

## **Exclusion and Re-emplacment: Tensions around Protected Areas in Australia and Southeast Asia**

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THE DEBATES AROUND CONSERVATION and social justice are urgent, as Rangarajan and Shahabuddin (this issue) demonstrates, but these debates have not followed the same course in different countries. The histories of protected areas and people in countries other than India highlight differences as well as similarities. This response considers the questions raised from an Australian perspective, but these issues are not constrained by national borders. They reflect instead the three-way tensions between the specifics of local circumstances, the motives of governments and the prevailing international pressures. So while this paper starts from an Australian position, it moves to consider East Timor and Thailand, where numbers of Australians can be found today working as researches, staff or volunteers in conservation or development NGOs. Just as important are the questions arising in Vietnam, because it is from here that significant and articulate minority of Australia's population draw their family background, their continuing relationships and their experience of the interaction of protected areas and local peoples.

There is an immediate parallel in the problem Rangarajan and Shahabuddin (this issue) have identified in the difficulties in communication between social science and scientific researchers. Activists, conservation professionals and academic researchers in Australia have concurred in their concern and frustration at the problems generated by the failures in communication, particularly

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when both the conservation and the social justice questions are often so urgent. Michael Adams and Tony English, a geographer and a biologist in the New South Wales (NSW) National Parks and Wildlife Service (NPWS), have compared their experiences working on biodiversity with Aboriginal people and they argue that the chasm separating scientific and social scientific research has been locked into the structure of the NPWS with its 'nature' and 'culture' departments, reifying philosophical constructs so that communication is systematically obstructed (Adams and English 2005). The failure to communicate is not in these circumstances an occasional or personal or abstract phenomenon, but is a structural problem which shapes the ongoing day-to-day business of conservation management to its deepest levels.

Just as significant for both biological and social scientists is the two-way communication necessary to develop effective relationships for collaborative research with the indigenous and local groups whose lands and livelihoods are at issue. For these groups to take active roles in environmental research and conservation management, that is, to engage in decision-making with informed consent, there needs to be recognition on the part of both scientific and social scientific researchers of the limitations of their own frames of reference. The structures of data collection of either group of researchers may fragment the many dimensions of local knowledge. This is not an esoteric point. Rangan and Lane (2001) and Palmer (2006) have documented the very real consequences for Australian Aboriginal people of having either the economic dimension or the cultural dimensions of their interest ignored in the practical negotiations over forest agreements and joint management of parklands (Willems-Braun 1997; Latour 2004). Stephen Dovers suggests that it is the politics of the wider contemporary setting which scientists and social science researchers fail to recognise when they conduct what they consider to be disinterested studies. Dovers argues that there is no innocent research:

*'What we are doing in natural resource management is absolutely political and riddled with conflict – it is about governance and social goals and institutions after all'* (Dovers 2000: x)

To understand the basis for comparisons between the two countries, Australia is a huge, largely arid continent except on its coastal fringes. Over 10% of its land area, or 77.5 million hectares, is currently reserved as Protected Areas [PAs], of which 54 m ha are categorised as IUCN I to IV, while 23.5 m ha are IUCN categories V and VI, which allow human presence and habitation.<sup>1</sup> It has a small population of around 20 million of which only 2% are Aboriginal. Around half of them live in the southeastern heavily settled states while another one quarter live traditionally-oriented lifestyles in northern and central Australia (ABS 2004). There are general assumptions repeated in much literature (McElwee 2001/2006; Low 2003) that the protected areas, designated 'national park', were created in Australia from a single minded commitment to the conservation of native flora and fauna, in what are as close as possible

to the assumed 'pristine' balanced (i.e., static) ecosystems thought to have existed prior to the British invasion. Contemporary Australian national parks have however arisen in a variety of ways, some of which are so different from either the 'wilderness' model or from the Indian cases discussed by Rangarajan and Shahabuddin (this issue), that it is useful to review their history.

The first reserves in Australia, not unlike those in India and around the same time, were set aside for utilitarian purposes. Influenced by the writings of American George Perkins Marsh on conservation (Tyrrell 2004) but consistently inflected towards the most practical of his arguments, these Australian reservations consisted largely of forest reserves, aimed at conserving timber resources to allow sustained harvesting for profit under state management. But forest reserves represented only a very small proportion of the huge Australian continent: massive clearing was carried out with an almost religious fervour by British settlers, who were trying to remake the landscape into the green English countryside and who believed that 'rain followed the plough' (Rangan and Lane 2001). Of that small amount uncleared, only 7.5% has been given protected area status.<sup>2</sup> In India, 25% of the subcontinent's whole area is designated as 'forest' and 96% of that is in government hands with a significant proportion either reserved or protected (Rangan and Lane 2001: 153). The first Australian 'national' park, the Royal, was set aside in the 1880s on Sydney's southern outskirts and had a similar utilitarian role, that of providing recreation for a mushrooming urban population. It was not intended to be left unchanged but instead to be progressively 'improved' to provide a range of entertainment as well as physical recreation activities. The second impulse for protection was an expression of racial superiority through Empire affiliation but inflected by the rise of local nationalisms, in which the distinctiveness of Australian soil, biota and the supposedly distinctive (and remarkably rapidly evolving) 'Australian' human physiology, were presented as locally celebratory. So 'national parks' came to be emblematic of the 'new nation' far beyond their utilitarian purposes, and there has been a continuing debate since then around who it was who represented 'the people', and so who should be allowed access and who excluded (Goodall et al. 2005).

The third source of land for 'Protected Areas' in Australia has been the very large areas of grassland or other 'non-forest' land which failed to fulfill settler expectations. Virtually all of these areas had been either rapidly alienated to freehold for grazing or agriculture or were held as Crown Land awaiting release in the unfulfilled expectation that population would expand and land use intensify. Some of the unreleased land contained what became recognised as iconic landscapes like Uluru and Kakadu. In the category of the failed commercial concern are most of the newly designated national parks in NSW, like Mutawintji and the Culgoa, which are being systematically handed over to Aboriginal ownership on the condition that management is 'jointly' held between indigenous owners and state agencies. Such areas of land are coming onto the market as property after property goes broke, defeated by the

outcomes of nearly two centuries of overgrazing and unsustainable settler agricultural use. This land is therefore greatly changed by the impact of settler methods, but also by the interruption of the pre-invasion Aboriginal land management strategies. The Pillaga area, for example, was open grassland when the British first saw it, but the cessation of regular Aboriginal burning led to a reafforestation by opportunistic native species, creating dense stands of timber right across what is now known as the Pillaga Scrub (Rolls 1981). These three origins for Australian protected areas are significantly different from the 'wilderness' model and offer conceptual space for negotiation about the role of humans in such areas.

The final source of Protected Area land is that most commonly recognised as 'wilderness' by conservation campaigns. These protected areas arose particularly because of the physical conjunction of the old utilitarian forestry reserves with the new communes of the 'back to the land' movements in the 1970s, identified by Guha as a major contributor to emerging environmental movements in developed countries (Guha 2000). The earliest campaigns in Australia involved the long-established forest harvesting reservations on the north coast of NSW, the harvesting of which the State Government had tendered to commercial firms, initially local ones but increasingly to international corporations for clear felling for wood chipping. There has emerged a long and often uneasy interaction as forest conservationists have sought out indigenous participation as symbolic, exotic endorsements of their claims for the spiritual significance of the forests, but have had less interest in Aboriginal needs to establish economic returns.<sup>3</sup> A very few campaigns around forested areas have been initiated by Aboriginal people, like the long running and recently successful recognition of the significance of Gulaga Mountain on the NSW South Coast, but even in that campaign, tensions around class and indigeneity were visible and comparable to the tensions identified by Baviskar (2004).

In general, rather than being declared to protect wilderness or high biodiversity, the protected areas in Australia are representative of nothing so much as residual land, which has the least potential for commercially lucrative, intensive land use (Runte 1979; Pressey et al. 2000; Sattler and Creighton 2002; Adams 2004). With a range of Land Rights and Native Title legislation now in force in Australia, which allow Aborigines to claim, in effect, only vacant Crown land 'unwanted for any other purpose', it has become clear that conservation and Aborigines are competing for the same residual lands (Adams 2004: 17).

This is a very different trajectory for activism than that described by Rangarajan and Shahabuddin around people and forest conservation areas. So where do local indigenous populations fit into this Australian scenario? And where do they fit into the broader patterns of land use across the state, which includes far greater areas of non-reserved land where subsistence and traditional economic activities have been carried on in a diminishing compatibility with settler commercial agriculture.

Aboriginal people traditionally practiced an economic and cultural life which did not limit their affiliations directly to the small bounded areas of land which have usually been the scope of surveyed protected areas. The degree of mobility involved in Aboriginal land affiliations fostered a detailed knowledge of ecologies, threaded through oral traditions and continually regenerated through participatory performance, over wider areas of land associated with the clan and beyond it, the language group. Such areas might be quite circumscribed in fertile coastal areas, but they stretched very widely through inland grassland and more arid areas. Broader still were the extended networks between language groups, which linked Aboriginal societies widely across the continent by knowledge of and responsibility for long song cycles, each of which related directly to the country over which their protagonists journeyed, with every stanza of their epic journeys emplaced in a known landscape which was called up in the imagination of the participants during each performance.

Because they were not regarded as shifting cultivators or pastoralists, Aborigines were not seen by settlers as a threat to the utilitarian reservations of forest. Furthermore, because settler pastoral and agricultural methods and ideologies encouraged wholesale clearing, forested areas were reduced rapidly, so they afforded little real retreat. Rather Aboriginal people lived largely on pastoral properties where they remained as a niche labour force for nearly a century, able to sustain some elements of a traditional subsistence economy of hunting and harvesting across the broad acres of low density pastoral land use. The real crunch only came with mechanisation and the 1930s drought-induced collapse of pastoral concerns in the broad semi-arid rural areas. This meant not only an immediate loss of employment but in the longer term the effective closure of pastoral boundaries. So increasingly only crown land remained available, that is, the rivers and the forest reserves. With increasing regulation and bureaucratisation from the 1950s and later with raised awareness of 'conservation needs', from 1967 onwards, the borders of these protected areas too began to close down. So first the ability to 'hunt and gather' across pastoral properties had been blocked by locked gates and then later hunting and harvesting became blocked as well in parks and reserves by increasing pressures from conservation-motivated exclusion of human activity.

So while there were some earlier displacements and forced removals in Australia, they have not been the direct result of the establishment of protected areas. Exclusion from specific spaces like protected areas did not necessarily lead to a directly equivalent or complete economic loss, however important it might have been in a cultural sense. The term 'livelihoods', so recognisable in India to indicate directly competing interests in protected areas, does not adequately reflect indigenous interests in Australia which involve high priority for both cultural and economic concerns. More relevant have been the conservation restrictions placed on hunting and gathering of native species across the broader, off-park landscape. Only after the progressive

loss of access to the wider landscape did the specific exclusions from protected areas come to have a rising economic and cultural significance.

This landscape scale and perspective is extremely important in understanding the conflicts around protected areas. Indigenous Australian interests in land ranged beyond the cadastral boundaries of any parkland. Their economic resources extended far more widely than reserved patches. More importantly their cultural narratives were imaginatively emplaced across 'tracks' which might pass through any reserve, but are seldom contained by it, however extensive its area. And it has been the conservation restrictions on the hunting of game and the gathering of resources *outside* parks which have had the longest impact on Aboriginal people's lives over the last century. Barbara Flick, a Gamilaraay woman from north western NSW has recalled the importance of growing up in pastoral areas during the 1950s with frequent community gathering and consumption of native game and fruits. Native foods offered not just nutrition, although that was significant for economically marginal families. More important was the social learning which occurred in the gathering and hunting processes, which was one dimension of the continuing reproduction of identity among these Gamilaraay communities as the heavy impact of colonial change was felt:

*'The eating of traditional foods was and still is special to us in that it is one way that our Aboriginality is affirmed across so-called traditional and non-traditional Aboriginal communities'* (personal communications 31 May 2006).

Later, as coordinator of an Aboriginal-controlled legal service (WALS) extending across the western half of the NSW state in the 1980s, Barbara oversaw the service's vigorous defence of a number of Aboriginal men who were charged during the decade, all under the National Parks legislation, with taking native game and whose actions were understood by the Aboriginal community to be assertions of traditional rights, both economic and cultural. WALS campaigned for a set of principles on Aboriginal cultural rights, including protection of the right of Aboriginal people to hunt and harvest native species, which they argued should be incorporated into all legislation. Aboriginal people have continued to challenge the legislation prohibiting them from hunting native species, as Murandoo Yanner did in Cape York, North Queensland, in 1996 by shooting crocodiles in public for food and insisting throughout his trial that indigenous people's right to hunt was a key element in sustaining social and cultural identity.

These are examples of changing conditions under colonialism. In such circumstances it may be the case that indigenous harvesting affects species which are coming under threat from the impacts of intensifying land use, but in order to find the most effective ways to meet conservation goals under these conditions it becomes necessary to understand the motivations for Abo-

iginal practices. When Aboriginal people had been stripped of effective control over their land, the capacity to sustain consumption of native foods and the constellation of social and cultural knowledge which accompanied the harvesting, cooking and eating of this food was an ever more significant part of people's lives. It was one of the key motivators for Aboriginal demands to have decision-making power in the management of the new national parks. One example was the 1983 Aboriginal community blockade of Mutawintji, a major area declared protected some decades before in the far west of NSW. Aboriginal people moved in, turned back the tourist buses and announced it was 'Closed by the Owners' in the initial stages of a campaign which drew on local community mobilisation as much as professional legal expertise to win eventually a joint management agreement. Land ownership was handed back to the community in 1998 on the condition that they enter a mandatory joint management agreement with the state's NPWS in which, according to the letter of the legislation, the Aboriginal board members hold significant power in conservation management. This was the opportunity for 're-emplacement', for the reassertion of Aboriginal resource management which respected cultural values, acknowledged harvesting rights and relationships but also drew on new conservation knowledge. Aboriginal experience at Mutawintji however has been one of sustained obstruction from NPWS to the exercise of decision-making on conservation management, arising more from the culture of the organisation, as Adams and English (2005) point out, than from policy, which raises the significant questions addressed by Rangan and Lane (2001) when they consider the meaning of *substantive democracy*.

In Australia it has not only been important to maintain the spatial perspective of a broad landscape approach to the pressures on any park, but to recognise the complexity of the historical relations over time between indigenous peoples, settlers and the responsive environment, where each has been in dynamic interaction with the others. An example is a small displacement of around 30 people from the Georges River in the heart of Sydney in the 1930s, a story which took botanical, zoological, geological and historical research to piece together (Goodall forthcoming).<sup>4</sup> Nearly 150 years of intensive settler land use had taken place along the river when accusations of Aboriginal depletion of endangered species were raised. Before the British invasion began in 1788, the local Aboriginal people had hunted swamp wallaby, which fed on young mangroves in preference to swamp marsh plants, and had maintained an environment where the marsh was privileged and the invasive mangroves kept to the river banks. The British settler impact on the mangroves was contradictory. They initially reduced the mangrove stands by cutting poles for ash for soap making and other purposes but they also hunted the wallaby themselves and so relieved the pressure on young mangroves. They later dredged the river bed for residential building sand, thus under mining mangrove habitats at the water's edge. The result was that the mangroves actually expanded in some areas, but did so by moving inland, encroaching on the swamp at the

same time as they dramatically closed down the previously open appearance of the river foreshores. The Aboriginal population there, greatly reduced in numbers and increasingly impoverished, kept hunting the wallabies as a major source of food. Once the species was declared endangered in the 1930s, not only were Aborigines the only ones known to be prosecuted under the new conservation act, but their hunting was one of the excuses the local white population used to have the community moved further away in 1939. Environmental change had been dramatic and multidimensional over 150 years, but despite the many causes, only Aborigines were blamed and they paid the price in forced removal.

There continue to be conflicts generated by economic pressure. Urbanisation of marginalised and impoverished populations have added to the pressures to seek opportunities for maximising short term profits from whatever resources Aboriginal communities may gain access to, deflecting attention away from the longer term strategies like conservation management. However, where Aboriginal people have been confident of secure land tenure, they have demonstrated an active interest in engaging with the most recent ecological research to develop effective conservation management strategies in the changing conditions they face. They have done so in varied circumstances, suggesting the flawed Land Rights and Native Title legislation are not the sole strategies which Aboriginal people have sought to remedy their demands for social justice. One example is certainly land secured under a Native Title negotiating structure, the Indigenous Land Use Agreement in Cape York in far North Queensland, which ensures conservation management under Aboriginal control. Comparable remote area examples are Nantawarrina in arid South Australia and Arnhem Land in the tropical north (Langton et al. 2005). But other examples have not been acquired through such legislation. One is a pastoral property secured by purchase in the mid 1970s in northwest NSW, where the local Goodooga community Aboriginal managers entered an active conservation partnership with neighbouring white property holders. Yet another is the extraordinarily significant site at Boobera Lagoon on the central northern border of NSW, where Aboriginal people have recently won a long campaign to secure recognition of their ownership as majority members of a protective trust. They have now developed an Indigenous Protected Area management plan and are asserting their responsibility to undertake conservation management not only on this public land but on the surrounding private land as well. Governments in Australia, as this brief sketch suggests, have played quite varied roles and while currently appearing to support Aboriginal conservation goals, most state and federal governments have bitterly opposed every native title claim and been reluctant to guarantee any form of secure tenure which would allow communities to take up the conservation option.

It cannot be assumed that conservation and protection of biodiversity have been the most important motivators for governments in the region, any more than they have in Australia. However, unlike Australia, recent warfare and



military border security have been major issues in each of the countries of the region in which Australia has a significant professional and migration relationship. Thongchai in relation to Thailand and McElwee on Vietnam have pointed out the ways in which concerns about asserting national borders and ensuring security have shaped conservation policy (Thongchai 1994; McElwee 2001). Border security is a tense question in each country, but it is seen by dominant agricultural social groups to be particularly threatened by the shifting cultivators and forest harvesters of the border regions whose loyalty to the central state is always suspect. The long decades of war in Vietnam have deepened the distrust of border peoples and ensured that, despite constitutional acknowledgement of ethnic minority rights, the strategies of displacement and sedentarisation are widespread and have been largely unquestioned by the general population (Rambo et al. 1995). Highland minorities have often been represented as deforesters and as environmentally destructive, yet as Fox, Rambo, Le Trong Cuc and others have shown it is not so much the practice of swiddening which is the problem, but state-driven migrations of lowlanders to upland areas, putting increasing pressure on land and intensifying land use (Fox et al. 2000; Cuc 2003). Agencies developing buffer zone economic and cultural programmes can do little more than ameliorate some of the continuing effects of displacement and accompanying impoverishment. The impact of international tourism has compromised further the attempts to establish effective conservation management practices so that, coupled with poor management and suspected corruption among PA staff, the general population in Vietnam is well aware of criticism of the motives and functioning of the parks. Such perceptions have regional consequences, particularly with highly mobile transnational populations. Australian conservation agencies, like NSW National Parks, have assumed that incoming Vietnamese migrants arrive knowing nothing about national parks and need only to be instructed on their purpose and uses to embrace the idea with enthusiasm. On the contrary, however, we are finding in our research with Australian Vietnamese that they have a high awareness of the problems with national parks in Vietnam and continue to regard the general concept, whether in Vietnam or Australia, with sustained skepticism.

Whereas the major impacts of protected areas in Thailand and Vietnam have been displacements of resident populations, in the Fataluku forest of eastern East Timor the situation is closer to that of Australia. The major similarity is that rather than a recent displacement like Vietnam, the Timorese are facing an exclusion. Relocation and forced sedentarisation under the Portuguese colonisers was greatly exacerbated under the Japanese occupation in WW2, then enforced by the returning Portuguese (McWilliam 2006). Later the Indonesians found that sedentarisation was useful in that it allowed the classification of the forest as 'barren' which facilitated logging concessions to transnational companies as well as ensuring tight controls over local people during the long conflict which preceded independence (Tsing 1993: 154;

Sowerwine 2004: 104). The significant numbers of people who had been removed in these processes now have only occasional access to the eastern forests which will be East Timor's first National Park, the Conis Santana, to be categorised under IUCN guidelines as category V, allowing human use at current levels. Australians working on the archeological survey of the area report that such a synchronic definition has left the previously relocated communities locked out of land which they understand to be their own and to which they wish to return to live at least part of the year.<sup>5</sup> Outsiders, including western environmentalists, are interpreting as primary rainforest what is in fact the secondary forest which has grown over previously cropped fields of the excluded local people. East Timorese authorities have drafted guidelines which acknowledge local ownership but seek to control useage and there continues to be tension between nature conservation aspirations and local aspirations. Those who were forced away at the point of a gun have no redress under the historically-blind IUCN guidelines (McWilliam 2006).

Rangarajan and Shahabbudin (this issue) have described a series of case studies where failure to undertake rigorous research in both science and social science, or failure to communicate the results across disciplinary lines, has led to unnecessary and traumatic displacements for little or no conservation gains. There are however examples of the potential for cooperation between biological and social scientists, and of biological scientists drawing on social science methodologies to allow a broader approach to their research (Quy 1990; English and Gay 1990; Infield 2003). Research in Australia and Vietnam, drawing to some extent on such cross-disciplinary collaborations, is pointing to the effectiveness of local and indigenous community management in making conservation gains in previously degraded environments (Quy and Can 1994; Rambo and Jamieson 2003; Langton et al. 2005). But there is also the need for urgency. A rising challenge is emerging to the situations where displacements seem to have been avoided by the establishment of joint park management. In a world where economic rationalism and a shrinking public sector budget have made devolution look like an attractive proposition to many governments, the options of devolving conservation management and implementation look more likely than they might have in the past. But without a serious commitment to the continuing resourcing of education and to the costs of implementation for the local communities who may be taking on roles in conservation management, such apparently empowering conditions will be unable to solve environmental problems.<sup>6</sup> It is critically important for effective collaboration between social and biological scientists in order to do the rigorous research needed to document conservation strategies which are meeting their goals in joint management conditions and to work collaboratively with indigenous and local communities to identify more effective ways to support them to pursue such goals.

Finally, the implications of indigenous Australian experiences add further weight to the questions about the strategies of sealing and enforcing borders

for protected areas. While there are real concerns about protecting extremely threatened species, the assumptions that humans are external to the ecologies within which these species flourished are misleading. Even in situations of grave concern, the trend to tighten borders around protected areas is counter productive when it is in fact impractical to sustain 'fortress conservation' in the longer term. There is much more potential for sustaining biodiversity by understanding protected areas in their wider, regional context, both as bearing the impacts of regional developments and exploitation but as well, in indigenous Australian terms, being the nodes of intense meaning in the networks of knowledge and significance which link areas of remaining high conservation value with the rest of the region. And far more effective than barbed wire and policing is the strategy of recruiting indigenous and local people to become active partners in conservation management.

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### **Notes**

1. The most comprehensive national map was published in 2002 and shows protected areas managed by both Federal and State governments: <http://www.deh.gov.au/parks/nrs/capad/2002/national/natpa02.html>, while an updated but simplified 2004 version shows also current and planned Indigenous Protected areas: <http://www.deh.gov.au/indigenous/ipa/map.html>
2. UNEP, World Conservation Monitoring Centre, <http://www.unep-wcmc.org/forest/data/cdrom2/austabs.htm#Table1>
3. A concise and lucid discussion of this process can be found in Rangan and Lane (2001: 150).
4. The botanist is Paul Adam, UNSW, the zoologist Peter Clarke, UNE, the physical geographer Robert Haworth, UNE and the historian Heather Goodall, UTS. The case is discussed in a forthcoming publication Goodall 2006.
5. Personal communication, Dr Denis Byrne, archaeologist, Department of Environment and Conservation, seconded from NSW DEC to take part in an archaeological survey in the East Timor national park.
6. Personal communication, DEC Research Manager, Cultural heritage unit, Dr Denis Byrne, Rangan and Lane 2001; Infield 2003; Kothari 2004.

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