental conflict

INTRODUCTION

Cosmopolitanism has been charged with undervaluing tradition and promoting an elitist and western perspective (Calhoun 2002). It has also been suggested that it cannot adequately account for the way commonalities are found and maintained in the presence of intercultural difference (Pickerill 2009: 66–67). In her 2009 analysis of informal interaction between Indigenous and non-Indigenous Australian activists seeking common ground on environmental issues, Pickerill argued that attention to a pluralistic and agonistic politics provided a more nuanced understanding than cosmopolitanism. Yet contemporary approaches to cosmopolitanism invoke more

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than utopian aspirations of unity in diversity. In Beck's theory of cosmopolitanism in 'world risk society' (2006, 2011; see also 2009), cosmopolitanisation is shaped by the anticipation of anthropogenic catastrophes, including climate change and loss of biodiversity, and by the prospect of the human calamities that would attend such crises. In contrast to many earlier cosmopolitan theorists, Beck (2006) acknowledges both the continuation of the nation and the inevitability of multiple loyalties resulting from the interpenetration of the local and the global. Importantly, although he recognises the potential for disagreement arising from differences associated with this 'glocalisation', he contends that it need not necessarily prove fatal to the cosmopolitan project. This is partly because Beck believes a 'cosmopolitan imperative – cooperate or fail!' (2011: 1352, original emphasis) – can emerge as much from realism and self-interest as from pity and empathy (see below).

For Holton, cosmopolitanism requires 'inter-cultural openness on a transnational stage' (2009: 117) but also allows 'considerable scope for empirical research to illuminate the complexities of partly open and partly closed relations' (Holton 2009: 114). Holton argues that more analysis is required to explore the extent and nature of cosmopolitanism in a

range of settings, pointing in particular to a lack of empirical investigation of 'micro-level interactional work' (2009: 118). The study we present responds by asking how two international instruments with cosmopolitan ambitions – the World Heritage Convention and UNDRIP – have influenced the discourse and practice of Australian environmental leaders attempting to find common ground with Indigenous groups.¹ In so doing, we regard international conventions and treaties as one manifestation of Holton's 'transnational stage', and engagement between the Australian environmental and Indigenous movements as a form of the 'micro-level interaction work' he says requires further research. Our analysis will contribute to a better understanding of the extent to which 'cosmopolitan practices [... have] become part of sustained relationships and institutions' (Holton 2009: 7). By taking a cosmopolitan perspective in analysing our data, we also assess the usefulness of Beck's theory in accounting for the actions of environmental leaders in three important Australian debates in which Indigenous people participated as allies or opponents of the environmental movement. Before introducing our methods, we describe several cosmopolitan concepts pertinent to our study.

Cosmopolitanisation in World Risk Society

Cosmopolitanism is sometimes criticised for being too 'thin' to live up to its promise (Calhoun 2002). For Dobson (2006), thin cosmopolitan ties are those based on compassion and sympathy for strangers, arising from recognition of our shared humanity. Sceptics of cosmopolitanism argue that these ties cannot promote sufficient action on behalf of the many individuals in the world requiring assistance. Grappling with the issue of motivation, and using climate change as an example, Dobson (2006) hypothesises that a sense of causal responsibility for the plight of others is likely to create thicker, more productive cosmopolitan bonds. Rather than merely inspiring sympathy, recognition of causal responsibility obliges us to take action, in the interests of justice. Beck (2011) approaches 'thin' and 'thick' cosmopolitanism somewhat differently. He argues that in a world characterised by unbounded but potentially catastrophic side-effects of human enterprise, a thickening of cosmopolitan ties begins with self-interest. 'Communities of risks' that traverse nations, cultures and ethnicities are initiated as people become aware that they are vulnerable to cumulative risks that cannot be addressed without cooperation 'across borders and differences even where hostilities exist' (Beck 2011: 1353). According to Beck (2011: 1353), this realisation encourages disparate individuals and groups - again, in their own self-interest – not only to understand others' points of view but also to see themselves through others' eyes. Thus, cosmopolitanisation is not a path chosen by an elite few but a reality imposed on humanity by the risks unintentionally manufactured in the course of industrial development. In such circumstances, nations responding to 'shared global risks [...] reform existing laws and bureaucracies to institutionalize humanity, rather than nationality, as a primary frame of

reference for their activities and become more open to being influenced by transnational civil societies and public spheres' (Saito 2015: 444). Social movements are crucial to these cosmopolitan processes (see Hannerz 2006): they promote and apply pressure for their institutionalisation (Beck 2006: 9), as well as monitoring and evaluating 'subsequent actions and inactions' (Holton 2009: 166). We argue that such bottomup cosmopolitan processes lend a degree of legitimacy and persuasiveness to the top-down pressure to improve intercultural engagement that international instruments exert on environmental organisations.

METHODS

The primary texts analysed below are transcripts of 25 semi-structured interviews from a parent study that analysed 45 interviews with Australian environmental leaders. The interviews, which were conducted in 2014–2015, were coded by the first author. The interviews in the parent study enabled us to explore conceptions of leadership, decision-making processes and strategic planning within various groups and organisations, but also environmental leaders' views on interactions with external groups. The interviews analysed here were those in which participants discussed Indigenous engagement.

Leaders were interviewed because they were best placed within their movement to comment on its engagement practices and how it attempts to influence the way environmental concerns are constructed (see Morris and Staggenborg 2004). The sampling strategy for selecting leaders for the parent study followed the rationale of 'elite interviewing' (Burnham et al. 2004: 207). An initial sample of informants or gatekeepers was drawn from three sources:

- The leaders of large environmental organisations across Australia.
- Environmental spokespeople identified in a content analysis coded by the first author of environmental issues in a major Australian daily newspaper, The Sydney Morning Herald. These articles appeared during the second and third last weeks of Australian federal election campaigns between 1990 and 2013. The Sydney Morning Herald was selected rather than Australia's only national generalist² newspaper, The Australian, because electronic databases did not allow access to archives for The Australian back to the 1990 federal election, which was widely regarded as the first Australian election in which 'the environment' was influential (Bean et al. 1990).
- Environmental leaders appearing in a survey of environmental spokespeople and Greens politicians identified in a large newspaper sample.

Interviews were conducted with the above initial 'positional' sample to generate a 'snowball sample' (Ezzy 2002). That is, those who were consistently identified in the positional interviews as 'leaders' were contacted to be interviewed, an approach used in studies of environmental leaders by Tranter (1995, 2009). Our sampling method resulted in three

Indigenous people being invited to participate in the study in the capacity of environmental leaders, with one agreeing to be interviewed. It is possible that despite their participation in environmental debates, the other Indigenous invitees did not wish environmentalism to be regarded as a defining feature of their leadership.

Some participants once prominent in the environmental movement are no longer formally involved. Several others describe the organisations they work for as part of the 'climate movement' or are members of a coalition of environmentalists, farmers, Indigenous custodians and urban people called Lock the Gate. We hold that their inclusion is reasonable for our purposes, as a social movement is a network of informal interactions (Diani 1995) and, to use Rucht's (2004: 202) definition, 'a collectivity with more or less distinct parts that are not inherently bound together'. Interviewees are in some cases identified in the transcripts presented below. This occurs with the permission of the interviewees. Ethics approval for the project was obtained from the University of Tasmania's Human Research Ethics Committee.

As noted, the analysis presented in this article forms part of our much broader study. In the parent study, the first author imported the transcripts of all interviews into Nvivo for qualitative coding and thematic analysis. Categories in the first round of coding included Indigenous engagement, but Indigenous issues also emerged as important considerations in other coding categories, such as key campaigns, early motivations, and leadership challenges. Three campaigns involving Indigenous engagement that emerged as significant also featured United Nations Instruments: contestation over plans for a uranium mine at Jabiluka in the Northern Territory; controversy over Queensland Government legislation related to the management of wild rivers; and debates associated with a succession of proposed changes to Tasmania's World Heritage wilderness. Following the establishment of the research agenda for this study, the first author conducted a second round of analysis, concentrating on interviews where Indigenous issues were mentioned. This analysis contributes to the case studies presented below.

Our parent study of environmental leadership includes a range of newspaper content and text analyses. For this paper, we considered opinion pieces in *The Australian* and five capital city newspapers (including the Sydney Morning *Herald*) published during the Wild Rivers debate (2005-2014). The opinion pieces we compared were by Australia's most prominent Australian Indigenous spokesperson at the time - Queenslander Noel Pearson - and heads of the Australian Conservation Foundation and The Wilderness Society. Only in *The Australian* did Pearson's opinion pieces discuss environmental issues and only in The Australian did opinion pieces by any of the environmental leaders refer to the Wild Rivers debate. That is, only opinion pieces by Pearson and The Wilderness Society's national campaign director from 2011, Lyndon Schneiders, in The Australian referred to the Wild Rivers debate. We draw on these results in our Wild Rivers case study below.

ARGUMENT

The Cosmopolitan Context

Holton (2009: 166) believes that 'movements for human rights and for global environmental sustainability [...] are between them the two major cosmopolitanising forces within world public opinion'. He also regards activists as democratic in a 'deliberative sense', to the extent that they engage in and promote public debate (2009: 168). Brockington and his colleagues (2008) trace the international convergence of the protection of biodiversity, the preservation of Indigenous cultural diversity and the promotion of Indigenous rights to environmental movement organisation actions of the 1990s and the contemporaneous growth of a global Indigenous peoples' movement. Since 2000, Indigenous issues have been a theme of the International Union for Conservation of Nature (IUCN).

Both the IUCN – among whose members are more than 1,000 nongovernment organisations – and the nongovernment International Council on Monuments and Sites (ICOMOS) had a significant influence on the evolution of the World Heritage Convention adopted in 1972 (UNESCO 2016) and continue to play important advisory roles. Nevertheless, the interventions of nongovernment organisations are not always welcome by locals, as Calhoun explains: 'The cosmopolitan ideals of global civil society can sound uncomfortably like those of the civilizing mission behind colonialism, especially when presented as a program from the outside borne by global NGOs rather than an opportunity for local development' (Calhoun 2002: 875).

The status of IUCN and ICOMOS as World Heritage Convention advisory bodies reflects the fact that World Heritage sites may be listed for their natural or cultural values, or for a combination of both. However, Indigenous people do not invariably agree that World Heritage or other forms of protection of their lands will be in their best interests (Brockington et al. 2008: 113). For Brockington and his colleagues, 'Viewed from below there is little difference between protected area establishment and other large-scale development projects [...] On the other hand protected areas can be the instruments by which indigenous people win control over land and resources and defend themselves against the transformations of modernity' (Brockington et al. 2008: 114).

The World Council of Indigenous Peoples, established in 1974 with input from Australian Indigenous leaders, was the forerunner of a variety of international Indigenous organisations that contributed to UNDRIP (Brockington et al. 2008). This document enshrines the concept of free, prior and informed consent in regard to decisions that impact on Indigenous peoples' lands and resources (Oviedo and Puschkarsky 2012). It has implications for international treaties, governments, and environmental leaders attempting to frame issues in situations where Indigenous people oppose conservation measures, or disagree among themselves. In the case of the World Heritage Convention, the historical reality that natural places first received protection as parks

under national or subnational legislation without Indigenous consent can further problematise the relationship between Indigenous rights, the self-interests of signatory states, and the cosmopolitan ideals inherent in cultural and natural heritage of outstanding universal value (Oviedo and Puschkarsky 2012).

The ability of states parties to the World Heritage Convention to rise above national self-interest is frequently questioned (for example, Askew 2010; Brumann 2014, 2015; Oviedo and Puschkarsky 2012), although some successes have been documented (for example, Logan 2013; Maris 2007; Turtinen 2000). Indigenous people have sometimes been forcibly removed or severely disadvantaged in the name of conservation, making community participation, rights and obligations key topics in current conservation debates (Oviedo and Puschkarsky 2012: 289). Conversely, Indigenous groups have occasionally attempted to use the Convention to protect their lands from commercial exploitation. Local communities who put to the World Heritage Committee views at odds with their national government can be disadvantaged in Committee meetings by tight restrictions on speaking time, and a lack of familiarity with protocols and 'the expected discourse' (Brumann 2015: 279). In the late 1990s, the Mirrar people of northern Australia presented their case to the World Heritage Committee in a dispute with the Australian Government over uranium mining at Jabiluka, near Kakadu World Heritage Area. This action proved to be significant in the history of Aboriginal relations with environmentalists and the Convention.

Northern Australia, Uranium and Jabiluka

Working with Indigenous people in the 1980s was a formative experience for several participants in our study – something the campaign coordinator of Friends of the Earth, Cam Walker, described as 'doing that apprenticeship that often younger activists do, travelling with them and working with them' and learning about their struggles (Cam Walker pers. comm. 2014). Nevertheless, the historical shift to greater recognition of Indigenous interests by Australian environmental organisations did not happen uniformly across the movement (Phillip Toyne pers. comm. 2014; Cam Walker pers. comm. 2014). The late Phillip Toyne recalled challenges he encountered trying to alter the culture of the environmental movement after he assumed leadership of the Australian Conservation Foundation in 1986, following a legal career in which he had helped secure Aboriginal ownership of Uluru National Park. Representing himself as an agent of change, Toyne characterised some of the Foundation's members and another high-profile organisation as resistant:

When I came out in support of Aboriginal ownership of national parks in Queensland our whole Atherton Tableland branch resigned from ACF and they went over to The Wilderness Society, which had a much more wildernessis-sacrosanct and was in some configuration that suggested that it was untouched by the hands of man, and that suited the north Queensland mentality a lot better [...] I continued to campaign on the right of Aboriginal people to be fully engaged with national parks and I'm happy to say that that's overwhelmingly accepted around Australia now, and certainly in north Queensland it is. (Phillip Toyne pers. comm. 2014)

Walker, too, described The Wilderness Society in the 1980s as having 'very much a classic dark-green, only-biodiversitymatters and people-are-irrelevant-to-the-picture type perspective' (Cam Walker pers. comm. 2014). Although he had participated in Wilderness Society campaigns as a young activist, Walker made his career with Friends of the Earth one of the few organisations in Australia already combining environmentalism, social justice and an international perspective at the time terra nullius was invalidated and the Native Title Act 1993 was passed.

The Native Title Act gave Indigenous people a degree of leverage in environmental debates (see Holmes 2011) and accelerated the establishment of state and local Indigenous land councils (SinghaRoy 2012). Despite the existence of these subnational regional bodies, however, the scale of much Aboriginal and Torres Strait Islander activism remained intensely local (Pickerill 2009), and within the Indigenous movement issues of country, cultural heritage, welfare dependency, economic development and reconciliation were frequently contested (SinghaRoy 2012: 20). In the case of Jabiluka, mining leases were excluded from, but surrounded by, Kakadu National Park, which had received World Heritage listing in 1981 for both its cultural and natural values. In 1982, the Northern Land Council had signed away Jabiluka mineral rights, but when the mineral leaseholder announced in the late 1990s that it planned to begin mining uranium, the Mirrar-Gundjehmi Traditional Owners objected (Logan 2013). In 1998, environmental groups helped the Mirrar organise large and extended protests at the remote mine site (Stewart 1998). The same year, the Mirrar bypassed the pro-development Australian Government by taking their grievances directly to the World Heritage Committee in Paris (Logan 2013). Protesters also hounded the Prime Minister, John Howard, during the 1998 federal election campaign.

Environmental leaders or former leaders from three organisations that played key roles in opposing plans for uranium mining at Jabiluka - Friends of the Earth, The Wilderness Society and the Australian Conservation Foundation – attested to that campaign's significance in their experience of cross-cultural engagement. For Dave Sweeney, Jabiluka was the start of a long career in the Australian Conservation Foundation campaigning against uranium mines and nuclear power – a field of Aboriginal and non-Indigenous environmental collaboration characterised, in his estimation, by a cohesion born of necessity: 'You either dig the stuff or you don't [...] one of our great strengths is our unity. [...] we can't afford the luxury of divisional split. So you breathe deep and you stay together' (Dave Sweeney pers. comm. 2014).

In the view of former Wilderness Society head Alec Marr, who recalled working closely on the Jabiluka campaign

with senior Mirrar Traditional Owner Yvonne Margarula, there was no question that Indigenous engagement with the environmental movement was pragmatic. For Indigenous people, land is 'country', denoting 'an intertwining of kinship, ancestry and responsibility' (Pickerill 2008: 99; see also Adams 2008). Bypassing a national government went against World Heritage protocol (Logan 2013). In the quote below, Marr represents Margarula's decision to take her clan's grievances directly to the World Heritage Committee as strategic, but also a personal burden that she would rather have avoided:

[...] she put out a call to the environment movement to get help to stop a uranium mine on her land, which she opposed because it was going to damage the land. Simple as that. That's all she wanted. She didn't want money. She didn't want publicity. She just wanted it to stop. If she could have pushed a button and the whole issue disappeared tomorrow, that's what she would have done. But instead she had to spend five years flying around the world to meetings of the World Heritage Committee and everything else with people like me to get it stopped. So she put up with that, but her preference is to be out there with her grand kids in a beautiful landscape teaching people about the cultural lessons that are relevant to the Mirrar. Her overriding concern, when she's allowed to focus on it, is strengthening the cultural bonds between her clan group and the landscape. (Alec Marr pers. comm. 2014)

Indigenous leaders in favour of development on Aboriginal land have sometimes criticised the way environmentalists represent the aspirations of Traditional Owners. For example, Indigenous academic Marcia Langton (2012) accuses the environmental movement of romanticising Aboriginal people as 'the new "noble savages" tolerated only as 'caretakers of wilderness'. Indeed, one of our study participants also used the term 'noble savage' in reference to early characterisations of Indigenous people by some environmentalists (Anonymous A pers. comm. 2014 – See below). From a cosmopolitan perspective, however, Marr's opinion that Indigenous people view alliances with environmentalists in instrumental terms is consistent with Beck's thesis that pragmatic considerations will drive cooperation, and such cooperation will be facilitated not only by seeing others' points of view but also by attempting to see oneself through others' eyes. This was also evident in the discourse of several study participants speaking more generally about Indigenous engagement. For example: 'Aboriginal organisations don't work with us because they like conservationists, they work with us because we help them do things they want to do on their land for their people. And a subset of that is about looking after the country, and it's been really rewarding' (Anonymous A pers. comm. 2014).

In 1999 the World Heritage Committee declined to include Kakadu on the 'World Heritage In Danger' list. However, the following year it invited Margarula to make a formal address, and also considered demands by the Forum of Indigenous Peoples for a World Heritage Indigenous People's Council of Experts (WHIPCOE) to be established as an additional

advisory body (Logan 2013). At the Committee's 2001 meeting, Kakadu was again left off the 'in danger' list (Logan 2013), while WHIPCOE was 'effectively aborted' by China and India (Brumann 2015). Yet by then the profile of Indigenous concerns in the World Heritage Committee had been elevated, and would rise further in subsequent years (Brumann 2015: 280). In the view of Djok woman Jacqui Katona (2012) – the executive officer of the Aboriginal corporation representing the Mirrar at the time – World Heritage meetings had proved a valuable forum for Traditional Owners over the protracted course of the Jabiluka debate. Whereas national environmental protection laws had not offered the Mirrar an opportunity to have their cultural concerns acknowledged, engagement with the World Heritage Committee allowed their voices to be heard on their own terms (Katona 2012): 'It really was only at the international level that the Mirrar were provided with the opportunity to be heard in a respectful way. We certainly didn't enjoy that in Australia' (Katona 2012).

In Beckian terms, the alliance across cultural difference established by the Mirrar and environmental groups bears the hallmarks of a pragmatic community of risks whose interaction with the World Heritage Committee contributed glocally to 'politicization and the establishment of norms' (Beck 2011: 1353). Mirrar appeals to the World Heritage Committee also set in train a sequence of events that culminated in the Jabiluka project being put on long-term care and maintenance. This occurred under an agreement between the Northern Land Council, Traditional Owners and the mining company – an agreement that foregrounded the need for prior informed consent and gave the Mirrar the right to veto future development (Logan 2013). As Logan observes:

In 2007, Rio Tinto's chief executive, Tom Albanese, introduced a new concept into the discourse relating to Kakadu's management when he declared that 'We have for a long time made the commitment that further development would be subject to the *prior informed consent* of the traditional landowners'. (Logan 2013: 158, quoting *The Age* 2007, Logan's italics)

Albanese's words were reported in July 2007. By September that year, the right of Indigenous peoples to free, prior and informed consent over the development of their lands had been enshrined by the General Assembly of the United Nations in UNDRIP. The Australian Government, however, would not endorse the declaration until 2009, in the midst of a very different environmental debate.

Cape York, Wild Rivers and World Heritage

The colonisation of Australia deprived Aboriginal and Torres Strait Islander people of their land and livelihood, leading to the persistent and, in some cases, extreme disadvantage they experience today (SinghaRoy 2012). Australians who identify as Aboriginal or Torres Strait Islander make up 3 per cent of the nation's population, with 8 per cent of Indigenous people living remotely, and 14 per cent in very remote areas

(Steering Committee for the Review of Government Service Provision 2014; figures as at June 2011). In remote and very remote locations, 'there are few employment opportunities due to a lack of viable industries and enterprises' (Australian Institute of Health and Welfare 2011: 19). For SinghaRoy, 'Indigenous movements in Australia are at a crossroad in their efforts to protect their intrinsic relations with land, nature and culture on the one hand and engaging with the reconciliatory and developmental dynamics of the state on the other' (2012: 1). Whether encounters between Indigenous and environmental movements result in cooperation or conflict, differing approaches to 'place' and 'environment' can be problematic (Pickerill 2008). Aboriginal academic Marcia Langton (2002) argues that environmental campaigns focussed on the preservation of biodiversity have often disregarded the traditional land management skills of Indigenous people, and have sometimes insisted on protection that disallows permanent human habitation. Pickerill, writing in 2008, found that Australian environmental movement organisations at that time still privileged a biophysical method of determining the conservation value of land.

Speaking of The Wilderness Society of the mid-1990s, Lyndon Schneiders, who became its national campaign director in 2011 following more than a decade as its Queensland campaign manager, described the organisation as having 'what seemed like quite a revolutionary focus on working with Aboriginal communities to, you know, frankly, beat up big multinationals and try to get country back' (Lyndon Schneiders pers. comm. 2014 – See reference to Australian Aboriginal conception of 'country' in the previous section). When the Queensland premier proposed a 1,200 kilometre 'wilderness zone' along the east coast of Cape York Peninsula in his 1995 election campaign, one of Australia's most prominent Indigenous spokespeople, Noel Pearson, offered his support (Holmes 2011). Pearson's endorsement drew criticism from Aboriginal leaders aligned with pastoralists against the plan (Holmes 2011). However, in 1996, environmental conflict on the Cape de-escalated briefly after the Cape York Land Council, the Cattleman's Union, The Wilderness Society, the Australian Conservation Foundation, the State of Queensland and others signed the Cape York Peninsula Heads of Agreement (Holmes 2011; Pickerill 2009). In 2005, the Queensland Labor Government passed the Wild Rivers Act, with the majority of rivers listed situated on the Cape. This legislation was supported by The Wilderness Society and associated with plans by Australia's Labor Government for World Heritage listing of parts of the Cape. In 1999 the Australian Conservation Foundation had published a policy on wilderness and Indigenous cultural landscapes stating its goal was to protect, promote and restore environmental values in a way that 'respects the rights and responsibilities of Australian indigenous peoples and restores, maintains and enhances their connection to country' (Australian Conservation Foundation 1999). This meant that by the time of the Wild Rivers debate, the Foundation did not support 'the use of wilderness declaration to usurp Indigenous peoples' rights' (Australian Conservation Foundation 1999). At the same time, The Wilderness Society (n.d.) was 'developing "tenure-blind" conservation measures less concerned with who owns the land and more focused on good land management practices' (Pickerill 2008: 100). In 2007, both organisations welcomed the passage of the Cape York Peninsula Heritage Act, which consolidated a range of policies (Holmes 2011) and confirmed that the Wild Rivers Act 'was not intended to affect native title' (The Wilderness Society 2011). Initially Pearson also supported the Cape York Peninsula Heritage Act (Holmes 2011), but later that year he attacked the government's environmental policy and The Wilderness Society, arguing lack of Aboriginal consent:

Mr Pearson said the acquiescence of the Queensland Government to pressure from the Wilderness Society to lock up Cape York from development, ostensibly to protect the region's 'wild rivers', was 'absolute folly' and was done without the consent of the Aboriginal people who live there. (Koch 2007)

Pearson and Schneiders soon became formidable public adversaries (Holmes 2011: 61), and in April 2009 Pearson took leave from his position as director of Indigenous think tank the Cape York Institute for Policy and Leadership to join the Cape York Land Council in its fight against the Wild Rivers Act. His ability to frame the Act as unjust was enhanced when, in the same month, the Australian Government belatedly gave its formal support to UNDRIP (Pearson 2010b). As tensions rose, Pearson is reported to have accused 'greenfellas' of putting their 'foot on the throats' of the Indigenous people of the Cape (Person in Elks 2011b), while Langton referred to a 'distinctly Australian form of environmental racism' (Langton in Karvelas 2010). However, not all Cape York Aboriginal people agreed with Pearson's opposition (Anonymous A pers. comm. 2014). Gulf of Carpentaria Indigenous leader Murandoo Yanner claimed to have the backing of many on the Cape for his vocal support for the Wild Rivers Act (Elks 2011b), and attempts in 2010 and 2011 by federal Opposition leader Tony Abbott to change the Act to make Indigenous consent necessary for future declarations were unsuccessful (Elks 2011a).

Pickerill (2009: 76) writes critically of non-Indigenous activists' failure to fully 'grapple with the scaled politics of indigenous groups, not just reduce scale to the local'. Negotiations between environmental organisations and Indigenous groups in Pickerill's study were characterised by lack of trust on both sides (though this was slowly changing), increasing awareness of their political voice on the part of Indigenous groups, and reluctance by either camp to concede power. In our study, some participants distinguished between Traditional Owners, who they felt 'unfortunately often have quite little power and little legal power in terms of their rights' (Paul Oosting pers. comm. 2014), and land councils, which were seen as holding powerful negotiating positions that did not always reflect the wishes of Indigenous people living on country. This power differential was represented by environmental leaders as motivation to engage at the local level, and for wariness of some land councils or other regional

Indigenous organisations (Lyndon Schneiders pers. comm. 2014; Alec Marr pers. comm. 2014). As Schneiders put it:

They're the bloody power brokers, you know. They're the interface, often, with white Australia, particularly with business Australia and particularly with government. Government loves having someone to go and work with, doesn't like the complexity of Aboriginal Australia. (Lyndon Schneiders pers. comm. 2014)

Several of our interviewees called attention to the fact that in almost all instances Australia's *Native Title Act* does not give Traditional Owners a right of veto over future mining developments. Among these participants was the head of Greenpeace Australia Pacific, David Ritter (pers. comm. 2014), who had been a lawyer for an Aboriginal land council before joining the environmental movement (see also Ritter 2014). The Wilderness Society's Schneiders spoke sensitively and at length about the complexities of Indigenous engagement on the ground but conceded that the environmental movement still faced many challenges in this regard, particularly when Traditional Owners and land councils disagree about development, as in the Wild Rivers debate. At the same time, he claimed the business community was selective in the way it sought Indigenous consent:

I reckon that the environmental movement as much as the rest of white Australia doesn't necessarily have a very indepth understanding of how Aboriginal Australia functions and how it works. I don't think it's better or worse than anywhere else. I look at the business community and their new-found love of Aboriginal Australia, and that only seems to extend to folks being willing to agree to the development proposal. It certainly doesn't extend to deeper concepts around free, prior and informed consent and about making decisions about country. (Lyndon Schneiders pers. comm. 2014)

The conviction of environmental leaders that Traditional Owners opposed to mining on their lands were disadvantaged by the *Native Title Act* may have contributed further to perceptions of a power imbalance between anti- and prodevelopment Indigenous leaders. Although speaking of campaigns other than Wild Rivers, Ritter's comments exemplified the centrality of this aspect of the legislation for the environmental movement, both strategically and as a lesson in seeing the Indigenous point of view:

[...] we did an internal exercise within Greenpeace in Australia where, because of the kind of campaigns we fought on, we haven't been involved in these sort of bruising encounters with Indigenous people [...] It did mean there was a journey of education to go on inside here because, honestly, my own team were genuinely shocked and I kind of put my native-title lawyer's hat on again and said, 'You do know that Indigenous people don't have a right to veto and so that they will be receiving advice that says that they need to trade whatever procedural rights they

have at the moment [to] invest value, because that's the only option they really have?' And people were genuinely shocked: 'That's horrible, that's unfair.' And I went, 'Yes, it's horrible and it's unfair, but if you are a community that is used to having contempt heaped on you, used to procedural unfairness, with levels of public health and inequality and so on that the rest of the population doesn't have to experience, it's all very well being counselled that you should take the sort of noble path to the Alamo, but on the other hand, if you can for once actually get something for your suffering, why would you not rationally take that path?' (David Ritter pers. comm. 2014)

For Aboriginal participant Dr Anne Poelina, the nativetitle process also resulted in an information deficit that was inconsistent with informed consent:

The problem with the native title process is that, you know, when a mining development wants to come on country, the native title process forces Aboriginal people to negotiate very, very quickly and so people are forced to negotiate and broker deals with the mining companies before we have all of the information, so for me there is no free, prior and informed consent. (Anne Poelina pers. comm. 2014)

Asked to identify Indigenous environmental leaders, one study participant observed that although there were strong Indigenous people he described as 'environmental advocates', none had the national profile of Langton or Pearson (Anonymous A pers. comm. 2014). Schneiders went further, saying he could provide 100 names, 'but they're not the 100 names that are relevant. The 100 names that are relevant are Marcia Langton and Noel Pearson' (Lyndon Schneiders pers. comm. 2014).

Comments such as Schneiders' observation (pers. comm. 2014) that 'by and large [Indigenous conservationists] don't have the support of land councils' suggest continuing tensions between environmental movement organisations and some land councils. With this in mind, it is, perhaps, unsurprising that when the Australian Government at last signed UNDRIP, it added impetus to a framing contest (Benford and Snow 2000) in Australia's only national generalist newspaper, News Ltd's Australian, between injustice frames and counterframes deployed by Pearson and Schneiders. In policy terms, access to The Australian by adversaries in environmental conflicts is noteworthy because that newspaper is regarded as having significant influence within Australia's political class and among Australia's other News Ltd papers (Manne 2011). In 2010, at the height of the Wild Rivers debate, 10 Pearson opinion pieces mentioned the Wild Rivers debate. For Pearson (2011; see also Pearson, 2010a,b,c,d,e), the Act was essentially in contravention of UNDRIP because the free, prior and informed consent of Traditional Owners was not required before rivers were granted protection:

Processes that conservation groups normally hold sacred – appeal rights, natural justice and procedural fairness – have been denied to indigenous people in respect of wild rivers

legislation. Protection must be afforded to indigenous people from powerful single-issue interest groups intent on removing their rights. The UN Declaration on the Rights of Indigenous People is intended to lay the foundations for these protections. The right of free, prior and informed consent to policies and regulatory actions is at the heart of this protection. State Labor has turned a blind eye to that principle, endorsed by its federal counterparts, and has focused instead on repaying political debts. (Pearson 2011)

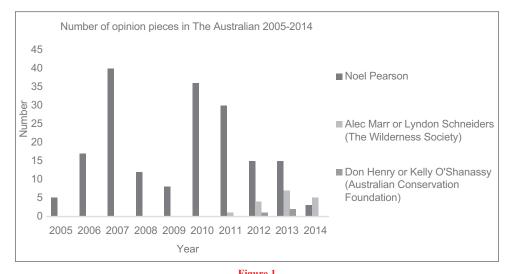
For Schneiders, support for Indigenous people's right to informed consent was inconsistent if it did not include the right to say no to development (Lyndon Schneiders pers. comm. 2014). His opinion pieces on various environmental issues only began to appear in The Australian towards the end of the dispute (see Figure 1), after he moved from a Wilderness Society Queensland position to the role of its national campaign director. Nevertheless, during the dispute he published two opinion pieces that discussed the Wild Rivers legislation. The first framed pro-development support for Indigenous consent as inconsistent, while the second supported reform of the Wild Rivers and Native Title acts to ensure consent was required for development as well as conservation:

This new-found support for full and informed consent of Traditional Owners would be laudable if consistent. Of course it is not consistent and in the world of Abbott, Newman and Pearson, the need for full and informed consent by Traditional Owners does not extend to the need for full and informed consent to allow for new mining or dam building and irrigation projects on the cape or elsewhere. (Schneiders 2011)

The Wilderness Society would support further review and reform of the Wild Rivers Act 2005 at state level and reform of the Native Title Act 1993 at commonwealth level to fully embrace the concept of free, prior and informed consent for conservation and development. (Schneiders 2013)

In January 2014 Tony Abbott's conservative Australian Government shelved plans for World Heritage nomination of the Cape, citing disagreement among Aboriginal communities (McKenna 2014). In June 2014, the Federal Court ruled the Wild Rivers declarations of three waterways invalid, in part because the former State Labor Government had failed to take sufficient account of the views of Traditional Owners (Fraser 2014). In July 2014, the Wild Rivers Act was repealed by Campbell Newman's conservative Queensland Government. Yet despite the blow this dealt the environmental movement, and notwithstanding disappointment by both Pearson and The Wilderness Society in subsequent developments (Walker 2014), references to informed consent permeate Wilderness Society discourse. In regard to Cape York, this is strikingly proclaimed in its 2014 statement that any future listing of the Cape 'would be the first full nomination anywhere which was based around Traditional Owner consent' (The Wilderness Society 2014a: 8). In 2015, following another change of government in Queensland, the state and federal governments again agreed to consider World Heritage nomination for parts of Cape York (The Wilderness Society 2015c). The same year, Article 124 of the World Heritage Convention was amended to require states parties to:

[...] demonstrate, as appropriate, that the free, prior and informed consent of indigenous peoples has been obtained, through, inter alia, making the nominations publicly available in appropriate languages and public consultations and hearings. (UNESCO Intergovernmental Committee for the Protection of World Cultural and Natural Heritage 2015: 32)



Number of opinion pieces on any topic by Noel Pearson and selected environmental leaders published in first editions of The Australian newspaper during the Wild Rivers debate³

Tasmania, World Heritage and Indigenous Culture

While The Wilderness Society in Queensland and nationally was still in the throes of the Wild Rivers conflict, in the country's southern-most state, the island of Tasmania, national and state governments and civil society were delivered a challenge by ICOMOS. The Tasmanian Wilderness World Heritage Area, which satisfies more criteria than any other World Heritage site, is listed for a combination of natural and cultural values. In 2013, when a Labor state government relying on the support of The Greens to hold office sought to extend the area, ICOMOS recommended that the expansion be deferred because the application had failed to give due consideration to the cultural values of the proposed extension (ICOMOS 2014). The World Heritage Committee granted the extension despite ICOMOS's concerns because it had been proposed on its natural values alone, but the Committee imposed several conditions related to Tasmanian Aboriginal cultural heritage (ICOMOS 2014). For much of its history, The Wilderness Society had put most of its efforts at Indigenous engagement into northern Australia, where Aboriginal and Torres Strait Islander people 'have a more apparent and historic (according to non-Indigenous adjudicators) connection to their homeland' (Pickerill 2008: 102). Following the 2013 ICOMOS and World Heritage Committee requests for a cultural assessment of additions to the site, however, Vica Bayley, head of The Wilderness Society Tasmania, substantially increased his Indigenous consultation (Vica Bayley pers. comm. 2015). Bayley began this intensified interaction at the 2013 World Heritage Committee meeting where the requests were made, taking the opportunity to consult an Aboriginal elder who was 'there with the Australian [Labor] Government to try to address concerns of the cultural heritage advisory body over the lack of focus on cultural heritage on that particular nomination' (Vica Bayley pers. comm. 2015).

In 2014, The Wilderness Society Tasmania funded a Tasmanian Aboriginal elder, Rocky Sainty, to attend the World Heritage Committee meeting because a new Conservative Australian Government was attempting to reverse some of the expansions previously granted. Bayley (pers. comm. 2015) stressed that Sainty was present as an independent community representative: 'We obviously did do a lot of joint stuff over there, but it wasn't about having an Aboriginal representative on the TWS [The Wilderness Society] delegation, it was about TWS making sure there was an Aboriginal voice at that meeting.' ICOMOS and the World Heritage Committee ultimately dismissed the Australian Government's petition to reduce the size of the listing and reiterated its request for the site's cultural values to be defined. By the time preparations were under way for the 2015 meeting, the Committee was expressing exasperation at the government's continuing tardiness in this regard, as well as concern about draft changes to the property's management plan proposed by the Tasmanian Government (ABC News 2015). The proposed changes allowed limited logging, mining and new tourism development and renamed the 'wilderness zone' the 'remote recreation zone'. The last of these draft changes was supported by some Aboriginal spokespeople (Lee 2015) but considered unnecessary by others (Smith 2014). In June–July that year, The Wilderness Society again funded Sainty to attend the World Heritage Committee meeting, frequently referring to him in its blogs (Bayley 2015) and issuing a media release reporting that he welcomed 'the recognition and pathway to proper protection it finally offers for his People's ancestral heritage' (The Wilderness Society 2015b). Equally telling, perhaps, was the increased Indigenous presence evident in a promotional publication the Society produced for its delegation to distribute at the meeting. The publication The Wilderness Society had taken to the 2014 World Heritage Committee meeting had opened with a 1980 quote from founder, Bob Brown, praising the natural values of the area (Brown 1980 in The Wilderness Society 2014b: 3). The 2015 document began by acknowledging the Traditional Owners of 'all country in Tasmania' (The Wilderness Society 2015a: 3), followed by a foreword from Sainty (2015a) advocating future expansion of the World Heritage Area into takyna/Tarkine – a proposal that has not been supported by state or national governments. The 2015 foreword was also published by Tasmanian newspaper *The Mercury* just prior to the start of the meeting (Sainty 2015b). In our study, Bayley was praised by a leader from another Tasmanian environmental organisation for forging links with Aboriginal communities (Jess Feehely pers. comm. 2015), which suggests his efforts were associated with changing norms in the wider Tasmanian movement. The Bob Brown Foundation also works closely with some Indigenous Tasmanians in its own advocacy of World Heritage protection for takyna/Tarkine.

Communities of Risks

Greenpeace Australia Pacific CEO Ritter (2014) outlines formal alliances between environmentalists and Traditional Owners but also identifies the strategic benefit to prodevelopment interests of mediated conflicts between 'greens' and 'blacks' that give the impression that governments and mining companies are merely 'neutral bystanders' (2014: 6). Our research suggests it is in the spaces between these two scenarios - situations where Indigenous people are divided along the same pro- and anti-development lines as non-Indigenous people – that environmental leadership continues to be tested. The Wild Rivers debate and its aftermath were bruising for both Schneiders and Pearson. Although the legislation was repealed, in the following months neither achieved their desired outcomes (see Walker 2014). As Holmes observes, initiatives aimed at resolving contests on the Cape have a history of being ineffectual 'not only because the State policies have been inconsistent but more obviously because of the durability and intractability of contests' (2011: 66-67, original emphasis). Yet while Pearson and Schneiders have used 'the language of "rights" (Pickerill 2009: 68) for conflicting purposes, that language has not been a casualty of the contest. The Wilderness Society publicly acknowledges and reiterates the need for the free, prior and informed

consent of Traditional Owners on the Cape for protection, as well as development. As we have seen, at the time of the Jabiluka debate, the World Heritage Committee considered the demands of civil society, including those of the Mirrar and the Forum of Indigenous Peoples, and this contributed to a mood for change that eventually saw references to UNDRIP incorporated into the Convention. In other words, the topdown cosmopolitanism that has emerged from the increasing interrelationship between the World Heritage Convention and UNDRIP rests at least in part on bottom-up processes as well as the efforts of other United Nations bodies. This gives the increasing acknowledgment of Indigenous rights in the Convention a legitimacy among environmental groups that might otherwise have been lacking. Nevertheless, there are limits to the ability of international instruments such as the World Heritage Convention and UNDRIP to promote the interests or change the practices of organisations over which it has no formal jurisdiction.

It remains to be seen whether the incorporation of references to UNDRIP will facilitate Indigenous peoples' access to the World Heritage Committee on occasions when they are not, as Brumann puts it (2015: 286), 'shepherded by their own state delegations to play rather staged parts'. Cooperation between Indigenous and environmental organisations can assist, as in the Jabiluka conflict, but this is not sufficient to create equality with national governments for either local communities or conservationists. Nations are likely to continue to resist interference from the Committee, lobbying and forming powerful diplomatic pacts to secure the outcomes they desire (see Brumann 2015; Logan 2013). Knowing this, can we be confident that the changed practices outlined in our study are more than opportunism, tokenism or public relations exercises? Partly at least, the answer lies in evidence of what Beck (2011: 1356) describes as 'transformative cooperation'. Beck has applied this expression to nations engaged in the kind of long-term and imperative cosmopolitan cooperation that changes them fundamentally. In our study, the same phrase can be applied to the environmental movement. Our participants were reflexive enough to identify many enduring challenges in their Indigenous engagement but also tended to see improvement as inexorable, if sometimes profoundly difficult. Consistent with a Beckian analysis, this was largely because engagement aimed at advancing the interests of the environmental movement had resulted in more nuanced understandings among environmental leaders of the complexity, disadvantage and diverse aspirations of Indigenous Australia:

[... when] people have just had very little interaction with remote landscapes and people, black fellas and white fellas, there is sort of a bit of a 'noble savage' - you know: 'All Aboriginal people are in harmony with the land.' Well yes, there's incredible traditional knowledge there but it's complex. There are a whole range of views amongst the Aboriginal people, as there are amongst whites, and you need to engage with that complexity. And I think there's a lot more maturity now than there was 15 years ago on that. And, I think also with Aboriginal organisations, more understanding of what conservation groups are good at and not good at, and how they might be useful as allies at times and not at others, as part of the political spectrum. (Anonymous A pers. comm. 2014)

Claims by Sweeney that meaningful engagement now extends beyond individual campaigns are also suggestive of transformative change:

The environment movement is much more economically literate and much more culturally sensitised, to our credit, and we've lost a bit of bark on the way but we've made, and sustained, lasting and effective relationships with Aboriginal people that aren't just based around: 'You do this and turn up at a public meeting till we stop the project and then you're on your own.' We're past that and we're well and truly into: 'How can we together build a respectful and sustainable Australia? [...] How can we do it together better?' (Dave Sweeney pers. comm. 2014)

The environmental movement continues to struggle to find common ground with some land councils and other Indigenous 'power brokers' (Lyndon Schneiders pers. comm. 2014) or 'power players' (Anonymous B pers. comm. 2015). In our study, several participants reserved the right to respectfully prioritise their organisation's objectives when, in their view, natural values as understood by these participants appeared irreconcilably incompatible with Indigenous choices. In this regard, environmental leaders were acutely conscious of a contrast between, in Holmes' words, 'modernist, reformist, region-focused visions of Indigenous futures, forcefully presented by Noel Pearson', and 'more traditionalist, localfocused visions held by many community leaderships' (Holmes 2011: 54). Non-Indigenous environmental movement discourse celebrated consultation and alliances with Aboriginal and Torres Strait Islander people at the local level but gave little indication of a coordinated strategy for addressing failures of engagement between the environmental and Indigenous movements at the subnational regional level. The following comment from a study participant exemplifies the challenges of the relationship:

In the environment movement we like Aboriginal culture and we like to see Aboriginal people speaking about the environment; and we like to think that the prototypical land manager and the person with the deep, deep connection to country is the one who's going to inherit the earth. But we grapple with the fact that a bunch of contemporary Aboriginal people and their regional organisations, and especially their power players, want to go and cut deals with miners and land clearers and others for economic gain. And so we're still working that stuff out in the politics and policies of the movement. (Anonymous B pers. comm.

By prioritising Indigenous engagement at the local level, some environmental movement organisations have

unintentionally created barriers to indigenous empowerment within the scope of inter-movement alliances. However, there is evidence that change is possible here too. The single Indigenous environmental leader in our study, Dr Anne Poelina (pers. comm. 2014), stressed the crucial importance for her of knowledge and expertise in environmental activism at the local, state, national and international levels, in government and institutional settings, in science and academia, and as a traditional custodian. Although there are still too few Indigenous people on the staff of environmental movement organisations, several participants were optimistic about the potential of a network of young Indigenous climate change activists called SEED. Practical options that emerged from our study for overcoming some of the limitations of top-down cosmopolitanism include: 1) employing more Indigenous environmentalists; 2) understanding the cultural complexity and pressures of such roles; 3) supporting Indigenous people who wish to build multi-scalar networks, skills and knowledge; 4) maintaining meaningful engagement when joint campaigns have concluded; 5) being transparent when dealing with multiple Indigenous organisations that are in conflict with each other; 6) keeping abreast of models of engagement operating in other countries; and 7) being clear about objectives. Such measures may help sustain and progress the establishment of positive norms that has already accompanied mutual recognition of 'risk interdependencies' (Beck 2011: 1353). They may also create a more inclusive environmental movement better placed to open up new or increasingly productive channels of engagement with regional and national Indigenous organisations.

CONCLUSION

Saito (2015: 442, quoting Latour, 2004, original emphasis) argues that 'Beck's "cosmopolitics is much too cosmopolite to handle the horrors of our time", where the very existence of one common cosmos cannot be assumed in the form of world risk society.' Yet if we adopt Holton's understanding of the cosmopolitan actor and accept that both nuclear power and loss of biodiversity are global risks (see Maris 2007), our evidence points to glocalised environmental activists adopting cosmopolitan intercultural practices. Environmentalists are impelled towards Indigenous engagement as much by pragmatism as by concern for environmental justice. In this sense, the way participants in our study describe their cosmopolitan practice is not naively polite. In actions against uranium mining, pragmatism was a feature of Indigenousnon-Indigenous alliances, and the World Heritage Convention proved instrumental in delaying the establishment of a mine. In our Tasmanian example, the imperative to 'cooperate or fail' represented the demands of international entities with cosmopolitan ambitions. In Queensland, a media framing contest between Pearson and Schneiders provided opportunities for Schneiders to use the UNDRIP language of free, prior and informed consent to publicise environmental movement concerns for Traditional Owners in respect of

the *Native Title Act*. Our study also revealed a subtle shift in discourse between some former and current Wilderness Society participants: Marr (pers. comm. 2014) represented the Mirrar of Jabiluka in the late 1990s as local people requiring cosmopolitan expertise to enable their voices to be heard on the international stage; by contrast, following the ICOMOS and World Heritage Committee judgements of 2013 in relation to Tasmania's wilderness, Bayley (pers. comm. 2015) acknowledged the necessity to expand and nurture his Aboriginal networks, despite the complexity of Indigenous politics in Tasmania.

Misaligned or incompatible understandings of place and environment continue to create 'boundaries of difference' between Indigenous and non-Indigenous activists that are difficult to bridge (Pickerill 2009: 77). When Indigenous people invoke universalisms such as the language of rights, they often do so with the aim of gaining control of particular places (Pickerill 2009: 68). In such instances, UNDRIP may function as a cosmopolitan instrument deployed in the interests of local exclusivity. Conversely, environmental organisations that lobby for protection on purely biophysical grounds negate the interrelationship between nature and culture that is fundamental to many Indigenous world views (Pickerill 2009). When this happens, world risk society and cosmopolitan openness collide rather than coalesce. Our research indicates that the World Heritage Convention can encourage bridge-building across these divides when sites are listed for a combination of natural and cultural attributes of outstanding universal value. It also suggests that recent incorporation of references to UNDRIP in the Convention will provide added incentive for environmental leaders to engage in cross-cultural deliberation. If, as a result, cross-cultural common ground emerges and endures in civil society, it may also prove politically persuasive enough to produce enduring environmentally and culturally advantageous outcomes of global value.

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NOTES

Holton's understanding of cosmopolitanism appears capable
of accommodating the activities of national and subnational
nongovernment organisations. As he writes: 'Trans-national
openness does not require personal cross-border movement, but
it does entail some kind of mobility whether of the imagination,
or through activities (including political advocacy, consumption,
the arts or religion) that engage with the wider world' (Holton
2009: 117)

- The other printed daily (except Sunday) newspaper distributed Australia-wide was a financial newspaper.
- The national leadership of The Wilderness Society changed from Alec Marr to Lyndon Schneiders in 2011. The leadership of the Australian Conservation Foundation changed from Don Henry to Kelly O'Shanassy in 2014. Our searches of The Australian returned no opinion pieces by Marr or O'Shanassy from 2005 to 2014.

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