# Conflict to Co-Management: Eating Our Words

## Towards Socially Just Conservation of Green Turtles and Dugongs in the Great Barrier Reef, Australia

Thesis submitted by

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# In memory

To my father

Paul Nursey-Bray

# Dedication

This thesis is dedicated to the memory of all the Elders and others who have passed away and also to all those who continue to fight for social justice, environmental sustainability and cultural survival in the modern world.
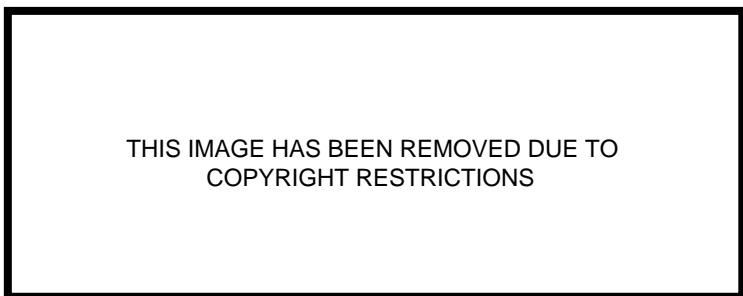
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Hunting Party, Hope Vale. Source: Lutheran Archives, Adelaide

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# Statement on the Contribution of Others (2000 –2005)

## This research project was supported by:

| | |
|---|---|
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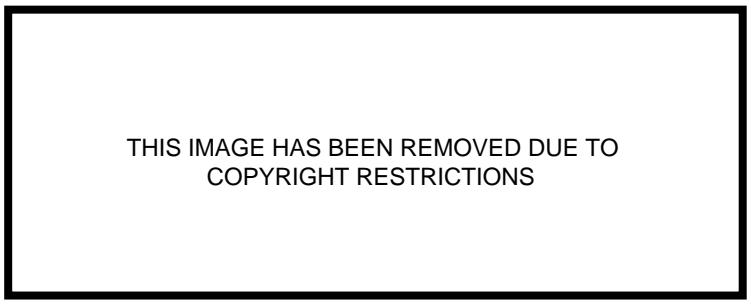
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Landing Place, Cape Bedford. *Source*: Lutheran Archives, Adelaide.

# Abstract

Indigenous communities worldwide face multiple challenges to maintain their unique cultural identity and value systems. In the natural resource management arena, these challenges include the imposition of western solutions to environmental management and biodiversity protection. This imposition has caused the dispossession or relocation of Indigenous peoples from their lands, a loss of traditional ecological knowledge, social disempowerment and economic inequity.

Indigenous peoples are responding to these challenges by asserting their cultural identity, developing cultural re-vitalisation programs, and actively participating in western political processes for ongoing involvement in the environmental and natural resource management domain. Nonetheless, to date, many of these programs are faltering or have failed in their long-term implementation.

Using a case study approach, my thesis examines this issue through an examination of Indigenous hunting of threatened species in a protected area. My research is based on the contention that language matters, as it is an enabling tool which reveals the knowledge and power relations in natural resource management. To this end, I compare perspectives held by Indigenous people on the one hand and government Management Agencies on the other, about traditional hunting, planning and the management of Green turtles (*Chelonia mydas)* and Dugongs (*Dugon dugon)* in Australia's Great Barrier Reef World Heritage Area (GBRWHA). To compare these perspectives I used a combination of discourse analysis, historical analysis and participant observation to analyse the development, implementation and subsequent failure of the Hope Vale Turtle and Dugong Hunting Management Plan, 'Guugu Yimmithirr Bama Wii: Ngawiya and Girrbithi.

My research yielded four key findings: (i) that significant differences exist between Management Agencies and Hope Vale Community about hunting, planning and management (Management Agency discourse for example prioritised biodiversity protection, while Indigenous discourse was primarily about ensuring cultural survival); (ii) that language in resource management does matter because different linguistic

interpretations within such programs have a direct impact on their efficacy (iii) that social justice dimensions must be incorporated within management regimes in order to achieve both cultural survival and biodiversity protection objectives; and (iv) that resource management initiatives can never be divorced from the impact of external events, actors and power regimes.

I thus confirm my *thesis* or argument that the use and understandings of language in resource management reflect power and knowledge relations, which in turn influence and impact upon the effectiveness of natural resource management programs.

Through the integration of these findings my thesis concludes with the presentation of a socially just conservation methodology to guide future collaborations between Indigenous peoples and Management Agencies when addressing the ongoing cultural harvest of wildlife (such as Green turtles and Dugongs) in protected areas.

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Bringing in the gear after a hunting trip. *Source*: Lutheran Archives Adelaide.

# Chapter 1

## 1.0. Introduction

We are currently experiencing a biodiversity crisis of unprecedented proportions. Data from the 1996 and 2000 International Union for the Conservation of Nature (IUCN)[1] Red List of Threatened Species indicates that over 1000 species are lost each year (IUCN 2000, IUCN 2006). By 2050 moreover, the world's population is expected to reach 9 billion people (UNEP 1996a, 1996b;Wilshusen et al. 2003) and the United Nations estimates that approximately '90% of these people will be living in the world's poorest regions where the greatest indices of biodiversity are found' (Wilshusen et al. 2003, p.4). Of these groups, some will identify as Indigenous peoples who collectively represent 90 – 95% of the world's cultural diversity (UNCED 1993; Howitt 2001) and number up to 200 million people or 4% of the global population (Howitt 2001)[2]. Further, while there are to date 100,000 protected areas formally recognised worldwide (covering up to 12 per cent of the land surface of the planet), the majority of these 'are owned by or claimed by Indigenous peoples' (Colchester 2004, p.151). Theoretically, on this basis, Indigenous peoples should be a major force in the realm of formal protected area and biodiversity management.

Since the 1920s, when Chief Deskaheh from the Six Nations Confederacy of the Iriquois approached the League of Nations to defend the rights of his peoples, international policy

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[1] A glossary of acronyms can be found at the end of this thesis, preceding the reference list.

[2] Posey (2002) defines Indigenous communities and nations as: 'those which, having a historical continuity with pre-invasion and pre-colonial societies that have developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems' (UN ECOSOC 1986, Addendum 4, Paragraph 625, cited in Posey 2002, p. 26).

initiatives have attempted to reconcile both biodiversity protection and Indigenous self-determination (Bigg 2006). Indigenous peoples have sought recognition of their rights to self-determination, to manage their lands and seas and the right to free enjoyment and exercise of their cultures (Colchester 2004). These recognitions have been enshrined in a number of forums and policies including the formation of the UN Working Group on Indigenous Populations in 1993, a permanent forum on Indigenous issues in 2002, and the Draft Declaration on the Rights of Indigenous Peoples in 2003. The International Labour Organisation Convention (Articles 169 and 107) (ILO 1957, 1991), the UN Human Rights Committee, the UN Committee on the Elimination of All Types of Racial Discrimination, the Inter-American Commission of Human Rights and the African Commission on Human and People's Rights have all incorporated clauses and sections recognising Indigenous rights (Fortwangler 2003).

Similarly, conservation bodies have attempted to integrate biodiversity protection with Indigenous aspirations (Fortwangler 2003). These initiatives are summed up below in Table 1.1. opposite.

**Table 1.1.** Synopsis of International Conservation Policy Frameworks and how these frameworks have recognised Indigenous rights in biodiversity conservation

| International Policy Initiatives | Type of recognition |
|---|---|
| Kinshasa Resolution 1975 (Fortwangler 2003) | Reiterated the importance of traditional ways of life, and that protected area management should include Indigenous peoples not displace them |
| World Conservation Strategy, 1980, (Fortwangler 2003) | Examined the challenge of achieving conservation while addressing human needs |
| World National Parks Congress, Bali 1982 (WPCA 1982) | Argued that protected areas should be linked with sustainable development as nature conservation is not accomplished only by the setting aside of specially protected natural areas and affirmed Indigenous rights with a resolution that advocated joint management arrangements between societies which have traditionally managed resources and protected areas (WCPA 1982) |
| International Labour Organisation, 1957, 1991 (ILO 1957, 1991) | Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries: 'Recognises the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live' (ILO 1991) |
| World Parks Congress, Venezuela, 1992 (WPCA 1992) | Found that the relationship between people and Protected Areas is too often ignored: the Congress emphasised that social, cultural, economic and political issues are not peripheral to protected areas (PAs) but are central to them. It called for community participation and equality in decision-making processes, together with the need for mutual respect among cultures (WPCA 1992). |
| International Alliance of the Indigenous and Tribal Peoples of the Tropical Forests (2002) Charter of the Indigenous and Tribal People of the Tropical Forests, Malaysia 1992, rev 2002 (IAITPTF 1992, 2002) | **Article 43**: The best guarantee of the conservation of biodiversity is that those who promote it should uphold our rights to the use, administration, management and control of our territories. We assert that guardianship of the different ecosystems should be entrusted to us, indigenous peoples, given that we have inhabited them for thousands of years and our very survival depends on them. **Article 44.** Environmental policies and legislation should recognise Indigenous territories and systems of natural resource management as effective 'protected areas', and give priority to their legal establishment as indigenous territories. |
| Agenda 21, 1992 (UNCED 1992) | Indigenous peoples were recognised as a major group that should participate in sustainable development initiatives. |
| Convention on Biological Diversity, 1993 (UNCED 1993) | The CBD advocated 'Respect, preserve and maintain knowledge, innovations and practices of Indigenous and local communities…and promote their wider application with the approval and involvement of the holders of such knowledge….and encourage the equitable sharing of benefits (UNCED 1993)' |
| World Conservation Congress, 1996 (WCC 1996) | (i) the recognition of Indigenous rights to their lands and seas and within protected areas; (ii) recognition of their right to manage resources in protected areas, either jointly or with others; (iii) to endorse the principles of other declarations; (iv) to encourage other countries to adopt these principles to recognise the rights of Indigenous peoples to participate in decision making relating to implementation of the CBD; and (v) to recognise the need for joint agreements with Indigenous peoples for the management of protected areas. (WCC 1996, CGR .115, Montreal). |
| Symposium: Protected Areas in the 21st Century: From Islands to Networks - Albany (Western Australia) 1997 (WPCA 1998) | Called for Protected Areas to be managed by, for and with local communities, not against them (WCPA 1997). |
| World Wildlife Fund International Statement of Principles on Indigenous Peoples and Conservation, 1996 (WWF 1996, 2001) | 'Indigenous people have rights to the lands, territories and resources they have traditionally owned or otherwise occupied or used, and that those rights must be recognised and effectively protected as laid out as in the ILO Convention 169 (WWF 1996, Article 8)' |

| | |
|---|---|
| Millennium Summit 2000: IUCN Theme on Local Communities, Equity and Protected Areas (TCLPA), 2000 (WPCA and IUCN 2000) | The Theme on Indigenous and Local Communities, Equity, and Protected Areas (TILCEPA), was set up in 2000 by the World Commission on Protected Areas (WCPA) and the Commission on Environmental, Economic, and Social Policy (CEESP) of the World Conservation Union (IUCN). This Inter-commission initiative evolved from a Task Force on Local Communities and Protected Areas, created in 1999, which had a similar mandate. The TILCEPA seeks the full and effective recognition of the rights and responsibilities of local communities in the development and implementation of conservation policies and strategies that affect the lands, waters and other natural and cultural resources that they relate to. The TLCPA lists ten rights of communities and identifies five responsibilities in relation to protected areas. |
| World Parks Congress, Durban, 2003 creation of ad hoc Indigenous Peoples Working Group for World Parks and Durban Accord Action Plan (WPCA 2003) | Established three commitments relating to Indigenous peoples rights and protected areas. These are: (i) that all existing and future protected areas shall be managed and established in full compliance with the rights of Indigenous people, mobile peoples and local communities; (ii) that all protected areas shall have representatives chosen by Indigenous peoples and local communities in their management proportionate to their rights and interests; and (iii) that participatory mechanisms for the restitution of Indigenous people's lands and territories are incorporated in protected areas. |
| World Conservation Congress, 2004 (WCC 2004) | Indigenous Peoples, Protected Areas and the CBD program of work: Aims to consolidate the gains made at Durban and at COP-7 of the CBD, in seeking new ways to reconcile the establishment and management of protected areas with the rights of indigenous peoples (WCC 2004, CGR3.RES 081). |

Notwithstanding these policy developments, Indigenous involvement in protected area and biodiversity management programs remains challenging and has done little to improve the well being of traditional peoples (Barton et al. 1989; Barborak 1995; Fukuda-Parr 2004). Historically, models of protected area management have been exclusionary and discriminatory against Indigenous people's rights (Colchester 2004). The impacts of exclusionary protected area policies include: (i) the denial of rights to land; (ii) restrictions on the use of and access to natural resources; and (iii) denial of political rights (Fortwangler 2003). Kinship systems are disrupted, local networks lost, and systems of poverty have been created (Battiste 2000; Colchester 2004, Bigg 2006). Further, protected area policies have had the effect of undermining livelihoods, forcing people into illegal behaviour (such as poaching) and disrupting or destroying traditional leadership systems. Consequently, cultural identity has been weakened, resulting in Indigenous resistance, social conflict and repression (Fortwangler 2003; Colchester

2004). As Fukuda-Parr (2004) notes, the status of Indigenous peoples has changed markedly:

> From occupying most of the earth's ecosystems two centuries ago indigenous people today have the legal right to use about 6% of the earth's territory. And in many cases the rights are partial or qualified (Fukuda-Parr 2004, pp. 29-30).

This situation has significant implications for the management of the world's biodiversity as it is well established that social poverty is a leading cause of environmental degradation (Peet and Watts 1996; Bryant 2000, Robinson and Bennett 2002). Most Indigenous peoples worldwide also face ongoing social and economic challenges. Indigenous peoples worldwide experience lower life expectancy, health and education levels and higher poverty than other groups (Canadian Human Rights Commission 1997; Fukuda- Parr 2004). In Australia, Indigenous peoples experience very poor health, education, housing and employment conditions in comparison to non-Indigenous Australians (Dodson 1993, 1994, 1995; ATSISJC 1996, 2002, 2003, 2004; Altman 2000; ABS 2001). Economic pressurs have meant ongoing subsistence practices are also having a negative impact on significant species (Hill and Padwe 2000, Fabricius and Koch 2004, Robinson and Bennett 2004, Brashares 2004, Cowlishaw et al. 2005, Fa et al. 2005, Tufto 2006).

How then, can Indigenous peoples continue to exercise their cultural rights, maintain economic livelihoods and ensure the ecological viability of high value biological resources? My research addresses this problem by focussing on the practice of Indigenous hunting of threatened species in a protected area, specifically the Indigenous hunting of Green turtles and dugongs in the Great Barrier Reef World Heritage Area (GBRWHA). Indigenous utilisation of wildlife is an appropriate focus area as contemporary hunting practice not only often provides ongoing economic and dietary

sustenance for many Indigenous groups but also is a core expression of contemporary Indigenous cultural values, traditional ecological knowledge systems and cultural identity (Freeman 2005). However, Indigenous hunting of threatened species such as, whales, seals, Green turtles, or dugongs, can potentially have a significant impact on the biological viability of these species.

Indigenous peoples, however, still maintain an active interest in participating in management, and in Australia, are developing a diversity of management approaches that will enable both cultural survival and biodiversity protection objectives to be achieved.

## 1.2. Focus of the Study

The Great Barrier Reef World Heritage Area (GBRWHA) is considered to be one of the world's most biodiverse and aesthetically beautiful regions. It is the only natural region that is structurally visible from space. Large populations of both Green turtles (*Chelonia mydas*) and Dugongs (*Dugong dugon*) are found in the GBRWHA and are one of the reasons for the region's World Heritage Listing (GBRMPA 1981, 1998; Marsh et al. 1994a; Marsh et al. 1999; MACC 2005). Both species are also listed on the IUCN Red Data List of threatened species (IUCN 1996, 2000, 2006), Green turtles as endangered (ENA2bd) and dugongs as vulnerable (VUA1cd).

Within the GBRWHA, both dugongs and Green turtles are subject to a variety of impacts including: (i) incidental capture in gill nets; (ii) vessel strikes; (iii) Indigenous hunting; (iv) habitat destruction from trawling; (v) floods and cyclones[3]; and (vi) diminished water quality caused by polluted terrestrial runoff (Limpus and Miller 1994; Limpus 1995, 1999; Marsh 2000; Marsh et al. 1999a). The relative importance of these impacts

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[3] Floods and cyclones in destroying seagrass habitat can impact on both Green turtle and dugong breeding and feeding patterns

varies in different parts of the GBRWHA, however, research has established that Indigenous hunting is the major source of mortality of dugongs in the GBRWHA along the remote east coast of Cape York Peninsula and in the adjoining Torres Strait (Marsh 2003b; Heinsohn et al. 2004; Marsh et al. 2004).

Native Title in marine areas has been partially recognised by the High Court of Australia. The Croker decision (*The Commonwealth v Yarmirr; Yarmirr v Northern Territory* [2001] HCA 56 (11 October 2001) while not conferring exclusivity, recognises Indigenous Native Title rights in the sea in relation to use and access. The Yanner case (*Yanner v Eaton* [1999] HCA 53, 7 October 1999) set a precedent through its recognition of Indigenous peoples' rights to hunt in traditional areas, subject to the proving of Native Title affiliation. Together, these decisions oblige Management Agencies, such as the Great Barrier Reef Marine Park Authority (GBRMPA) to recognise and incorporate Indigenous interests into management decision-making processes.

In the last twenty years, researchers and policy makers have attempted to develop better understandings of, and implement solutions to the problem of hunting culturally important but threatened species in a world heritage area such as the GBRWHA. Management initiatives implemented include permit systems (Baldwin 1985, 1988, 1987, 1989; Smith and Marsh 1990), Councils of Elders (Marsh 1996; Hunter and Williams 1997; Hunter 1998), management directions (Cordell 1992, 1993), co-management initiatives (Robinson 1998; George et al. 2002; Nursey-Bray and Rist 2002; Ross et al. 2005) and Traditional Use Management Resource Agreements (TUMRAS) (Havemann et al. 2005). In common with many Indigenous resource management initiatives in Australia, these initiatives have not always succeeded in the long term (Marsh 2003a, Marsh 2003b, Marsh 2006). In response to such failures, Howitt (2001) notes that:

resource managers must develop the knowledge, skills and sensitivities to deal with the moral, ethical and political domains of resource management as well as the technical domain (Howitt 2001, p.6).

## 1.3. Scope and Aim of Thesis

One way to equip natural resource managers with the tools that will enable them to engage with the political, moral and ethical dimensions of Indigenous resource management is to develop a 'common' language within environmental management domains (Howitt 2001). Christie and Perrett (1996) support this premise, reflecting that the ontological divide encompassed within different theories of knowledge, language and power needs to include:

> an acceptance of the rights of participants to speak for their own territories – and for the people, resources, cultures and histories of those territories (Christie and Perrett 1996, p. 59).

Brosius and Russell (2003) also argue the need for research that brings a critical perspective on the different constructions about the environment and its problems, particularly now that the environment has evolved to become central to local, national and international forums. Understanding such issues goes beyond documenting physical impacts but must include understandings of how the environment is constructed and contested (Brosius et al. 1998). The illumination of power and knowledge configurations is one benefit of this approach:

> In our view, a critical perspective alert to issues of culture, power and history will lead to forms of conservation practice that are simultaneously more effective and more just. Such an approach is based on the premise that *discourse matters*, and that environmental discourses constitute or reflect configurations of power. They define various forms of agency, administer certain silences, and are prescriptive of various forms of intervention…We need to be more alert to issues of power and inequality, to the contingency of cultural and historical formations, to the significance of regimes of knowledge production, and to the significance of the acceleration of trans-local processes. Those engaged in conservation initiatives must more consciously examine the vocabulary with which they frame both environmental threats and solutions' (Brosius and Russell 2003, p.53).

In order to understand how environmental discourses 'constitute or reflect configurations of power', and therefore contribute some insight into how to build cultural aspirations within biodiversity protection initiatives, I employ discourse analysis techniques to examine the similarities and differences between Indigenous and non-Indigenous perspectives on hunting, planning and management within the GBRWHA. This approach is consistent with Pannell's (1996) view of desirable approaches to management along the GBRWHA, that:

> rather than looking for answers in various legislative acts and proclamations, perhaps a more productive starting point would be to examine how, at a given historical moment, we and others think, talk and write about such things as the sea, marine species, and the Indigenous peoples who possess and use these spaces and resources (Pannell 1996, p.3).

Specifically, I use a case study approach, to explore the Hope Vale Aboriginal Community's decision to develop and implement the 'A Guugu Yimmithirr Bama Wii: Ngawiya and Girrbithi - Hope Vale Turtle and Dugong Hunting Management Plan' (Hope Vale Plan) which was launched in 1999. I also analyse Hope Vale's subsequent attempts to manage dugong and Green turtle hunting between 2000 and 2005.

This approach is consistent with Howitt's (2001) view of language use in resource management and its relationship to Indigenous peoples in Australia:

> The language used in resource management is a significant issue…Language reflects, shapes and limits the way we articulate and understand the world around us. It not only provides the building blocks from which we construct our way of seeing complex realities. It also constructs the limit of our vision. Language reflects and constructs power. *Our* language renders invisible many things given importance by *other* people. And in the contemporary world of industrial resource management, the invisible is generally considered unimportant. Dominant economistic and scientific epistemologies, or patterns of thinking about the world, thus render the concerns and aspirations of many people both invisible *and* unimportant (Howitt 2001, p. 11).

The aims of this research are to:

(i)     Document Indigenous understandings and perspectives about Indigenous hunting, management and planning;

(ii)    Document Management Agency understandings and perspectives of Indigenous hunting, management and planning and;

(iii)   Assess and understand the implications of the differences and similarities between the two perspectives for future management.

Discourse analysis is employed throughout the thesis as both a theoretical and analytical tool (Tuffin and Howard 2001). Discourse is a method of documenting peoples' perspectives and expressions of values and the ways in which such perspectives reflect different aspects of the relationship between knowledge and power (Dryzek 1997; Mills 1997). This approach is appropriate because resource management systems are also political systems, producing resource commodities *and* power (Howitt 2001 p.7). Thus, discourse theory provides an effective framework within which primary discourses about hunting, their similarities and differences are elucidated and conclusions drawn. The use of discourse also enables an examination of the ways in which different discourse understandings affect and change knowledge and power relations and how these in turn shape management and conservation outcomes.

## 1.4. Method

As this project was undertaken in a cross-cultural context, my methodology is designed to be both culturally appropriate and academically rigorous. As outlined in Chapter 4, to achieve both aims I implemented a five stage methodology: (i) initial definition of academic and community based methodological parameters, principles and criteria; (ii) the development and implementation of a Research Protocol with Hope Vale; (iii) the use of participant observation and qualitative interview techniques for data collection; (iv) the

use of discourse analysis to review and analyse the information and; (v) the identification and delivery of community benefits from the project.

## 1.5. The Case Study: Hope Vale Community

As outlined in Chapters 5 and 6, Hope Vale is an Aboriginal community of approximately 1200 people, situated 45km northwest of Cooktown in Queensland's far north-east (see Figure 1.1). The main language and tribal group is 'Guugu-Yimmithirr', within which there are 35 to 37 clan groups. Hunting Green turtles and dugongs was an important cultural and subsistence activity for the Guugu Yimmithirr people prior to European settlement (Thompson 1934; Haviland and Haviland 1980; Chase and Sutton 1987; Smith 1987). By 1886, land between the Endeavour and McIvor Rivers had been gazetted as an Aboriginal reserve, and the Lutheran Church established a mission at Cape Bedford in 1886 (Haviland and Haviland 1980) called Hope Valley. During the 'mission time', Green turtles and dugongs were not only hunted for their cultural value but formed part of the staple diet of the community. In addition, dugong oil was sold to the Queensland government to supply other Indigenous communities (Smith 1987). The populations of both Green turtle and dugongs in the region are significant. With the declaration of the Great Barrier Reef Marine Park World Heritage Area in 1975, dialogue between the Hope Vale people and Management Agencies over traditional hunting and protection of Green turtle and dugong species was initiated, culminating in 1999, with the development and launch of the *Guugu Yimmithirr Bama Wii: Ngawiya and Girrbithi: The Hope Vale Green Turtle and Dugong Hunting Management Plan.*

**Figure 1.6. : Case Study Region, Hope Vale Community. Source: Adella Edwards, James Cook University**
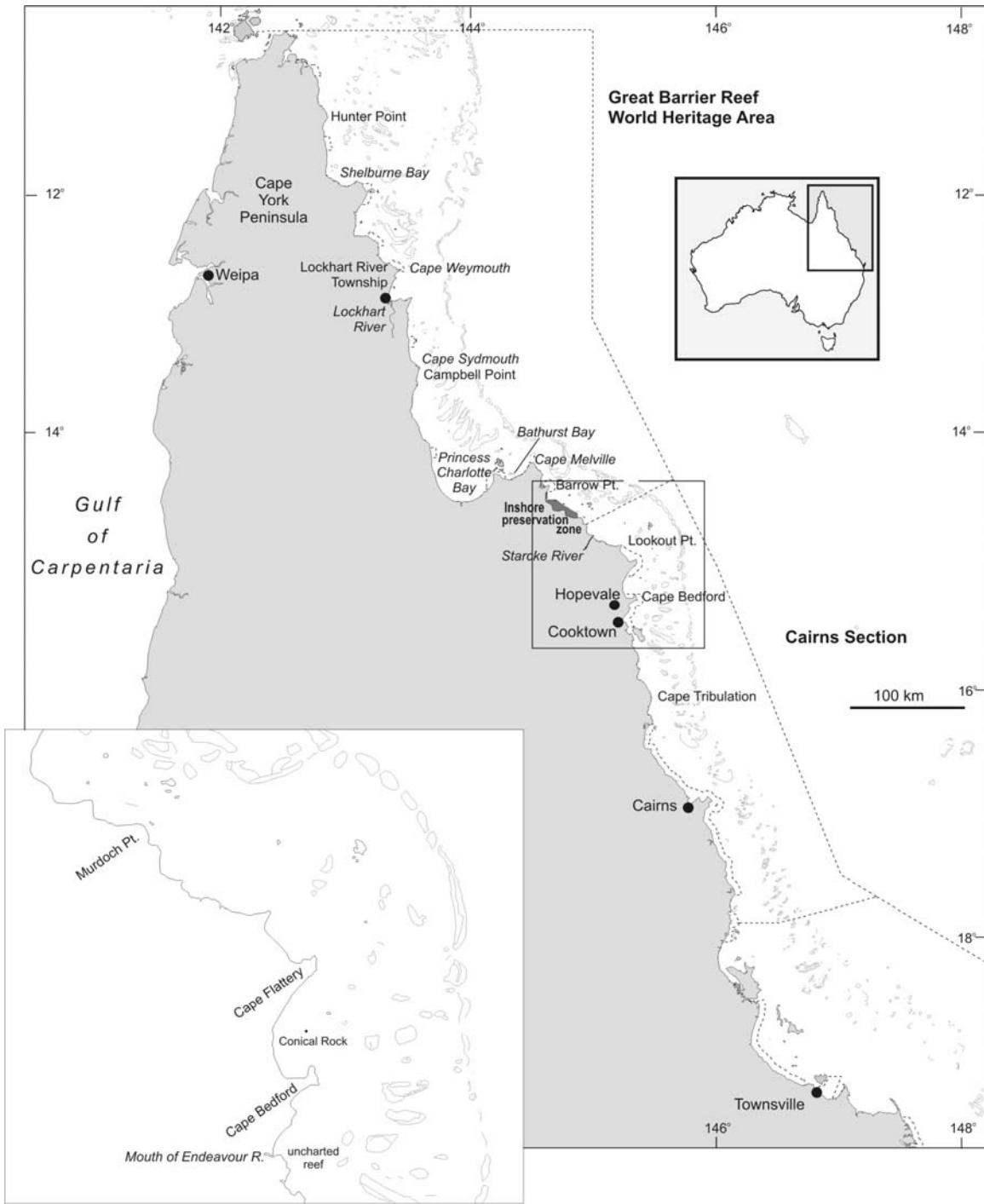


## 1.6. Rationale for the Study

The integration of Indigenous cultural rights with biodiversity protection can be explored

in multiple dimensions. Sillitoe et al. (2002) argue that research of this nature will also

necessitate a bridging between the natural and social sciences in order to be able to

explicate Indigenous knowledge 'to technocrats and policy makers so that they can appreciate its relevance' (Sillitoe 2002a, p. 19). Cundhill et al. (2005) highlight that research can be used to develop transdcisiplinary approaches which can then be applied within management.  Wilshusen et al. (2002) and Brechin et al. (2002) context this debate by arguing that current biodiversity initiatives overlook key aspects of social and political process including: i) the moral standpoint; (ii) legitimacy; (iii) governance; (iv) accountability; (v) learning; and (vi) non local forces. Specifically, Brechin et al. (2002) point to a lack of systematic case study analysis of conservation programs:

> project shortfalls may result from problems of implementation rather than concept. To better understand this so called "implementation gap", practitioners need to evaluate organisational performance. Key questions that arise in this context include organisational performance for whom? Who defines success and failure of organisational efforts? Based on what criteria? What organisational arrangements work and which ones do not and why? (Brechin et al. 2002 p. 56).

They conclude with the suggestion that the challenge of biodiversity protection is one of enjoining social justice with nature protection. Social justice in this context is defined as including three broad principles:

> (i) the right to participate at all levels of the policy making process as equal partners, (2) the right to self representation and autonomy, and (3) the right to political, economic, and cultural self-determination (sovereignty) (Brechin et al. 2002, p. 45).

My thesis makes a direct contribution to the emerging literature examining the politics of conservation and the contested nature of biodiversity resources. I add to the growing body of case study research within Australia about Indigenous and marine resource management, such as that provided in the work of Baker et al. (2001) in 'Working on Country' and Petersen and Rigsby (1998). My research takes a specific focus to provide insights into how the social and political forces in this context operated on a conservation program, in this case the establishment and implementation of the Hope Vale Plan.

As shown in Chapter 9, this thesis adds the dimension of considering how cultural survival and biodiversity protection could be achieved within the rubric of developing common discourse understandings. Building on studies of how discourse operates in resource management (Attwood and Arnold 1992; Christie and Perrett 1996; Trigger 2000, 2003; Brosius 2001; Butteriss et al. 2001; Chuenpadgee 2004; Selfa 2004 and Armitage 2005), my research considers the impact and role of different discourse understandings, or 'ways of seeing' in resource management occurring within Indigenous and Management Agency Australian domains. As Baker (1999) observes in relation to Yanyuwa perceptions of landscape:

> An important issue raised by trying to see the landscape through the eyes of those who lived in it is that these different eyes have both seen different things and, even when viewing the same thing, have often perceived things differently (Baker 1999, p. 8).

My research takes the next step of contributing to the literature that considers the need for social justice in conservation by developing guidelines for socially just conservation that could be used within conservation programs and making practical suggestions that advocate a whole of government approach to this problem (Chapter 11).

The thesis also contributes to cross cultural methodological studies (Smith 1999; Gibbs 2001). My presentation of a five-stage methodology in Chapter 4, and reflections on its efficacy in practice, is relevant for future researchers wishing to undertake research in Indigenous communities.

This research also contributes to the development of better understanding of the ways in which socio-economic disadvantage continually effect Indigenous well being, and how socio-economic factors must be considered within environmental management programs where they involve Indigenous peoples. As outlined in Chapter 4, Indigenous

disadvantage is a core element that must be addressed if social justice and biodiversity

outcomes are to be achieved. This position is echoed within the outcomes document of

the members of the Australian Future Directions Forum (AFDF 2006), who recently

declared that:

> the ending of Aboriginal and Torres Strait Islander peoples (Indigenous)
> disadvantage is the number 1 priority of the 2006 Australian Future Directions
> Forum. We stand diminished as a nation unless we act immediately and decisively
> to address the marginalization of Indigenous people across all areas of life (AFDF
> 2006, p. 22).

 Finally, my thesis makes a contribution to species management studies, by exploring the

social and political dimensions of threatened species management in an Indigenous

context. As highlighted in Chapter 2, definitions of co-management and community-

based management vary, and the Hope Vale initiative has been understood as both by

different parties. I am thus taking the position that the Hope Vale Plan was a culturally

driven exercise in threatened species management which incorporated and reflected

elements of both models at various times. As such this work builds upon previous studies

of Green turtle and dugong management by Smith (1987), Kwan et al. (2001), Marsh

(2005, 2003a, 2003b), Havemann et al. (2005), and Kwan (2005). My in-depth

documentation of a community based natural resource management program also

provides valuable insights into the implementation of community based resource

management, co- management and adaptive co-management arrangements (McLain and

Lee 1996, Carlsson and Berkes 2005). These insights resonate with other case study work

from South Africa (Hauck and Sowman 2001, 2003a; Hauck and Hector 2003, Fabricius

et al. 2004), San Salvador (Christie et al. 2002, 2003) and Australia (Davies 1996, 1999,

2001; Davies et al. 1999; Baker 1999; Baker et al. 2001a, 2001b, 2001c, 2001d and Ross

et al. 2005). Overall, the use of discourse to explore biodiversity protection in an

Australian Indigenous management context gives the work a unique and original focus.

## 1.7. Overview of Thesis Structure

I use a sequential approach, adapted from Fairclough (1989, 1992, 2001a, 2001b) to develop the thesis structure including the processes of information gathering, examination of arguments and the presentation of conclusions. Figure 1.9. is a diagrammatic representation of my thesis. As outlined in Chapter 2, Stage 1 of my thesis focuses upon a social problem, which has a semiotic or linguistic aspect. Beginning with the social problem rather than more conventional research questions, is consistent with the critical intent of this approach (Fairclough 2001a). The investigation and analysis of the way discourses were constituted, contributes towards a better understanding of the issues and of each other by all stakeholders, thus facilitating change and leading towards improved management and/or policy arrangements for the future.

**Figure 1.9. Overview of Thesis Structure: Melissa Nursey-Bray**

**Stage 1** Introduce research focus: a problem, which has a semiotic (linguistic) aspect
**Chapters 1-4**: Introducing the Problem: (Indigenous hunting) and its semiotic aspect i.e. the ways in which discourse/s about Indigenous hunting of endangered species in protected areas impacts upon marine resource management. Includes literature reviews, theory and method

**Stage 4** Identify solutions to the obstacles inhibiting resolution of the problem
**Chapters 11-12** Identification of a management solution (socially just conservation framework) that addresses the factors (obstacles) that inhibited the effective implementation of the Hope Vale Plan (resolution) and addresses the issue of Indigenous hunting of endangered species in protected areas (the problem)

**Stage 2** Identify the way in which resolution of the problem is reflected within social relations
**Chapters 5-9**: The factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. In this case the 'problem' is the issue of Indigenous hunting of threatened species in a protected area and the 'solution' is the Hope Vale Plan. Includes overview of case study, history of Hope Vale Plan and analysis and synthesis of data from Hope Vale and Management Agencies using discourse analysis.

**Stage 3**: Consider whether the social order (network of practices and social relations) in a sense 'needs' the problem; and whether therefore the resolution of the problem entails a radical restructuring of the social order
**Ch 10**: Considers whether the Hope Vale community and Management Agencies 'needed' the Hope Vale plan to fail to maintain existing social (power and knowledge) relations

Building upon the information I provided in chapters 2-4, Stage 2 of my thesis identifies the factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. Fairclough (2001a) describes this part of the research process as being the identification of the problem being resolved through an examination of the way in which social life or relations are constituted. In this case the 'problem' is the issue of Indigenous hunting of threatened species in a protected area and the 'solution' is the Hope Vale Plan.

Through an examination of the text in the Hope Vale Plan and analysis of the face-to-face interviews I conducted with Hope Vale community members and Management Agency staff, I illustrate how language (different discourses about hunting, planning and management) is constituted within the social relations (i.e. knowledge /power relations) within my case study. I therefore obtain broader insights into what barriers or constraints operate to inhibit the effective resolution of the issue of how to undertake natural and cultural resource management of Green turtles and dugongs.

Stage 3 considers whether the social order (network or practices) actually *needs* the problem to exist and whether, therefore, the resolution of the problem entails a radical re-structuring of the social order. This Stage forms the analysis and discussion for Chapters 10 and 11. These chapters reflect on what the 'needs' are of both the community and the institutions that are involved in the field of Indigenous hunting management. Therefore, I ask in Chapter 10 if some of those involved in the Indigenous hunting arena, *needed* the Hope Vale plan to 'fail' in order to maintain and consolidate the status quo? Further, did authority and decision making structures remain stable? Will resolution of the 'problem' entail a radical re-working of how institutions (Management Agencies) and Indigenous people work together along the GBRWHA? Do those involved really want these

solutions or are the discourse differences between Hope Vale and Management Agencies maintained for a reason?

Stage 4 identifies possible solutions to the obstacles I identify in Stage 2 and thus, is a crucial complement to Stage 2. This stage identifies opportunities for changes in how social relations are currently organised. This section focusses on the gaps and the contradictions in the ways power and knowledge relations are socially manifest. Chapter 11 then provides responses to some of the obstacles and difficulties identified in Stage 2 including how to integrate mutually agreed and negotiated terms of parity into management processes. I outline guidelines for management within a methodology for socially just conservation designed to ensure the incorporation of social justice into management, thus alleviating the tension between cultural survival and biodiversity conservation objectives. Stage 4 can then be linked to Stage 1, by enabling the lessons learned from all previous stages to now be input into the next planning srage or initiative. In this way, planning can be implemented in a circular fashion, allowing participants to learn from mistakes and continually evaluate and improve in future efforts.

Overall, I use this structure to investigate my *thesis* or argument, that the use and understandings of language in resource management reflect power and knowledge relations, which in turn influence and impact upon the effectiveness of natural resource management programs, such as in Hope Vale. By obtaining joint discourse understandings, natural resource management programs within protected areas would have less chance of failing and provide an opportunity to integrate social justice for traditional owners within biodiversity protection programs. In this context, Chapter 2 of

this thesis reviews the key literature relevant to Indigenous hunting, management,

planning, social justice and conservation.
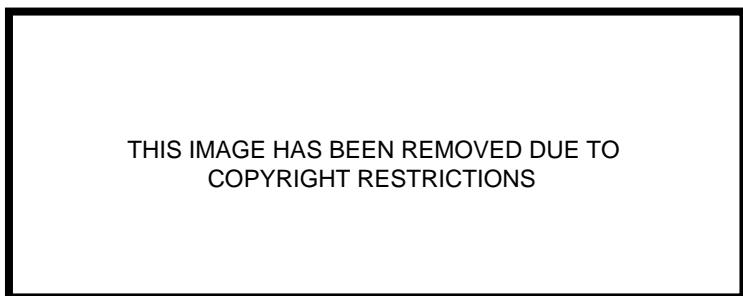
Hope Vale Elder teaching children, 1970s, Hope Vale. *Source:* Lutheran Archives, Adelaide.

## Stage 1. Chapters 2-4

## Stage 1 Overview

Stage1 of this thesis presents the research problem: how to achieve Indigenous cultural survival and biodiversity conservation. Chapter 2 presents a summary of the main themes in the literature within Indigenous hunting studies, resource management and social justice and conservation, to context the relevance of the study in wider fields.

In Chapter 3, I outline how the use of discourse theory and analysis enables me to focus my research on the 'semiotic' or linguistic aspect of the problem of Indigenous hunting of threatened species in a protected area. I build on this approach in Chapter 4 where my methodology is explained. This approach enabled me to gather information about the ways in which knowledge and power relationships are reproduced in community and institutional settings and subsequently manifest as discourses about hunting, planning or management.

**Stage 1** Introduce research focus: a problem, which has a semiotic (linguistic) aspect
**Chapters 1-4**: Introducing the Problem: (Indigenous hunting) and its semiotic aspect i.e. the ways in which discourse/s about Indigenous hunting of endangered species in protected areas impacts upon marine resource management. Includes literature reviews, theory and method

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**Ch 10:** Considers whether the Hope Vale community and Management Agencies 'needed' the Hope Vale plan to fail to maintain existing social (power and knowledge) relations

## 2.0. Literature Review
## Hunting, Resource Management and Indigenous Peoples

### 2.1. Introduction

This literature review provides a basis for understanding the cultural importance of Indigenous hunting and the significance of cultural survival objectives within initiatives aimed at Indigenous biodiversity protection and management. The chapter is presented in three sections. Firstly, I provide an outline of the cultural dimensions of hunting and why Indigenous hunting remains an important expression of contemporary culture. I also examine what strategies Indigenous peoples are utilising in their attempts to maintain this cultural expression. Secondly, I review the different resource management models available to Indigenous peoples as they work towards achieving self-determination and cultural protection within the rubric of conservation and biodiversity management programs. Finally, I analyse studies that promote resource management alternatives based on the incorporation of social justice dimensions into biodiversity protection regimes. I consider whether or not these approaches constitute viable alternatives to other existing and well established resource management programs.

This review provides the international and historical academic context for understanding the parameters and factors at play within the Hope Vale Planning process and how such factors may impact on the successful implementation of biodiversity management programs that provide for the protection of both cultural and natural values.

## 2.2. Hunting: Defining the parameters

Hunting for nutrition, economy, culture and recreation has been an ongoing human activity for millennia. Lee (1988) defines hunting as the activity where one sets out:

> with the *intention* of obtaining food, an intention that governs the behavioural operations of search, pursuit (in the case of a mobile quarry) and capture which, successfully accomplished, bring about its realisation. Gathering, whose consequence is the aggregation and transport of foodstuffs to a central place, begins at this point (Lee 1988, p. 271).

Robinson and Bennett (2000) note that hunting currently contributes a minimum of 20% of animal protein in rural diets in at least 62 countries worldwide. Numerous studies have highlighted the nutritional value of hunting in South America (Dufour 1983; Flowers 1983; Yost and Kelley 1983), South - East Asia (Robinson and Bennett. 2000), and Australia (Altman 1987, 2000; Davies et al. 1999; Kwan 2005).

Hunting is also a significant component of local contemporary Indigenous economies. Visitors to Nunavut, Canada, for example, pay $2.9 million per year to participate in the polar bear sport hunt held each year (Wenzel 2005). Estimates suggest the total value of production of wild meat in Sarawak is about $3.5 million per year (Robinson and Bennett 2000). In the Amazonas State, Brazil, rural populations annually kill up 'to 3.5 million vertebrates for food' (Bennett and Robinson, 2000 p.3). Altman (1987, 2003) points out that hunting remains important to Aboriginal economies in northern Australia. A national survey of Indigenous and Recreational Fishing in Australia highlights the significance of hunting and fishing to Australian Indigenous peoples (Henry and Lyle 2003).

Poaching is another activity that provides economic benefits to many hunters. For example, poacher co-operatives in South Africa openly target abalone and rock lobster over legal limits and quotas (Hauck and Hector 2003; Hauck and Sowman 2003b, 2003c). In Tanzania, approximately 160,000 migratory and resident animals are illegally

hunted annually in the Serengeti National Park, yielding about 11,950 tonnes of bush meat per year (Hofer et al. 2000, cited in Loibooki et al. 2002).

Given the core function of hunting and gathering in both ancient and now modern Indigenous societies, it is not surprising that the subject of hunting has attracted scholarly interest. As the next sections show, studies into hunting and Indigenous harvesting of wildlife have told the story not only of early evolution and primitive societies and traditions, but have progressed to address core issues of adaptation and cultural maintenance in the face of modern pressures.

## 2.3. Indigenous Utilisation of Wildlife: Early Studies

A review of early studies into the Indigenous utilisation of wildlife begins with an examination of hunter-gatherer studies, a discipline that was formally consolidated with the 'Man the Hunter' Conference of 1966 and the publication of *Man the Hunter* (Lee and De Vore 1968; Burch 1994).

Early pioneering work by Radcliffe-Brown (1913, 1918, 1930), Kleindienst and Watson (1956) and Steward (1955) re-invigorated the academic debate about social evolution, and 'firmly situated hunters and gatherers as the centrepiece for discussions about human evolution' (Foley 1988, p.207). Studies charted the differences between Iron and Stone Age societies (Hall 1988) using skeletal records to make conclusions about the effects of stress and seasonality within hunter-gatherer societies (Yesner 1994). Studies into hunter-gatherer societies also added to knowledge bases about evolutionary ecology and palaeontology (Alden –Smith 1988; Spriggs 2000). Resource intensification emerged as a key indicator that reflects change and evolution in human society (Lourandos 1988) and helped to build understandings about resource harvesting activities. For example,

Marquardt (1984, 1988) and Palsson (1988) used marine and fishing activities to highlight the stages and change in ethnographic conditions in hunting societies over time. Other studies highlight the many different technologies and modes of production that characterise different hunter-gatherer societies, and include the documentation of the theories of delayed versus return societies (Woodburn 1982, 1988), optimal foraging society (Durham 1981; Keene 1983; Ingold 1988; Kelly 1991) and stratification (Silberbaeur 1972, 1994). Table 2.3.1. provides a synopsis of this literature.

**Table 2.3.1**: Different Theories of Modes of Production for Hunter-Gatherer Societies

| Mode of Production | Definition | Authors |
|---|---|---|
| Delayed vs. Return Society<br>- Sedentism<br>- Subsistence<br>- Cooperation<br>- Societal flux | Immediate return societies are those with economies in which people get immediate returns from their labour as against delayed return societies in which people make investments such as cropping, fire management or asset and food storage that will yield returns later on (Woodburn 1988) | Lee 1968, 1969, 1988; Denham 1974; Barnard 1979; Testart 1982, 1988; Ingold 1983, 1987a, 1987b; Henry 1985; Hill et al. 1985; Hitchcock 1987; Pedersen and Woehle 1988; Woodburn 1988; Sponsel 1989 |
| Optimal Foraging Theory | 'An attempt to explain hunter-gatherer subsistence activities as part of general strategies for optimal resource procurement, based on the assumption that hunter-gatherer survival and reproduction is maximised when the techniques of resource harvest optimise the returns per unit of time and/or energy expended (Durham 1981, p. 219). | Durham 1981; O'Connell and Hawkes 1981; Lee 1981; Yesner 1981, 1984; Bird-David 1982; Alden-Smith 1983; Martin 1983, 1985; Pykes 1984; Inglis 1988 |
| Stratification (structural functionalism, social conflict, and dependency theories) | The levels of level of hierarchical and other types of social, gender, ethnic, economic, or political organization that is necessary in order for complex societies to function, e.g. A socially stratified society is characterised by organised social structures | Levi-Strauss 1953; Sahlins 1958, 1960; Hiatt 1962, 1965; Damas 1963, 1969, 1988; Strehlow 1965; Meggitt 1966; Turnbull 1978, 1981, 1983; Bern 1979; Rouland 1979; Briggs 1982; Silberbauer 1982; Woodburn 1982; Barnard 1983, 1991; Watanabe 1983; Edwards 1987; Ingold et al. 1988a, 1988b; Sharp 1988, 1994; Tonkinson 1988; Kolig 1989; Fiet 1994; Hayden 1994; Yesner 1996 |

## 2.4. Cultural Change and Indigenous Hunter-Gatherer Societies

Clearly, early hunter-gatherer studies attracted wide interest, with a core focus on the documentation of such societies in their 'traditional' form. Many lessons were learnt about how early human societies work, evolution, varying modes of production and cultural traditions. Nonetheless, hunter-gatherer societies have sustained intense pressure from and been greatly impacted by European colonisation and globalisation (Ingold 1988a, 1988b; Burch 1994a; Battiste 2000; Grim 2001). Hunter-gatherer studies have since progressed to investigating the impacts upon hunter-gatherer societies of these external factors and their effects which have included societal fragmentation, fracturing, displacement and loss (Bird-David 1988; Colchester 2004).

For example, the imposition of western property rights has had major cultural ramifications for hunter-gatherer peoples. Territoriality and land use based on the notion of individual ownership has impacted on cultural values (Andrews 1994) such as the imposition of western legal systems on the territorial boundaries of the 79 Wakashan speaking groups in the north-west coast of North America, which disrupted traditional management methods for salmon stocks and in turn, affected the ongoing maintenance of traditional customs and culture (Donald and Mitchell 1994). A clash of property systems has had significant cultural repercussions within hunting regimes for the Cree of Quebec (Scott 1988). Extant common property and common pool resource regimes remain challenged by this clash of property systems, particularly in the area of fisheries (Osherenko 1988; Pinkerton 1989; Ostrom 1990, 1999; Hauck and Sowman 2001).

Such studies into the impacts of colonisation and globalisation upon hunter-gatherer societies also charted a change in direction for the field as researchers began to consciously construct hunter-gatherer peoples as being 'Indigenous'. Hunter-gatherer

studies thus converged over time with the field of Indigenous studies. Such studies include accounts of hunter-gatherer peoples and lifestyles but also document the attributes of Indigenous cultural survival, the diversity between Indigenous hunter-gatherer societies  (Anderson 2000; Batianova 2000; Briggs 2000; Chindina 2000; Goulet 2000; and Golovnev 2000), and investigate trends in Indigenous cultural re-vitalisation and the maintenance of Indigenous cultural identity and mores[4] (Altman and Peterson 1988; Endicott 1988; Myers 1988; Scott 1988; Burch and Ellanna 1994; and Kaare 1994).

My research is positioned within this domain, and investigates the management of Indigenous hunting of Green turtles and dugongs by members of the Aboriginal community of Hope Vale, Australia. Consistent with Indigenous peoples world wide, the Guugu Yimmithirr people of Hope Vale maintain traditional hunting practices within the constraints (and advantages) of modern society. Along with other Indigenous hunter-gatherer societies, Hope Vale people have both been transformed by and are meeting the challenges of imposed societal change in innovative ways. Ancient traditions are continuously evolving as  modern facets are incorporated into established cultural forums. Explicitly, these changes are highlighted in the adaptive strategies such societies have adopted to consolidate cultural identity, gender roles, and hunting practice and values. Cultural norms such as subsistence, property relations, sharing, respect, gender relations and hunting practices are being transformed and re-enacted (Endicott 1988). The Yolgnu people of Australia for example, have adapted their cosmology and clan relationships to modern conditions to reinforce their own distinct cultural identity without compromising it (Morphy 1983, 1993). Indigenous assertion of cultural identities through the development of such strategies not only ensures cultural resilience and survival but

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[4] 'Mores' refers to 'the customs and conventions embodying the fundamental values of a group or society' (The Collins Dictionary and Thesaurus 1992, p.649)

also highlights the ability of Indigenous cultures to transform and survive in the face of modern pressures. As Freeman (2005) notes, in spite of the cultural loss sustained by these societies, this flexibility and ability to implement adaptive strategies make it clear that, 'not every element of a people's current cultural inventory needs to survive for them to continue functioning as self-determining people' Freeman (2005, p. 69).

## 2.4.1. Identity

Accordingly, Indigenous hunting now plays a crucial performative role in the consolidation and re-vitalisation of Indigenous cultural values. This role extends well beyond the function of hunting as a dietary and subsistence activity. Hence hunting is important as a contemporary as much as a traditional activity (Freeman et al. 1998).

> Animals and hunting are inextricably woven into the world view of many cultures; to be a hunter is essential in gaining respect, achieving manhood, or winning a bride' (Bennett and Robinson 2000, p.4).

For the Inuvialuit peoples also, hunting is a core tenet of identity:

> Hunting is the activity, above all others, that sustains the full expression of Inuvialuit values and identity…contributing to the maintenance of social, cultural, physiological and spiritual well being (Freeman et al. 1992, p.40).

The Ainu of Japan have similarly transformed and maintained their cultural identity despite government pressure to do otherwise (Irimoto 2000). Despite adaptation to modern technologies, Japanese whalers, who claim hunting is their 'traditional right' and cultural heritage, argue that 'Minke whale cuisine… remains vital for the maintenance of the continually changing Japanese whaling culture' (Iwasaki-Goodman and Freeman 1994, p. 400). The Ayoreode peoples of north-west Paraguay, in making adaptations to their local economy, have managed to participate in the market economy without compromising their cultural values (von Bremen 2000).

In Australia, the maintenance of traditional hunting in contemporary society also plays a core role in enabling Indigenous peoples to maintain physical connection to their marine estates ('sea country') and uphold their customary marine tenure (Peterson and Rigsby 1998). The Yanyuwa in northern Australia for example, have a complex and sophisticated identity in relation to the maritime environment that is reinforced through ongoing practice of marine hunting (Bradley 1998, 2001). Other examples highlight the importance and ongoing practice of Indigenous connection in marine contexts including: the Yawuru in Western Australia who perceive the marine environment as fundamental to understanding their social organisation (Sullivan 1998); the peoples of the Whitsundays (Barker 1998); the peoples in the Northern Territory (Bagshaw 1998; Cooke and Armstrong 1998; Memmot and Trigger 1998); and the Torres Strait Islanders (Johannes and MacFarlane 1990, 1991; Sutherland 1995; Peterson and Rigsby 1998; Southon 1998). All of these Indigenous peoples maintain active hunting practice.

Within my case study region, the Great Barrier Reef World Heritage Area, Indigenous hunting remains an ongoing and dynamic cultural tradition for most of the 70 Indigenous groups still living along that coast (Jull 1993). Traditional hunting of marine species constitutes a core part of extant cultural activity and identity of the 'sand beach' people of the north-eastern-Cape York Peninsula (Chase and Sutton 1981, 1987; Rigsby and Chase 1998). Green turtle and dugong hunting is also a significant expression of cultural identity for the peoples of Hope Vale (Smith 1987; Nursey-Bray 2000; Marsh 2003a, 2003b) and the Torres Strait (Kwan et al. 2001).

### 2.4.2. Sharing

The practice of sharing is another ongoing cultural practice, which has been maintained and transformed within contemporary Indigenous societies in interesting ways. A core

cultural more for most Indigenous hunting societies, sharing foods is still embedded within current hunting practice for the Batek peoples of Malaysia and remains an important indicator of existing and changing power relations within those groups (Endicott 1998). The Jahai people in Malaysia have incorporated sharing practices into their cosmology, thus enabling an ongoing recognition of the ideological dimensions of sharing in a modern context (Van der Sluys 2000). The Inuit use the cultural practice of sharing to build relationships between kin and 'outsiders', thus utilising traditional practice to mediate outside influences (Guemple 1988) and impacts upon their societal mores.

In the context of a globalised world, these ongoing sharing practices enable Indigenous peoples to reinforce their identity as a group or community. Sharing helps build community respect, brings families together and provides a positive rationale for why such practices should be maintained. These attributes also play a key role in reinforcing the importance of respecting the needs of the community, over and above the focus on the individual that characterises globalisation. This practice is all the more important when one considers the relative poverty or difficult socio-economic conditions in which most Indigenous peoples live. The practice of sharing in such situations is not only important to maintaining old traditions, but is also a mechanism that can facilitate cultural survival in hard economic times.

### 2.4.3. Respect

The maintenance of sharing rituals is also closely linked to the cultural importance that the notion of respect still holds in Indigenous societies. Respect in this context is all encompassing and incorporates all aspects of life. Again, the practice of hunting illuminates how respect is operationalised. Respect towards both animals and each other

retains high cultural importance in modern hunting and Indigenous societies. Sharing the take from a hunt denotes respect for the animal, and an understanding of your place in the world in relation to others. Respect is integral to the maintenance of cultural identity and crucial to successful cross-cultural contact. For example, traditional prayer rituals have been adapted by the Okiek of Kenya so that they remain embedded in the complex but communally understood series of relationships that beget and enshrine respect within the contemporary community (Kratz 1988). Respect also plays a key role in maintaining cultural practice within contemporary Inupiat communities in North Alaska:

> [*Respect*] is considered basic to maintaining a healthy environment between human and non-human beings with whom the environment is shared… hunters and their families have an obligation to show respect to those non-human beings that supply their food and other necessities, and in turn, the non-human beings reciprocate by being willing to be taken by worthy human persons…apart from the respect that must be shown towards whales during the hunt, celebrating the life-sustaining food the whale has given to the community requires appropriate expression of the actual hunt (Freeman 2005, p 67).

### 2.4.4. Gender

The imposition of Western cultural values through colonisation has also had significant impacts upon how Indigenous societies understand gender relations as exemplified by the changing gender roles within Indigenous hunting regimes (Kratz 1989; Tonkinson 2000). As noted by Bedenhorn (1990), women now hold a pivotal role within hunting activities, which have previously primarily been a male domain. Gender differentiation amongst the Biaka pygmies in Central Africa for example highlights the increasingly important role women now play in customary harvest activities (McCreedy 1994). In the Chipewyan culture, women, conventionally categorised as having little power, now employ mechanisms to exercise control and power over those accepted as being of superior power or knowledge in relation to them (Sharp 1994).

In Australia, the power and role of women in the modern world has been transformed as Aboriginal women's traditional responsibilities in relation to contemporary cultural protection have evolved to be much more active (Mearns 1994). Gender issues and role transformation in Jigalong, Australia provides a good example of the changing roles for women in Indigenous hunting culture:

> Their [*woman's*] status has shifted from one of structural inequality in a traditional society to one more equal in terms of women's capacity for independent action and their successful (but not uncontested) assertion of this degree of autonomy (Tonkinson 2000, 357).

In the realm of natural resource management, and as discussed in Chapters 7-10, this shift in the status and role of women is important as Indigenous women have taken up the challenge of participating within the domain of hunting management, and other traditional male domains. This change has had ramifications not only for the enactment of current cultural hunting practice, but also for gender and wider social relations on the ground. For example, in Australia, the involvement of Indigenous women in modern institutional arrangements, (such as being a councillor in the local shire council), gives women decision making powers that often conflict with traditional (and male dominated and driven) decision making processes. As discussed in Chapters 6, 7 and 9, this is a challenge that the women in my case study met in interesting ways.


## 2.5. Different Cultural Notions and Attitudes to Hunting

When interacting with external parties, Indigenous societies often face active and sometimes organised opposition to their hunting activities (Lothian 1994). Opposition to hunting activities occurs in three areas: (i) technology, (ii) animal rights and (iii) sustainability.

## 2.5.1. Technology

The introduction of modern technologies has had a significant impact on the practice of hunting *per se.* As Mena et al. (2000) note of the Huaorani of the Ecuadorian Amazon Basin:

> the cultures of forest-dwelling people are fast changing. New and modern technologies have affected the lives and livelihoods of these people…changes in hunting technology can have a significant impact (Mena et al. 2000, p. 58)

As Robinson and Bennett (2000) highlight in a series of case studies, one result of the adoption of modern technologies into hunting practice has been an increase in the number of animals caught, and the emergence of concern by scientists and conservationists now worried about the effect of Indigenous hunting on species survival. Indigenous hunting has been re-conceptualised as including 'traditional' versus 'contemporary' activity, a discussion dominated by debate on the relative merits and appropriateness (or not) of using traditional or modern weaponry for traditional hunting activity. While the ability of Indigenous communities to modify traditional practices in contemporary society is an indicator of cultural resilience, the use of modern technology puts Indigenous cultures under scrutiny.

In Australia for example, attitudes towards Indigenous hunting, particularly Indigenous hunting of protected species (or in protected areas) are mixed. In 1986, a study undertaken for the Council for Aboriginal Reconciliation found that there was strong acceptance for reconciliation, but this did not extend to acceptance of Indigenous rights to utilise wildlife (ALRC 1986). A seminal study exploring attitudes to hunting as part of an ongoing debate over Indigenous hunting in national parks identified four main objections to hunting in national parks, technology being a key facet of this debate (Ross 1994). The four objections were:

> (i) National parks are declared to protect natural landscapes, natural systems and biodiversity, not to encourage the destruction of resources; (ii) allowing Aborigines to hunt in national parks will endanger species; (iii) if hunting is permitted, Aborigines should have to use traditional technologies; and (iv) if permission to hunt was granted only to Aborigines it would be discriminatory to non-Aborigines, or, 'one law for us and another for them' (Ross 1994, pp. 2-3).

A parallel study investigating attitudes towards traditional hunting in national parks in Queensland found that more than 30% of interviewees opposed hunting on the grounds it was: (i) discriminatory against non-Indigenous peoples; (ii) that Indigenous peoples don't need to hunt any longer, and have lost their value systems; and (iii) that traditional hunting conflicted with the concept of national parks as sanctuaries (Ponte et al. 1994). Other studies deliberating the pros and cons of hunting frame the debate within a 'black/green' context, and the extent to which conservation and Indigenous imperatives come together (Head 1990, 2000; Pearson 1991; Sackett 1991; Horstman 1992; Toyne and Johnston 1993; Dwyer 1994; Evans 1997; Beynon 2000; Fien 2000; Hewlett 2000; Aken 2001).

## 2.5.2. Animal Rights

Opposition to Indigenous hunting is often on the grounds of animal rights. Ethicists and animal rights activists who oppose hunting often base their arguments on ethical grounds.[5] Some ethicists are particularly concerned with the relationship between suffering and pain, arguing that animals have lives that are of equal worth to humans and that therefore to kill them is immoral. As Bentham (1789) argues 'the question is not can they reason nor can they talk, but rather, can they suffer?' Proponents of animal rights

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[5] Much of the literature on sport hunting is dominated by ethical discourse about the cruelty of hunting. I have chosen not to discuss this as it is not relevant to my thesis, but the arguments against Indigenous hunting are consistent with those in the sport hunting literature.

build upon this theme and argue that if an animal can suffer, and can experience pain, then killing it is cruel and therefore wrong:

> pain is bad and [that] humans are not the only creatures to feel pain or suffering, therefore, when humans take life, the rights of the creature being killed to decide its own fate need consideration. This leads to the assumption that humans are responsible not only for what they do but also for what they could have prevented (Singer 1991, p. 35).

To animal rights advocates or some ethicists, the cultural mores of western society deem that hunting turtles, dugongs, whales, seals and polar bears is cruel and unnecessary, even if conducted for subsistence purposes and sustainable (Singer 2000). Anti-whaling activists in Australia reflect on the needlessness of whaling (Prideaux 2000), pointing to species survival and sustainability as key issues.

Indigenous peoples often take a very different view. The Inuit for example, conceptualise the killing of whales as an essential manifestation of the respect and trust relationship between themselves and the animals (Freeman 2005). As Wenzel (1991) adds:

> Those who hold an animal rights perspective on Inuit hunting have developed an airtight argument that rejects the legitimacy of contemporary Inuit sealing and, as well, any need to understand another culture in its own terms (Wenzel 1991, p. 59).

Similarly, Indigenous peoples of Australia, argue that their traditional butchering techniques must be maintained in order to maintain the sacredness and spirituality of the hunt (Nursey-Bray 2003).

### 2.5.3. Sustainability

Indigenous hunting activity is also the target of scientists and others who argue that hunting activity, especially where it is reliant on modern technologies, is often unsustainable. The term 'sustainability' is also a key concept that is perceived differently

between Indigenous and non-Indigenous cultures. The word sustainability derives from the verb 'to sustain meaning, to hold up, to bear, to support, to provide for, to maintain, to sanction, to keep going, to prolong and to support the life of' (Chambers Concise Dictionary 2005). The Brundtland Report (Brundtland Commission 1987, p. 8) defines sustainability as that which 'meets the needs of the present without compromising the needs of future generations to meet their own needs'. Sustainability is a core value up-held by western resource managers, and frequently used as a conceptual arbiter in management decisions or recommendations to manage or cease hunting practice, particularly when the target species is endangered or rare. Sustainability has since been used to define the parameters of resource management world wide, and is embedded in international and local policy.

By employing the notion of sustainability, management responses to managing the sustainable harvest of species will often include: (i) setting sustainability goals within management plans; (ii) ensuring the maintenance of population densities (so that even in the case of harvesting and use, species populations will not decline); and (iii) creating the conditions for sustainability (Robinson and Bennett 2000). Conditions for sustainability could include: (a) that harvest must not exceed production; (b) that management goals must be clearly specified; and (c) that the biological, social and political conditions must be in places that allow an appropriate use and management (Robinson and Bennett 2000).

In Australia, Management Agency pre-occupation with ensuring that the conditions for sustainability are met can be found in documents such as the 'National Framework for Management of Turtle and Dugong' (MACC 2005).

While the term 'sustainability' is used by Indigenous people as a discourse tool they do not necessarily concur with western notions of the term. Indigenous peoples argue that their cultural practice, if conducted appropriately, is inherently sustainable, and baulk at having restrictions placed on them (Suzuki and Knudston 1992; Happynook 2000; Greaves 2001; Grim 2001). For example, in Australia, some traditional hunting rules for dugong place restrictions on taking pregnant dugongs, and prescribe the seasons for harvesting a clutch of Green turtle eggs, mechanisms designed to ensure species sustainability.

Together, the dimensions of technology, animal rights and sustainability continue to act as factors framing debates about Indigenous hunting today. These debates are summarised in Table 2.5.3.1 below:

| **Table 2.5.3.1.**<br>Synopsis of Factors influencing the attitudes held by Non-Indigenous individuals and groups on the issue of Indigenous hunting |
| --- |
| • Status of species (i.e. large or small numbers)<br>• Traditional history of hunting practice - recreational or centuries old<br>• Feral or native species (pig or kangaroo?)<br>• Symbolic/ charismatic character (koala, cassowary, dugong)<br>• Technology used – contemporary or traditional?<br>• Killing technique – quick or slow (torturous or merciful)<br>• Identity of hunter – Indigenous or non Indigenous<br>• Purpose of hunt – subsistence, cultural practice or money?<br>• Where hunt is taking place (protected area, or Indigenous land)? |

## 2.6. Contesting Views and Conflict

These differences in perspective between Indigenous and non-Indigenous views on what constitutes appropriate hunting practice in relation to animal rights, sustainability and technology, are also clearly evident when competing perspectives confront each other. Such differences can also create conflict, between the actors within a resource management initiative, between Indigenous peoples or between cultures. Conflict can be defined as 'any relationship between opposing forces whether marked by violence or not'

(Deloges and Gauthier 2001, p. 4). Castro and Nielson (2001, p. 229) argue that conflict in natural resource management is not only ubiquitous, but 'can threaten to unravel the entire fabric of society'. When Indigenous peoples cannot or will not change, or where the changes required necessitate unacceptable cultural compromise, disjuncture between cultures can develop into forums of conflict.

As the following excerpt shows, for the Japanese, under fire for their whaling activities, conflict with preservationists is common:

> The no-compromising stance by the preservationists only serves to prolong the conflict…disrespect and cultural intolerance prevail and self determination and the equitable development of traditional resource users are compromised…the whaling conflict continues because of the political will of preservationists who exclusively seek whales as an eco-political resource (Ohmagari 2005, p.163).

Conflicts such as this are partly explained by the fact that worldviews that underpin hunting activities are vastly different. For example, situations of conflict between different Indigenous sub-Arctic populations are caused by opposing visions about life (Goulet 2000) and the changes brought about by the impact of 'outsiders'. Similarly, conflicting perceptions caused violence between kin amongst the Agta people of the Philippines (Griffin 2000). In Australia, core differences exist between Indigenous and non-Indigenous constructions of wilderness (Langton 2000). Indigenous country is understood by Indigenous peoples as a landscape redolent with meaning and incorporates humans as part of it, including their past and present hunting practices. As Sultan et al. (1995) note:

> The term 'wilderness' as it is popularly used, and related concepts as 'wild resources', 'wild foods', etc., [are unacceptable]. These terms have connotations of *terra nullius* [empty or unowned land and resources]. As such, all concerned people and organisations should look for alternative terminology, which does not exclude Indigenous history and meaning (Sultan et al. 1995, p.3)

Thus Indigenous peoples perceive wilderness as a colonial construct that prejudices Indigenous access and use of country (Pratt 1994; Bird-Rose 1996, 1997; Langton 2000). In a marine context, this perception is consistent with Sharp's explanation that Indigenous Australians do not share the same understandings as non-Indigenous peoples who perceive there is no 'spatial division between land and sea', perceiving 'land and sea property as a seamless web of cultural landscape' (Sharp 1998, p.49).

Nonetheless, Indigenous peoples often demonstrate a resilience to conflict and respond to it in various ways (Gurung 1995). The Inuit have adapted to the ripples caused by societal change by establishing new cultural strategies to manage conflict (Briggs 2000) and threats to cultural identity (Omura 2005). The women of the headhunting society of the Ifuago in the Phillippines have developed peace making mechanisms based on local cosmologies that act as effective forums for keeping peace within an aggressive culture (Staniukovich 2000). In Honduras, managing conflict has been integral to maintaining cultural identity, equity and sustainability (Chenier et al. 1999).

In some cases, conflict situations can be a catalyst for the development of effective co-management collaborations (Buckles 1999). For example, managing conflict was an integral part of sustainable development programs in the Laguna Merin basin of Uruguay (Arrate and Scarlato 1999). In fact, Castro and Nielson (2001) argue that co-management can 'emerge as a response to conflict or be generated by a crisis' (Castro and Nielson 2001, p.232), a response they call 'crisis based co-management'. Nie (2001, p. 1) comments on conflicting views relating to wolf management programs in the United States, that enabled conservation interests use the wolf positively as a 'political symbol and surrogate for a number of socially significant policy issues'. Thus, there is a beneficial side to conflict if it generates positive or dynamic change:

> Conflict is an intense experience in communication and interaction with transformative potential. For marginal groups seeking to redress injustices or extreme inequities in resource distribution, conflict is an inherent feature of their struggle for change (Buckles and Rusnack 1999, p. 4-5).

The importance of understanding the relationship between modern Indigenous societies and the impacts of colonisation and globalisation and finding the means to resolve them is clear. As Merculieff (1994) suggests, two-way cultural exchanges must be adopted in order to enable mutual understandings of cultural differences and conceptions experienced between Indigenous and non-Indigenous cultures, and avoid unnecessary conflict.

Indigenous peoples have in fact taken steps that attempt to reconcile contesting cultural notions (Trigger 1999; Fienup-Riordan 2001; Toupal et al. 2001; Zingerli 2005). One approach has been to align cultural commonalities strategically in such a way that different cultures can 'speak' to each other. For example, the Penan of Malaysia evoked common frames of cultural reference in an anti-logging campaign to argue that from their perspective a forest is like a supermarket, and logging it the equivalent to driving a car through a Chief Minister's front yard (Brosius 2001). The Penan thus employed metaphors to drive home a cultural argument against logging and show that cross cultural integration and understandings can occur (Brosius 2001). Similarly, the James Bay Cree people attempted to find common ground with conservationists who were opposing their whaling practice by finding a cultural concept that both cultures held in common (Feit 2001). They re-formulated their discourse about hunting by using the metaphor of hunting as gardening to achieve cross-cultural resonance (Feit 2001).

> By joining meanings from both cultures, Cree elders show that we can understand representations of environment most effectively at the intersection of cultures but that we have to attend to the histories and uses of political and discursive strategies (Feit 2001, p. 445).

Indigenous peoples then are rising to the challenge posed by the threats to their cultures and exhibiting a high degree of resilience to change and loss. However, while Indigenous hunting will continue to reflect and represent the contemporary manifestation of traditional mores, ongoing enactment of these traditions is increasingly confronted by demands for biodiversity protection, especially in cases where traditional activities are being undertaken in protected areas, and concerns about species sustainability are raised. Collectively, Indigenous peoples around the world have responded to this problem by actively participating in and initiating a diversity of natural resource management programs. These initiatives include community based management programs that afford local communities a high degree of control and benefit, to co-management programs that build partnerships between Indigenous and other parties to achieve common outcomes. All of these programs attempt to bridge the gap between achieving cultural survival and biodiversity protection and they will be described in the next section.

## 2.7. Community Based Management: Different Conceptualisations and Definitions

Indigenous peoples in many countries are currently active in establishing their own resource management programs, or entering into agreements with government and Management Agencies in relation to biodiversity protection. Community based wildlife resource management is one model being trialled and characterised as 'regulated use of wildlife populations and ecosystems by 'local stakeholders' (Roe and Jack 2001; Roe et al. 2000a, 2000b 2002). Local stakeholders may comprise an individual, community or group of communities with a shared interest in the resource. Community based management programs often evolve from the need for Indigenous peoples to manage the local or regional utilisation of wildlife where it is recognised that the use is unsustainable

but maintains high economic, social or cultural value to the community (Davies et al. 1999, Coates 2002).

While community based management programs take many forms, they all attempt to meet three objectives: (i) ensuring that economic livelihoods will not be compromised by conservation initiatives (and preferably derive economic benefit from conservation activities); (ii) ensuring that participation in the program will play a performative role in consolidating and building cultural practice in a contemporary context; and (iii) ensuring Indigenous participation in the management of and decisions about their traditional land and seas. Davies et al. (1999) provide a detailed account of community based wildlife management initiatives in Australia arguing that Indigenous community wildlife management programs are:

> Contemporary actions or initiatives in wildlife and related natural resource management which are managed and controlled by Indigenous people, and which return benefit to Indigenous people. These may include traditional Indigenous management systems, overt use by Indigenous peoples of western scientific methods and technologies, and approaches, which combine these knowledge systems. Indigenous CWM involves a very high degree of control by Indigenous people and their organisations (Davies et al. 1999, p.5).

Community based management programs have been trialled in several African nations including Africa (Fabricius et al. 2002; Napier et al. 2005), South Asia (Kothari et al. 2000) and in western countries with large Indigenous populations including Canada (Pinkerton 1993, 1999; Robinson 1998; Robinson et al. *in press*), the United States and Australia (Pizzey and Robinson 1999; Treseder et al. 1999; Innes and Ross 2004; Ross et al. 2004a, 2004b; Marsh *in press,* Robinson et al. *in press*).[6] Reviews of these initiatives highlight some key lessons from such community wildlife or community based

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[6] Further detail on these initiatives is described in my Churchill Fellowship report which can be found at the following website <http://www.churchilltrust.com.au/public_html/03flwsrpts_c7.html>

management programs. These evaluations reveal two dimensions to the operational aspects of community-based management, the wildlife and people respectively. As Roe et al. (2000b) highlight in relation to the species being managed:

> The following characteristics appear to favour CWM: clear and defensible boundaries, management scale, relative scarcity, substantial value, relative proximity to the communities, predictability and ease of monitoring, seasonality in tune with livelihoods, and ease of utilisation (Roe et al. 2000b, p. vi).

Roe at al. (2000b) subsequently identify the following factors as vital for the successful implementation of community based wildlife initiatives:

- Ability to claim and secure tenure;
- Small-scale (social not spatial);
- Demand for, and dependence on, wildlife assets;
- Cultural significance of wildlife;
- Stakeholder identification and group demarcation;
- Institutions built on existing motivation;
- Representativeness and legitimacy;
- Adaptability and resilience;
- Effective rules, mutual obligations and sanctions;
- Balance between customary and statutory law;
- Negotiated goals;
- Conflict-resolution capability;
- Equity in distribution of benefits and social justice;
- Ability to negotiate with neighbours;
- Political efficacy and space to build community-government relationships
- Capacity for layered alliances;
- Confidence to coordinate external institutions (Roe et a. 2000, p. vii).

Providing the economic rationale for local peoples to support local management regimes is crucial, and an aspect that has been trialled in various community based management programs. The Communal Area Management Program for Indigenous Resources (CAMPFIRE) program in Zimbabwe and the Administrative Management Design for Game Management Areas (ADMADE) program in Zambia for example, provide for 'incentive conservation', providing landholders with an economic reason to maintain and sustain the natural resources on their land (Suchet 2001, Virtanen 2003). The conservancy program in Namibia is designed to provide social and cultural empowerment

and give communities the right to use and benefit from wildlife within community based conservation programs (Suchet 2001).

Community based management programs can also be allied to formal protected area management programs. The Transfrontier Peace Park program in Africa, for example, focuses on the provision of mechanisms that involve local communities in formal park management and biodiversity protection while ensuring this is not at the expense of the economic needs of the community (Phillips 1998; Zbicz 1999; Valli Moosa 2003).

Within these programs, the different stakeholders have competing management objectives: preservation, economic development or community empowerment. However, many programs rely on the implementation of regulatory mechanisms (Virtanen 2003). While the implementation of these programs relies 'on pragmatic reasoning, where economic rationality constitutes the main criterion' such programs typically fail 'to take into account the various non-economic values involved' (Virtanen 2003, p.179). This deficiency is highlighted in Zimbabwe, where government policy situates wildlife within the arena of land use economics, rather than conservation. As such the government's criterion for rangeland use outside of protected areas determines the economic competitiveness of wildlife versus domestic livestock (Virtanen, 2003, p.181). Roe et al. (2000b) similarly point out that protected area approaches to conservation face challenges because:

> (i) they have often failed in sustaining the wildlife populations they were designed to protect, (ii) they have usually failed to involve or benefit those who bear most of the costs of their establishment and (iii) they are rarely financially sustainable (Roe et al. 2000, p. iii).

Integrated Conservation and Development (ICAD) or the Integrated Conservation and Development Programs (ICDP) attempt to address this deficit by specifically linking biodiversity protection with local social and economic developments according to

customary law (Wells et al. 1992, 1999; Chape 2001; MacKinnon & Warojo 2001; Bismarck Ramu Group 2002). ICDPs generally occur within developing countries, where biodiversity protection programs are failing because the conservation programs do not sufficiently address the social and economic realities of Indigenous peoples. ICDPs are thus based on the assumption that protected areas will only survive in the long term if they are seen to be of value to both the nation *and* local people:

> Conservationists will increasingly need to identify opportunities where the meeting of development objectives requires sound environmental management and habitat protection, and biodiversity is a secondary beneficiary (Bismarck - Ramu Group 2002, p 2).

ICDPs have been implemented across South-East Asia and South America with varying levels of success (Janzen 2001; MacKinnon and Warojo 2001), and they continue to play an important role in building local and institutional capacity for strengthening biodiversity protection management programs (McCallum and Sekham 1997). In Australia, the Wuthathi people of the Cape York Peninsula have adapted the ICDP model to develop a land and sea management framework based on the principles of culture and conservation, a model underpinned by an expectation that conservation based enterprises will offer economic support (Nursey-Bray and Wuthathi Land Trust 2004). A level of protection for areas of high environmental and cultural significance may thus be achieved without formal legal protection.

In practice however, the implementation of the ICDP model remains fraught due to the difficulty of juggling competing social, economic and environmental objectives (Blomley and Mundy 1997; Monk 2001). Stevens (1997a, 1997b, 1997c) argues that resource management programs based on consultation and co-management often reflect not only

shared conservation goals but also the nature of the political compromises negotiated between governments and Indigenous peoples over territory and land management.

In reality, for these programs to succeed, 'trade-offs' must occur:

> The apparently complementary objectives of biodiversity conservation and empowerment of Indigenous people actually involve trade-offs, given that any level of resource use no matter how modest is likely to have a detrimental effect on biodiversity (Castro et al. 2001, p. 11).

Community based management programs are further complicated by the difficulties and contradictions caused by the free-market economy when attempting to reconcile social justice outcomes for Indigenous peoples and biodiversity protection:

> The olive branch of social development support in return for conservation is fraught with internal contradictions. In a market-driven economy, people constantly need more goods and services, whereas the essence of ecological consciousness calls for a desire for less and less (Uniyal and Zacharias 2001, p 23).

Relative to Indigenous peoples in developing nations, those in developed countries such as Australia, New Zealand or Canada often (as communities or interest groups) have less capacity to implement community based management programs. This situation is partly due to the legacy of colonialisation in these countries. This legacy has resulted in the marginalisation of Indigenous peoples and interests within the wider society. This situation is also partly due to the fact that where Indigenous people now constitute a minority population, it is harder for Indigenous views to be heard within mainstream forums. Subsequently, significantly less funding is available for investment in community based and controlled resource management activities. Moreover, national and state statutory frameworks prescribe what can and cannot be done on the country of Indigenous people. Thus for Indigenous people to be involved in decision making over their traditional land, they have to build partnerships with the resource managers who have statutory control. As the development of partnerships is a crucial element in co-

management (McNeely 1995a, 1995b), co-management models are providing an important alternative to community based management programs in developed countries in order to incorporate Indigenous cultural aspirations with biodiversity outcomes (Murphree 1991, 1996; Notzke 1995; Bomford and Caughley 1996a, 1996b; De Lacy and Lawson 1997; Gibbs 2003).

## 2.8. Co-Management: Definitions and conceptualisations

Approaches to co-management have evolved in two ways. First, co-management has been understood as a community based management approach, enabling community groups to develop partnerships with external parties while maintaining control of the resource management process overall, with the accrued benefits returning to the community. In this context Berkes (1998) and others conceptualise co-management on a broad societal scale. Alternatively, co-management can be defined as a specific partnership between Indigenous people and other parties, usually Management Agencies, or industry (i.e. tourism, the arts) as defined by Ross et al. (2004b) and Robinson et al. (*in press*) in the Australian context. Co-management when defined by the notion of partnerships is predicated on the understanding that equality between parties can be achieved, and that shared decision making will result in the implementation of shared and mutually agreed outcomes.

The difference between these two conceptualisations of management is important to my case study. As shown in Chapters 7, 8, 9, and 11 the Hope Vale Plan was variously understood as a community based and as a co-management wildlife initiative. These perceptions had significant ramifications for how the Plan was both received publicly and implemented over time. For example, this difference in understanding meant many players were confused as to whether Hope Vale people were 'resource managers'

(community based management) or in partnership with the 'resource practitioners' i.e. the Management Agencies (co-management). As shown in chapters 7, 8 and 9, this research highlights that conceptualisations and definitions of co-management differed markedly between different players, such as Management Agencies and Indigenous communities.

The literature on co-management however, reflects both the dimensions of control and partnership that are implicitly present in the both conceptualisations of co-management outlined above. For example, Borrini-Feyeraband et al. (2000) summarise co-management as follows:

> Co-management is a situation in which two or more social actors negotiate, define and guarantee amongst themselves a fair sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources (Borrini-Feyeraband et al. 2000, p. 1)

Pizzey and Robinson (1999) argue that co-management is 'an ongoing process that requires issues to be constantly clarified, explained, negotiated and understood by all stakeholders' (Pizzey and Robinson 1999, p. 47). Sharing power and responsibilities is an important facet of co-management, particularly between government and local resource users (Berkes et al. 1991). Co-management can thus also be defined as a form 'of environmental management in which Indigenous people and other parties share responsibility for management of a species, place or process in an equitable partnership' (Davies et al. 1999, p 5). Or as Hamaguchi (2005) adds, co-management is:

> a social institution whereby resource users and the government set particular goals and attempt to reach these goals on the basis of shared power and responsibility (Hamaguchi 2005, p.134).

Co-management may also be a process of self-reflexive problem solving and should embed 'equitable partnerships in management' (McKay and Jentoft 1996). Many studies go further to consider the components that constitute an effective model of co-

management in practice. Borrini-Feyeraband et al. (2000) identify four principles

necessary for effective co-management:

> (i) Recognising different values, interests and concerns involved in managing a territory, area or set of natural resources, both outside the local communities and within them;
> (ii) Being open to various types of NRM entitlements beyond the ones legally recognised (such as private property or government mandate);
> (iii) Seeking transparency and equity in natural resource management;
> (iv) Allowing the civil society to assume ever more important roles and responsibilities *(From Borrini-Feyeraband et al. 2000, p.4).*

Other key features to include in co-management models could include:

> (i) sharing responsibility; (ii) balancing power; (iii) cooperation; (iv) participation; (v) discussion; (vi) education and sharing of information; (vii) communication; (viii) consensus; (ix) flexibility; and (x) the use of traditional ecological knowledge and scientific knowledge (Iwasaki-Goodman 2005, p.114-5).

The importance of institutional arrangements in effective co-management regimes cannot

be underestimated (Murphree 1991, 1996). Property and institutional arrangements form

an important component of co-management models (Ostrom 1990). At a philosophical

level, the notion of property has been conceived as the struggle to define the essential

meaning of contested spaces. Such programs should acknowledge the multiple layers

within a community when establishing authority mechanisms and how the shaping of

power relations extends beyond the realms of local community boundaries, to involve

both local and external actors, and inevitably provoke the confrontation of different

knowledge systems (Brosius 1998; Bush and Opp 1999).

When establishing or identifying the institutional arrangements required for a co-

management program, a system of rights and obligations must be established, rules

governing actions must be set and procedures for collective decision-making must be

agreed to (Osherenko 1988; Berkes 1998). Inadequate governance or the 'efflorescence'

of current Indigenous governance structures within Indigenous resource management

programs is advanced by Hunt and Smith (2005) as one reason why community based resource management initiatives often struggle to stay afloat in the long term. As governance influences the management of common concerns (Borrini-Feyeraband 1990; Borrini-Feyeraband et al. 2000), arrangements must be in place to ensure practical self rule, capable governance institutions, and a cultural match (Nettheim 2001; Hunt and Smith 2005). Lebel et al. (2006) note that 'good' governance includes participation, representation, deliberation, accountability, empowerment and social justice. They also advocate the incorporation of organizational features based polycentrism, thus allowing societies to respond at appropriate levels. Governance is therefore not only an important consideration in the design of a co-management program, but vital to its successful implementation as well.

Implicit in all co-management programs is the belief that all resource users are to be involved and that this involvement should be on equal terms. For example, studies of co-management trials demonstrate that co-management *per se* will not be achieved without the active cooperation and participation of the resource users (Pinkerton 1993). To ensure active participation of resource users over time, Berkes and Folke (2002) argue that incorporating resilience to change into co-management is vital. They add that integral to building sustainable social-ecological systems is the need to equip them with the mechanisms that will enable co-management programs to withstand change. For example, organisational participation and the linking of institutions in management both vertically and horizontally (i.e. across agencies as well as through hierarchical regimes) must be considered so as to achieve:

> Multi-level co-management arrangements and multi-stakeholder bodies (Berkes 2005, p. 25).

As co-management implicitly consists of various partnerships, it is a particularly useful concept for the implementation of collaborative marine management programs between Indigenous peoples and Management Agencies. Several case studies along the Great Barrier Reef demonstrate the aspirations of Indigenous peoples to develop co-management partnerships over their sea country (Nursey-Bray and Rist 2002, 2005; Ross et al. 2004b, 2005). Such programs also enable Indigenous peoples to participate within existing statutory frameworks that would otherwise constrict opportunities for Indigenous decisions making over country. This approach is supported by Ross et al. (2004b) and Robinson et al. (*2005*) who argue for a conceptual framework within which to negotiate mutually beneficial outcomes for management. They argue that this will: (i) enable a focus on productive areas, (ii) avoid wasting time on non-negotiable issues, and (iii) mobilise creative tension to invite creative new solutions.

Most recently, the concept of co-management has widened to incorporate the principles of adaptive management, known as 'adaptive co-management' (Carlsson and Berkes 2005). Folke et al. (2005, p. 462) define adaptive co-management as:

> flexible community-based systems of resource management tailored to specific places and situations, and they are supported by and work with various organizations at different levels

In a review of adaptive co-management they outline four features of importance in ensuring adaptive governance of complex socio-ecological systems including:

- To build knowledge and understanding of resource and ecosystem dynamics;

- To feed ecological knowledge into adaptive co-management practices

- To support flexible institutions and multi-layered governance systems; and

- To deal with external perturbations, uncertainty and surprise (Folke et al 2005, pp 462-464).

Olsson et al. (2004, p.1) in a case study analysis of an ecosystem management initiative in Southern Sweden, also highlight the efficacy of adaptive co-management, defining adaptive co-management as 'creating fundamental feedback loops between social and ecological systems'.

Embedded within adaptive co-management is the concept of adaptive governance (Dietz et al. 2003), which widens the focus from adaptive management of ecosystems to incorporate social contexts and enable effective ecosystem based management. Boyle et al. (2001) define governance as the 'mechanism by which trade offs are resolved, with governance being the means of operationsalising the management initiative. In this context, Olsson et al. (2004) focus on governance as a change strategy for dealing with uncertainty and provide 30 different adaptive co-management strategies that guide local processes in wider contexts. Adaptive co-management also stresses the need for institutional and environmental management systems to be flexible, reflected in the literature on polycentric institutions.

Polycentrism focuses on the need for systems of governance to exist at multiple levels yet preserve levels of autonomy in each. Berkes (et al. 2003) emphasise the usefulness of polycentric governance to the solution of problems of migratory marine resources. Where species management falls within multiple jurisdictions (including cross borders), polycentric organization can support the integration of degrees of authority with overlap in different jurisdictions and systems of authority. A further characteristic of adaptive co-management is that it can help build resilience (Lebell et al. 2006), by providing the flexibility to incorporate different knowledge systems (Cundill et al. 2006) and build

bridges across scales of knowledge (Gunderson and Holling 2002, Brosius 2006) in effective ways. This feature is particularly useful in cross cultural contexts.

As with community wildlife approaches (Roe et al. 2000a, 2000b, 2002), co-management or adaptive co-management initiatives, whether based on partnerships or community control, face significant challenges in implementation. Internationally, trials of co-management programs provide important lessons on issues associated with the implementation of co-management of marine areas and provide synergies with co-management trials in Australia.

A key lesson is the need to acknowledge how power and knowledge work within local management initiatives, and the role power and knowledge relations play in determining equitable outcomes. A co-management trial in San Salvador for instance, identified that 'the interaction of groups of individuals with grossly unbalanced levels of influence and power, is likely to result in inequitable social arrangements' (Christie et al. 2003, p. 246). Local political processes are thus hugely influential (Christie et al. 2002, Christie 2004). In this context, a degree of alienation throughout the designing of a co-management initiative is to be expected rather than feared, highlighting that arrangements must initially focus on the community and ensure ongoing support and continuity of external personnel and financial support (Christie 2003). Other studies point to the institutional constraints inhibiting protected area funding (James 1999). The importance of building in the time and mechanisms to enable participants to learn from mistakes is highlighted in a case study of co-management in San Felipe, in the Yucatan, Mexico:

> Co-management, while widely recognised as an important tool for sustainable resource management, is not easily achieved without a process of trial and error (Chuenpadgdee 2004, p. 147).

A review of 10 marine co-management programs in South Africa provides further

insights into the lessons learned from the implementation of marine co-management

regimes. This study found that:

> (i) securing access rights over resources is a fundamental requirement; (ii) lack of commitment/support from government had a major impact; (iii) capacity building and empowerment is important as is; (iv) effective local and community representation and accountability; (v) fragmented objectives had a negative effect; (vi) there is a need to provide and consult on alternative economic opportunities; (vii) enforcement and compliance strategies need implementing; (viii) projects suffered from limited resources and unrealistic time frames; (ix) long term champions were important as was; (x) the implementation of long term monitoring and evaluation programs (Hauck and Sowman 2001).

In Australia, these challenges also exist where marine co-management partnerships are

being built between Australian Indigenous peoples and Management Agencies. George et

al. (2002) identify a series of issues that need to be addressed as the first port of call for

developing effective marine co-management partnerships between Indigenous peoples

and management

> (i) The resolution of commercial harvesting of species;
> (ii) Indigenous use of marine areas;
> (iii) The sustainability of species;
> (iv) The closure of seas;
> (v) Clarification of and building of relationships between all stakeholders;
> (vi) Overcoming cultural and institutional barriers to sharing power and decision making;
> (vii) Ensuring collective ownership of the process;
> (viii) Role definition throughout the process;
> (ix) Financial resourcing and capacity building needs;
> (x) Development of shared goals and understandings of key terms such as conservation;
> (xi) Respect for different knowledge systems;
> (xii) Development of appropriate negotiation processes (George et al. 2002, pp22-23).

Co-management then, has many desirable attributes as a mechanism for Indigenous

engagement in natural resource management. Nonetheless as highlighted, problems

remain to hinder successful implementation in the long term. Fundamental to

understanding these difficulties is the acknowledgement that co-management regimes

have rarely been effective at integrating both community needs and expectations regarding cultural survival with Management Agency responsibilities for biodiversity protection. In the last fifteen years, the incorporation of economic well being into conservation has been through the development of incentives and compensation rather than embedding economic well being *per se* within political and social societal structures (Wilshusen 2003a, 2003b). The challenge of achieving equity for Indigenous peoples in the management of natural resources in protected areas remains largely unresolved (Borrini-Feyeraband 1996, 1997).

## 2.9. Social Justice and Conservation

Increasingly, partly in response to the difficulties experienced within resource management initiatives to date, scholars and natural resource management practitioners are advancing the need to incorporate social justice agendas within Indigenous natural resource management programs. Social justice in the natural resource management arena goes beyond ensuring economic equity and equality but incorporates social and political dimensions (Hobson 2004). Brechin et al. (2002) and Wilshusen et al. (2003) both define social justice in this area as being based on three principles:

> (i) the right to participate at all levels of the policy making process as equal partners; (ii) the right to self-representation and autonomy; and (iii) the right to political, economic, and cultural self-determination (sovereignty) (Wilshusen et al. 2003, p. 15).

They argue that conservationists have 'a special social responsibility to work in ways that promote increased social welfare in resource-dependent communities' (Wilshusen et al. 2003, p. 16). As Howitt (2001) argues, resource managers must go beyond the technical sophistication, and obstacles that currently underpin or impede current sources of societal power and credibility to:

Envisage existing complexities, but also to envisage new worlds – new ways of approaching the tasks of resource management consistent with the core values of social justice, ecological sustainability, economic equity, and cultural diversity (Howitt 2001, p.12).

Developing a professional literacy within natural resource management programs in a way that incorporates the vision of other cultural domains would embed social justice within such initiatives and help provide Management Agencies achieve biodiversity protection and be culturally appropriate within resource management. Howitt (2001) suggests that this can be done by the adoption of different ways of seeing, thinking and doing within natural resource management:

> ***Ways of Seeing***
> Visualising the complex context in which resource management decisions are made in the 'real' world. Applying critical but not dismissive perspectives on our own and other people's knowledge of resources preferred futures**.**
> ***Ways of Thinking***
> Conceptualising and theorising the relationships and processes of resource management in new ways that take account of the complex contexts in which they are embedded. This approach requires a way of thinking about issues and factors conventionally categorised as 'externalities' as internal and integral rather than as external and marginal**.**
> *Ways of Doing*
> Applying a professional literacy that grasps the socio-cultural, politic-economic and biophysical complexities of resource management, rather than only the technical, financial or engineering complexities. This would render visible the geo-political implications of decisions (Howitt 2001, p.9).

Some models have already attempted to incorporate social justice dimensions by embedding equity in decision-making (Faust and Smardon 2001). For example, the Community Conservation Interface model (CCI), focuses on a more interactive process of setting goals and objectives that are reasonable and achievable, on consensus building, and developing interdisciplinary and partnership approaches, and possessing ideal attributes (Dovie 2000). Specifically, the CCI model advances:

- The incorporation of value systems, indigenous skill and knowledge as well as livelihood adaptive strategies into management and research;
- The quick identification, assessment and minimization of conflicts in management;
- Equipping management at higher levels (mostly political) of decision making with knowledge about Indigenous value systems;
- The provisions of equal opportunities for stakeholders' empowerment;
- The facilitation and provision of skill and knowledge to diverse groups on management (Dovie 2000, p.2).

Similarly, the Emphatic Learning and Action (ELA) model focuses on iterative and 'emphatic learning' about different paradigms so that parties in the management process can learn from each other and build new, re-designed actions based on those new understandings (Purcell and Onjoro 2002). The International Labour Organisation World Bank Canadian International Development Agency (IWCK) has also constructed a management model based on the need to develop parity between all parties, actioned by the development of common discourse understandings (Purcell and Onjoro 2002). The IWCK model is predicated on the understanding that different understandings and linguistic interpretations matter within and impact upon management regimes. This model tries to develop management processes that maximise knowledge diversity while finding ways to build bridges of understanding between different discourse frameworks.

These approaches specifically focus on prioritising the issues of cultural identity, knowledge, values, power, parity and equity within management rather than conventional funding, scientific, ecological or planning priorities. These models consciously incorporate mechanisms that can facilitate the autonomy, equity and parity consistent with Wilshusen et al.'s (2002) interpretation of social justice. Such models move away from the structural nature of both co-management and community based wildlife management regimes, to create processes that may be applied to either while also achieving cultural survival and biodiversity protection goals. It is due to the lack of

structural flexibility in both models that I suggest a third alternative based on social justice in Chapter 11.

## 2.10. Summary

It is evident that Indigenous peoples both as resource managers and in partnership with resource practitioners have developed and trialled a diversity of management regimes with a view to maintaining cultural practice and achieving biodiversity protection. There are however strong tensions between biodiversity and cultural survival objectives. In some cases management models have attempted to achieve both goals through embedding economic opportunities *within* conservation regimes and others have tried to operationalise both objectives concurrently.

To date however, reflections on the usefulness of these models have tended to focus on one or the other objective, with 'lessons learned' focussing on the tangible mechanics of, rather than the intangible dimensions of the program such as the moral issues or the implicit interplay within social relations. As such, even programs that attempt to integrate political and social justice dimensions, attempt to do so in practical, structural ways such as establishing plans of action, or role definition.

My research synthesises the three strands of Indigenous and hunter-gatherer resource management, management models and socially just conservation found within the literature with a view to developing coherence and synergy amongst all these dimensions. I do this using discourse analysis as an enabling tool to develop unity in understanding between the two management agendas. This approach can lead to the development of common understandings within management programs and reveals the power and knowledge relations that are determining the social and political interplay between all parties.

This chapter outlined the major themes within the literature on hunter-gatherer studies, co-management and the emerging field of determining how to develop natural resource initiatives that take into account the social needs of the resource users. This chapter provides the structure for the thesis by identifying the components underpinning the challenges faced by Hope Vale and Management Agencies in their attempt to implement the Green turtle and dugong Indigenous hunting initiative along the GRBRWHA. To undertake my research, I used discourse analysis as a conceptual frame, and it is to the application of discourse, and my methodological approach that the next chapters turn.

## 3.0. Theory

**Chapter 3**

**Why are power, knowledge and discourse important to natural resource management?**

## 3.1. Introduction

In chapter 3, I introduce the notion of discourse, its theoretical utility and its potential to provide a mechanism for analysing the Hope Vale Turtle and Dugong Hunting Management Plan. The theoretical basis of this thesis is derived from the work of the French philosopher Michel Foucault.

## 3.2. The nascence of discourse

Discourse theory or discourse analysis, most prominently explicated by Michel Foucault (1969, 1972, 1973a, 1973b, 1977) draws from the philosophical heritage of post-modernism and post-structuralism, both of which consider the value of language and its significance and challenge embedded societal notions such as truth, reason and science.

The term 'post-modernism' first coined by Lyotard, is construed as:

> incredulity toward metanarratives. The post-modern would be that which, in the modern, puts forward the unpresentable in presentation itself. A post-modern artist or writer is in the position of a philosopher; the text he writes, the work he produces are not in principle governed by pre-established rules, and they cannot be judged according to a determined judgment (Lyotard 1984 pp. xxiii – xxiv).

Seidman and Wagner (1992) note that post-modernism obliterates the notion of 'science *itself* is the *only* privileged form of reason or medium of truth'. Or as Gare (1995, p.4) argues, post-modernism involves a loss of credibility of grand narratives, which in turn 'is essentially a loss of belief in "progress"'. Other post-modern thinkers such as

Baudrillard (1983) and Deleuze and Guattari (1977, 1987) build on this rejection of grand narratives in relation to the concepts of reality, truth and reason.

A rejection of the great narrative is also consistent with post- structuralist ideas that emphasise the need for reflexivity and logical practice in textual analysis. Post-structuralism thus emerges as another theoretical approach to analysing texts that emphasises the need for reflexivity and logical practice (Bourdieu 1992). As such, post-structuralism continues the focus on language but shifts the emphasis from its physical structure to the meaning underlying it.

Post-structuralism is associated with the attack on the idea of an absolute or single truth, a dismissal of any centre, the acceptance of plurality, and a rejection of reason and humanism (Barthes 1967, 1988; Lacan 1977). Specifically, Derrida (1967, 1972, 1978) advanced a notion of deconstruction which is a theory and practice of reading that teases out the differences and contradictions within texts to reveal the different ways meaning can be manifest. Deconstruction is based on the view that language and meaning are inherently unstable, and that words and texts constantly undermine and deconstruct themselves. Thus Derrida's notion of deconstruction is based on his view that language is a closed, stable system, with a delimited structure of meaning, and as such must be critiqued (Norris 1987). Structuralists argue that reality as it is commonly understood is composed of deep structural principles, and that language is consisted of basic resources (*langue*) from which individual instances of its use are drawn (*parole*) (Levi-Strauss 1953; de Saussure 1983). Deconstruction can be used to explore the relationship between the text and what the text aims to represent, but can or does not. This process is based on the assumption that all texts are mediated, and that 'truth' is variable and unstructured. As such deconstruction is concerned with offering an account of what is going on in a text,

not by seeking out its meaning, or its component parts, but also by identification of its

relationship to other texts, its contents, its sub-text. Deconstruction highlights not only

the substance of the text that is present, but also highlights what is not there (Silverman

1993, 1997). Pedynowski (2003) for example, deconstructs the meta narrative of science.

Derrida (1967) argues that this process as a powerful one, one that facilitates an

understanding of ways forward through the identification of gaps in the text:

> 'Deconstruction questions the thesis, then, the positionality of everything…we
> have to study the models and the history of the models and then try not to subvert
> them for the sake of destroying them but to change the models and invent new
> ways of thinking – not as a formal challenge, but for ethical, political reasons. The
> deconstruction process seeks to reveal what the text itself has overlooked. It is a
> form of what is called imminent critique; the power of deconstruction is to show
> where something has been overlooked, not because of the blindness of the author,
> not because the critic is smarter or better, but because that is the way things are'
> (Derrida, 1967, p.51).

Post-structural ideas also imply a shift in focus away from the human subject as *agent* to

the idea of discourse as *constitutive* of subjects, and above, all, a firm denial of

representation. Barthes (1988) and Rorty (1992) describe 'anti representation', as the

rejection of structure, symbols, and frameworks with which the western world previously

invested life and societal direction with meaning.

Both post-modern and post-structuralist thinkers thus challenge the legitimacy of science

in the modern world, and reject its dominance as the universal explanation for the way

things are. Post-modern and post-structuralist thinkers also provide the origins of a

particular approach to language, truth and discourse. In this context, the writings of

Foucault (who self-identified as neither post-modern or structuralist) writings on

discourse make the prominent contribution to modern philosophy, and it is his ideas that

are used to provide the theoretical base for my thesis.

## 3.3. What is discourse?

Foucault (1977) considers that discourse and discursive practice are based on the essential premise that there is no fixed truth or meta-narrative:

> Truth is a thing of this world: it is produced only by virtue of multiple forces of constraint. And it induces regular effects of power. Each society has its regime of truth, its 'general politics'' of truth, that is, the types of discourse, which it accepts and makes function as true (Foucault 1977, p. 131).

Further, in tracing the historical evolution of notions of 'truth', 'progress', 'reason' and 'science', Foucault (1972) reveals discourse as:

> sometimes the general domain of all statements, sometimes as an individualisable group of statements, and sometimes as a regulated practice that accounts for a number of statements (Foucault, 1972, p.80).

Discourse analysis therefore is not just about language but also about *discursive practice*; the process of interaction between people that practice that same language form. Discourse, in its simplest sense, can be expressed as 'ways of seeing', 'all utterances and texts which have some meaning and which have some effects in the real world (Mills 1997). Schiffrin (1994) constructs discourse as part of social interaction where language, culture and society are grounded in interaction. MacDonnell (1986) defines discourse as follows:

> A discourse as a particular area of language use may be identified by the institutions to which it relates and by the positions, which it marks out for the speaker. The position does not exist by itself, however. Indeed, it may be understood as a standpoint taken up by the discourse through its relation to another, ultimately opposing discourse (MacDonnell 1986, p. 3).

Discourse can be an enabling mechanism that allows bits of information to be put together into coherent stories or accounts (Dryzek 1997). Thinkers within the school of critical discourse analysis (CDA) interpret discourse as a form of 'language use and a specific form of social interaction, interpreted as a complex community event in a social

situation' (Van Djik 1985)[7]. Fairclough (1992) for example notes that discourse is simultaneously text, discursive practice and social practice. Wodak (1996) argues that discourse implies a dialectical relationship between a discursive event and the situation, institutions and social structures that frame it. That is, there is a direct relationship between what is being said (discourse) and what is being done (action) which together constitute discursive events:

> Discourse, the mere fact of speaking, of employing words, of using the works of others (even if its means returning them), words that the others understand and accept (and possibly return from their side), this fact is in itself a force. Discourse is, with respect to the relation of forces, not merely a surface of inscription, but something that brings about effects (Foucault 1977, p. 51).

As Hall (2001) notes, for Foucault, discourse is not about whether things exist but about where meaning comes from.

Discourse then can be seen as 'representing social practice (s), as a form of knowledge, as the things people say about social practice(s)' (Wodak 2001a, p.9). Discourse is a combination of narrative and social process, which provides the opportunity to interpret information at multiple levels.

Foucault (Foucault and Gordon 1980) also argues that discourse and discursive practice must be understood in relation to their manifestation as part of the relationship between power and knowledge. Foucault particularly focuses on the organisation of and relation between knowledge, power and history. In his *Discipline and Punish* Foucault makes this explicit noting:

> We should admit rather that power produces knowledge; that power and knowledge directly imply one another; that there is no power relations without the

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[7] Critical Discourse Analysis (CDA) is specifically discussed in the method Chapter (Chapter 4), as it is CDA that was applied in the analysis of my data.

correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations (Foucault 1979, p.28)

As such, Foucault is concerned with *how* power works, not *who* wields it. Foucault (Foucault and Gordon 1980) perceives power in *all* social relations and argues that power relations are specifically reflected in the way knowledge is organised within society. In this sense, discourses are not just constituted as *subjects* of knowledge and power, they are literally constituted as *beings within* the discourses (Foucault and Gordon 1980; Rabinow 1984; Jose 1998).

This distinction is crucial; it is not enough to construct discourses as simply different points of view, they are also material manifestations of existing power/knowledge practices. The idea that discourses are somehow external to themselves is erroneous.

Unlike the classic thinkers such as Galtung (1967) and Lukes (1974, 1994) (described later), Foucault's (1972) discourse theory is based on his belief that we are all encompassed within relations of power, and constituted as beings by networks of power; which are in turn, constituted by knowledge (Rabinow 1984). For Foucault (Foucault and Gordon 1980), the main components of discourse theory involve the examination of: (i) the formation /development of discourses; (ii) their deployment in struggle; (iii) their relative articulation over a series of historical events; and (iv) their transformation or mutation (Foucault 1972; Noal 1998).

Exploration of these concepts necessitates developing an understanding of the relationship between power and knowledge that is embedded in all aspects of discursive and non-discursive practice.

As power, knowledge and their relationship to discourse theory each have a vast literature, the purpose of the following section is to summarise the parameters defining each of these notions, how they relate to each other and their relevance to my thesis.

## 3.4. Knowledge

Knowledge in western terms is the collection of 'facts' enshrined in texts that explain how the world works within each party's knowledge realms such as politics, history, science, biology and economics. Knowledge can be constituted in many different ways such as insider/outsider knowledge, religious knowledge, scientific knowledge, medical knowledge and legal knowledge (Sillitoe 2002b).

Knowledge can be held individually, collectively or within an organisation. Knowledge can be symbolic, academic or material. Finally, as Kassam (2002, p. 77) notes, knowledge 'is situational and processual. It reflects shifting political realities. It is also never neutral'. Knowledge is also constituted differently in different cultural contexts.

Western knowledge systems tend to be linear, sequential, and follow scientific principles, whereas for Indigenous people's knowledge is more circular; different knowledge systems operate concurrently and feed back within a community in various ways (Sillitoe et al. 2002). For example, European based cultures have a hierarchical, individualist knowledge base, one that is exercised and ruled by the elite majorities while Indigenous peoples (First Nations peoples) have a world view that is holistic and 'based on equality, connectedness, and harmony between humans and nature' (Croal and Darou 2002). As outlined in Chapters 7, 8 and 9, the contest between western and Indigenous knowledge systems characterises the attempts to implement the Hope Vale Turtle and Dugong Hunting Management Plan.

Western and Indigenous approaches to knowledge also differ. As Sillitoe (2002a, p. 9) notes whilst describing the characteristics of Indigenous knowledge systems:

> Indigenous knowledge is community based, embedded in and conditioned by local tradition. It is culturally informed understanding inculcated into individuals from birth onwards, structuring how they interface with their environments. It is also informed continually by outside intelligence. Its distribution is fragmentary. Although more widely shared locally on the whole in specialised scientific knowledge, no one person, authority or social group knows it all. There may be a certain asymmetry here, some clustering of certain knowledge within populations… It exists nowhere as a totality, there is no grand repository, and hence no coherent overall theoretical model, although it may achieve some coherence in cosmologies, rituals and symbolic discourse…It is the heritage of practical everyday life, with its functional demands, and is fluid and constantly changing, being dynamic and subject to ongoing local, regional and global negotiation between people and their environments.

Sillitoe (2002, p. 110) delineates further differences between Western and Indigenous Knowledge typifying the different systems as follows:

> ***Indigenous Knowledge:*** Subordinate, oral, teaching through doing, intuitive, holistic, subjective and experiential;
> *Western/Scientific Knowledge***:** Dominant, literate, didactic, analytical, reductionist, objective and positivist.

In the western world, while access to knowledge is mediated by power and resource constraints, it is theoretically 'open' to access by all. Science is a 'common pool' resource. Knowledge in an Indigenous context is distributed, held and maintained by different members of society and strictly adheres to various delineations which prescribe specific responsibilities in relation to that knowledge. For example, in Australian Indigenous society, certain people have knowledge of specific customs, sacred sites and areas of country for whose upkeep and care they are responsible. Men and women have specific knowledge responsibilities (Bell 1978). This is also a crucial element for effective Indigenous resource management. As Baker et al. (2001a) note:

> For Indigenous peoples throughout the world, traditional ecological knowledge, their unique body of knowledge of the environment that they hold, is a key component of their approach to resource management (Baker et al. 2001a, p. 4).

However, discussions of both Western and Indigenous knowledge are often idealised, and miss their nuances, intra-cultural differences and flaws. Both have strengths and weaknesses that need considering when assessing their relative efficacy for application in resource management regimes. For example, as Sillitoe (2002) reflects the investigation of the two systems can lead to idealised notions of Indigenous systems, that are inappropriate in a day to day modern context by constructing it as static:

> Tradition suggests timelessness, whereas knowledge is ever changing and dynamic (Sillitoe 2002, p. 108).

Moreover the characteristic of each system almost counterpoint each other in terms of their strengths and weaknesses. For example, the circular, holistic nature of Indigenous knowledge in action, while enabling trial and error and encouraging adaptive learning, by implication can also lose focus with actors subscribing to this system often distracted by other events and things as they proceed. Conversely, the linearity of Western scientific knowledge systems will enable a concentrated, goal oriented focus which can drive projects to a momentum which enables achievement of project objectives. However, this approach in being so focussed is more inflexible, and reductionist making it more difficult for innovations to be implemented, and for processes to be re-started or have new beginnings in the light of lessons learned along the way. Another key difference between the two is the essentially local nature of Indigenous knowledge and the global nature of Western scientific knowledge. This has obviously implications for management; while the local emphasis is important to obtain community involvement and support in management, the reality is that local societies now also operate in a modern globalised world, and depend on outside goods and services to survive. In this context, the prominence and dominance of Western science plays a crucial role,

especially in the realm of obtaining funds and ongoing support. Moreover, often it is only science can address modern environmental problems through the advice that scientific technology can bring.

Clearly, the relationship between the two systems is complex, and one solution would be to construct them as a spectrum of relations or continuum, along which different parties are situated, thus avoiding the naïve tendency to attempt to integrate the two:

> We are not talking about two tenuously connected knowledge traditions separated by a cultural – epistemological gulf, but rather a spectrum of relations (Sillitoe 2002, p. 111).

In so doing some of the unequal power relations caused by these difference and similarities could be equalised. Purcell and Onjoro (2002, p. 164) note that in natural resource management this is important because 'the social relations in which power inhere are often those between the representatives of Indigenous knowledge and Western knowledge'.

## 3.5. Power

Knowledge, however it is constructed and developed, cannot be fully understood without its associative notion, power. For example, it is the way in which the power and knowledge relationship between organisations (such as GBRMPA) and Indigenous communities (such as Hope Vale) manifest and shaped discourse about the hunting, planning and management of Green turtles and dugongs along the GBRWHA that impacted on the ongoing implementation of the Hope Vale Plan.

Power can be defined in many ways. Wolf (cited in Wilshusen et al. 2003a) talks of power as structural domination, that is, 'the power manifest in relationships that not only

operates within settings and domains but also organises and orchestrates the settings themselves, and that specifies the direction and distribution of energy flows (Wolf cited in Wilshusen 2003a, p. 49). In this sense, structural power is that which is implemented in tangible ways. However, to fully understand structural power one must also understand the institutional and cultural expressions through which it is made manifest. Concepts of power can thus include cultural laws and other factors such as the dominant ideology. In this context, Gramsci (1971) conceives of power as 'hegemony' where power is a key form of ideological control operating through traditions, myth and morality.

Different forms of power can be woven together in systemic ways. For example, Lukes (1974) offers a basic framework within which to conceptualise power in three contexts: (i) simple democratic pluralism, (ii) non participation (2-dimensional), and (iii) manipulation of interests (3-dimensional). This framework provides an understanding of the relationship between the ability of Management Agencies to: (i) effect change, i.e. *agency*[8], and (ii) structure i.e. the institutional rules that bind action.

Howitt (2001, p.99-100) also employs Galtung's (1973) 'mini-theory of power' to explore how power works within the natural resource management arena. Galtung's (1973) model distinguishes between two concepts of power: (i) power over others, and (ii) power over oneself. The first type of power means having power at the expense of others; the latter does not remove power from anyone. Galtung (1973) also identifies three channels through which power is exercised (i) ideological, (ii) remunerative and (ii) punitive as cited by Howitt (2001) as follows:

> Ideological power is the power of ideas. Remunerative power is the power of having goods to offer, a 'quid' in return for a 'quo'. Punitive power is the power

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[8] 'Agency' refers to transformative human action and 'societal structure' to that which shapes people's practices (which in turn replicate social structure).

of having 'bads' to offer; also called force, violence' (Galtung 1973, pp33-4, cited in Howitt 2001, p.100).

Finally, Foucault argues that 'power is properly speaking the way in which relations of forces are deployed and given concrete expression (Foucault and Gordon 1980, p.90).

## 3.6. Power, Knowledge and Discourse

Foucault (1980) developed theory that focusses on cultural expressions of structural power and he sought to understand the struggle for power between classes, nations, linguistics, culture or ethnic collectivities. He argues that understanding these struggles can only be achieved by understanding the relationship between power and knowledge in society and that this understanding is achieved through examining the relationship between discourses and non-discursive practice. Foucault's position is that power circulates *in* and *through* the production of discourses in society:

> Power must be analysed as something that circulates, or rather as something which only functions in the form of a chain…Power is employed and exercised through a net like organisation (Foucault and Gordon 1980, p. 98).

Further, understanding the ways in which kinds of people and power relations are discursively constructed can also facilitate analysis of the conditions of discourse in relation to non-discursive aspects. Understanding this dimension is crucial, for discourses also exist as material practices. Foucault also conceptualised discourse within the material world, against and in relation to prior and contemporary discourses. In this sense he defines other social, political and economic material forces as the 'non discursive'.

Discourse analysis reveals how people see and communicate from different standpoints (Weatherall et al. 2001). Discourse analysis can be used to determine how organisational interests, power and dominance are aspects of and practical achievements in social settings (Foucault and Gordon 1980). The application of discourse analysis and what the

process consists of is described in Chapter 4, where I explain my use of Critical

Discourse Analysis in my research as a specific methodological and analytical tool.

## 3.7. Why apply discourse theory to this thesis?

Many aspects of Foucault's perspectives are useful to this thesis and I apply his notion of

power and knowledge to examine the ways in which these relations are reflected in the

discourses about Indigenous hunting management and the effect these relations

subsequently had upon the implementation of the Hope Vale Plan.

Specifically, the use of Foucault's theory provides an insight into who controls the

discourses about hunting, planning and management, and facilitates the documentation of

how these discourses are constituted both in language and in discursive practice. In this

way, I examine not only the relationship between language and practice in management,

but also the way in which language aligns itself in practice to become socially

constructed in management. As Roy (2000) notes:

> a central goal of most discourse approaches is to discover and demonstrate how
> participants in a conversation make sense of what is going on (how they both
> create meaning and understand others' meanings) within the social and cultural
> context of face-to-face interaction (Roy 2000, p.9-10).

To put this in context, the social, political and economic forces operating and influencing

the implementation of the Hope Vale Plan reflect the non-discursive practices within the

hunting arena, (see Chapters 7 and 10). The use of discourse theory provides insights into

how hunting discourse and discursive practice relates to non-discursive practice, i.e. the

material/historical events or happenings on the ground. This analysis is crucial to

obtaining an overall understanding of the discourse framework informing and driving the

hunting initiative.

This analysis identifies the points of contention in the struggle between discourses over management. Foucault (1972) called these 'critical discourse events' and describes their importance because they produce important events of discursive and social change, impact upon power relations and demonstrate that discourse is not static. I highlight many examples of critical discourse events that occurred within the Hope Vale hunting management planning process in Chapter 11.

Overall, my research provides an understanding of the struggle for the control of discourses in Indigenous hunting issues in Australia. Discourses about hunting are both an instrument and effect of power, and their deployment is all about the practical struggle for the control of discourses and the effects of discursive practice. For example, an examination of the context and relationship between the different discourses on hunting, planning and management, can help reveal the discourse domains for the object of struggle, in this case management of the hunting of threatened species in a protected area. As Chapter 2 highlights, this is important as it identifies how management of hunting can be understood to address both biodiversity protection and cultural survival imperatives.

Through the application of discourse analysis, local voices and the construction of meaning can be documented. Within the historical context of dislocation and dispossession suffered by Indigenous peoples, discourse analysis offers an opportunity to acknowledge Indigenous cultural knowledge and power structures. In this context, many post-structuralist authors suggest that the development of local and or bioregional narratives and histories that will enable us to repositions ourselves as both individuals and collectives and 'regain a capacity to act and struggle which is at present neutralised by our spatial as well as our social confusion' (Jameson 1991). Similarly, Giddens (1990) argues for the importance of processes that 're-embed' knowledge systems and address

societal gaps. In this case he argues for three foci: (i) 're-embedding' knowledge and power at local scales to counter 'displacement'; (ii) development of processes of re-skilling and re-appropriation of knowledge systems; and (iii) steering of endeavour towards social movements and enterprises that will help create a positive - or a 'radical post-modern' rather than post-modern world (Giddens 1990). In my case study, the process of 're-embedding' knowledge systems provides a platform for the development of mutual understandings (discourses) between Indigenous and Management Agencies.

In my study of Indigenous hunting, the documentation of Aboriginal perceptions through the use of discourse analysis is also important because it breaks through the culture of silence; it gives Indigenous peoples a voice within western power structures and knowledge systems (Corson 1995; Clammer 2002). Friere (1972) talks of the importance of recognising these cultures of silence and argues that the silenced need help to emerge from that struggle in this dialogue. Thus, the use of discourse can facilitate this process.

It is important to acknowledge that in the process of documenting discourse the interface of power relations within all knowledge bases identified during my research may reflect colonial imperatives. While my thesis does not aim to be post-colonial, it aims to be consistent with the processes of de-colonisation (Smith 1999; Battiste 2000; Smith and Ward 2000a, 2000b). Deconstructing colonialist rubrics in research is necessary to elucidate discourse effectively in a way that will resonate within the community itself. As Smith (1999) points out:

> History is also about power. In fact history is mainly about power. It is the story of the powerful, and how they become powerful, and then how they use their powers to keep them in positions in which they can continue to dominate others. It is because of this relationship with power that we have been excluded, marginalised and made others (Smith 1999, p.1).

Kumar (2000) argues that discourse theory enables aspects of Aboriginal society to be illuminated and explained, in turn facilitating understandings that can lead to better informed actions:

> In Aboriginal society, language is used not only to seek and impart information, but also to compliment and insult, imitate, entertain, accuse and fulfil a host of other social functions. Thus, speech acts not only reflect the functional act of speech but also the way people think, how they are supposed to think and how to interrelate to each other…. in a diverse community this means that individuals need to have knowledge of how language norms differ from one construct to another (Kumar 2000, p1).

Or as Howitt (2001) notes in a discussion on the importance of understanding language in order to better inform management:

> Language reflects and constructs power. *Our* language renders invisible many things given importance by other people. And in the contemporary world of industrial resource management, the invisible is generally considered unimportant. Dominant economistic and scientific epistemologies, or patterns of thinking about the world, thus render the concerns and aspirations of many people both invisible *and* unimportant. In the process of managing resources, ostensibly for the betterment of humanity, resource managers quite literally turn the world upside down (Howitt 2001, p.11).

## 3.8. Locating Discourse Theory in Environmental Research

Several researchers have applied discourse theory empirically in environmental and Indigenous research. These studies highlight the usefulness of discourse analysis, not just as a linguistic device, but also as a natural resource management tool. Discourse can be used as a rhetorical resource. For example, Augoustinos (2001) and Augustinos et al. (1999) use discourse theory to draw out different views of Australian history, and find that contrary to the conventional view of history, that in fact, a number of competing and different discourses about Australian colonial history exists:

> The broader aims of this particular research were to identify how everyday talk about Aboriginal people and about Australian racism was organised and to examine the ways in which participants constructed Aboriginal people during their discussions. Overall the analysis identified our recurring discursive themes or topics within which discussions of Aboriginal people were framed. These were: a colonial historical narrative of Australia's past; the contemporary plight of

Aboriginal people; a defensive discourse of even-handedness which downplayed and denied racism in Australia; and nationalist discourse emphasising the moral necessity of all inhabitants of Australia identifying collectively as Australians (Augoustinos 2001, p. 138).

le Couteur (2001) in examining national discourse in Australia surrounding whether (or not) non-Indigenous Australians should apologise to Indigenous Australians (the 'sorry' debate), argues that it is possible to show that versions of social reality are so constructed so as to 'sustain existing oppressive power relations between Indigenous and non-Indigenous Australians' (le Couteur 2001, p.147).

In a case study of Aboriginal responses to large –scale mining projects, Trigger (2000) discusses the nature of national discourses about mining in relation to contesting Aboriginal views about mining. As such, Trigger (2000, p. 204) applies discourse theory as a tool to reveal 'genuine substantial differences of opinion among Aboriginal people' to conclude that understanding 'the complexities of *internal* dynamics within Aboriginal communities…becomes essential to any analysis of indigenous response…[and] the recuperation of indigenous culture as an alternative to accommodating new resource developments' (Trigger 2000, p 204). In Brazil, Selfa (2004) found that:

> discourse and policies promoting "participatory, sustainable development" have been used to achieve resource conservation, and to promote social justice issues within the current neo-liberal policy framework (Selfa 2004, p.717).

Discourse can be used as a tool to achieve conflict resolution in environmental management as Butteriss et al. (2001) found in undertaking research into irrigation in the north-west of the Australian state of New South Wales (NSW). In reviewing community reactions to media reports concerning irrigation issues in north-west NSW then applying discourse techniques to interrogate the reactions, Butteriss et al. (2001) found that key differences in perceptions did exist. Understanding that these differences existed and what their nature were allowed for a better understandings between the protagonists. In

this way, Butterriss et al. (2001) argue discourse analysis can be used to assist in the resolution of environmental conflict and further, that it is applicable as a mediatory tool in public policy development, dispute resolution and industry public relations analysis. Myerson and Rydin (1996) also found the use of discourse analysis a useful mediation tool. Their findings, that the language of the environment was underpinned by a rhetorical discourse of conflict, enabled them to mediate common understandings in such a way that all parties became better equipped to engage productively in dispute negotiation processes.

Peace (1996) also investigated environmental conflict within a discursive framework. Outlining the discursive terrain of a blockade engineered by the residents of Bendalong and Munyunah against logging of the Conjola State Forest in NSW, he notes that the way the residents situated themselves discursively had important ramifications for the outcome of the action. Peace (1996) argues that the discursive interaction between the community's conceptualisation of themselves and the forest during the action resulted in the belief that any compromise to the forest was also an attack on community integrity. He highlights the advantage of using a discourse approach to draw out these different views.

The use of discourse can also be applied strategically to mould or implement action. De Silva (2003) outlines how this can be done by illustrating how the production of effective environmental discourse helps forge links between nature, ethics and culture. Similarly, Jagtenberg and McKie (1997) show how discourse is used to create new maps for communication studies, cultural studies and sociology while Gunnarison et al. (1997) and

Meppem (2000) reflect on the usefulness of discourse to institutional structures and the professions.

These research trends indicate a conscious deliberation about the use of discourse within environmental arenas. Research into how discourse is constituted within institutions highlights that discourse can be used as a strategic tool to establish a common language used by people at all levels of an organisation (Nohria and Eccles 1993). This approach in turn will determine, justify and give meaning to the constant stream of actions in which organisations engage. Discourse thus not only reflects but also *creates* reality (Nohria and Eccles 1993).

The importance of understanding discourse is well illustrated by the *Mere et Enfant* (an international NGO operating in Palestine) who used discourse as a strategic resource in management. In this case, an individual brought about strategic change by deliberately engaging in discursive activity (Hardy et al. 2000). In attempting to bring international recognition to the group, this individual consciously manipulated discourse about the organisation to context it in the international arena (Hardy et al. 2000). However, this approach resulted in organisational alienation and lack of support at the local level. Ultimately, local support was more crucial than international recognition. This example highlights the use of discourse as a powerful theoretical tool and as Hardy et al. (2000) illustrate how it is impossible to divorce discourse from their contexts:

> discourse is not infinitely pliable. Strategic actors cannot simply produce a discourse to suit their immediate needs and instead must locate their discursive activities within a meaningful context if they are to shape and construct action (Hardy et al. 2000, p 1227).

This thesis contributes to this emerging literature because it uses discourse analysis within a natural resource and environmental management context that is located within an Australian Indigenous domain.

## 3.9. Consequences of not using discourse

Hardy et al. (2000) argue that the consequences of not understanding one another's discourse are many, including: (i) situations of non-communication where the message is not received; (ii) miscommunication, where the wrong message is conveyed; (iii) communication breakdown, where individuals cannot converse because of differing semiotics; and (iv) socio-pragmatic failure, when a speaker tries to perform the right speech but uses the wrong linguistic means.

My research results confirm the validity of this view. When reviewing the implementation of the Hope Vale Plan in Chapter 7, I show that different parties did not understand each other's discourse about hunting, planning and management. Situations of non-communication, miscommunication, communication breakdown and socio-pragmatic failure were revealed during my analysis.

## 3.10. Summary

This chapter introduced the concept of discourse and focussed on the theoretical use of discourse in resource management, demonstrating that discourse theory is a powerful theoretical tool. Discourse analysis also provided me with an overall theoretical basis from which to analyse the issue of Indigenous hunting and management of threatened marine species. It enables the conflict and struggle between different knowledge systems to be identified by revealing the patterns of power and knowledge that underpin societal

relations. Discourse analysis thus provides the theoretical underpinning of my thesis and helps to formulate an understanding of the way in which knowledge and power were conceived and understood by the different parties within the Hope Vale planning process. Discourse also gives insights into how differences between the two parties are reflected in material non-discursive ways.

# Chapter 4

**4.0. Methodology**

**Engaging With Indigenous Communities in Research**

## 4.1. Introduction

In Chapter 4, I outline the methodology that I developed to conduct my research within Hope Vale Aboriginal Community and with Management Agency staff. I present my five-part methodology, which addresses the requirements to achieve academic rigor while being culturally appropriate. I conclude the chapter with some reflections on the challenges and limitations of the research project.

## 4.2. The Research Challenge

The Maori scholar Linda Smith (1999) notes in her book 'Decolonising Methodologies' that the:

> term 'research' is inextricably linked to European imperialism and colonisation. When mentioned in many Indigenous contexts, it stirs up silence, it conjures up bad memories, it raises a smile that is knowing and distrusting (Smith 1999, p. 1).

Despite my long-standing relationship with the Hope Vale Community as their consultant who helped to develop the Hope Vale Plan, the notion that I, a white female, was to embark on a PhD project relating to hunting Green turtles and dugongs raised more than a knowing smile; it excited the ire of the community. Some community members remarked that I was getting the doctorate 'on the back of black-fellas'. This experience gave a poignant immediacy to the challenge of working with Hope Vale. It became imperative that I ensured that my research was academically rigorous, cross culturally appropriate and ethical (Maurstad 2002).

In addressing this challenge, I developed a methodology that had five components:

(i) an initial definition of academic and community based methodological parameters, principles and criteria;

(ii) the development and implementation of a research protocol with the community;

(iii) the use of participant observation and qualitative interview techniques for data collection;

(iv) the use of discourse analysis to review and analyse the information;

(v) the identification and delivery of community benefits from the project.

## 4.3. Component One: Definition of Academic and Community Based Methodological Parameters, Principles and Criteria

As Carr's (2002) research model of integration illustrates, there is an inherent need for researchers to be holistic and to recognise the sophisticated overlay of structure, events, peoples and cultures they are entering when going into a community to undertake research. This model required me to understand that my research domain at Hope Vale needed to be holistic. I had to define the role of the participants in my research within the scope of their other life demands and exigencies. I acknowledged that the research endeavour did not exist independently or outside of peoples' lives; my research is about and involved people (Babbie 1992; Silverman 1997). I also drew on Hart and Whatman's (1998) observations that researchers must avoid making assumptions that may contribute to engendering a cycle of community disempowerment in research endeavours. Some examples of the assumptions I needed to avoid include: (i) the right of researchers to undertake research into the culture of Indigenous Australians; (ii) the notion that recording cultural knowledge in a research output is the only legitimate or lasting method of protecting the knowledge and data exposed by such research; and (iii) the belief that

research needs to expose the primitivism of Indigenous societies. In developing a five

stage methodological framework, I consciously aimed to avoid these pitfalls.

The methodological dimensions of this project were also informed by the literature

associated with the development of appropriate research regimes (Howitt et al.1990;

Birckhead et al. 1996; Nursey-Bray and Wallis 1996; Schnierer and Woods 1998;

Beetson 2002). For example, Smith (1999) lists 25 different principles that must be

considered when carrying out research in the Indigenous arena. These include:

> (i) prior rights; (ii) self determination; (iii) inalienability; (iv) traditional
> guardianship; (v) active participation; (vi) full disclosure; (vii) prior informed
> consent and veto; (viii) confidentiality; (ix) respect; (x) active protection; (xi)
> precaution; (xii) compensation and equitable sharing; (xiii) the support of
> Indigenous research; (xiv) the dynamic interactive cycle; and (xv) restitution
> (Smith 1999, p. 142-161).

Smith (1999) builds on these principles to construct four acceptable models for culturally

appropriate research undertaken by non–Indigenous researchers. These include:

> (i) the Tiaki or mentoring model; (ii) the Whangai or adoption model whereby
> the research is incorporated into Maori life; (iii) the power sharing model in
> which researchers seek to assist the community in meaningful enterprises; and
> (iv) the empowering outcomes model whereby researchers address questions of
> priority to Indigenous peoples (Smith 1999, p.183 - 196).

My research is most consistent with the empowering outcomes model as I developed the

project to ensure that it had synergies with community aspirations for knowledge relating

to Green turtle and dugong hunting management, and to ensure that the community

benefited from the research throughout the life of the project.

Advice on how to conduct culturally appropriate research regimes within Australian

Indigenous contexts is often derived from the experience of those working in the health

industry (Crawford et al. 2000; University of Melbourne 2000; Franks et al. 2001;

Williams 2001). Examples include documents that: (i) provide advice on how to consult

and establish rapport with Indigenous people (Dunne 2000); (ii) how to conduct research (Fielder et al. 2000); and (iii) how to do action research (Hughes 2000). Studies have also provided insights into specific aspects of: (i) working with Indigenous peoples such as colonisation issues in research (Walker 2003); (ii) gate-keeping (Backhouse 1999); (iii) interpersonal communications (Davidson 2000); (iv) use of names (Dousset 1997) and development of protocols (Hurley 2003).[9] As noted by both Gibbs (2001) and Smith (1999), there are a number of international groups and declarations that seek to protect Indigenous rights relevant to the requirements of ethical research including: (i) the Amazon basin declaration; (ii) the Kari Oca Declaration 1993; (iii) the Pan American Health Organisation; (iv) the Native Pan-American Draft Declaration; (v) the Blue Mountain Declaration; (vi) the international alliance of the Indigenous Tribal Peoples of the Tropical Forest 1993; and (vii) the Coolangatta Statement on Indigenous rights in Education 1993 (Gibbs 2001).

In Australia, a wide range of research protocols and guidelines are available for review (e.g. Centre for Aboriginal Economic Policy Research (CAEPR) 1995; Balkanu 1997; University of Tasmania 1997)[10]. For example, the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) (AIATSIS 2000) developed principles to be used as a basis for negotiations with Indigenous communities including: (i) research must genuinely benefit the community; (ii) the researcher must receive appropriate and ongoing community permission before proceeding; (iii) the community must be kept informed and involved from start to finish, as guided by principles of traditional law and custom determined by the community; (iv) contributions made by community members

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[9] Further literature discussing the dimensions of undertaking research with Indigenous peoples includes: Humphery (2000, 2001), Hunter, E (2001), Ivantiz (1999), Henderson et al. (2002) and Tsey (2001).

[10] All these protocols are available in full from the web sites of the various agencies.

must be acknowledged; (v) wishes for confidentiality must be maintained and respected; and (vi) permission to publish must be granted by the community. These guidelines are consistent with those developed by the Queensland Department of Aboriginal and Torres Strait Islander Policy (QDATSIP), which have developed protocols for working and researching with both Aboriginal and Torres Strait Islander people (QDATSIP 1999a, 1999b)[11].

I reviewed and synthesised a number of these protocols, and used them as the basis for my own research negotiations with Hope Vale. For example, I developed a list of principles, (see below) that reflects generic principles for ethical research derived from existing protocols.

### *List of Principles Of Ethical Research In Australian Aboriginal Communities.*

1.  To have conceptual understanding of the issues/barriers facing Indigenous peoples in terms of developing capacity.
2.  To have understanding of the social/economic/ historic context of Indigenous peoples.
3.  To be genuinely collaborative.
4.  To look at developing a set or sets of research principles and/or guidelines.
5.  To develop a set of culturally appropriate criteria in order to determine success in research projects re their potential and outcomes.
6.  To fit into existing initiatives or pre-existing cultural mores or ways of doing things[12]

I also developed a matrix of the practices and performance indicators that guided my research at Hope Vale (see Figure 4.3.1).

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[11] Other guidelines include those for the National Health and Medical Research Council (NHMRC) (Australia) (2003), and Rawsthornes' (2003) work for the Social Policy Research Centre.
[12] The principles of prior and informed consent are inherently embedded within these principles, and specifically articulated within the research protocol subsequently developed with and signed off by Hope Vale community prior to the start of the research project.

**Figure 4.3.1**. The matrix of practices and performance indicators that guided my research
At Hope Vale.

| Criterion of good research practice | Performance indicator |
|---|---|
| *Accessibility of information* | Production of thesis in both academic and plain English forms. |
| *Information housing* | Return of transcripts, photos and information collected during research period to the community for archiving and access. |
| *Acknowledgement in publication* | Appropriate acknowledgement given to Hope Vale community and its people in any output from the research (including public presentations, publications and meetings). |
| *Sense of community ownership and understanding of project* | Establishment of Community Based Advisory Committee Use of community mentors for thesis. Close involvement of community during research proposal development stage, questions, interview and collation processes. |
| *Community benefits of project* | Return of information to community including: archival papers and photographs; collection of oral histories about hunting; general policy suggestions for hunting and management. Documentation of Indigenous views and aspirations regarding hunting and management. Greater recognition of Indigenous right to manage and hunt turtle and dugong. |
| *Cultural Appropriateness* | Production of detailed research protocol |

## 4.4. Component Two: Development and Implementation of a Research Protocol with Hope Vale

My initial fieldwork at Hope Vale focused on the development of a research protocol (see

Appendix 3.). This protocol governed the practice and implementation of my project, and

committed me as the key researcher to several agreements relating to information

collection, analysis, housing, dissemination and publication. These aspects included

agreement to: (i) acknowledge the intellectual property of Hope Vale where it was

considered their specific and special cultural property; (ii) allow all publications to be

vetted and endorsed by Hope Vale prior to submission; (iii) house all information

collected during the project at Hope Vale upon the completion of the project; and (iv)

ensure that community benefits accrued from the work. The research protocol is consistent with the protocols used by the Society for Ethno-biologists, which include the principles of prior rights, self determination, inalienability, traditional guardianship, active participation, full disclosure, confidentiality, prior informed consent, respect, precaution, compensation and equitable sharing, resititution and support for Indigenous research (Laird and Posey 2001, Laird and Wynberg 2001).

Many issues had to be resolved during the development of this protocol as summarised in Figure 4.4.1. The substance of the research protocol and my methodological approach were both developed with a view to addressing these issues in a coherent and cross culturally appropriate way.

**Figure 4.4.1.** Issues raised by the Hope Vale community in negotiating the research protocol.

- *Position*: Who was I employed by? Who would I support on hunting issues? What political position would I be taking?
- *Confidentiality*: Where was information going, who obtains access to it? Information disclosure versus information translation: How would I use information?
- *Housing of materials*: Where would the final research products be housed?
- *Benefit*: Benefit to whom? Who would benefit from the research and how?
- *Dissemination*: Would the research outcomes be returned to Hope Vale as well as being presented in research forums?
- *Credit*: Would Hope Vale intellectual property be recognised and acknowledged in publications and how would that happen?
- *Culture and gender*: What was my role as a white female? What were the culturally appropriate parameters of doing research on hunting, which is largely a male domain?
- *Elder/Younger Hunter dilemma*: Would I represent young hunters' views in my thesis, or favour them if they conflicted with Elders views?
- *Representation*: Who would I talk to? Who should I talk to? How should I acknowledge both cultural and political leadership?
- *Changes in status of people over time*: How would I ensure continuity, and how was I going to deal with the turnover of staff both in Hope Vale and Management Agency groups?
- *'Rumour' versus 'Reality'*: How would I differentiate between information collected? How would I differentiate between reality and rumour, what status would I give information from various sources?
- *Change from consultant to researcher*: How would I navigate the change from being a consultant paid by Hope Vale to a PhD student financially supported by research providers such as James Cook University (JCU)[13] and the CRC Reef Research?
- *Reconciling 'outsider', 'insider' views on Hope Vale and my relationship with members of the 'inside' and 'outside' groups of Hope Vale*: How would I reconcile participation by and input from members of Cape York Land Council and Balkanu who also are traditional owners of Hope Vale but seen by some Hope Vale residents as 'outsiders'[14].
- *Cultural Mentors*: How would I establish cultural mentoring to ensure ongoing monitoring of my work by appropriate members of the community?

The development of this research protocol at the beginning of my research provided long-term benefits for the project by providing a mechanism for a wide section of the

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[13] The contract with the CRC for a scholarship required me to sign agreements repositing intellectual property also with the CRC, and access rights to the thesis with JCU. These dimensions raised issues in relation to Hope Vale understandings about my role and ownership of the project.

[14] Balkanu and the Cape York Land Council are representative organisations for the Cape York Peninsula region who act on behalf of traditional owners for the region. Both organisations maintain an active interest in Hope Vale business. These organisations were established by Aboriginal leaders Noel and Gerhardt Pearson respectively, both of whom are from Hope Vale.

community who were interested in hunting issues to contribute their opinions on the identification of my research priorities. This approach enabled me to canvass the views of community members well beyond Hope Vale Council, increased interest in the project and encouraged many community members to participate in an issue from which they had disengaged. The process also provided a forum within which I, as a white woman, received formal cultural advice as to what was and what was not appropriate for me to investigate. I received specific cultural advice relating to gender and men's issues that pre-empted conflicts and cultural *faux pas* at later stages. For example, I was informed that: (i) it was acceptable for me to interview men about hunting issues only in the Ranger Station[15], and (ii) I was never to camp on the beach waiting for the conclusion of a hunt to conduct an interview (see Figure 4.4.2). This clarification process enabled me to talk to several women, a process that in turn led to their agreement to allow me to document their views about the hunting process.

Community members worked with me to produce the final set of research questions. This process built trust, consolidated community ownership of the research, and ensured that community priorities were reflected in my research questions. As Oakley (1990) concludes:

> We need to examine all methods from the viewpoint of the same questions about trustworthiness, to consider how best to match methods to research questions, and to find ways to match methods to research questions, and to find ways of integrating a range of methods in carrying out socially useful inquiries (Oakley, 1990, p.166).

The process also helped community members understand my changed role and to appreciate that my PhD would not be a community based or advocacy document but an

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[15] The Ranger Station was located in the middle of town, and was the centre for all natural and cultural resource management within Hope Vale community. For example, it was to the Ranger Station that tourists would come to obtain permits to enter the community and go and camp on the beach, and the place that community members came to obtain hunting permits, or ismply talk land and sea business.

Old Folks Home

Church

Cultural Centre

School

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Bambie Meeting Hall

Hope Vale Council Buildings and Supermarket

Ranger Station (also known as the Hope vale Natural and Cultural Resource Management Centre)

Elders Justice Centre and Police Station
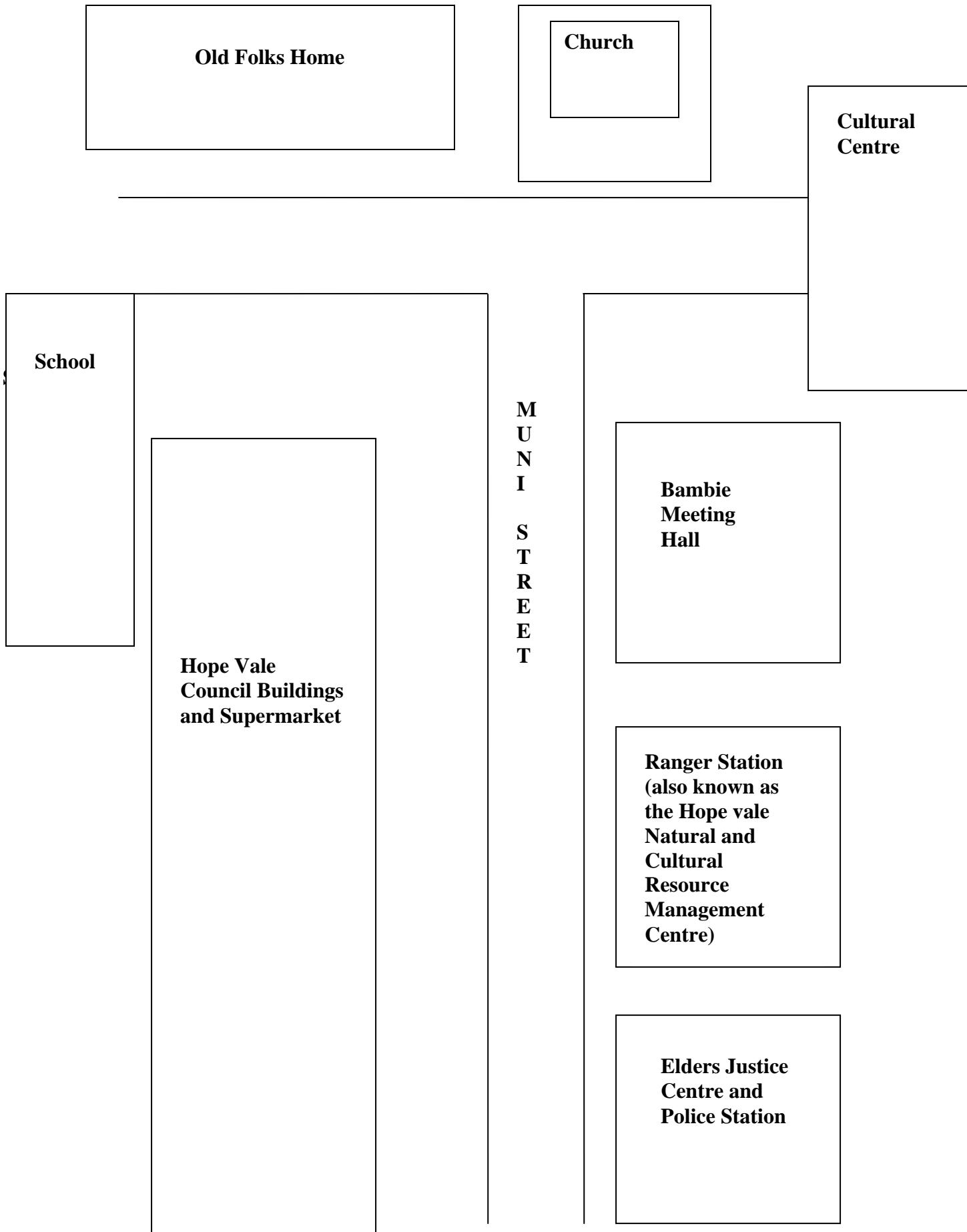
**Figure 4.4.2. :** Map of respective locations of each key place for research within Hope Vale community.

academic account of the findings of my research. My relationships with community members consolidated during this period. As a result, there remained a core of committed community individuals with whom I individually and collectively stayed in contact throughout the duration of my PhD (2001 – 2005). This group also supported me through difficult situations when they arose. The development of the research protocol was the mechanism used to implement the principles outlined in Figure 4.3.1 and Figure 4.3.2.

Finally, I established a Cultural Advisory Committee that was responsible for ensuring the terms of the agreement were kept. This group consisted of key members of the Hope Vale Council, Ranger Station, Cultural Centre, several hunters from traditional owner groups, a member of Balkanu /Cape York Land Council and Aboriginal Elders. Members of this group also participated in the academic requirements of the thesis production by looking over drafts and attending formal functions such as my Confirmation of Candidature Seminar. I also returned to Hope Vale with my supervisors and formally presented the major results of my thesis to the wider community at a public meeting on November 8th 2004.

## 4.5. Component Three: Data collection

In collecting the data needed for my research I used participant observation and qualitative interviews for the collection of primary information and literature review and analysis for my secondary information. Specifically, I undertook a review of Ministerial decisions relating to the GBRWHA, and a review of the socio-economic conditions pertaining to Indigenous peoples in Australia. I went to Adelaide, and undertook a substantive review of missionary papers and correspondence found in the Lutheran Archives for the period 1890 – 1978, which built an historical picture of hunting practice

and community life. I also undertook an institutional analysis of the issue of Indigenous

rights to utilise wildlife in Australia, including a review of the legislation at both Federal

and State levels.

### 4.5.1 Participant Observation

In participant observation, a researcher participates in a research setting, experiencing it

directly while having a comprehensive opportunity to observe the workings of that setting

from the inside. Spradley (1979, 1980) describes participant observation as a method in

which researchers immerse themselves in the day-to-day activities of the people who they

are attempting to understand. It is an inductive process that aims to develop ideas from

these observations, rather than testing ideas *per se*. May (1997) describes Participant

Observation as follows:

> Participant Observation (PO) is about engaging in a social scene, experiencing it,
> and seeking to understand and explain it. The research is the medium through
> which this takes place (May 1997, p.174).

Participant observation is based on two assumptions. Firstly, that the subject matter of

social science differs from the natural sciences and secondly, that to assist in

understanding social reality, one must first directly experience that reality (Kawulich

2005). The experience can be from complete immersion to complete observer status but

always involves some form of engagement (Gold 1958, 1969). Or as Jorgensen (1989)

notes:

> Participant observation aims to generate practical and theoretical truths about
> human life grounded in the realities of daily existence…the methodology of
> participant observation provides direct experiential and observational access to
> the insiders' world of meaning (Jorgensen 1989, p. 14-15).

The sheer number of key practitioners across many academic fields demonstrates the

value of the research technique. For example, Bhaskar (1975, 1979) and Porter (1993)

used a critical realist approach to investigate racism. Marxist ethnographers have used the technique to study West Indian lifestyles in Britain (Pryce 1996), youth culture (Jefferson, 1975) and juvenile justice (Cicourel 1964). Law (1994) used participant observation techniques to illuminate work in a research laboratory.

The main advantage of participant observation is its flexibility. For example, the use of this method during my fieldwork at Hope Vale meant that I was able to change the times of interviews, and adapt to local conditions as to ensure the research I undertook was appropriate and timely. Using this method also enabled me to continually reassess my approach, and redress any mistakes made, or cross cultural issues that arose. The flexibility of location and time that participant observation offers also enabled me to build trust over time and with that trust obtain deeper information and layers of knowledge about the issue of hunting. As Baker (1999) notes of his research into early European contact with the Yanyuwa, early conversations during his fieldwork yielded one set of information, while later ones yielded more depth and different perspectives as trust in him grew within the community.

The continual process of reflection on and reappraisal of the focus of observation in accordance with analytical developments makes it ideal for fieldwork. Field notes, built over time, help form a clearer picture of the roles, rules and relationships between members of the community giving depth and richness to the information collected (Burgess 1990). This approach allows the researcher to capture or illuminate the informal rules and mechanisms that underpin societal relations and which are often the key drivers for change or decision-making. Consistency, reflexivity and accessibility are all crucial to this form of research (Bruyn 1966).

I used participant observation techniques in various ways during my fieldwork. I observed the attempts to implement the Hope Vale Plan during three sequential hunting seasons: 2000-2001, 2001-2002 and 2002 - 2003. The hunting season in Hope Vale coincides with the Christmas holidays, and specifically is between mid-December to mid-February each year. Within the Hope Vale Plan, this season is a prescribed time between the 15th December and 15th February. I also made several other visits to the community for various meetings or simply to keep in contact.

During my fieldwork I was based at the Hope Vale Old Folk's Home, which became a focal point for my research contacts. The Old Folk's Home is located centrally next to the church, opposite the school and is within 50 metres of the local Council, Ranger Station, and Cultural Centres. I gathered vast amounts of information by talking to friends and relatives visiting Elders resident in the Home and talking to the Elders and housekeeping staff. Many of the residents had been prominent hunters. As I was unable (under the conditions of my research protocol) to meet and interview hunters on the beach as they came in from a trip, I negotiated with the Rangers to accompany them on their patrols to the beach[16]. In this way I was able to obtain culturally appropriate 'on-ground' insights into the implementation of the Hope Vale Plan during the hunting seasons of 2000 – 2003 and gathered information from the Rangers and Council members as they went about their daily activities. I spent much of my time at the Ranger Station, the Council or Cultural Centre, talking to people, and learning about the community and hunting business. I also obtained many insights into the wider issues confronting the community, which gave me a keen appreciation of how all things were connected within the community. Once people became aware of my research project, many community

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[16] Within Hope Vale there are a number of Community Rangers. While these rangers do not have statutory responsibilities under Federal and State legislation as do government officials, they are responsible for on ground management of land and sea business. Their role is further discussed in Chapters 5 and 6.

members sought me out, either to give me information they felt was relevant, or request that they be interviewed. These interventions were crucial to my research as much information I obtained from Hope Vale people that they considered vital to the issue of hunting, related to social issues, which from a European or Management perspective was apparently unrelated, and may not have been picked up as fully in the formal interviews. Consistent with Baker (1999), I learned that it was important 'not to lose sight of the other category of different ways of seeing things. There are important variations between both how different Aboriginal people see things and how Europeans see things' (Baker 1999, p. 34). I also found there were variations between how different clan groups, individuals, and genders saw the hunting management issue. I kept detailed daily records of all interactions, which I transcribed into notebooks each night at the Old Folks Home.

During my PhD candidature (2000-5), hunting was a very topical issue in the wider community as a result of broader events such as the High Court Decision *Yanner vs. Eaton* (*Yanner vs. Eaton (1999)* HCA 53) and the Federal Ministerial decision to stop issuing permits for the hunting of Green turtles, which was subsequently interpreted by the community as an overall 'ban' on Indigenous hunting (see Chapter 7). A trend towards co-management within resource management and Indigenous communities ensured that hunting remained a major management and political issue for marine Management Agencies (Appleton 2000; George et al. 2002; Ross et al. 2004). As I was active in many of these forums, I also had the opportunity to observe in detail the decisions relating to hunting, planning and management. For example, as the representative for conservation NGOs on the GBRMPA' Conservation and Biodiversity and World Heritage Reef Advisory Committee, I had many opportunities to observe interactions, discussions and perspectives on the hunting issue. Indeed, hunting was the

major agenda item at the first meeting I attended[17]. I also worked with the Girringun Aboriginal Community near Cardwell on co-management issues during the period of my candidature enabling me to be involved in this arena generally, and in forums where Hope Vale was often mentioned[18]. I attended the International Meeting of the World Council of Whalers (WCW) in Nelson, New Zealand 2001, which gave me many insights into the orientation of hunting groups relating to management. Moreover, I was at the time, an Executive Councillor and Coordinator of the Asia/Pacific/Indigenous Campaign Team for the Australian Conservation Foundation. During this period I often attended meetings where the conservation sector attempted to find ways to determine their position on Indigenous hunting. Collectively, these experiences gave me added insights into my research domain. These different roles not only enabled me to engage seriously with the different perspectives I had to offer, but also gave me first hand insight into how different sectors viewed the hunting issue (and what could be done about it). I could then feed these different dimensions into my interpretation of interview transcripts, and while living on the community, to help me make sense of and understand the variety of different motivations and incentives that different parties held about hunting, planning and management.

## 4.5 2. Qualitative Interviewing

Building on the information collected through participant observation during 2000-3, I undertook a series of more formal qualitative interviews of both Hope Vale residents and

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[17] The Great Barrier Reef Marine Park Authority has established Reef Advisory Committees to obtain community representative feedback on its core business. There are four Reef Advisory Committees, and each one is linked to one of the Authority's 'Critical Issues': Conservation, Tourism, Water Quality and Fishing.
[18] During the period of my PhD I undertook a consultancy to write a co-management agreement for Girringun Aboriginal Corporation, a body that represents nine traditional owner groups in the Hinchinbrook Shire region of the Great Barrier Reef. This work familiarised me with the literature on co-management and on issues relating to turtle and dugong and management of high priority to the Girringun Aboriginal group.

Management Agency staff and personnel. While residing at Hope Vale, I conducted in-depth semi-structured qualitative interviews with community members on hunting, planning and management (Silverman 1993; Kuale 1996). The information collected from these interviews was then compared with information collected from a parallel set of interviews I conducted with staff from the Great Barrier Reef Marine Authority (GBRMPA), Day to Day Management (DDM)[19] and State Marine Parks, about hunting, planning and management[20].

The interview questions were designed to address the three overarching aims of the thesis as outlined in Chapter 1:

(i) Document Indigenous understandings and perspectives about Indigenous hunting, management and planning;

(ii) Document Management Agency understandings and perspectives of Indigenous hunting, management and planning and;

(ii) Assess and understand the implications of the differences and similarities between the two perspectives for future management.

The final interview questions form part of the research protocol and can be found in Appendix 2.

My selection of respondents was by a combination of purposive and snowball sampling (Goodman 1961; Lofland and Lofland 1984). Purposive sampling involves choosing respondents based on their relevance to the problem, while snowball sampling is the

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[19] Day to Day Management (DDM) is not an agency but the program or process within which Federal and State (Queensland) management and enforcement bodies and departments have agreed to work collaboratively to implement management of the GBRWHA. The DDM staff I interviewed were from either GBRMPA or State Marine Parks but had a specific mandate to undertake on-ground management.
[20] I refer throughout the thesis to these different government bodies cumulatively as " Management Agency" or "Management Agencies" unless specifically identified in discussions and describe the function of each in Chapter 7.

technique of following up recommendations from each respondent to others until a saturation point is reached so that no new information is forthcoming from additional interviews (May 1997). Together, these techniques provided me with the tools to interview a representative cross-section of the community and Management Agency staff involved in hunting management during 2000 –2003.

I interviewed 28 members of Hope Vale community, 10 of whom were women. I ensured interviewees included a good representation of all the key traditional owner groups within the community who had sea country in their hunting estates, and where possible, included the main hunters of that group. However, one interviewee came from inland country, and a few were historical owners (from outside the Guugu Yimmithirr region) who had been removed from their country and relocated to Hope Vale during the mission times. All but one of the Hope Vale men I interviewed had been or were, marine hunters; one man interviewed was from the inner escarpment country and talked about hunting in the context of kangaroos and other species. I specifically interviewed three generational groups from two of the major hunting families, i.e. the grandfather, father and son. Although these families were linked by marriage, they were traditionally competing clan groups and provided interesting insights about traditional hunting from a generational and historical viewpoint. Overall, I interviewed five young hunters, six Elders, five of the seven members of Hope Vale Council, and the Chairmen of the Hope Vale Congress of Clans and the Turtle and Dugong Hunting Management Council. My interviewees also included five men who were setting up their own traditional owner organisations and trusts, and were interested in pursuing their own aspirations for hunting management. Five of the men I interviewed were formally employed, the rest were part of the Community Development Employment Program (CDEP). By ensuring I interviewed men

that were hunters, and men involved in the institutional and administrative business of the community (often these men were involved in both) I obtained a good cross section of community views about hunting, management and planning.

The 10 women I interviewed were in positions of core responsibility and local authority within the community such as the Hope Vale School, Ranger Station, Council, Cultural Centre and Elders Justice Network. The women were initially chosen primarily because of their status within the community and their capacity to influence hunting management. All but one of these women were also married to high profile hunters, or came from respected hunting families.

I interviewed 15 Management Agency staff including five women. Interviewees included eight staff from the Great Barrier Reef Marine Park Authority, three people employed by Day-to-Day Management (Queensland and Commonwealth staff), and staff from the Queensland Department of Environment and Heritage, and the Queensland Boating and Fisheries Patrol. The responsibilities of my interviewees included surveillance and enforcement, day-to-day management, Indigenous policy, species conservation, law, and water quality.

At the time of their interviews, respondents were asked whether they preferred me to record their interviews by tape or by notes. The community-based Indigenous participants generally preferred to speak to a tape, whereas those interviewed and working for Management Agencies preferred me to take written and summative notes. Most interviews took between 1-2 hours, and held in a location preferred by the interviewee. Quite often people at Hope Vale nominated another person for interview and then followed up by attending that interview as well. This 'rolling interview' process often

meant that in the company of their friend or relative, and better understandings about the research, individuals offered further information the second time around. In Hope Vale, interview locations included the Old Folks Home, residences, the beach, or under a tree in the Council square. Management Agency interviews were conducted exclusively in offices in Townsville, Cooktown and Cairns. I obtained Ethics Clearance from the James Cook University prior to starting the interview process. The Ethics Approval process required me to obtain a letter of approval from Hope Vale Council to proceed.

I analysed the written notes and the transcripts of the taped interviews using Critical Discourse Analysis (CDA) as outlined in Section 4.6. At the request of many of my informants, the direct quotes from the interviews found in this thesis are anonymous, as a result of the confidential nature of much of the information obtained, and the politically contentious nature of much of the material. Other quotes are presented anonymously owing to the deaths of several community respondents.

## 4.6. Component Four: Interview Analysis

As explained in Chapter 5, I applied discourse analysis to make 'visible' the language of hunting from both Indigenous and non-Indigenous perspectives to ensure that concerns held by individuals are rendered visible and important. As noted in Chapter 3, I have chosen to adopt critical discourse analytical techniques as the means of interpreting my information (Vala et al. 1987; Van Djik 1997).

Critical Discourse Analysis (hereafter CDA) emerged in the 1990s. Wodak's 'Language, Power and Ideology' (1989), Fairclough's 'Language and Power' (1989) and finally the launch of the Journal 'Discourse and Society' by van Dijk in 1990, established CDA as a field bridging both discourse theory and linguistics (Fairclough 1989). CDA builds on

Foucault's concern with ideology, power and knowledge while often adding a specific semiotic emphasis. Fairclough (2001a) notes therefore that:

> CDA is the name given to and accepted by a rather diverse and loosely affiliated group of approaches to language (and more broadly semiosis)…These approaches have in common a concern with how language and /or semiosis interconnect with other elements of social life, and especially a concern with how language and/or semiosis figure in unequal relations of power (Fairclough 2001a, p.25).

CDA is characterised by a number of specific assumptions and questions. Firstly, language is conceived as a social phenomenon. Individuals, institutions and social groupings have specific meanings and values that are expressed in language in systematic ways (Wodak 1997; Wodak 2001a, 2001b; Wodak and Myer 2001). Readers and hearers are active recipients in their relationships to the text. Secondly, CDA concludes that there are similarities between the language of science and the language of institutions. This finding is extremely relevant to my thesis as I examine the language of Indigenous peoples, science and institutions (Van Djik 1987, 2001; Wodak 1996; Fairclough 2001a; Myer 2001). In relation to the use of discourse, Scollon (2001) highlights eight assumptions within CDA:

> (i) that CDA addresses social problems; (ii) that power relations are discursive; (iii) that discourse constitutes society and culture; (iv) that discourse does ideological work; (v) that discourse is historical; (vi) that the link between text and society is mediated; (vii) that discourse analysis is interpretive and explanatory; and (viii) that discourse is a form of social action (Scollon, 2001, p. 141).

In eliciting understandings about knowledge, the use of CDA as a methodology for analysing texts enables the exploration of a number of questions including: what constitutes knowledge?, how are discourses constructed in and constructive of social institutions?, how do ideologies function in social institutions?, and how do people obtain and maintain power within a given community? Even more specifically how are the social settings and their institutional discourses related to the non- discursive aspects of

social settings?, how are the social settings and their institutional discourses organised, and/or related to textual realities?, and how is silence organised within social settings and their institutional discourses? This last question was particularly useful when seeking to identify, amplify and legitimise devolved discourses associated with marginalised groups (Fairclough 1989) such as those within the Hope Vale community.

These questions framed the analysis of my information and enabled me to understand the links between: (i) discourses or notions about Indigenous hunting and its practice and (ii) different understandings of Indigenous hunting, planning and management. Thus, CDA was appropriate because unlike other sociolinguistic approaches it deals with language and power and contextualises language within historical-discursive regimes (Chouliaraki 1999). CDA forges links between discourse and reality, and enables mediation between subject and object, and between the discursive and non-discursive practices (activities) on the one hand, and manifestations (objects) on the other (Jager 2001). CDA also facilitates understandings of how power and knowledge relationships between Indigenous communities and Management Agencies are institutionally situated, and how these relationships in turn legitimise, marginalise and affect the enactment of hunting management regimes. CDA therefore offered me the opportunity to focus on social problems by investigating the role of discourse within power relations, and it does so from a perspective consistent with the interrogating the best interests of dominated or marginalise societal groups (Van Djik 2001).

To organise the information I collected I used the following three techniques: (1) historical analysis; (2) theming; and (3) analysis of the terms of significance. This approach drew largely on Jagers' (2001, pp.32-63) suggested 'operational aids' to discourse analysis aids, aids that he uses to identify the structure of discourses, including:

(i) discourse strands; (ii) discourse fragments; (iii) entanglements of discourse strands; (iv) discursive events and discursive context; (v) discourse planes; and (vi) discourse positions. It is these operational aids that I adapted and present in my analysis chapters 7-10.

### 4.6.1. Historical Analysis

The historical trajectory of any discourse cannot simply be read from texts. Discourses are situated across time and space and therefore must be analysed within particular and complex sociological and historical processes. This approach requires socio-historical analysis. Blaikie (1993) offers a method to achieve results by an inquiry of the 'integrated and non place'. My historical analysis began with an examination of hunting and its management as a resource use activity and an exploration of the local context of the Hope Vale Plan by a recounting of the history of its beginnings in the late 1990s to the third hunting season in 2004, in Chapter 7. I then used non-place based inquiry to extend my analysis beyond the local setting to examine the broader political, and economic dynamics and structures relevant to Indigenous hunting, planning and management. I then linked them in turn to regional, national, and global contexts.

### 4.6.2. Theming

I used theming to order information into areas of recurrent similarity or themes, and to build a picture of how the discourses about hunting, planning and management were constructed by members of Hope Vale community and Management Agency staff (Babbie 1992; Silverman 1993). I used information from all interviews and field notes to draw out the similarities and differences in the ways people talked about their understanding of hunting, planning and management and organised this information into themes. For example, themes such as enforcement, the law and the permit system were

consistent across both groups of respondents but discussed in different ways. Other themes were group-specific such as the notion of 'hunting as fun', by members of the Hope Vale Community or the issue of internal relationships within GBRMPA.

After organising the information into themes, I identified the similarities and differences between the information sets in Chapters 8 -10. This process included organising the themes into primary and sub-themes and then by exploring and further analysis show how they were constituted as different or similar discourses about hunting, planning and management.

### 4.6.3. Terms of Significance

When analysing the interview transcripts, I identified 'terms of significance', terms that were employed repeatedly in discussion with respondents and which were identified as important. This technique allowed me to identify where different parties used the same vocabulary but ascribed different meanings to the same terms, resulting overall in cross-purpose dialogues.

## 4.7. Component Five: Community Benefit

A focus on research benefit is a significant concern to Australian Indigenous peoples (Howitt et al. 1990; Marsh et al. 1999b; Gibbs 2001). As Howitt et al. (1990) note:

> research programs should develop from the perceived needs by or of Aboriginal people [and] should be conducted within culturally intelligible and acceptable frames of reference (Howitt et al. 1990, p. 2).

Wohling (2001, 2002) discusses the need for reciprocity in engaging with Indigenous peoples so that there is Indigenous involvement in and ownership of the project and its outcomes. In my initial negotiations, Hope Vale members strongly reiterated their expectation that the project would benefit the community. Subsequently, as part of the

research protocol process we developed a mutually agreed 'Benefits Matrix' (see Figure 4.7.1. below) that clarified the expectation of benefits to all participants over time. This matrix implies a commitment beyond the candidature period, as I work towards developing a community-based version of my thesis subsequent to submission of this document for academic review.

**Figure 4.7.1.** Matrix of benefits resulting from my research

| Recipient | Benefit | Outcome/Product |
|---|---|---|
| Melissa Nursey-Bray | Increased skills and knowledge base and cross cultural understanding Career enhancement. | Ph.D. Publications. |
| Hope Vale Community | Negotiation forum. Community ownership. Information Collection. | Video presentation returning Ph.D. information back to community Transcripts. Oral histories. Support and return of Lutheran archives.[21] Return of archival photos to Hope Vale Council in form of CD, album and booklets. |
| CRC Reef/JCU/ PhD Supervisors | Enhanced understanding of Indigenous values. | Co-authored Publications Presentations, Ph.D. |
| Agencies | Enhanced understandings for application in management. | Background/Policy Paper. |

[21] The process of returning the transcripts of the Lutheran Herald (1927; 1929; 1933; 1934; 1935; 1936a, 1936b, 1936c; 1939; 1943; 1944a, 1944b; 1945; 1946; 1947; 1949a, 1949b, 1949c, 1949d, 1949e; 1959; 1951a, 1951b, 1951c; 1952a, 1952b; 1954a, 1954b, 1954c; 1955; 1956a, 1956b, 1956c) to the community both enabled members of Hope Vale to learn about and have receipt of information about their history, but informed my own appreciation overall of the experience of the families at Hope Vale. The transcripts also yielded very interesting information and detail about the history of Green turtle and dugong hunting in the region over time, and the relationship between Indigenous hunting and other food gathering or horticultural activities.

## 4.8. Evaluation of the Research Approach

In developing evaluative tools for research there were a number of challenges that needed addressing. These challenges included an examination of the researcher's power of observation and the selection of information that is written about, an especially important issue in the cross-cultural context of my thesis (Trigger 1992; McIntyre 2002). In this sense, participant observation can be seen to lack 'external validity' (McCall and Simmons 1969; May 1997). For example, the use of participant observation means that the researcher ultimately mediates much of the data (McCall and Simmons 1969). Moreover, while I adopted a critical methodological approach to history and structure through the use of discourse, it remained the researcher's (in this case my) responsibility to define the parameters between the personal and the political. This was particularly relevant to my work in Hope vale, given I needed to establish measures that retained my objectivity and independence, given my previously established and strong ongoing relationship with the Hope Vale community. Crucial to my approach then was the acknowledgement that critical scholarship, 'involves reflexivity on the part of the researcher' (Kobayashi and MacKenzie 1989). In this context, knowledge is both 'social and contingent and there are no standards beyond particular contexts through which we may judge its truth and falsity' (May 1997, p.16); my research was based on the fundamental assumption that all knowledge is relative.

Nonetheless, although my thesis drew on important post-structuralist ideas and assumptions and applied some of its techniques throughout, it should not be viewed as a post structuralist thesis *per se*. Due to both my own personal connection to the community, and in order to establish research rigour overall, I thus needed to ensure that evaluative forums consistent with scientific methodological paradigms were incorporated

into the project. I have also used Guba and Lincolns' (1985) four criteria for judging the soundness of qualitative research. These criteria and how I addressed them are presented in the Table 4.8.1. below. They are useful as they ensure that the underlying assumptions involved in qualitative research can be evaluated.

**Table 4.8.1.** Alternative criteria for judging qualitative research (based on Guba and Lincoln 1985).

| Criteria | Definition | How I met these criteria |
|---|---|---|
| **Credibility** | Establishing that the results of qualitative research are credible or believable from the perspective of the participant in the research | Sending transcripts back to all participants for vetting and endorsement that my interpretation of what they had said was correct<br>Presenting the results of my research to both Hope Vale and Management Agencies in a series of seminars, visits and informal discussions<br>Receiving permission to publish results |
| **Transferability** | The degree to which the results of the qualitative research can be generalized or transferred to other settings | Application of discourse analysis meant that method of obtaining information is consistent across different settings and scales<br>Development of principles in relation to management (socially just conservation process) and case study experience, so that although content will not be replicated, experience and lessons from that experience will and can be |
| **Dependability** | When the research is responsible fro describing the changes that occur in the setting and how these changes affected the way the researcher approached the study | History, method, and analysis chapters all describe how research affected the case study, and how they affected the way I approached the study. |
| **Confirmability** | The degree to which results could be confirmed or corroborated by others or other sources | Achieved through the application of triangulation: confirmation of information through multiple sources, and sectors, literature review and fieldwork. |

The application of triangulation (Denzin and Lincoln 1998), a technique that uses a variety of data gathering approaches so that the researcher can corroborate the information in several ways was particularly useful to me in this study. These ways can include: (i) using different data sources; (ii) using different researchers; (iii) using

different perspectives of various theories to interpret the data; and (iv) the use of multiple methods of data collection (Cantrell 1993).

In my research, I used different data sources, such as literature, archival records, scientific reports, media, meeting notes, journal notes and interview transcripts to cross check and reference my information. I also combined methods, such as participant observation and direct interviewing to obtain my information. Finally, I used different aspects of discourse analysis, and historical analysis (such as place-based inquiry) to interpret the information. The use of discourse analysis was particularly effective in enabling a more objective interrogation of the transcripts, in an ordered and structured way, rather than relying on my own perspective. To strengthen research credibility I interviewed a number of participants across the marine management arena. The use of these techniques provided a logical integration of information from different sources and methods, over a three year period, into a single and coherent interpretation overall. This approach in turn increased the validity of the qualitative information I collected (Hill 1984).

I also used face validity to ensure consistency and reliability of my information. This process involved cross checking or 'member checking' with respondents that I had understood and interpreted information correctly (Guba 1981; Guba and Lincoln 1981) and ensured drafts of my chapters were read by relevant groups and individuals thus corroborating the messages received from the interviews. For example, I sent the chapters about the history of the Plan and implementation to both Management Agency and Hope Vale respondents for review, and the separate results chapters to selected members of the respective groups. I also presented the results of my thesis to the Hope Vale Community and to my PhD Confirmation and Exit Seminars, both of which were attended by

Management Agency staff and Hope Vale members. This process also enhanced reflection and added richness to my interpretation throughout the study and was important to ensure transparency and that participant information was being correctly understood and cited in the intended context.

## 4.9. Summary

In this chapter I have described my methodological approach to the examination of planning and management in relation to Indigenous hunting along the GBRWHA. I have reflected on some of the ongoing challenges I faced in undertaking research in a cross-cultural context. I ensured that my research is culturally appropriate by the incorporation of a series of research principles and approaches, including a research protocol, which has provided the formal parameters for my approach. I then adopted a staged research approach throughout the project, which comprised of: (i) research development; (ii) information collection; (iii) analysis, and (iv) community benefit. The next chapter provides the institutional context, history, and issues embedded within the domain of biodiversity protection, and Indigenous peoples involvement in protected area and resource management in Australia, specifically the GBRWHA.

# Stage 2. Chapters 5-9

## Stage 2 Overview

Building upon the information I provided in chapters 2-4, Stage 2 of my thesis identifies the factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. Fairclough (2001) describes this stage of the research as identifying the problem requiring resolution through an examination of the way in which social life or relations are constituted. In this case the 'problem' is the issue of Indigenous hunting of endangered species in a protected area and the 'solution' is a planning instrument developed by the community under the sponsorship of the relevant statutory agency.

Through an examination of the text in the Hope Vale Plan and analysis of face-to-face interviews I conducted with Hope Vale Community members and Management Agency staff, I illustrate how language (different discourses about hunting, planning and management), is constituted within the social relations (i.e. knowledge /power relations) within my case study. I therefore obtain broader insights into what barriers or constraints operate to inhibit the effective resolution of the issue of how to undertake natural and cultural resource management of Green turtles and dugongs.

In Chapter 5, I demonstrate the complex framework that governs the management of Indigenous hunting in Australia. From the local to the international level, I present a contextual summary of the historical, legislative and policy factors that define Australia's responsibilities both to Indigenous peoples and for biodiversity protection. I also present a summary of the collaborative management initiatives for Green turtles and dugongs along the GBRWHA that led to the development and implementation of the Hope Vale Plan. In Chapter 6, I document the history of the Hope Vale Turtle and Dugong Hunting

Management Initiative. The chapter documents how the complex social conditions (or what Foucault terms the non-discursive practices) that exist in Hope Vale, and between the community and external forces, impacted upon the development and implementation of the Hope Vale Plan. This history provides a detailed picture of the obstacles to the successful implementation of the Hope Vale Plan.

Chapters 7 and 8 detail the ways in which discourses about hunting, planning and management are constituted by Hope Vale community members and Management Agencies respectively. For Hope Vale people, the issue of hunting is used as a vehicle within which to discuss wider issues and to articulate discourses about: (i) cultural survival; (ii) community well being; and (iii) the need for Indigenous people to be equitably involved in modern resource management regimes. For Management Agencies, the issue of hunting is cast as a conservation problem that needs solving. Management Agency staff articulate discourses about: (i) biodiversity protection; (ii) animal cruelty; and (iii) their management responsibilities.

Chapter 9 synthesises the analysis presented in Chapters 6, 7 and 8, and documents the different discourses about hunting, planning and management through the identification of: (i) discourse themes, (ii) spectra, and (iii) terms of linguistic significance. The Chapter then draws these discourse elements together to reflect on their effect in practice on the development, implementation and text of the Hope Vale Indigenous hunting planning process.

**Stage 1** Introduce research focus: a problem, which has a semiotic (linguistic) aspect
**Chapters 1-4**: Introducing the Problem: (Indigenous hunting) and its semiotic aspect i.e. the ways in which discourse/s about Indigenous hunting of endangered species in protected areas impacts upon marine resource management. Includes literature reviews, theory and method

**Stage 4** Identify solutions to the obstacles inhibiting resolution of the problem
**Chapters 11-12** Identification of a management solution (socially just conservation framework) that addresses the factors (obstacles) that inhibited the effective implementation of the Hope Vale Plan (resolution) and addresses the issue of Indigenous hunting of endangered species in protected areas (the problem)

**Stage 2** Identify the way in which resolution of the problem is reflected within social relations
**Chapters 5-9**: The factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. In this case the 'problem' is the issue of Indigenous hunting of threatened species in a protected area and the 'solution' is the Hope Vale Plan. Includes overview of case study, history of Hope Vale Plan and analysis and synthesis of data from Hope Vale and Management Agencies using discourse analysis.

**Stage 3:** Consider whether the social order (network of practices and social relations) in a sense 'needs' the problem; and whether therefore the resolution of the problem entails a radical restructuring of the social order
**Ch 10:** Considers whether the Hope Vale community and Management Agencies 'needed' the Hope Vale Plan to fail to maintain existing social (power and knowledge) relations

## 5.0. Context for Indigenous Hunting in Australia

### 5.1. Introduction

This Chapter presents a contextual summary of the institutional arrangements, history, and issues relevant to the issue of Indigenous hunting, management and planning for Green turtles and dugongs along the GBRWHA. I have divided this chapter into six sections: (i) an outline of Australia's responsibilities as a nation in relation to the protected area estate; (ii) the history of Indigenous involvement in natural resource and protected area management; (iii) a description of the institutional frameworks relevant to Indigenous hunting of threatened species; (iv) an introduction to the case study for my research; (v) the history of interaction between government Natural Resource Management (NRM) departments and Indigenous communities in relation to the management of Indigenous hunting along the Great Barrier Reef World Heritage Area (GBRWHA); and (vi) a summary of Indigenous management initiatives and management partnerships that occurred prior to the development of the Hope Vale Plan.

### 5.2. The Historical and Institutional Framework of Marine Resource Management and Biodiversity Protection in Australia

During the 1990s, the Australian Government committed to the establishment of a comprehensive, adequate and representative system of protected areas covering Australia's exclusive marine economic zone (Zann and Sutton 1995; Worboys et al. 2001). The system, called NRSMPA (National Representative System of Marine Protected Areas), is designed to: (i) contribute to the long-term ecological viability of marine and estuarine systems; (ii) maintain ecological processes and systems; and (iii) protect Australia's biological diversity at all levels. This project is ambitious and Figure

5.2.2. illustrates the scale of this process. By 2002, the NRSMPA covered approximately

64,600,000 hectares or 7% of Australia's marine jurisdiction, excluding waters covered

by the Australian Antarctic Territory. These protected areas range from Commonwealth

Marine Parks, such as the Great Barrier Reef Marine Park, fish habitat reserves and

sanctuaries, aquatic reserves, conservation areas, and marine and coastal parks. The

establishment of the NRSMPA provided an opportunity for Australia to meet its

international obligations and implement international and national agreements and

strategies to which it is a signatory. These obligations include consistency with IUCN

recommendations and guidelines relating to protected areas (IUCN et al. 1991; IUCN

1992a, 1992b, 1993, 1994a, 1994b, 1997, 1998; WCMC and IUCN 1993). Table 5.4.2.

presents a summary of these obligations.

**Table 5.2.1**. International conventions defining Australia's responsibilities in relation to biodiversity protection.

- Convention for the protection of the World Cultural and Natural Heritage, 1972 (the World Heritage Convention)
- Convention on Biological Diversity, 1992 (The Biodiversity Convention) (UNCED 1993)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973 (CITES) (IUCN 1978)
- Convention on the Conservation of Migratory Species of Wild Animals, 1979 (Bonn Convention)
- Convention on Wetlands of International Importance as Waterfowl Habitats, 1971, (the Ramsar Convention)
- International Convention for the prevention of Pollution from Ships, 1973 (the MARPOL Convention) (IMO 1973)
- United Nations Convention on the Law of the Sea, 1982 (Law of the Sea Convention or UNCLOS) (UN 1982)
- United Nations Framework Convention on Climate Change, 1992 (the FCCC) (UN 1992)

**Figure 5.2.2.:** Australia's National Representative System of Marine Protected Areas (DEH website 2005a)

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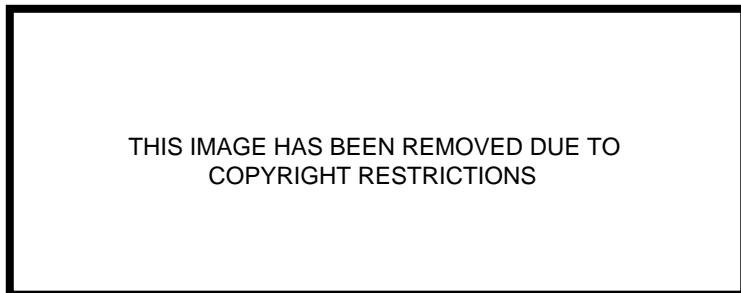
Amongst the goals of NRSMPA is the requirement to 'provide for the special needs of

rare, threatened or depleted species and threatened ecological communities' and 'to

provide for the recreational, aesthetic and cultural needs of Indigenous and non-Indigenous people'(DEH website 2005b).

The NRSMPA is implemented through the Inter-governmental Agreement on the Environment (IGAE) (DEH 1992) which supports a commitment to develop a strategic planning approach to the marine environment. The IGAE aims to implement this commitment through the establishment of representative marine protected areas (DEH 1992).


These obligations are enacted through major policies such as the *National Strategy for Ecologically Sustainable Development* (ESDST 1992), the *National Strategy for the Conservation of Australia's Biological Diversity* (DEST 1996) and the *Australian National Strategy for the Conservation of Species and Habitats Threatened with Extinction* (Endangered Species Advisory Committee 1992). Further, the *Oceans Policy* (Environment Australia 1999) embeds commitments and actions for the implementation of NRSMPA for conservation purposes, by providing for regional planning frameworks which aim to integrate environmental, economic, social and cultural ocean uses.

Clearly, Australian governments are bound at many levels to manage their marine resources in a protected area estate with biodiversity and species protection a core management priority (HORSCERA 1991, 1993; Ivanivici et al. 1991; Posey 1996). For Indigenous peoples living adjacent to or within the protected area estate, the cultural connection to sea country remains strong (Nietschmann 1982; Birckhead et al. 1993; Beltran and Phillip 2000; Holzknecht 2000). However, an examination of the history of Australian Indigenous people since colonisation demonstrates how Aboriginal peoples are still hindered in their aspirations to be involved in contemporary resource

management due to the significant socio-economic challenges they face merely to exist (Council for Aboriginal Reconciliation 1995). I present an examination of the history of Indigenous involvement in natural resource and protected area management because it helps the reader to understand Aboriginal history since colonisation and why this legacy guides Indigenous involvement in marine management today.

## 5.3. The Historical and Institutional Framework of Indigenous Peoples' Involvement in Marine Resource Management in Australia

### 5.3.1. Cultural Context: The Importance of Country

The Indigenous peoples of Australia are culturally diverse and have inhabited Australia for between 50,000 – 100,000 years (Flood 1983, Roberts et al. 2001, Bowler et al. 2003, Gillespie 2004). At the time of the British invasion, it is estimated that approximately 750,000 Indigenous peoples lived on the continent (ATSIC 2005). Today, Indigenous Australians (Aboriginal and Torres Strait Islander peoples) account for approximately 2.4 per cent of the total population, about 458,500 people (ABS 1995, 2001). This low percentage means that Indigenous Australian have limited electoral clout.

Long prior to European settlement, Indigenous Australians developed sophisticated and highly diverse cultural frameworks, with each group maintaining specific cultural mores and traditions. Nonetheless, Indigenous Australians share some cultural tenets in common such as the notion of 'country', which is central to all Australian Indigenous culture:

> Country is a place that gives and receives life. Not just imagined or represented, it is lived in and lived with. Country in Aboriginal English is not only a common noun but also a proper noun. People talk about country in the same way that they would talk about a person: they speak to country, sing to country, visit country, worry about country, feel sorry for country, and long for country. People say that country knows, hears, smells, takes notice, takes care, is sorry or happy. Country is not a generalised or undifferentiated type of place, such as one might indicate with terms like 'spending a day in the country' or 'going up the country'. Rather,

country is a living entity with a yesterday, today and tomorrow, with a consciousness, and a will toward life. Because of this richness, country is home, and peace, nourishment for body, mind, and spirit; heart's ease' (Bird-Rose 1996, p. 7).

This relationship with country underpins all aspects of Indigenous culture in Australia. Country engenders cultural responsibility for place and people which is, in turn, codified within a complex set of protocols, knowledge sets and ceremonies that prescribe social and individual behaviour relating to the land. Spiritual strength is drawn from the ancestors who reinforce a connection to the earth through being conceptualised as both human and animal (Johannes 1989). Indigenous hunting was conducted with close regard for sustainability, based on traditional ecological knowledge about the regions (Lourandos 1988). Traditional hunters were often forbidden to take pregnant females or young animals (Davies 1996; Davies et al. 1999). Hunting was not just a subsistence activity but embedded within the notion of 'caring for country' (discussed in more detail later in this chapter) and as presented in Chapter 2, it was and still is the wellspring of cultural identity (Freeman 2005).

The impact of the arrival of the British on the Traditional Ecological Knowledge (TEK) of Aboriginal and Torres Strait Islanders was shattering, and as Davies et al. (1999) point out, very confusing:

> Since their law is ancient and is an expression of the landscape and its plants and animals, Indigenous peoples do not view it as easily open to amendment or negotiation. They speak disparagingly of the law-making practices of Australian governments, where laws are just pieces of paper, frequently discarded or changed (Davies et al. 1999, p. 17).

Nonetheless, it was under this law that Captain Cook in 1770 (Breeze 2000), on behalf of the British Government, declared Australia *Terra Nullius* (land of no people) thus initiating the beginning of white settlement in Australia (Inglis 1974).

## 5.3.2. Historical Overview

The history of Indigenous people's interactions with non-Indigenous people in Australia is a savage one (Kidd 1997). Aboriginal interests were over-ridden and Aboriginal people were subject to exploitation, violence, sexual abuse, European disease, and used as cheap labour by various sectors including the pastoral and pearling industries (Rowley 1970; Reynolds 1972, 1984; Loos 1976, 1982; Hercus and Sutton 1986). Massacres, the poisoning of flour and waterholes and the banishment of Aboriginal people from traditional sources of food and water were used by pastoralists and others to 'disperse' Aboriginal groups, (Evans et al. 1975; Loos 1976; Gardner 1980; Elder 1988; Tatz 1999). This experience is poignantly expressed in this excerpt from the Lutheran Herald in 1936:

> The Mission found little understanding and sympathy among the settlers coming into the country. They did not see the human beings in the Aboriginal inhabitants of this state and for the greater part estimated them little better than wild animals of the fields and the mountains and treated them as such. It is rather a dark page from our history and it fills us with shame when we realise the treatment meted out to the original owners of this land. Like dingoes and rabbits, they were hunted and gun and poison were used to exterminate them like some animal pest. It was not until some 50 years later that public opinion and conscience began to realise that the citizens of this State had a responsibility over, not against, the Aboriginals and owed them compensation for their land, their home and their hunting grounds' (Lutheran Herald 1936a, p.1).

These actions were institutionalised through a diversity of State 'protectionist' laws and Acts, under which Aboriginal people were prevented from entering hotels, from marrying without permission and from living within town boundaries. A significant consequence was that Indigenous peoples were forcibly brought together in unfamiliar territory, either in Aboriginal reserves or religious missions (Markus 1994; Kidd 1997). For example, in Queensland, under the *Aboriginals Protection and Restriction of the Sale of Opium Act 1897 (*Qld*)*, several Indigenous reserves were established and the majority of Aboriginal people became wards of the State rendering them unable to work outside the reserves

without a work permit. Under the terms of this legislation, the income of Indigenous Australians was managed by the State, mixing of the races was controlled and Aboriginal women or men who wished to marry required the permission of the Chief Protector.

During the 1930s, a significant policy shift occurred as State governments decided to 'integrate' Aboriginal people not of 'full blood' into the wider population instead of 'protecting' them on reserves. The aim was simple, to ensure that Indigenous people lost their identity and became 'absorbed' within the wider community. The assimilation policy was a deliberate attempt at cultural eradication (Attwood 1989, Altman and sanders 1995, Manne, 1998). By 1951, this policy had been extended to all Aboriginal people in Queensland. During this time, State governments across Australia also oversaw a policy of removing Aboriginal children from their families, particularly so called 'half-caste' children (AHC 1997a). These Aboriginal children, now known as 'the stolen generation' were raised in institutions or fostered out to white families 'for their own good'. The 1998 Commonwealth government report, 'Bringing Them Home' (National Inquiry into the Separation of Aboriginal and Torres Strait Island Children from their Families 1998), concludes, that in the period from 1910 to 1970 (when the practice of removing Aboriginal children from their families was at its peak), between 10 and 30 per cent of Indigenous children were forcibly removed from their families and communities.

During this period, however, Indigenous rights were recognised in law for the first time. Of particular note, in 1962, the Commonwealth government passed the *Commonwealth Electoral Act (Cth)* which gave Aborigines the right to vote in Commonwealth elections (Australian Parliament 2005). In 1967 overwhelming public support in a referendum authorised amendments to the Australian Constitution giving the Commonwealth

Government power to legislate for Indigenous Australians living in the States (Australian Parliament 2005).

The 1967 referendum can be described as the trigger for the Aboriginal land rights movements and focussed attention on Indigenous issues as never before. In Queensland, the passing of the *Queensland Aborigines Act 1971* and the *Queensland Torres Strait Islanders Act 1971* recognised the distinct nature of Aboriginal and Torres Strait Islander culture for the first time. The *Community Services (Aborigines) Act 1984 (*Qld*)* and *Community Services (Torres Strait Islanders) Act 1984 (*Qld*)* also created significant changes for Aboriginal and Torres Strait Islander peoples in Queensland by granting local government status to former reserves which had received Deeds of Grant in Trust (DOGIT) status in 1982 under the *Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982 (DOGIT) (*Qld*).* Thus, in Queensland, Aboriginal people were given some title to land and a degree of self-management although in a weaker form than other states at the time. Recent legislative changes have now given all remaining DOGIT communities local government status, with the process of transition underway at the time of writing.

### 5.3.3. Aboriginal Employment

Although the Aboriginal communities described above received the status of Councils, the current reality is that there is very little private investment in Indigenous communities and the main source of employment is through the Commonwealth Development Employment Program (CDEP) (AHC 1997b). The CDEP scheme is a national labour initiative (Altman and Gray 2000, Altman 2004), which requires participants to undertake work and training activities managed by local Indigenous community organisations (i.e.

local councils) using funds that would otherwise flow to individuals as unemployment benefits. CDEP funding is now the main source of funding and employment in remote communities and most often the chief source of funding for natural resource management and caring for country programs, which are described in Section 5.5.5. below. Many Indigenous Community Rangers for example are funded by the CDEP scheme (AHC 1997b; Altman and Whitehead 2003).

### 5.3.4. Statistical Overview

As described in Chapter 2, the history worldwide of Indigenous peoples since colonisation is generally one of loss, dispossession and dislocation (Laenui 2000; Smith and Ward 2000a, 2000b; Blunt and McEwan 2002). The legacy of this history is equally challenging. Indigenous Australians have the lowest levels of health, employment, education and standard of housing across the nation (Altman 1989; ABS 2001a, 2001c, 2002, 2003, 2004). Socially, Indigenous Australians have the highest incidence of infant mortality, disease and rates of domestic violence across Australia (Altman, 1979, 2000; Dodson 1993, 1994, 1995; Folds 1993; AHREOC 2005).[22] The Steering Committee for the Review of Government Service Provisions report (SCRGPS 2003) 'Overcoming Indigenous Disadvantage: Key Indicators 2003' highlights the stark comparison between the living standards of Indigenous and non-Indigenous people in Australia (see Appendix 6 for further information and links relating to the socio-economic profile of Indigenous Australians).

The UN Human Index also demonstrates that many aspects of the health of Indigenous Australians fall below those of developing countries (UNDP 2004). Indigenous men for example, have an average life expectancy of 56.3 years compared to 77 years for non-

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[22] All of these surveys are undertaken at least every 2-3 years. The Social Justice Report is published annually.

Indigenous male Australians. Indigenous women have an average life expectancy of 62.8 years compared with 82.4 years for non-Indigenous females (AHREOC 2005). Globally, this means that life expectancy rates for Aboriginal Australians are now significantly behind Indigenous peoples of Canada, New Zealand and the United States of America (UNDP 2004). Indigenous infants are 2.5 times more likely to die before their first birthday compared with non-Indigenous children (AHREOC 2005); in the Northern Territory, infant mortality rates are four times the national rate.

The Australian Bureau of Statistics (ABS 2001a) census estimates (ABS 2001a) show that Indigenous Australians have an average gross-household-income 38 per cent less than that of the rate for non- Indigenous peoples; in remote regions this is as high as 60 percent. In the cities, Indigenous peoples have the highest unemployment rates in Australia with 20.1 per cent unemployed compared to 6.9 percent for non-Indigenous peoples (ABS 2001a). Up to 18 per cent of those employed are engaged within the Community Development Employment Projects (AHREOC 2005)[23].

In 2001, 39.5 per cent of non-Indigenous Australians had finished Year 12 compared with 16.8 percent of Indigenous Australians (AHREOC 2005). Indigenous people have much higher levels of renting (63 per cent as against 27 per cent for non-Indigenous households). In 2001, 19 per cent of Aboriginal people were purchasing their own home compared with 27 per cent of other households (AHREOC 2005). Only 13 per cent of Indigenous Australians own their home outright compared to 40 per cent of other non-Indigenous households (ATSISJC 2004). Finally, a disproportionate number of Indigenous Australians is within the criminal justice system (Royal Commission into

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[23] As mentioned earlier, the CDEP scheme is one which enables participants to exchange unemployment benefits for opportunities to undertake work and training activities managed by local Indigenous community organisations (i.e. local councils).

Aboriginal Deaths in Custody 1991). Since 1999, Indigenous peoples have consistently made up approximately 20% of the prison population and at a national level the Indigenous rate of imprisonment is 16 times the non-Indigenous rate (AHREOC 2005). In the period 1990 – 1999, 115 Indigenous people died in custody (Royal Commission into Aboriginal Deaths in Custody 1991).

### 5.3.5. Indigenous Involvement in Natural Resource Management

Not withstanding the conditions described above, Indigenous Australians have actively lobbied for the right to return to, control, receive title over and manage their land and sea estates (Dale 1991; Young et al. 1991; Altman and Allen 1992; Cordell 1992; Birckhead et al. 1993; Hill 1992; Smyth 1993, 1997, 2001a, 2001b; Altman et al.1993; Meyers 1994; Woenne-Green et al.1994; Galley 1996; Lawrence 1996; Smyth and Sutherland 1996; Dale et al. 1999; Davies et al. 1999; Smyth and Muir 2001).

This desire by Indigenous peoples to participate in environmental management is not only part of the Aboriginal land rights movement outlined below, but part of a global movement by Indigenous peoples attempting to address the environmental implications of their own practice. Worldwide, Indigenous peoples have consistently faced criticism in relation to the impacts of their use. Robinson and Bennett (2000) for example highlight the biological limits to sustainability which put species under pressure by hunting in tropical forests. As they note this has been an issue for a long time:

> Palaeontological and historical analyses show that hunting for human consumption is a conservation issue, because it can lead to population declines of target species…to local extirpations and even to global extinctions' (Robinson and Bennett 2004, p 397).

Many other case studies of Indigenous hunting and wildlife trade highlight the impact of Indigenous harvest; in Paraguay (Hill and Padwe 2000), the Congo – Zaire (Hart 2000),

Kenya (Fitzgibbon et al. 2000), Gabon (Wilkie et al. 2005) and West Africa (Fa 2000, Fa et al. 2005). Walsh and White (1999) highlight the impact of hunting on elephant populations while Brashares et al. (2004) note that the 'multibillion dollar trade in bushmeat is among the most immediate threats to the persistence of tropical vertebrates'. In a marine context, Dulvy and Polunin (2004) in a study of local harvest of parrotfish found that:

> the retrospective discovery of local disappearances and global rarity of a distinctive and formerly prominent reef fish is consistent with the hypothesis that the capacity to detect disappearances of exploitation-vulnerable species in the sea is lower than expected (Dulvy and Polunin 2004, p. 365).

Indigenous peoples then face international pressure to monitor their use and harvest of wildlife. In Australia, this pressure is additionaly acute as Indigenous peoples now have control of large areas of Australia. Under the *Aboriginal Land Rights (Northern Territory) Act 1976* and land purchase schemes for example, Indigenous peoples now hold approximately 42 per cent of the Territory in the form of inalienable freehold title. 'Caring for Country' programs have been established nation wide (TSCRC 2001; Altman and Whitehead 2003; J Morrison 2005, pers.comm.) and provide the forum through which Indigenous people are able to combine both traditional and contemporary methods of management, providing for, amongst other things, the training of Indigenous community rangers. 'Caring for country' is a term used to describe contemporary Indigenous natural resource management approaches (after Young et al. 1991). Caring for country programs are often funded through the Natural Heritage Trust (NHT), a national funding initiative for natural resource management, which for example, has funded an Indigenous Land and Sea Management Facilitator Network, that provides for

the establishment of a network of community based Indigenous land and sea management centres. However, NHT is a short term funding option only.

Some Indigenous peoples have participated in protected area management schemes through the Indigenous Protected Areas Program (IPAs), a non-statutory option that enables Indigenous people to retain control over and obtain funding for the management of their country, in return for which, parts or all of their traditional country is registered on the National Estate and declared a protected area within the IUCN Categories 1-6 (Bridgewater 1999; Hardy 2001). To-date, Indigenous people have voluntarily declared and taken management of seventeen Indigenous Protected Areas on their lands, covering 13.8 million ha (DEH website 2005c).

Indigenous peoples are actively involved in threatened species management. In northern Australia, a partnership between the Kimberly Land Council, Northern Land Council, Balkanu Economic Development Corporation (Cape York) and the Cooperative Research Centre for Tropical Savanna Management led to the formation in 2002 of the Northern Australian Indigenous Land and Sea Management Alliance (NAILSMA). This alliance for example is currently coordinating a $3.8 million project on addressing Green turtle and dugong hunting issues and management aspirations at a community level across the north of the continent ( J Morrison 2005, pers. comm.).

### 5.3.6. Relevant High Court Decisions

Of critical importance to this discussion, Indigenous peoples have taken their concerns to court. There are now a number of acts and High Court decisions that are increasingly defining statutory rights for Indigenous peoples to manage country on their own terms (Sweeney 1993). The most notable of these decisions was the 'Mabo' decision.

On June 3rd 1992, the High Court of Australia recognised a form of Native Title that reflected 'the entitlement of Indigenous inhabitants, in accordance with their laws and customs, to their traditional lands.' (*Mabo and Others v. Queensland* (No. 2) 1992175 CLR 1 F.C. 92/014). This High Court decision also recognised that the prior rights of Aboriginal and Torres Strait Islanders were similar to those of other Indigenous groups across the world. The decision, known popularly as the 'Mabo' decision, was handed down after lengthy proceedings in the Queensland courts in relation to Indigenous rights in the Torres Strait. Eddie Mabo, a Torres Strait Islander who claimed Native Title and sovereignty of the Torres Strait island of Mer, brought the case to court and by a majority of 6 to 1, the High Court ruled that:

> the Australian Common Law required that Indigenous rights to land had survived the simple acquisition of the continent by Britain, and that the theory of *Terra nullius*, that is land belonging to no-one, was inappropriate as the land had so clearly been occupied (Mabo and Others v. Queensland (No. 2) 1992175 CLR 1 F.C. 92/014).

In 1993, the Australian Federal Government introduced the *Native Title Act 1993* to codify the implications of the High Court decision. This act has significant implications for resource management in Australia (Meyers 1994). As Baker et al. (2001a) add:

> Recognition of indigenous rights to land, whether through government grants, land purchase or Native Title, has undoubtedly transformed the bargaining power that indigenous people in Australia have to assert their own priorities for management of country through moral, legal and practical mechanisms (Baker et al. 2001a, p. 8).

This Act established mechanisms aimed at 'validating' the land titles for the occupiers that may have been questionable as a result of the decision and established claims procedures for Indigenous peoples who maintained that their traditional rights had not been 'extinguished'. The *Native Title Act 1993* is now the primary mechanism for dealing with Native Title rights in Australia but it does not automatically confer such rights.

Specifically, the Act provides mechanisms for processing and hearing Native Title claims. It has challenged existing cultural institutions and required new forms of management (Davies 2001). In order to obtain Native Title, Indigenous peoples must establish: (i) that they have maintained a traditional connection with the lands since the time of British sovereignty, and (ii) that their interests have not been 'extinguished' by inconsistent acts (such as freehold title). Within the *Native Title Act* 1993, Native Title holders are defined as:

(i)      the persons holding the group's Native Title rights; or
(ii)     the prescribed body corporate registered on the National Native Title Register
         as holding these rights on trust for this group (*NT Act*, S 224).

Further decisions, such as Wik, have also challenged the terms of Native Title and the terms 'extinguishment' and 'exclusionary power'. Of particular relevance to my thesis is the way that Indigenous peoples have since tested Native Title in a marine context (Prescott and Davis 2002).

The first test was the 'Croker decision', when Mary Yarmirr and others tested the existence of Native Title rights in a marine context on behalf of their clan groups. In 2001, these groups applied for determination of Native Title over the seas in the Croker Island region of the Northern Territory (*The Commonwealth v Yarmirr; Yarmirr v Northern Territory* [2001] HCA 56, 11 October 2001). The claim included the seas, seabeds and the land and reefs contained within the boundary of the claim. The High Court ruled that Native Title rights to be recognised in this region included the:

the rights: (a) to fish, hunt and gather within the claimed area for the purpose of satisfying their personal, domestic or non-commercial communal needs, including observing traditional, cultural, ritual and spiritual laws and customs; and (b) to have access to the sea and sea-bed within the claimed area - (i) to exercise the above rights to travel through, or within, the claimed area; and (ii) to visit and protect places within the claimed area which were of cultural or spiritual importance (*The Commonwealth v Yarmirr; Yarmirr v Northern Territory* [2001] HCA 56 (11 October 2001).

Importantly however, the Croker judgement ruled that the Yarmirr did not have any exclusive rights to possess, occupy, use and enjoy the subject waters. Since the Croker decision, Indigenous peoples have made several claims under the terms of the Native Title legislation for recognition of rights over Australia's marine estate and these are summarised below in Table 5.3.6.1.

**Table 5.3.6.1**.: Summary of Native Title High Court decisions determining Traditional rights of use and access in marine areas 2001 – 2005 (Northern Land Council 2005

| Decision | Region | Rights acknowledged |
|---|---|---|
| Lardil, Yangkaal, Kaiadilt and Gangalidda peoples: the claimants held non-exclusive rights in line with their traditional law and customs over areas of sea and part of the Albert River on the mainland. | Southern Gulf of Carpentaria region of Queensland | (i) the rights to fish, hunt and gather living and plant resources; (ii) the right to hunt or take turtle and dugong in the inter-tidal zone and surrounding waters for personal, domestic or non commercial community consumption; (iii) the right to take and consume fresh drinking water from fresh tidal springs in the inter-tidal zone; (iv) the right to access the land and waters seaward of the high water line for religious or spiritual purposes; and (v) the right to access sites of spiritual or religious significance. |
| *Bardi Jawi* decision (*Sampi v State of Western Australia* [2005] FCA 777), | Dampier Peninsula, north – west Western Australia | That the Bardi and Jawi claim group held Native Title to land and waters covering the Dampier Peninsula |
| The Yolngu people, Arnhem Land | Blue Mud Bay region, 50km north-west of Groote Eylandt | The claim for 510 square kilometres of sea, including the foreshore fishing zone, has been recognised in the form of non-exclusive rights, in a similar manner to the Croker Island case and that achieved by the Lardil people in Queensland's Gulf of Carpentaria. These include the rights to hunt, fish, gather and use resources within the area (including the right to hunt and take turtle and dugong) for personal, domestic or non-commercial exchange or communal consumption for the purposes allowed by and under their traditional laws and customs. |

## 5.4. Legal Context: Indigenous Utilisation of Wildlife

Policy governing the utilisation of wildlife by Indigenous peoples is discussed by the Australian Law Reform Commission (ALRC), which published a major report on the recognition of Indigenous customary law in 1986 (ALRC 1986). This report advocates a wider scope for the recognition of Indigenous hunting rights for subsistence purposes and recommends a number of principles for statute law reform which are still used to define

the legal parameters for how Indigenous hunting is understood (ALRC 1986).

Specifically, the report recommends:

(i)     Indigenous traditional hunting for subsistence purposes should take priority over non traditional activities, including commercial and recreational activities of non Indigenous people;

(ii)    Traditional hunting may be limited legitimately where necessary for species conservation goals and similar overriding interest;

(iii)   In determining whether an activity is traditional, the focus should be on determining the purpose of the activity rather than the method. The use of new technologies and hunting for feral species does not mean that hunting is not traditional (ALRC 1986).

S211 of the *Native Title Act (1999)* (see Table 5.4.1. overleaf) is consistent with the recommendation of the ALRC and has implications for management of marine protected areas such as the GBRWHA (Honchin 1998). Section 211 allows Native Title holders to practice certain cultural activities, including hunting, without a license or permit, regardless of Commonwealth, State or territory laws that aim to restrict hunting and fishing. Further, Section 211 directly addresses preservation of certain Native Title rights and interests, while stipulating that the cultural activities must be undertaken for personal, domestic or non-commercial communal needs. Section 211 of the Act is symbolically important as it ensures Australia's compliance with its international obligations under Article 27 of the *International Covenant on Civil and Political Rights* (ICCPR 1976) which provides for the self-determination and control of lands and resources as identified in the *International Covenant on Economic, Social and Cultural Rights* (Office of the High Commissioner for Human Rights 1976). S 211 thus obliges all Commonwealth and State policy frameworks to acknowledge and incorporate provisions that recognise Indigenous rights. For example, the Environment Protection and Biodiversity Conservation Act 1999 states:

> 'To avoid doubt, nothing in this Act affects the operation of s 211 of the *Native Title Act 1993*' (EPBC 1999, s 8 (1)).

**Table 5.4.1** Section 211 *Native Title Act 1993* (Cth) 211 Preservation of certain Native Title rights and interest
Requirements for removal of prohibition etc. on Native Title holders

(1) Subsection (2) applies if:
(a) the exercise or enjoyment of Native Title rights and interests in relation to land or waters consists of or includes carrying on a particular class of activity (defined in subsection (3)); and
(b) a law of the Commonwealth, a State or a Territory prohibits or restricts persons from carrying on the class of activity other than in accordance with a licence, permit or other instrument granted or issued to them under the law; and
(ba) the law does not provide that such a licence, permit or other instrument is only to be granted or issued for research, environmental protection, public health or public safety purposes; and
(c) the law is not one that confers rights or interests only on, or for the benefit of, Aboriginal peoples or Torres Strait Islanders.
(d) removal of prohibition etc. on Native Title holders

(2) If this subsection applies, the law does not prohibit or restrict the Native Title holders from carrying on the class of activity, or from gaining access to the land or waters for the purpose of carrying on the class of activity, where they do so:
(a)      for the purpose of satisfying their personal, domestic or non-commercial communal needs; and
(b)      in exercise or enjoyment of their Native Title rights and interests.
Note:    In carrying on the class of activity, or gaining the access, the Native Titleholders are subject to laws of general application.
Definition of **class of activity**
(3)      Each of the following is a separate *class of activity*:
(a)      hunting;
(b)      fishing;
(c)      gathering;
(d)      a cultural or spiritual activity;
(e)      any other kind of activity prescribed for the purpose of this paragraph.

Another example of the recognition of Native Title rights is the 'National Framework for Turtle and Dugong', which contests that:

> Nothing in this approach is intended to affect the operation of s 211 of the *Native Title Act 1993,* which operates to protect the rights of Indigenous communities with a determined Native Title right to hunt and fish (MACC Taskforce 2005, p. 2).

Section 211 of the *Native Title Act (1993)* was tested in 1999 when Murrandoo Yanner successfully defended his prosecution for the hunting of crocodiles (*Yanner v Eaton* 1999). Yanner, an Indigenous man from the Gaangalida Tribe in the Gulf of Carpentaria, Queensland, appealed to the High Court after he had been charged under the *Fauna Conservation Act 1974* (Qld), s 54, for hunting and eating two juvenile crocodile without a permit or some kind of authority *(Yanner v Eaton* [1999] HCA 53 (7 October 1999). In

this case, the magistrate agreed with Yanner that hunting was permissible so long as Native Title connection to the area could be shown. This decision has had profound implications for the utilisation of wildlife by Indigenous people since 1999. If Native Title can be proved, there is now a precedent that allows Indigenous peoples to hunt native wildlife, independent of its ecological status or other legislature relating to species protection and management.

## 5.4.1. Institutional and Legislative Arrangements for Indigenous Participation in Biodiversity Management along the GBRWHA

The Great Barrier Reef in north-eastern Australia, covering an area of 344,400 square kilometres, is the largest World Heritage Area globally. Declared a World Heritage Site in 1981, the region is a prime tourist destination generating in excess of $1 billion annually from marine tourism (GBRMPA web site 2005). The GBRWHA is the feeding and breeding ground for many threatened species including the dugong and six species of sea turtles. The land bordering the GBRWHA is also home to 70 Indigenous traditional owner groups, (approximately 11,000 Indigenous people), many of whom continue to harvest Green turtles and dugongs, and for whom hunting continues to be of high cultural and dietary value (Baldwin 1985, 1987, 1988, 1989). Indigenous hunting of Green turtles and dugongs is an activity that has both historically polarised communities living along the GBRWHA, with overharvest of Green turtles and dugongs considered a threat to these species (Limpus 1999; Heinsohn et al. 2004; Marsh et al. 2004). In the Hope Vale case study, the legislative, historical and social factors outlined in Sections 5. −5.6.1. converge to influence the practice of Indigenous utilisation of wildlife.

The World Heritage Area is managed by the Great Barrier Reef Marine Park Authority (GBRMPA), a statutory body established under the *Great Barrier Reef Marine Park Act 1975* (Cth), with the following aim:

> to provide for the protection, wise use, understanding and enjoyment of the Great Barrier Reef in perpetuity through the care and development of the Great Barrier Reef Marine Park (GBRMPA web site 2000).

Under the Act, GBRMPA manages the World Heritage area as a multiple use protected area with a system of zoning and management plans permitting various uses including fishing, coral harvesting and tourism (Whitehouse 1993; Wachenfield et al. 1998). In 2003 the GBRMPA concluded a major re-zoning process known as the Representative Areas Program (RAP) which increased the area of the marine park protected in Green Zones (no-take) from 4.6 per cent to 30 per cent (GBRMPA 2004). The Act also provides many mechanisms for community involvement and consultation in relation to the management of the GBRWHA. The instrument of most relevance to my thesis is Section 39ZA.

Specifically, Section 39ZA of the Act allows the GBRMPA to enter into management arrangements with the community and to recognise community based or other planning frameworks in a statutory context, thus binding both parties to a joint management agreement:

> (1)　　The Authority may enter into an agreement or arrangement for the purposes of this Part with a group of people who are representative of a community group that has a special interest in an area of the Marine Park (Section 39Z, *GBRMPA Act* 1975 (Cth).

The agreement or arrangement may relate to the development and/or the implementation of a plan of management for a species or ecological community within, the area concerned and may, if the Authority considers it appropriate, provide that, if such a plan of management is prepared, the community group is to manage the area, or the species or

ecological community within the area, jointly with the Authority in accordance with the

plan (*GBRMPA Act 1975* (Cth). However, Havemann et al. (2005) note the GBRMPA

Act 1975 (Cth), which pre-dates the Mabo decision, has been largely 'silent on

Indigenous people, their cultural heritage and their participation in the management of the

park' (Havemann et al. 2005, p.263). To address this deficit, the GBRMPA has instituted

a number of initiatives over the last 15 years. In 1994, amendments to the Act made

provision for Indigenous recognition and participation in the management of the

GBRWHA, resulting in the appointment of an Indigenous member of the Authority to

represent Indigenous interests (MPA 1993a; Havemann et al. 2005) and formal

recognition in the Authority's strategic plan objectives:

> This Plan recognises the special relationship of Aboriginals and Torres Strait
> Islanders with the Area and provides for the establishment of cooperative
> management arrangements and involvement in the management of the Area
> (GBRMPA 1994a, p. 7).

As discussed above, the *Environment Protection and Biodiversity Act 1999 (*Cth*)* also

contains legislative arrangements that recognise Indigenous rights in relation to

Indigenous rights to participate in biodiversity protection and ESD initiatives, specifically

under the Terms of Section 3:

> (f) to recognise the role of Indigenous people in the conservation and ecologically
> sustainable use of Australia's biodiversity; and (g) to promote the use of
> Indigenous peoples' knowledge of biodiversity with the involvement of, and in
> cooperation with, the owners of that knowledge (*EPBC Act 1999(*Cth*)*).

Further, the *EPBC Act 1999 (*Cth*)* specifies suggested pathways to achieve such

objectives, including the promotion of partnership approaches to environmental

protection and biodiversity conservation through community involvement in management

and planning.

While the GBRMPA manages Commonwealth waters it also shares management

responsibility of the GBRWHA (which includes waters of the State of Queensland) with

the Queensland Parks and Wildlife Service (QPWS), which is part of the Queensland

Environmental Protection Authority (Havemann et al. 2005). The EPA supports the

GBRMPA in enforcing Queensland laws, that are consistent with Commonwealth

legislative structures. Until June 2004, the relevant Queensland State waters were partly

managed through a network of State Marine Parks, proclaimed under the *Marine Parks*

*Act 1982 (*Qld*)*. The management goals for each marine park were to:

> protect the areas natural and cultural values and to raise public awareness and
> appreciation and to ensure the marine park remains diverse, resilient and
> ecologically productive (*Marine Parks Act 1982).*

In June 2004 however, the Queensland Premier, Peter Beattie, declared that a Great

Barrier Reef Coast Marine Park would be created to protect inshore ecosystems on the

landward side of the low water mark (Havemann et al. 2005). The creation of this park

will go a long way towards smoothing the zoning and other inconsistencies between State

and Commonwealth management systems, most particularly in relation to clarifying

Commonwealth definitions of high and low water mark. In covering areas inhabited by

dugongs and Green turtles this new park will also provide greater protection for such

species.

The main legal instrument for conservation in Queensland is the *Nature Conservation Act*

*1992 (*Qld*), (the NC Act)*. Consistent with the *EPBC Act 1999*, and the *GBRMPA Act*

*1975*, Section 4 of the *NC Act* defines responsibilities in relation to: (i) wildlife, and (ii)

Indigenous peoples:

> (e) Use of protected wildlife and areas to be ecologically sustainable
> providing for the ecologically sustainable use of protected widlife and
> areas by the preparation and implementation of management and

conservation plans consistent with the values and needs of the wildlife or
areas concerned;
(f) Recognition of interest of Aborigines and Torres Strait Islanders
nature and their cooperative involvement in its conservation;
the recognition of the interest of Aborigines and Torres Strait Islanders in
protected areas and native wildlife;
(g) the cooperative involvement of Aborigines and Torres Strait Islanders
in the conservation of nature (*NC Act 1992,* S 4).

Within the provisions of the *NC Act 1992*, a person must not:

take, use or keep a protected animal, other than under a conservation plan
applicable to the animal, a licence, permit or other authority issued or given under
a regulation or an exemption under a regulation (*NC Act 1992*, S88).

There are two possible statutory mechanisms provided under the NC Act that may allow

for the taking, use or keeping of a protected animal by indigenous people. The first

mechanism is by grant of a specific authority. Under the *Nature Conservation Regulation*

*1994*, it is possible for an 'authority' to be granted by the 'chief executive' to Indigenous

people with an interest in a particular area. Such an authority permits 'an individual to

take, use, keep or interfere with a cultural or natural resource of a protected area under

Aboriginal tradition or Island custom' (Esposito nd). This regulation is prescriptive in

that it outlines the terms and conditions for taking wildlife and prohibits the taking of

'rare or threatened wildlife' or the taking of 'wildlife (other than rare or threatened

wildlife) if the taking … will reduce its ability to maintain or recover its natural

population levels in the area' (Esposito nd).

The second possible statutory mechanism is pursuant to a general exemption under

section 93 of the *NC Act*. Section 93 of the *NC Act* confirms the 'use of the wildlife … by

Aboriginal people' so long as it 'is ecologically sustainable'. However, this important

section remains unproclaimed[24] and of no legal effect despite its explicit statement that 'despite any other Act, an Aborigine or Torres Strait Islander may take, use or keep protected wildlife under Aboriginal tradition or Island custom' (*NC Act 1992 (*Qld) s93 (1)). This section is 'subject to any provision of a conservation plan that expressly applies to the taking, using or keeping of protected wildlife under Aboriginal tradition or Island custom (*NC Act 1992* (Qld) (s93(4)). Nonetheless, a conservation plan may still expressly prohibit the taking, using or keeping of protected wildlife under Aboriginal tradition or Island custom (s93(3)). For example, the *NC Act 1992* prohibits the use of firearms for traditional hunting (*NC Regulation 1994 (*Qld*)*, s 33 (1) (d) (i)). However, this important general exemption remains unproclaimed. Accordingly, the only existing exemption under the *NC Act 1992* is by the clumsy and piecemeal grant of specific permits.

Under the *Community Services (Aborigines) Act 1984* (Qld), Indigenous peoples in Deed of Grant in Trust (DOGIT) communities may take flora and fauna by traditional means for use within the DOGIT area, the boundary of which ends at the high tide mark (*CS Act 1984,* s 174 (1)). In Queensland, traditional hunting has exemption under s 8(1) from the cruelty provisions of the *Animal Care and Protection Act 2001* (Qld). Other Acts of relevance to the environmental protection in State waters include the *Environmental Protection Act 1994* (Qld), the *Coastal Protection and Management Act 1995* (Qld), the *Fisheries Act 1994* (Qld) and the *Marine Parks Act 2004* (Qld), (Havemann et al. 2005). The *Fisheries Act 1994* (Qld) states an Aboriginal person may take, use or keep fisheries resources, or use fish habitats under Aboriginal tradition, and a Torres Strait Islander may take, use or keep fisheries resources, or use fish habitats, under Island custom (s14(1)) (Berry 1995). This arrangement is however subject to the provision of regulatory or

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[24] The provision is unproclaimed as at the date of the current reprint of the NC Act (Reprint No.4B, 2 December 2005)

management plans that expressly apply to actions committed under the guise of Aboriginal tradition or Island custom (s14(2)).

In combination, these legal and policy arrangements provide for a complex regime of regulatory control of Queensland's marine resources, especially its fisheries, without causing extinguishment, of any established proprietary right. These laws and policies are the arrangements that govern Commonwealth and State responsibilities along the GBRWHA. Nonetheless, as Havemann et al. (2005) explain, differentiating 'the line between prohibition and regulation is sometimes difficult to discern' (Havemann et al. 2005, p. 270).

### 5.4.2 Threatened Species Protection: Green Turtles and Dugongs

#### 5.4.2.1. The Dugong

Dugongs, (*Dugong dugon)* commonly known as 'sea cows' are long lived marine mammals, the only member of the family Dugongidae. Dugongs are listed as vulnerable to extinction by the IUCN, a listed marine species under the *EPBC Act 1999* (Cth) and vulnerable under the *Queensland Nature Conservation Act 1992* (Qld). The dugong has a global range, spanning some 48 countries, from East Africa to Vanuatu and between 26 degrees and 27 degrees north and south of the equator (Marsh et al. 1984a, 2002 and pers comm. 2005). In Australia, a significant proportion of the world's dugong population is found in northern Australian waters from Moreton Bay in the east to Shark Bay in the west. Torres Strait and the northern Great Barrier Reef region support the largest dugong populations in Queensland (Marsh et al. 1995; Lanyon and Morrice 1997; Marsh et al. 2002). Marsh et al. (2002) estimate that the coastal waters of Cape York support about ten thousand dugongs, some 10 percent of the Australian dugong population. Within this

large region, the hunting grounds of the Hope Vale people are consistently important dugong habitat, but the number of dugongs available to hunters fluctuates because dugongs make extensive movements (see Marsh and Lawler 2002; Marsh et al. 2004).

Dugongs feed on seagrass in coastal waters, predominantly in wide shallow protected bays (Marsh et al. 2002). Dugongs are long lived; they can live for up to 70 years, and are not reproductively active until they are between 6 and 17 years of age, depending on the status of their food supply (Marsh et al. 2002). Gestation usually takes about 13 months, and young will suckle for up to 18 months (Boyd et al. 1999). While the period between births is variable, estimates indicate that dugongs reproduce every 2.5-7 years (Kwan 2002; Marsh et al. 2002). These factors mean that dugongs are extremely vulnerable to anthropogenic impacts particularly anthropogenic mortality, with models indicating that a dugong population is unlikely to increase more than about 5% in any year (Marsh et al. 1997; Marsh et al. 2002).

Key impacts on dugong populations include seagrass dieback (a natural event), and anthropogenic factors such as net entanglement (e.g. shark or gill nets, boat strikes, urbanisation and Indigenous harvest (Preen 2001; Marsh et al. 2002)). All the impacts provide significant challenges for the management of dugongs in the Great Barrier Reef World Heritage Area.

Population models indicate that the current Indigenous harvest levels of dugongs are unsustainable both within the Torres Strait and northern Great Barrier Reef Region including the hunting grounds of Hope Vale community (Heinsohn et al. 2004; Marsh et al. 2004). Modeling also suggests that an anthropogenic mortality target of zero is

required for dugong populations to recover along the urban Queensland coast south of Cooktown (Marsh et al. 2005).

Within the Great Barrier Reef region, the protection for dugongs from anthropogenic impacts other than Indigenous hunting is relatively high, largely as a result of the 2003 rezoning of the GBRMP. Grech and Marsh (in review) estimate that commercial netting restrictions in the GBRWHA now provide a high level of protection for 58% of dugongs in the region; trawling restrictions protect 80% of dugongs seagrass habitat, 48.7% and 9.6% improvements over the previous regime respectively.

**5.4.2.2. The Green Turtle**

The Green turtle (*Chelonia mydas*) is found in most of the tropical and subtropical waters of the world, specifically off waters in South East Asia, the South Pacific, Western Australia, Queensland and the Northern Territory (Prince 1998). The Green turtle is one of six species of marine turtles found in the Great Barrier Reef World Heritage Area (Limpus and McLachlan 1979; Limpus and Reimer 1994; Limpus 1995; Dobbs 2001). The waters and islands of the Great Barrier Reef are important feeding and nesting areas and a migratory corridor for Green turtles (Limpus et al. 1992; Limpus et al. 1994; Dobbs 2001). There are two genetically distinct breeding populations of Green turtles in the GBR; these populations are located in the southern and northern sections of the reef (Marsh and Saalfeld 1989a; Limpus and Heinsohn 2001; Moritz et al. 2001). The Southern Great Barrier Reef is the smaller of the two populations and there are thirteen major rookeries (Chaloupka 2002, 2003). The northern GBR population is one of the largest populations in the world and there are five main rookeries including Raine Island (Dobbs 2001).

The average weight of female Green turtles is around 120 kg, but can reach 250 kg often having a curved carapace length can span more than 105 cm (Dobbs 2001). Like dugongs, Green turtles are long lived with slow reproduction rates; it can take between 30-50 years for a Green turtle to reach sexual maturity (Limpus et al. 1994, 2001). Green turtles breed on average every 2 to 6 years and lay an average of 5 to 6 clutches of eggs per season (Limpus et al. 1994, 2001; Hamman 2002), with an estimated 1 in 1000 hatchlings surviving to adulthood (Limpus 1995; Dobbs 2001; Stokes and Dobbs 2002). Green turtles are the only species of sea turtle that are primarily herbivorous, eating mainly sea grass and algae and living wherever seagrass and algae grow: in Queensland this is often along the coast, but not necessarily elsewhere in the world. Green turtles also exhibit periodic migratory patterns alternating between their courtship, breeding and feeding sites throughout their lives (Limpus et al. 1992). As with dugongs, key impacts on Green turtle populations include habitat loss, seagrass dieback, decline in nutrient quality of seagrass, disease (Limpus and Miller 1994) or anthropogenic factors such as net entanglement (Leitch 1997), boat strikes and Indigenous harvest (Limpus 1999; Chaloupka 2002, 2003).

The Marine Turtle Specialist Group of the World Conservation Union reports that Green turtles are endangered (Hilton-Taylor 2000; IUCN 2002) while in Queensland, the *Nature Conservation Act 1992* and the *Marine Parks Act 1982* provide protective mechanisms for marine turtles. All six species found in Queensland are listed as either endangered or vulnerable under the *Nature Conservation (Wildlife) Regulations Act 1994*. GBRMPA enacts species management of marine turtles in the marine park through zoning, issuing of permits and through plans of management consistent with the *GBRMPA Act 1975* and the *EPBC Act 1999* (Dobbs 2001).

**5.4.2.3. Conservation Biology: Implications for Management for Green Turtle and Dugong**

While Green Turtle and dugong obviously have specific biological and ecological characteristics, it is also important to context their management with regard to their conservation biology overall. Like all threatened and vulnerable species, their population status needs to be monitored carefully. As such conservation management mechanisms are often based on estimations of what is considered a sustainable yield, and the minimum viable population.

In the context of this thesis, long term work by Marsh (Marsh 2003b; Heinsohn et al. 2004; Marsh et al. 2004) on dugong, and Limpus (1999, 2001) on turtle, has highlighted the importance of determining both the sustainable yield and minimum viable populations for these species, and as noted in the Introduction, highlighted that the estimated Indigenous harvest of green turtle and dugong is not sustainable. This factor combined with other impacts will negatively impact on the minimum viable population needed for these species to survive. Tufto et al. (2006) note the importance of population viability in relation to populations of brown bears in Sweden observing that it is optimal to harvest only a proportion equal to 35%of the population exceeding a lower threshold of 12 female bears. Robinson and Bennett (2000) similarly argue the importance of estimating the carrying capacity and maximum harvest rates for species populations in tropical forests. In regards to dugongs, Marsh et al. (2002) highlight that population simulations indicate that even with the best estimates, and maximum combination of life-history parameters  such as low natural mortality and no human-induced mortality, a dugong population is unlikely to increase at more than about 5% per year. This makes the dugong vulnerable to over-exploitation. Given that there are many other impacts on

dugong as well as Indigenous hunting, this factor has implications for what is a sustainable yield or harvest.

These concerns only consolidate the status of Green turtle and dugong as 'flagship species'.[25] The iconic character of Green turtle and dugong ensures that they are of high management priority for both biological and cultural reasons.

### 5.4.3. History of Managing Traditional Use of The Great Barrier Reef Marine Park

The history of managing Indigenous hunting of Green turtles and dugongs is essentially the history of government engagement with Indigenous peoples along the GBRWHA in management planning. The history also reflects the persistent influence of the Aboriginal community of Hope Vale for more than 20 years on the issue of Green turtle and dugong hunting in the World Heritage Area.

### 5.4.3.1. Indigenous Hunting Permits in the GBRWHA

In 1983, a zoning plan for the Cairns Section of the GBRMP designated a section of the zone for scientific purposes only. However, provisions were allowed for the granting of permits to Indigenous people to conduct traditional hunting. Hope Vale Aboriginal Community first negotiated a 'seasonal' hunting permit with GBRMPA and the Queensland Parks and Wildlife Service in 1983. The area covered by the permit was north of the Endeavour River with the season running from December 26th 1983 to January 31st 1984. Agreed permit conditions included: (i) that one dugong was to be taken per hunter and the total quota for the whole community was to be 20 dugongs per annum; (ii) that female dugongs with calves were not to be taken; (iii) that no firearms, including spear guns and power heads were to be used; (iv) that catch data sheets were to

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[25] Flagship species are defined by Bowen-Jones and Entwistle (2002) as the 'use of charismatic large mammals and birds…to raise funds and promote the ethos of conservation'.

be completed for collection by the Great Barrier Reef Marine Park Authority, and (e) that the permit was to be available for inspection within the Marine Park (Baldwin 1985). The trial was from the Management Agency's perspective a qualified success in relation to species management:

> The permit system was effective to the extent that it controlled and monitored the take of dugong during the hunting season. However, it was apparent that the purpose of, and need for, these new restrictions had not been relayed adequately to the entire community, leading to resentment of the recently introduced system (Baldwin 1985, p 203).

It is interesting to note that Marsh et al. (1984b) (who were in the community at the time the permit system was introduced), report that the trial of this permit system at Hope Vale was highly unsatisfactory and that Hope Vale community members felt seriously disenfranchised from the hunting issue and their relationship with GBRMPA. Baldwin (1987) nonetheless concludes that discussions with the community in the post-hunting season revealed that communications by the GBRMPA with the entire community had to be improved (Baldwin 1987). This experience encouraged GBRMPA to develop and expand an integrated program for the conservation of endangered species across the World Heritage Area (Baldwin 1987). The program for the conservation of endangered species covered three main areas, including: (i) research, (ii) management, and (iii) education (Baldwin 1985).

The first Hope Vale permit season nonetheless sharpened an awareness and discussion about the management of Green turtles and dugongs with respect to both Indigenous hunting and environmental concerns (Gray and Zann 1985; Smith 1987; Bergin 1991, 1993; Altman et al.1993; Smyth 1993; GBRMPA 1994b; Swartz 1995; Williams 1995; Smyth and Sutherland 1996; Benzaken et al. 1997; Roberts and Tanna 1998).

### 5.4.3.2. Indigenous Participation in Management of the GBRWHA

During the 1990s Indigenous people also produced a summary of concerns after participation in a GBRMPA survey on the major issues regarding the management of turtles and dugongs. Key issues identified included the following:

> (i) a wish to be involved in management; (ii) the desire for recognition that turtles and dugongs are culturally and economically important to Indigenous people and their traditional country; (iii) the desire for recognition in all communities of a decline (at some level) of turtle and dugong numbers and that something should be done about it; and (iv) an agreement that some monitoring of hunting should occur, but that the commitment to cultural rights be recognised (Hunter and Williams 1998).

In response, the GBRMPA implemented a number of other initiatives designed to engage with Traditional Owners on cooperative management and Indigenous hunting issues (GBRMPA 1997a, 1997b, 1998). At a bureaucratic level these initiatives included the decisions to monitor human induced mortality of dugongs (MPA 1984, 1989a and 1989b) and the development of community by-laws relating to traditional hunting and fishing activities (MPA 1988a), community awareness and consultation (MPA1988b, 1988c), and research (MPA 1989a, 1989b, 1994c, 1994d). The Authority also made a series of decisions to support joint planning and management initiatives (MPA 1991, MPA 1993a, 1993b, 1993c, 1994a, 1997, 1998, 2001). Funding community ranger programs was one method chosen to action these decisions (MPA 1993b, 1994b). On the ground, the GBRMPA also joined with various Indigenous groups along the GBRWHA to develop collaborative traditional, and (primarily) community based hunting management programs. These activities are summarised in Table 5.4.4.3. below [26]:

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[26] These decisions are documented in the minutes for the Great Barrier Reef Ministerial Council (GBRMC) decisions from 1988 onwards. I undertook a review and analysis of all these decisions for my thesis (see chapter 4).

**Table 5.4.3.3**. Indigenous Green turtle and Dugong initiatives along the Great Barrier Reef World Heritage Area during the 1990s

| Community | Activity |
|---|---|
| Bamanga Bubu community, Mossman | Voluntary suspension of dugong hunting activities |
| Gungarde community, Cooktown | Negotiated terms for greater involvement of managing the Marine Park by obtaining GBRMPA support and training for their rangers |
| Yarrabah, a community just south of Cairns. | Identified a need to develop cooperative management agreements to help forestall the continuing decline of dugong numbers in their area |
| Darumbal Noolar Murree Corporation at Shoalwater Bay | Concluded a formal agreement with GBRMPA to suspend Indigenous hunting until scientific surveys showed an increase in dugong numbers. |
| Councils of Elders along the GBRWHA | Established collaboratively with Indigenous communities and the GBRMPA to provide a community based forum giving a voice to Indigenous peoples on hunting and other management issues |
| Kuku Yalanji Marine Resource Committee (Kuku Yalanji 1997) | Maintained a hunting management framework through the establishment of a hunting committee; to regulate the Government permits issued for hunting of turtles within the Kuku Yalanji traditional hunting areas |

(*Sources:* Hunter And Williams 1997; Hunter 1998)

Concurrent with these joint Management Agency and community activities, Indigenous peoples along the urban coast of the GBR (the region between Cooktown and the southern border of the GBRWHA) were also independently seeking to address the issue of hunting Green turtles and dugongs (Smith and Marsh 1990; Marsh 1996), which culminated in the establishment of a Southern Great Barrier Reef Sea Forum in 1997 (Southern Great Barrier Reef Sea Forum 1997, 1998, 1999). The Southern Great Barrier Reef Sea Forum, a regional Traditional Owner body, aimed to provide a place for Traditional Owners to voice their concerns about dugong issues in the southern Great Barrier Reef[27]. The Sea Forum process had a broad agenda to: (i) create a supportive environment for Traditional Owners to achieve their aspirations for negotiation of sea country and its resources in the Great Barrier Reef; (ii) set the groundwork for fairer negotiations over sea country by negotiating a regional framework and a sub regional agreement; and (iii) move through the development of a process to reach agreement

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[27] See Map 5.7.3.2 for the delineation between the northern and southern GBRWHA

between Aboriginal, government agencies, commercial and community resource users and the various stakeholders in the region (Southern Great Barrier Reef Sea Forum 1998, 1999). The Southern Great Barrier Reef Sea Forum agenda emphasised: (i) cultural practice and revitalisation, (ii) sustainable management and resource use, (iii) sub-regional social, and economic benefits, (iv) education, and (v) respect for Aboriginal aspirations in natural resource management.

By 1998, conditions were favourable for a larger, yet still locally based initiative, and a number of communities, Hope Vale amongst them, began actively to pursue options for undertaking community based management programs of Green turtles and dugongs within their traditional sea country estates. Hope Vale was the first community to obtain funding from the GBRMPA to develop a specific community based Green turtle and dugong hunting management initiative.

Clearly, GBRMPA, and to a lesser extent State Management Agencies, have attempted to develop collaborations with Traditional Owners on the issue of Indigenous utilisation of marine wildlife. It is within the history of these initiatives that the Hope Vale Plan evolved, and that is the subject of the next chapter

## 5.5. Summary

In this chapter, I outline the specific institutional, legislative and governance conditions that prescribe and influence traditional hunting of Green turtles and dugongs. I provide a history of Indigenous involvement in resource management across Australia. I present the current ecological status of Green turtles and dugongs and Australia's responsibilities to protect them. The chapter concludes with a summary of the evolution of Indigenous management initiatives, including the establishment of the Southern Great Barrier Reef

Sea Forum, within the GBRWHA, which provided the basis for the development of the
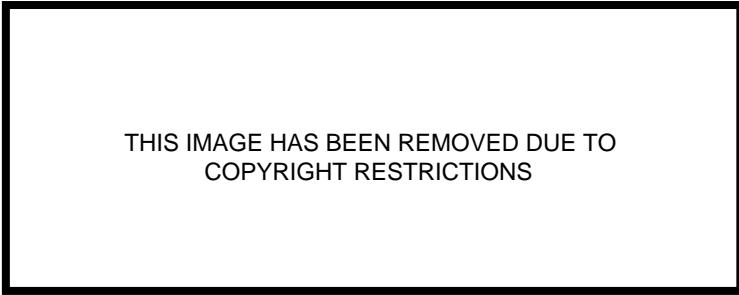
Hope Vale Plan.

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COPYRIGHT RESTRICTIONS

Missionary Schwarz, Hope Vale. *Source*: Lutheran Archives, Adelaide

# Chapter 6

## 6.0. History: From Plan to Implementation

### 6.1. Introduction

In Chapter 6, I provide a historical analysis of the development and implementation of the Hope Vale Plan and the social, economic and cultural factors that inhibited the planning process. This history comprises the description of the *non-discursive* practices within the hunting domain, contexts the Hope Vale Plan within a broader societal framework and provides a summary of the data collected throughout the research period. I present the historical analysis in five parts: (i) introduction to Hope Vale community and relevant institutional arrangements; (ii) hunting activity prior to 1980; (iii) engagement between Management Agencies and Hope Vale on the issue of Green turtle and dugong hunting between 1980 – 1999; (iv) development of the Hope Vale Plan; and (v) implementation of the Hope Vale plan.

### 6.2. Hope Vale: Introducing the Case Study

As stated I Chapter 1, Hope Vale is a small Indigenous community of approximately 1200 people, located 46 km north of Cooktown in Australia's far north east (see Figure 6.2.1 below). The Indigenous community comprises some 35-37 clan groups, all of whom are part of the Guugu Yimmithirr people including the Dhuppi, Nukgal, Binthi, Thitharr, Dharrpa, Ngayumbarr-Ngayumbarr, Dingaal, Ngurrumungu, Thaanil, Gamaay, Ngaatha and Burunga (NNTT 1997). In addition to these clans, the community is made up of the Guugu Yimmithirr speaking peoples, the Yiidhuwarra (the traditional owners of Barrow Point, Flinders Island, and the South Annan), the Bagaarrmugu, Muunthiwarra, Juunjuwaara and Muli peoples plus the Gan Gaarr and Bulgoon peoples to the south, the

Kings Plain's Thukuun Warra and the Sunset Yulanji peoples in the Maytown area (NNTT 1997).
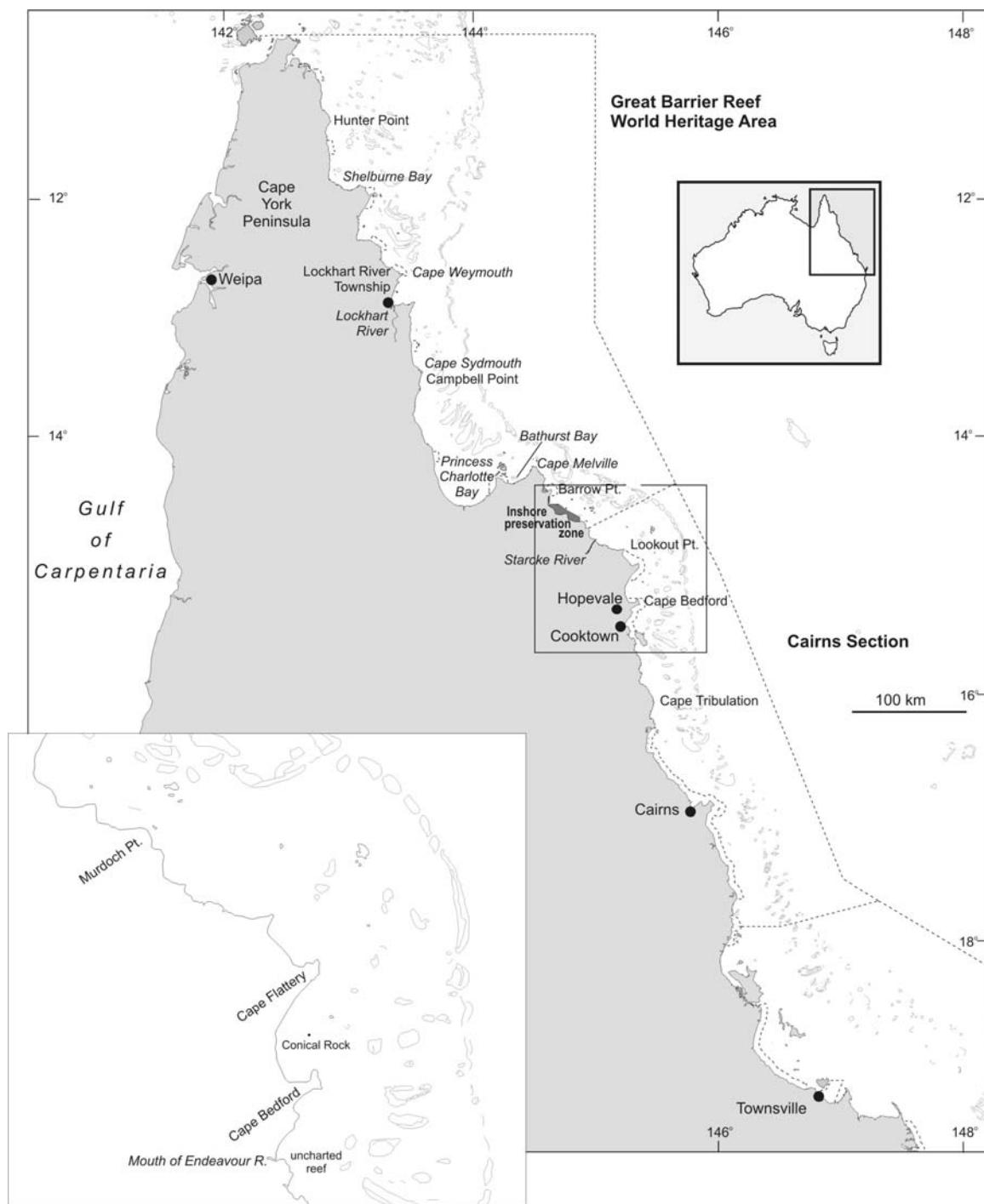


**Figure 6.2.1**: The location of Hope Vale community and the hunting grounds for Green turtles and dugongs, between the mouth of the Endeavour River and Lookout Point.

## 6.3. Institutional Arrangements

Hope Vale community became the first in Queensland to become a Deed of Grant in Trust (DOGIT) community, under the *Community Services (Aboriginal) Act 1984,* resulting in the creation of the Hope Vale Aboriginal Council. As mentioned in Chapter 5, towards the end of my research all local councils within DOGIT lands in Queensland have been given local shire status; Hope Vale Council is now undergoing the process of becoming Hope Vale Shire under the *Local Government (Community Areas) Planning Act 2004 (*Qld).

After 1994, Hope Vale was deeply divided by territorial disputes arising from Native Title applications. In 1997, these disputes were largely resolved through the establishment of the first permanent Native Title claim in Australia (NNTT 1997) and the establishment of the Hope Vale Heads of Agreement. In this agreement, 11 traditionally affiliated clans of the Hope Vale DOGIT area overcame their territorial disputes by agreeing to make a joint Native Title application while agreeing to respect each other's rights over individual clan estates. This agreement was made between the Binthi Warra, Dharrpa Warra, Dingaal Warra, Gamaay Warra, Ngaatha Warra, Ngurrumungu Warra, Nguyumbarr Nguyumbarr Warra, Nukgal Warra, Thaniil Warra, Thitharr Warra and Thuppi Warra (Aboriginal Clans) (NNTT 1997).

The Hope Vale agreement recognises the rights of the clans to conduct activities on each other's clan estates as well as confirming that Aboriginal historic residents of Hope Vale are entitled to enjoy access to clan estates for specified purposes. Under the agreement, the parties have also lodged an application for the transfer of Hope Vale DOGIT to inalienable freehold land under the *Aboriginal Land Act 1991* in order to obtain royalties

for traditional owners affected by the Cape Flattery silica mine (O'Faircheallaigh 1995).[28]

At a local level, there are many institutional arrangements that guide and direct day-to-day life within the community[29]. During the planning and implementation of my research, the Hope Vale Council was the key governing body. The council was comprised of five ordinary members, a Chair and Vice Chair. Due to death and local government elections, the composition of this Council changed twice during the term of my project.

Hope Vale Natural Resource Management Office (HNRMO) is another key local organisation as it was (and remains) the base from which all hunting, planning and management activities took place, where all land and sea business is conducted and the operational base for the community rangers and government Management Agencies conducting caring for country programs (CNRMO 1998). The HNRMO was an important base because although Cooktown is a burgeoning tourist destination, during my study period all on ground natural resource management (NRM) activities for the region were conducted on an expeditionary basis from Cairns, 320 km to the South.

Other representative organisations which played a role in local decision making and power relations within the community during my research period included: (i) the Hope Vale Congress of Clans, a representative group for each of the 35 - 37 clan groups within

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[28] 'Cape Flattery Silica Mines held silica and sand mining leases under the *Mineral Resources Act 1989* (Qld) on land that was held under a Deed of Grant in Trust (DOGIT) for the Hopevale Community. A Deed of Compensation was negotiated between the Hopevale Aboriginal Council and Cape Flattery Silica Mines prior to the decision in *Mabo v Queensland* (1992). The Deed of Compensation resulted from the need to renew the existing leases and to allow for the expansion of silica mining. The Deed comprised two agreements which provided for employment, cultural heritage protection, environmental protection, payment of royalties to the community and the establishment of a Coordination Committee between the Company and the Community. (Information accessed from <http://www.atns.net.au/biogs/A001025b.htm> November 1 2005)

[29] The detail of the Commonwealth and State institutional and legislative arrangements are detailed in Chapter 5.

the Hope Vale DOGIT; (ii) Rirrmirr, a representative group for the interests of traditional owners from the Starcke region, an important hunting area; and (iii) Ambiil Mugu Gnarra, a group advocating for the interests of the traditional owners north of Elim Beach (also an important hunting ground).

All of these groups were actively interested in, and contributed to, the contents of the Hope Vale Plan and were active during the implementation phase. These groups were run primarily by men, but significant local groups and organisations in Hope Vale led by women also played important roles during the planning and implementation phases. Groups coordinated by women included: (i) the Cultural Centre at Hope Vale; (ii) an artists' cooperative; (iii) a women's group that met once a month; and (iv) the Elders Justice Network.

Finally, the Cape York Land Council and Balkanu Aboriginal Economic Corporation played a key, although not an ongoing, role in the negotiation of hunting business at Hope Vale. The Cape York Land Council and Balkanu acted both in their formal capacity as regional representative bodies, but also, informally. At the time of my research, these organisations were run by Noel and Gerhardt Pearson, who are both traditional owners of Hope Vale and influential leaders within Australia's Aboriginal community.

Decision making processes within Hope Vale generally occurred through the Hope Vale Council in cinjunction with one of or many of the above groups, and this was dependent on the issue. If the issue was specific to a traditional group, then that group or members of it would be given particular respect and their views and mandate sought by Hope Vale Council before decisions were made. Occasionally, where native title issues (or availability of monies for native title and land negotiations) were paramount, the Cape

York Land Council or Balkanu held precedence over the decision making process on community, but instances of this were rare. Although the Natural and Cultural Resource Management Office was the conduit for many decisions about land, the members of the office, especially the Rangers, had very little decision making power in practice.

## 6.4. Hunting Activity Prior to 1980

Hunting Green turtles and dugongs was an important cultural and subsistence activity for the Guugu Yimmithirr people prior to European settlement (Thompson 1934; Haviland and Haviland 1980; Chase and Sutton 1987; Smith 1987). Europeans first had contact with the Guugu Yimmithirr people in 1770 when Captain James Cook's ship 'Endeavour' anchored for repairs in the inner reaches of the Endeavour River. Records show that Captain Cook discovered a harpoon head in one of the turtles caught by his crew, but could not believe that the canoes used by the local Aborigines were suitable platforms from which it was possible to catch turtles (Beaglehole 1962, 1969). Historical descriptions of the hunting equipment used then, such as harpoon heads used for hunting turtles, resemble apparatus still in use today (Roth 1901; Tindale 1929; Beaglehole 1969, 1962; H Marsh 2003, pers. comm.). Indeed, Haviland and Hart (1988) note that during the nineteenth century the Hope Vale region was a place of refuge for many Aborigines

> 'who had been hunted off or deported from zones where Europeans had established mines, farms or settlements' (Haviland and Hart 1988, p. xv).

Despite the use of Indigenous labour in the *beche-de mer* and pastoral industries, contact between the British and the Guugu Yimmithirr was intermittent until the discovery of gold in the Palmer River region (Loos 1976; Haviland and Haviland 1980). By 1881, land between the Endeavour and McIvor Rivers had been gazetted as an Aboriginal reserve, and the Lutheran Church established a mission at Cape Bedford in 1886 (Haviland and Haviland 1980) called Hope Valley.

During the 'mission time', Green turtles and dugongs were not only hunted for their cultural value but formed part of the staple diet and income of the community. The following excerpt, written by a missionary at the time, vividly portrays the method and difficulty of the hunt and the size and numbers taken:

> With a prospect of a few days (or hours) on a moderate sea, my courage would just ooze away. Our work up there is catching dugong and obtaining oil from them. They remind me very much of cattle in the manner of feeding on the seaweed and suckling their young. Some of them grow to an immense size. A good size dugong would tip the scale at something between 500 and 600 lbs. The boys harpoon them with a long pole in the butt of which is three wires bound together and connected with the dinghy by a long rope. They throw the harpoon in the same manner as a spear. When they harpoon the dugong the chase begins and he gives us a pretty fast quarter for an hour. But what a lot of wasted power! If I were not very cautious I would say that, when he finds himself harpooned, the dugong comes up to see in what direction the ship lies and immediately steers in the opposite direction. I think it is for this reason that I have not so much anguish of heart in drowning him, which is done by a few boys holding on to his tail to keep his head under water. Strange to say, though if bulk and strength enough to make things awkward for us, he submits like the proverbial lamb. Our catch so far totals 40 dugong on which the hides, oil and perhaps the bones are of commercial value and the meat is used for home consumption (Lutheran Herald September 30, 1929, p. 313).

While the institutional arrangements at Hope Vale restricted many other hunting activities, conventional European approaches to subsistence and livelihood introduced by the missionaries such as cattle and horticulture, often failed (Lutheran Herald 1933). Dugongs and Green turtles were thus very important to the community as meat supplements:

> Although the people are not starving they nevertheless face a shortage of food. The devastations caused by the floods and the wet weather has left us with a hungry people whose needs cannot be overlooked. The Hope Vale community has been able to supplement their rations of late with seafoods. The first green turtle hunt for the season resulted in a catch of four green turtles, two of which weighed 4 cwt each. A dugong weighing a half a ton was also caught, besides a large quantity of fish. As meat has been a scarce commodity for many months, these seafoods will be enjoyed and greatly appreciated. Nevertheless, the Board at its recent meeting made arrangements to increase the food ration and also made provision for the future. Nevertheless, the greatest safeguard against hunger is what the natives are able to do to help themselves. With the road completed to the

coast, we hope that for many months of the year the sea will render a good supply of tasty and nourishing food (Lutheran Herald 1933, pg.26).

Dugong oil also has medicinal properties and has been considered an effective treatment for many conditions by Europeans since the mid 19th Century and a dugong oil industry was established in Moreton Bay near Brisbane (Daly and Marsh *in review)*. A dugong oil industry was established near Hope Vale just north of the Starcke River from 1928 through to the start of the Second World War, with intermittent attempts to revive the industry subsequently. Up to 30 hunters worked to produce dugong oil, which was sold to the government (Smith 1987). The industry operated in Hope Valley for six months of each year, with dugong caught from small wooden clinker boats with harpoons. Once caught, the dugongs were butchered close to their point of capture and the meat boiled down. The oil was then extracted using a Government-supplied extraction device and the meat dried and sent back to the mission for food (Smith 1987).

During the Second World War in 1943, community members were forcibly evacuated to Woorabinda, a community over a thousand kilometres away in south Queensland for their 'protection'. This period was a bleak time and many people from Hope Valley died (The Lutheran 1977, 1986; Smith 1987; Lutheran Herald 1956a, 1956b, 1956c). After the end of the Second World War, surviving community members returned and re-settled on a new site, the current residential community of Hope Vale, approximately 40 km from the coast[30]. While attempts were made to re-start the dugong oil industry in 1955/6 and during the early 1960s, access to the coast was very difficult at this time: there was no formed road through the bush and the previous industry had been coast based. While opportunities for dugong and turtle hunting were thus reduced, hunting nonetheless

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[30] The site was chosen by the late Sir Joh Bjelke Peterson, a prominent Lutheran and former Premier of Queensland, who considered the Cape Bedford site unsuitable for farming.

remained an active subsistence and recreational past time (Smith 1987). For example, Smith recorded that 74 dugongs (38 females, 33 males) were caught by Hope Vale hunters between January 1984 and February 1987 (Smith 1987).

Over time, hunting methods gradually incorporated modern technology such as outboard motors and rifles[31]. Rifles were sometimes used to kill dugongs but as the body of a dugong sinks soon after death this practice was abandoned (Hope Vale Elder 1999, pers. comm.). Outboard powered boats were used for longer journeys, after which oars would be used: as one Elder told me, 'that dugong got good ears see, no good trying to surprise them when that motor running, they run away and we have to chase them then'.

Green turtles were also hunted from outboard powered boats and bulldogging was used in addition to harpooning. Bulldogging is the process of chasing and herding Green turtles into shallow water and then, once the green turtle tires, the hunter jumps from the boat to catch it (Smith 1987). This technique is used primarily for occasions when the Green turtle is to be kept for a long time prior to butchering, when the shell is wanted intact or when there is no harpoon (H Marsh 2003, pers. comm.). Harpooning techniques are virtually identical for both Green turtles and dugongs and have changed little since European settlement apart from the fact that the harpoon head, or wap, is now made of steel and the rope is purchased at the store.

Hunting seasons however have changed since the 1960s. Hunting is now a popular holiday pastime, with the Christmas period the peak time for hunting. The favoured hunting season for Green turtles is during the mating period (August to December) and

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[31] Concern expressed by Management Agency staff regarding the use of modern technology to hunt Green turtles and dugongs was a major discourse theme by those opposing the continuation of Indigenous hunting.

during the Christmas holidays (Smith 1987). Hunting at Christmas time has been facilitated by improved road access and the use of better vehicles that enable Hope Vale residents to visit hunting grounds by road during the wet season.

## 6.5. Management Agencies and Hope Vale Engagement on Green Turtle and Dugong Hunting 1980 – 1999

As discussed in Chapter 5, Hope Vale people have engaged with the issue of hunting in relation to environmental management since the early 1980s when the Cairns Section of the GBRMP was zoned for the first time. At this time, the Hope Vale community had a population of about 600 people, or roughly 150 families (Baldwin 1987). Dugongs were still an important source of food with the dugong population near the mouth of the Starcke River (90 km north of Hope Vale Hope) estimated to be one of the largest in Australia (Baldwin 1987; Marsh and Saalfeld 1989b).

In 1983, as outlined in Chapter 5, Hope Vale negotiated with the GBRMPA to trial a traditional hunting permit program. GBRMPA subsequently funded a doctoral study on the ethno-biological use of marine resources in Cape York. This research was undertaken by Andrew Smith from 1983 - 1987, using Hope Vale and Lockhart River Aboriginal Communities as case studies and made a series of recommendations advocating Management Agency support for self management or co-management options with Indigenous peoples in relation to hunting (Smith and Marsh 1990).

During the 1990s, Hope Vale community members began to investigate options to formalise their own commitment to environmental self-management. In 1996, the Hope Vale Natural Resource Management Office (HVNRMO) was established with the aim of implementing a community based land and sea management program (P Gibson 1999,

pers. comm.). A number of community rangers, already enrolled in formal resource management training at the Cairns Technical and Further Education College (TAFE) were employed via the Community Development and Education Program (CDEP) to work with Management Agencies and research institutions to undertake a Green turtle and dugong catch monitoring program. This program included on site training of community rangers by Queensland Parks and Wildlife Service (QPWS) staff.

No permits for dugong hunting were issued by GBRMPA between February 1991 and November 1997 when the practice of issuing permits was resumed at the request of the Hope Vale Community. This request was prompted by an incident in late 1996 when one community resident allegedly killed up to 11 dugongs in one hunting session. Reports of this incident caused concern in the community (and amongst the Management Agencies). While the incident was investigated, there was insufficient evidence to mount a prosecution (Smith 1998).

Staff at the HVNRMO subsequently pursued the development of a Green turtle and dugong hunting management program, and undertook a comprehensive consultation of Elders and hunters between 1996 and 1999 (HVAC 1997a, 1997b, 1998a, 1998b, 1998c, 1999a; HVAC NRMO 1998). Hope Vale Council also supported two research projects on traditional hunting, which were undertaken by international students from the United States. The two projects provided the documentation of community aspirations in relation to Indigenous hunting and management (Margolin 1998a, 1998b) and a draft set of community management by-laws for Green turtle and dugong hunting (du Val 1997). Much of the core information in the HTDHMP derives from a synopsis of the community aspirations and suggestions described in the two earlier projects and the consultation

process convened by the community. In 1998, resource management negotiations with the GBRMPA resulted in a grant of $10,000 to develop a local Green turtle and Dugong Hunting Management Plan. In late 1998, I was approached by Priscilla Gibson, then Ranger Coordinator for Hope Vale Council, to work as a consultant to Hope Vale Council to assist in the preparation and writing of the Hope Vale Plan.

During 1999, other projects involving Green turtles and dugongs maintained community interest in this issue, including a comprehensive dugong satellite and radio tracking program, an aerial survey to estimate the dugong populations in the region, and a project to return the results of Andrew Smith's PhD thesis in plain English to Hope Vale. Professor Helene Marsh from James Cook University (JCU) coordinated all these projects.

## 6.6. Development of the Hope Vale Plan

The Hope Vale Plan was written over an eleven month period, from February to November 1999. There were 26 planning sessions (some taking up to four days), public meetings, consultations and focus group work. Hope Vale community faced many challenges in developing the Plan, not least the politically inflammatory nature of hunting as an issue within the community. The politics surrounding hunting reflected the divisiveness within competing clan groups and revealed many different perspectives in relation to core issues such as: (i) the allocation of hunting permits; (ii) definition of penalties; (iii) timing of the hunting seasons; (iv) prescribing the area for the hunting grounds; and (v) development of appropriate management structures (Nursey-Bray 2000).

In order to progress beyond these differences, Hope Vale Council decided that the roles of different parties in the planning process had to be negotiated. After many meetings, the

community formed a Green Turtle and Dugong Hunting Management Council (Hunting Council), comprising of individuals responsible for Indigenous hunting issues within the community. The Hunting Council provided a formal conduit between Management Agencies and the community on hunting matters and accepted responsibility for the implementation of the Hope Vale Plan. The Hunting Council also made decisions on what actions were to be taken regarding any breach of the conditions in the Hope Vale Plan, such as the enforcement of harvest quotas and individual breaches such as hunting without a community permit. In the short term, the members of this committee acted as the liaison between the Management Agencies, the Hope Vale Natural Resource Management Office and myself.

After the Hunting Council had been established, agreement had to be reached over the content of the Plan. This was not easy. I coordinated discussion between Hope Vale community members using a modified form of consensus which involved a three stage process to achieve agreement: (i) the establishment of components that everyone could agree to (these objectives formed the backbone of the plan); (ii) determination of elements and decisions that everyone could 'live with' (e.g. the hunting season); and (iii) determination of all elements which no-one agreed to and which needed further discussion (e.g. permits and quotas). This process provided the framework for the development of the content for the Hope Vale Plan. Plan development was concluded by the navigation of a 'sign off' process; all relevant clan representative groups and key individuals became signatories to and agreed on the recommendations of the Hope Vale Plan.

Many other consultation processes occurred tangentially to the establishment of the Hunting Council. For example, the Hope Vale Natural Resource Management Office

convened a community based school art competition, using hunting as the theme, a project that was supported by the Hope Vale Cultural Centre, Balkanu Aboriginal Corporation and the Hope Vale Primary School. The aim of the competition was to involve parents in the planning process through the production of their children's images of the hunting process. A ceremony awarded prizes to a girl and boy at each grade level and images from the competition were scanned into the final Hope Vale Plan. The children's art work was displayed at the Bambie Community Hall as part of celebrations to mark the 50th anniversary of the communities return from Woorabinda after the Second World War. The community also had an additional opportunity to review the draft plan at this time.

Once the first draft had been written, the Hope Vale Council presented a draft of the plan at a large public meeting held in Cooktown (HVAC 1999b). Joining the Traditional Owners at the public meeting were academics from the James Cook University, staff from the Department of Environment and Heritage, Marine Parks, Great Barrier Reef Marine Park Authority, Department of Primary Industries, and the Cairns and Far North Environment Centre (CAFNEC). The Hunting Council then decided which feedback to incorporate into the final document. In November 1999, the Hope Vale Green Turtle and Dugong Hunting Management Plan was launched (HVAC 1999c). Key Elders formally presented the Plan to John Tanzer, Director of the GBRMPA, and children sang songs they had written especially for the occasion.

## 6.7. A Guugu Yimmithirr Bama Wii: Ngawiya And Girrbithi: The Hope Vale Green Turtle And Dugong Hunting Management Plan

The Hope Vale Plan was the first Indigenous Green turtle and dugong hunting management plan in Australia. The overriding vision of the Hope Vale Plan is to address

the twin objectives of maintaining the Aboriginal cultural right to hunt and the

conservation of Green turtles and dugongs and:

> To develop and implement controlled and sustainable hunting practices that will minimise the impact on and may contribute to the protection and survival of Dugong (Girrbithi) and Turtle (Ngawiya) species for the enjoyment and use of future generations (HVAC 1999c).

This vision is supported by five subsidiary aims that outline the core objectives for the

planning framework. These aims include objectives to:

(i)     develop controlled Indigenous hunting regimes for dugongs and Green turtles

through careful planning, monitoring and management;

(ii)     protect dugong and Green turtle habitat by managing the activities carried out

on the land and sea by both Traditional Owners and visitors according to the

desires of the Traditional Owners;

(iii)    maintain the activity, knowledge and skill of traditional hunting for Green

turtles and dugongs, ensuring that this important cultural activity is continued

through future generations;

(iv)    assist the community to develop and reinstate customary laws to manage

traditional hunting in conjunction with State and Commonwealth legislation;

(v)     revitalise respect for the law and the sea management aspirations of individual

clan groups and identify ways in which these groups can work together to

ensure the survival and prosperity of dugongs and Green turtles.

These aims embody the commitment by the Hope Vale community to maintain

Indigenous hunting practice, while recognising that this practice cannot occur without

acknowledgment of the species taken. The aims also reflect the active and open advocacy

approach that characterised Hope Vale's strategy of community involvement in the management of natural resources.

The Hope Vale Plan provides for a number of conditions intended to bind hunters to a sustainable hunting management regime. For example, the Plan set an annual quota of 20 dugongs and 25 Green turtles and prescribed a restricted hunting season from December 15th – February 15th. The Hope Vale Plan provides for a Hunting Council, and outlines its roles and responsibilities as the chief administrative, and enforcement body for 'hunting business'. Specifically, the responsibilities of the Hunting Council include: (i) addressing breaches of the Plan; (ii) deciding on penalties; (iii) overseeing enforcement; and (iv) adjudicating in disputes about permit allocation.

The Hope Vale Plan included existing zoning restrictions under State and Federal jurisdiction, (the map of the hunting area within the Plan and conditions are consistent with these zoned areas, see Figure 6.7.1 overleaf). While the decision to use legislative zones was a conscious one at the time, in practice it was one of many impediments to implementation of the Plan. The Hope Vale Plan also included examples of penalties for breaching the conditions specified in the Plan. These penalties ranged from traditional penalties to prosecution according to the discretion of the Hunting Council. The Plan specifies that hunters must hold a community hunting license specifying conditions. These conditions were consistent with previous GBRMPA hunting permits. The Plan tried to reduce the possibility of illegal hunting by addressing associated issues such as the need for hunters to have registered boats carrying the required safety equipment and licenses.  While the Hope Vale Plan does not overtly describe traditional hunting practice, it does embed significant aspects of traditional culture. For example, traditional custom states that it is not permitted to take pregnant dugong or calves and restricts

collection of turtle eggs to certain times and sites. These laws are reiterated in the Hope

Vale Plan. Similarly, there is a prevention of cruelty clause that determines that all turtles

must be alive when

**Figure 6.7.1**: Hunting Estate as determined in the Hope Vale Plan (HVAC 1999c)
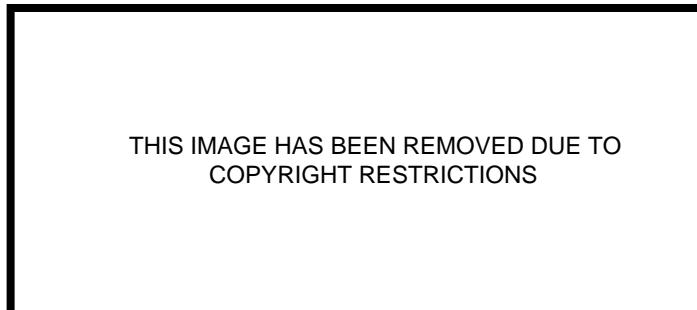
THIS IMAGE HAS BEEN REMOVED DUE TO
COPYRIGHT RESTRICTIONS

butchered on the beach. This clause reflects the traditional belief that the ancestral spirit of the Green turtle returned to the sea through its blood. This clause was also used by Elders to try to ensure that the more modern practice of taking Green turtles away and keeping them on their backs for days before killing did not occur. The Hope Vale Plan required that where possible, 'traditional' methods, such as bull dogging or harpooning be used, although the use of modern technology is not precluded.

In order to address equity issues, the Hope Vale Plan authorises one community hunt a year. The aim of this process is to provide meat for community members who are too old or infirm to hunt. This practice is consistent with traditional cultural mores of kinship and sharing. Conversely, other clauses enable the use of Green turtles and dugongs for European cultural traditions that have been adopted by Hope Vale (such as funerals). The Plan also: (i) prohibits the catch of dugongs and turtles for birthdays, (ii) prohibits barter and the exchange of Green turtle and dugong meat with others from outside communities, and (iii) encourages cultural practices that facilitate kinship ties and communication between groups. Finally, the Hope Vale Plan contains a community education strategy that is designed to encourage the adoption of the plan and an understanding of the biological status and impacts of hunting upon Green turtles and dugongs. Community based monitoring including biological monitoring was included within the Hope Vale Plan in the sections detailing catch information and within the community education strategy.

## 6.8. Implementation of the Hope Vale Plan

### 6.8.1. November 1999 – December 2000

Following the launch of the Hope Vale Plan, the community worked with GBRMPA and James Cook University (JCU) to prepare an implementation strategy for the first hunting season. Supported by funds from the Pew Foundation, and in-kind support from GBRMPA, this strategy was forestalled by the tragic death of the coordinator of the hunting program. His boat was struck by lightning while he was hunting with his young sons between Christmas 1999 and New Year 2000 (Cairns Post 1999). This man was a well known and popular member of the community. His death put all plans for the implementation of the Plan on hold. Nonetheless, during 2000, hunting remained an active issue in Hope Vale and a new coordinator was employed to implement the Plan[32]. In honour of the previous coordinator, the Hope Vale community nominated the Hope Vale Green Turtle and Dugong Hunting Management Plan for the 2000 Prime Minister's Environmental Awards. The Plan subsequently won the '2000 Prime Minister's Award for Community Leadership and Sustainability'. The Hope Vale Plan was also a finalist in the Readers Digest Environmental Awards for that year. During this period, Hope Vale obtained a grant for $45,000 under the Australian Government's Natural Heritage Trust Program (NHT) to write a Land and Sea Management Plan for Hope Vale. While no funds were allocated for specific implementation of the Plan from this grant, these NHT funds did partially support the employment of the Hope Vale Ranger Coordinators during 2001-3. Subsequent negotiations between Hope Vale community, GBRMPA and JCU concluded with an agreement to fund the next period of implementation by 'topping up'

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[32] The names of the two coordinators have been withheld out of respect for Aboriginal culture. Both died since this thesis was begun.

the CDEP of Community Rangers during the summer of 2000-2001. Tragically however, the second Ranger Coordinator died in November 2000, thus again suspending further negotiations about Indigenous hunting management. By the start of the new hunting season in December 2000, a new coordinator was appointed from funds provided from the Pew Foundation Grant (via Professor Helene Marsh). These funds were sufficient to pay for a coordinator for three months starting December 1, 2000. This person was related by birth (sister) and marriage (her husband's brother) to the two previous Ranger Coordinators respectively. She was also the person who had originally negotiated the funds from the GBRMPA staff to develop the Hope Vale Plan. She was thus under considerable pressure to meet community expectations.

Despite community grief relating to the deaths of the two coordinators and community confusion over the details of the Plan, the new coordinator took steps in conjunction with GBRMPA, to develop another strategy for implementation and to establish a management team to support her. Three extra rangers were employed to support the existing community ranger team during the upcoming hunting season. The implementation plan included:

(i)     supervising the three new rangers to undertake patrol and monitoring activities through the hunting season;

(ii)    convening the Hunting Council to exercise community control over the allocation of permits;

(iii)   establishing a reporting process to record the Green turtle and dugong take (species caught, sex, age, number, place caught, time, etc.) to be given to GBRMPA, and;

(iv)     imposing a restricted hunting season (HVAC 2000).

Thus, despite considerable challenges, by the summer of 2000 the Hope Vale Aboriginal Community had re-focussed on the Indigenous hunting, planning and management issues and was ready to trial the implementation of the Hope Vale Plan.

## 6.8.2. December 2000 – February 2001

The first real attempt at implementing the Hope Vale Plan was fraught. Weather conditions for hunting were poor and did not improve until mid way through the prescribed season. This, in turn, put pressure on the strategy of having a prescribed hunting period. The community actively resented being told there were prescribed hunting timelines, especially when those timelines were not linked to suitable weather conditions. The recruitment process for the extra rangers had also caused controversy within the community. The rights and authority of the new rangers were questioned repeatedly. Their youth, combined with their clan status, meant that the rangers had to work hard to get both hunters and Elders to engage with and respect their role. Many older men took umbrage at younger rangers having the right to question their hunting practice.  The activities of the community rangers were also hampered by the fact that they did not have consistent access to either cars or boats.

Importantly, the permits usually issued by GBRMPA for hunting Green turtles and dugongs were not ready by the start of the hunting season because the Yanner decision[33] (*Yanner v Eaton* (1999) 201 CLR 351; 73 ALJR 1518; 166 ALR 258) had created the necessity for an internal organisational review within Management Agencies of their

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[33] See Chapter 5

permitting policies. All Management Agency decisions in relation to the issuing of permits for Indigenous hunting across the GBRWHA were put on hold until legislative obligations were clarified. Thus, by the time the hunting season opened, Hope Vale community members were still waiting for feedback on whether or not hunters, or Hope Vale as a community, needed a permit and therefore, whether or not to they should proceed.

These delays in permit allocations caused confusion about the catch data sheets. Contractual arrangements between JCU and Hope Vale obliged hunters to record information detailing their take as part of the Green turtle and dugong hunting management program. In preparation for this, JCU staff delivered two batches of 25 Green turtles and 20 dugongs catch data *information* sheets to the natural resource management office. However, the catch data sheets had a very similar design to a GBRMPA Indigenous hunting permit. Staff at the Hope Vale Natural Resource Management Office mistook the catch data sheets for permits, and allocated them to hunters on a 'first come first served' basis. The result of this error was that the community assumed (happily) that they had been allocated *double* the number of permits by GBRMPA and by early in the second week of the hunting season all the catch data sheets had gone. While staff members at the Hope Vale Natural Resource Management Office instigated a recall process they were not successful in retrieving the excess data sheets. This mix-up also meant that JCU did not receive as many information sheets as they hoped for. As the hunters had presumed they were permits they did not return them to the Hope Vale Natural Resource Management Office. This situation frustrated both the hunting and research program.

Adding to this frustration, interviews I conducted at the time for my research indicated that some hunting had occurred without a permit or a catch data sheet. While the quantitative details are unclear, this was another contributing factor to the difficulties of implementing the plan during the 2000 – 2001 hunting season.

The socio-economic conditions at Hope Vale also had a significant impact upon implementation during this period. During this season, Hope Vale Council oversaw a complete restructure of its CDEP program following feedback from a review that had highlighted that many community people were obtaining CDEP income but had no work. In order to ensure their ongoing eligibility for CDEP funds, Hope Vale Council re-structured the CDEP program so it became more project and outcomes based, with the allocation of a number of work teams against each project. As a result, many workers changed the work they were doing, and many community residents worked for the first time. Consequently, the community as a whole was more focussed on the CDEP restructure than implementation of the Plan.

Deaths and accidents also took a heavy toll on the community during this period. For example, during the last week of January 2001, there was a serious hunting accident, a suicide, the death of an elder and a funeral for a young man who had died of cancer. Many of the interviews I took focussed on these events as much as the issue of hunting.

### 6.8.3. Challenges during period of attempts to implement the Hope Vale Plan

While the community reflected on the lessons learnt from this first implementation trial of the Plan, the periods between the prescribed hunting seasons of 2000 – 2002 presented even greater challenges for Hope Vale after the occurrence of several wider and

controversial events in relation to hunting. These events demonstrate that the hunting initiative at Hope Vale was intrinsically linked to the wider debate surrounding the hunting of threatened marine species.

In 2000, on the basis of the listing of Green turtle populations as endangered (*EPBC 1999*), the then Federal Minister for the Environment and Heritage, Senator Robert Hill, ordered that no hunting or hunting permits for Green turtles were to be issued by the GBRMPA. Hope Vale community members (and many others Indigenous peoples) interpreted this decision as an outright ban on all marine based Indigenous hunting. The 'ban', as it was to be known in the community, was also perceived to be in direct contradiction to the previous support of Indigenous cultural practices by the GBRMPA. Concurrently, the GBR Ministerial Council directed the GBRMPA to develop co-management partnerships with Indigenous peoples. Significantly, GBRMPA did not at this time offer further support to the hunting initiative at Hope Vale, turning instead to the development of a new co-management project with Girringun Corporation, a group of Traditional Owners from the Hinchinbrook region, within the central Great Barrier Reef Region, some distance south from Hope Vale.

Further, at the International Whaling Commission meeting in Adelaide (IWC 2000), Senator Hill led a concerted challenge to create a South Pacific whaling sanctuary that would prohibit any form of hunting of whale and dolphins. The incongruity of Australia opposing whaling (including Indigenous whaling) yet apparently supporting the hunting of Green turtles and dugongs (through government support of initiatives such as the Hope Vale Plan) struck a note of discord with Indigenous communities such as Hope Vale who perceived that GBRMPA staff must have been 'lying' to them previously. Native Title

representative bodies began to lobby the government to overturn the 'ban' on hunting. As my interviews confirm, many Indigenous groups refused to talk to the Management Agencies on any other subject until this matter was resolved. For example, GBRMPA had initiated the Representative Areas Program, which needed Indigenous engagement and support; such support was not forthcoming[34].

Nonetheless, some negotiations between Hope Vale and GBRMPA about the Hope Vale Plan did continue (GBRMPA 2001, HVAC 2001). A primary focus of these discussions was how to obtain statutory status for the Plan, which had no statutory or enforcement mandate. During the attempts to implement the Plan in the 2000-2001 hunting season, it become clear that without a statutory basis or practical support from external agencies such as the Queensland Boating and Fishing Patrol, AQIS, Marine Parks or GBRMPA, the Hope Vale Plan would not be an effective regulatory tool for the management of Indigenous hunting.

As highlighted in Chapter 5, Section 39ZA of the *GBRMPA Act 1975 (*Cth*)* allows for the development of plans of management for specific purposes. Therefore, The Hope Vale Plan could have been proclaimed as a 'Plan of Management' under Section 39ZA, and so constitute a legally enforceable ongoing mutual obligation between GBRMPA and Hope Vale, requiring Hope Vale to implement the Plan, and the Management Agencies to providing the resources and support required for its implementation. Staff from the GBRMPA in conjunction with Hope Vale community members negotiated an agreement to make the Hope Vale Plan a 'Plan of Management' under Section 39ZA of the *GBRMPA Act 1975 (*Cth*)*. This agreement was provisional on the community meeting

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[34] The RAP Process is explained in Chapter 5.

conditions; primarily that the implementation of the Plan in the next season occurred smoothly (see next section) and that species conservation as well as Indigenous cultural objectives were met.

### 6.8.4. December 2001 – February 2002

With the opportunity available to secure statutory status for the Hope Vale Plan, the community decided they would implement only the sections of the plan *not* affected by the Ministerial decision on hunting. Patrolling and monitoring activities became the main focus for management during the 2001-2002 hunting season. Unlike the previous hunting season, the weather for hunting during this period was extremely good. To implement management activities, GBRMPA funded the Hope Vale Council to employ a Hunting Management Coordinator. Hope Vale Council also obtained funding from the Pew Foundation, via Professor Helene Marsh, to supplement the community rangers' incomes during the hunting season.

Confusion dominated the initial start of this season which began after two separate recruitment processes resulted in both a Traditional Owner from Hope Vale (now Chairman of Hope Vale Shire Council) and a non-Indigenous man from Cooktown, being appointed to direct the implementation of the Hope Vale Plan. This confusion was initially clarified by a decision to create two roles: the Aboriginal man was employed as the Hunting Management Coordinator and the non-Indigenous person as the Ranger Coordinator. However, there was significant conflict between the two men. This conflict was partly fuelled by the non-Indigenous Ranger Coordinator making his opposition to the hunting of threatened marine species unequivocally and publicly clear (Stewart 2002). As a result, hunters felt their rights to hunt were being micro-managed and undermined

by him. Moreover, throughout the entire season, it remained unclear to the general community which man had final responsibility for managing the implementation of the Hope Vale Plan.

In the meantime, Native Title issues were also a major community pre-occupation and distraction, with ongoing negotiations conducted between the claimants of the Hope Vale Heads of Agreement and Hope Vale Council. Overall, this was a very turbulent, painful and emotionally difficult period for Hope Vale people. The community was often divided along factional lines regarding matters of ownership, access and control of country. Discussions over specific country sharpened focus and heightened conflict between clan groups, Native Title clan groups and the Hope Vale Council. The main impact of these discussions was a significant shift of power from the Hope Vale Council to Traditional Owner groups. The Council no longer appeared to have a mandate to control or make decisions regarding country. This shift in power was reflected in the evolution of the Hope Vale planning process. Originally funded via the Hope Vale Council, the Plan transformed from having 'whole of community' status to become a 'Hope Vale Council' document. This change culminated in a range of community-based critiques of the Hope Vale Plan. People objected to the fact that the Plan prescribed a 'hunting season', and hunters disputed the process of permit allocation and dismissed the allocation of hunting quotas. Others objected to the Hunting Council, insisting that it was out of date, and lacked synchrony with Native Title negotiations and thus the community at large. These groups and individuals lobbied for the establishment of a new hunting committee based on Native Title rather than Council affiliations. The map (within the plan, see Figure 6.7.2) detailing the hunting grounds within the Plan was also considered inappropriate. The hunting estate, previously viewed as one whole area belonging to the Guugu

Yimmithirr people (and incorporating specific clan affiliations) was re-conceptualised as a series of smaller Native Title-based hunting areas. The new arrangements were not reflected in the original map. Concurrently, Native Title groups declared aspirations to develop their own natural resource and hunting management plans, and thereby hopefully attract funds to implement planning processes for sea country.

In the midst of these shifting power relations, tensions reached crisis point after the alleged 'slaughter' of 'up to 180 dugongs' in January 2002, an incident that put the community under intense scrutiny from outsiders who blamed Hope Vale community for it[35]. GBRMPA and State Marine Parks staff, Professor Helene Marsh, and I all received direct requests for assistance from extremely concerned Hope Vale residents who wished to stop any further slaughter and re-establish the authority of the planning and management process. GRBMPA and State Marine Parks staff visited the Hope Vale community to investigate these claims. The Management Agency representatives, however, could not act without hard evidence, evidence that the community was unable or unwilling to provide. Given that it was impossible to gauge the extent of the alleged incident or to determine if it had ever happened, Management Agency staff formally concluded that due to a lack of evidence, no action could or would be taken. They considered that the situation was a matter of community politics and rumour, and definitely outside of the purview of Management Agency control.

While Management Agency staff acted in good faith, their response bitterly disappointed many members of the community. Comments I received at the time included 'them GBRMPA and State mob have closed their eyes to what is in front of their face, blinded

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[35] While there clearly had been an incident of some nature, this number cannot be confirmed. One hundred and eighty dugongs was the highest number most often repeated to me when I was present within the community when discussing the allegations and anecdotes about what had occurred.

by political correctness and they were too weak' to take a strong stand on the alleged incident. At the time, many community members expressed their opinion that the reason why the Management Agency staff allegedly did not find anything to support community claims of the incident was because they apparently chose not to visit the site of the alleged slaughter, despite being invited by Elders to do so. This situation was further exacerbated by the reluctance of concerned Hope Vale residents to come forward publicly and name those involved in the alleged kill owing to close kinship ties and family loyalties. Instead, they expected Management Agency staff to find out the facts and arbitrate solutions without that significant information.

The immediate repercussion from this incident was that community anger coalesced into a discourse blaming the non-Indigenous Ranger Coordinator for the failure of the 2001-2002 implementation trial of the Hope Vale Plan. This incident also crystallised the community's other disappointments with Management Agencies. Memories of direct requests by the community to the Management Agencies for practical support such as a boat, access to Management Agency staff (i.e. secondment of staff for a season to help rangers patrol the area) and official training in enforcement, caused anger and heightened feelings that Hope Vale was being ignored and dismissed. Meanwhile, a discourse of failure about the Hope Vale Plan emerged within Management Agencies with the process being couched in dismissive terms. From the perspective of the Management Agencies, an attempt had been made to give the community a go, but they had failed to deliver.

### 6.8.5. February 2002 Onwards

The incident of the alleged slaughter of dugongs and subsequent loss of faith by both community members and Management Agency staff concluded attempts to implement

the Hope Vale Plan, resulting in debate over whether or not it had 'failed' (Marsh 2002; Stokes 2002). A discourse of blame prevailed on both sides, a discourse that actualised in written form. For example, in a series of Conservation, Heritage and Indigenous Partnerships Reef Advisory Committee meetings, the Hope Vale Plan was reviewed and found wanting. Notwithstanding the support from the Pew Foundation via Professor Helene Marsh, the GBRMPA felt its investment, estimated to be in the region of $70, 000 (J Innes 2003, pers. comm. and C Turner 2003, pers. comm.), had been wasted (V Chadwick, 2003, pers. comm.)[36].

During 2002, GBRMPA staff turned their attention to the development of a new management planning regime for hunting called Traditional Use Management Resource Agreements (TUMRA). The TUMRA model focuses on engaging with each Native Title group, to establish individual agreements for managing sea country, include hunting activities (Havemann et al. 2005). In order to achieve a shift from community based planning as embodied within the Hope Vale Plan, to the development of a TUMRA at Hope Vale, key GBRMPA staff approached the Cape York Land Council and Balkanu Cape York Development Corporation (as the Native Title representative bodies), seeking their support. In November 2002, Balkanu and Cape York Land Council agreed to help convene a public meeting at Hope Vale, both to give an opportunity for residents to publicly air their grievances about the Hope Vale Plan, and provide GBRMPA with the chance to introduce the TUMRA concept (Roberts 2002; Stokes 2002). At this meeting, and during subsequent discussions between Hope Vale, GBRMPA, QWPS, Cape York Land Council, Balkanu and Professor Helene Marsh, it became apparent that there still

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[36] It is ironic that GBRMPA did not question spending at least as much as $70k on scientific research on dugong at the same time (H. Marsh pers. comm.)

existed strong support for the Hope Vale Plan within some sections of Hope Vale community, despite the, by then, almost unanimous perception that it had failed. Some community members argued vehemently that it was not the Hope Vale Plan that had failed, but rather difficult conditions that had precluded its successful implementation. Further, some people argued that it was a hunting season that had been implemented, *not* the Hope Vale Plan.

In addition, it was agreed that the implementation of the Hope Vale Native Title determination had changed the social organisation and political landscape of the community and thus there was a need to revisit the contents of the Hope Vale Plan. Some sections of the community concluded they did not want to 'reinvent the wheel' with a new process such as the TUMRA and reserved their right to work with the existing plan, amending it so that it was consistent with the new Native Title regime. Others decided that their Native Title group would engage separately with the TUMRA process in partnership with GBRMPA. At the time of writing during 2005, this remains an ongoing and unresolved process.

To summarise, there were clearly a number of underlying causes or problems experienced in the Hope Vale Management Plan. A continual turnover of staff, both within management and Hope Vale fractured the continuity of the planning process. The number of deaths of key elders, and community leaders caused delay and difficulty within the community. A lack of ongoing resources and erratic funding schedules over the period of planning and plan implementation put constraints on the process. Specifically, much needed resources such as a boat, vehicle and employment funds, constricted the scale and scope of the initiative at this time. The political landscape also

militated against effective implementation of the Hope Vale Plan. Finally, community politics on the ground at Hope Vale further complicated expedition of the plan's objectives. Given these issues the the influence of and willingness of peoples to trial the plan in full was considerably hampered.

## 6.9. Summary

This chapter provides a critical historical analysis into the social, political and economic conditions that influenced the development and subsequent demise of Hope Vale Plan. It reflects the *non-discursive* terrain in relation to the development and implementation of the Plan. I highlight that the difficulties of implementing the Hope Vale Plan were influenced by internal and external events and politics that influenced power relationships in crucial ways. This chapter provides the historical foundation for understanding the *discursive* terrain of Indigenous hunting management, as presented in the next two chapters.

# Chapter 7

## 7.0. Discourse Themes: Hope Vale Community

### 7.1. Introduction

In Chapter 7, I present my findings from the information collected from my analysis of interviews with members of Hope Vale using discourse analysis. Hope Vale respondents overwhelmingly used the issue of hunting as a vehicle to discuss issues of wider concern. Within this a clear articulation of four discursive frames emerged: (i) cultural survival; (ii) community wellbeing; (iii) the importance of hunting; and (iv) the role of Indigenous people in contemporary management regimes. I have thus assembled the information around these discursive frames. I present much of this information in quotes from the interviews as conducted to substantiate my analysis and give immediacy to the text. This technique also provides an opportunity to allow community members to be *visible* and speak for themselves. As explained in Chapter 4, all quotes are anonymous.

### 7.2. Cultural Survival

Overall, Hope Vale people linked the value of hunting to their cultural survival aspirations. This linkage was manifest in many ways. Hunting was always discussed as an integral part of the social and cultural fabric that informed and constituted contemporary Indigenous identity. The status of hunting was amplified in reference to other now irretrievable cultural losses. Respect, the status and importance of traditional hunting knowledge, issues of cultural change and concern for future generations were all raised in discussions about hunting.

The issue of hunting was also part of a much wider discourse about the community. For example, if sustainability was discussed, it was linked to ideas about community viability, and the need to protect the target species so that future generations could participate in the hunt. Planning for the specific needs of the target species and/or hunting practice was linked to an overall need for proper and appropriate community governance structures. Custodianship, the importance of traditional law and the need to be proud of and to recognise Aboriginality were cultural concepts enshrined within the hunting debate[37]:

> Yes, that recognition has got to happen …that all of us … are custodians, protectors, and we all should be proud of that, even the dugong and the fish still need some help, and we human beings think that we are the supreme beings in creation, [but] we're the most devastating at what we're doing. It is important that we make our young people see that, so our future generations can have these great big cedar trees or dugong, turtle and this and that.

Hunting was frequently described as one of the last cultural domains within which traditional culture and Indigenous identity were expressed. Thus, pro-active protection of hunting was regarded as a priority and was usually expressed in the form of a discourse relating to the need for protection for the benefit of future generations.

Hunting was a source of community pride that anchored Hope Vale people to their past and their identity as Guugu Yimmithirr people. Descriptions of Guugu Yimmithirr hunting culture reflected a strong sense of identity and community. For example, the practice of butchering Green turtles on the beach when still alive was used to illustrate the need for custodianship. Many Elders stressed that the enforcement of this practice was important, explaining that otherwise the Green turtle's spirit would not return to the sea and its cultural ancestors through the blood entering the ocean. The Elders were

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[37] As explained in Chapter 4, all quotes in this Chapter and Chapter 8 are anonymous at the request of respondents.

opposed to the current practice of removing turtles from the beach once caught and storing them on their backs in the community until ready for consumption. This practice was not only perceived by Elders as cruel, but signalled an unwelcome loss of and changes to culture:

> You know we lay down laws and rules to keep turtle, who's entitled to keep turtle, kill the turtle down there, you don't bring it home. The spirit, the nature of turtles, you've got to kill him there. That's how old people spear it, you know. You wash the meat; the blood and you let it go back in the sea. That's how old people taught us…let it stay there, let it bury there, shell, arm and everything, leg, take it out, dump it in the sea…. That's how it should be, not us bring it home… you know spirit should be in the sea.

In contrast, the young men in the community valued hunting because it offered an opportunity to spend time with their peers and their Elders to learn the elements of traditional practice:

> I learn more that way…I go out spend time with my brothers and learn from the Elders before they all gone…we need to do it before that knowledge goes with them.

A sense of spirituality was often associated with how custodianship was implemented, and *ipso facto*, the important role of hunting as a manifestation of this spirituality. Spirituality was constituted as something that gave *heart* to people, rather than being formalised in a religious sense:

> It [hunting] really uplifts the spirit. It is part of life, because when you look at the history of Hope Vale, the Hope Valley, and our oldies, they lived at the land and sea, and they lived in harmony, and that's where this protection of the environment, protection of species was very, very important.

In this way, Hope Vale residents often spoke to me about the importance of and existence of an Indigenous spiritual connection, a link between their traditional beliefs and those developed during the Lutheran Missionary days. The Church's teachings relating to stewardship were also incorporated into their notion of responsible cultural custodianship:

> I would like to think, from a Christian point of view, that people say, "Hey, God has put all this here and he has put us in charge. Not to rape and pillage and destroy, it is not ours to do what we want with but it is ours to care for"... it is only as I've become more environmentally conscious that I can say hey, God was exactly right in the very beginning…we have that responsibility to protect what God has given to us to look after and we are only custodians of it, we are not the owners…Aborigines see that because they are custodians.

During the consultation phase when developing the Hope Vale Plan, many of the land and sea management meetings at Hope Vale started with a small prayer or occasionally a speech and blessing from the Pastor. Thus, the responsibilities felt by the people of Hope Vale to look after Green turtles and dugongs is actively linked between the notion of traditional culture and contemporary Christian beliefs.

## 7.2.1. Respect

Respect is of fundamental importance to people at Hope Vale, and was manifest in almost all discussions I held with community members. The requirement that community members should respect each other and the concomitant expectation that respect underpins all cultural dealings was constantly reiterated:

> It is all about respect. You respect me, I respect you.

Conversely, community members often talked about a lack of respect for their views. For example, many respondents expressed a view that Management Agencies must respect Indigenous interests within the natural resource management arena:

> That Management mob, they want respect, but they don't give it. Its gotta be two way now.

The following quote describes a positive outcome of respectful negotiations between Indigenous and Management Agency staff over the management of sea resources:

> I think it is good, and it is going to work because the government now recognises what is culturally appropriate, that is one of the best things that has happened right across the board… it is the right time to start putting these things together.

Hope Vale residents also spoke about respect in relation to place:

> Today you must take a walk down the beach and have a look what is down there. There's a lot of … rotten stuff… we need to clean all the rubbish out, all the drums and that kind of thing, protect the areas.

Some respondents talked to me about the relationship a hunter develops with Green turtles and dugongs, and how in order to hunt them, the hunter must respect them:

> This part, I think a lot of people today have got no respect at all for dugong and the turtle.

Hunters spoke of the need to respect pregnant female dugongs or leave a Green turtle alone when it is about to lay eggs:

> Old people used to say, no, leave him, that's pretty old, he poor… we find it was poor and old; we let him go, or if it's a mother with the young one, let it go. Get a young bull or a young cow, worthwhile getting that; you've got a lot of meat, a lot of fat on it.

Elders told me that the exercise of respect in this manner ensured good hunting and formed part of Green turtle and dugong hunting management.

## 7.2.2. Future of Children

The need to protect cultural traditions for their children was raised over and again in interviews. Many respondents talked of the necessity to transmit hunting knowledge and practice through the generations:

> I think it is a good hobby to go out because if you take the children out, the children learn because they are now the future. Then they'll know.

Whilst living at Hope Vale, it was clear to me that hunting is valued as one of the few remaining contemporary expressions of traditional Indigenous culture. With so many Elders passing away, being able to hunt Green turtles and dugongs is the key mechanism

through which many children will be able to maintain and practice Guugu Yimmithirr culture. The teachers at Hope Vale School for instance embedded many of their concerns about culture by consciously weaving knowledge about hunting and its importance as a cultural tradition within the curricula.[38] Thus, Hope Vale respondents made a direct link between their hopes for the future of their children and the survival of their culture. Hunting is a tradition that people 'knew' from birth and the knowledge of hunting will be transmitted through the generations:

> Well it is just in the blood I suppose. It is like, like it is carried on from the Elders and like we grew up, the Elders showed us and we know the skills now we show our nephews, our sons, and our daughters, show them those skills.

### 7.2.3. Culture and Change

Cultural loss was referred to in the form of community observations about changes in traditional hunting tradition. For example, Elders explained they would select young bulls or cows rather than old dugongs, pregnant or nursing females. Elders often reflected on the loss of hunting knowledge and how they felt that it reflected a lack of respect for culture:[39]

> Well, when we used to hunt round here before we had only a rowing boat you know. We used to build our own boat, clinker built, instead of using the canoe and things like that. We used to make our own paddle ourselves. And we used to make our own spears. There was a feeling when we went hunting, of sharing with others when you get to the camp, you know and share your meat out. But today the hunting has just gone out of it. The traditional hunting has just gone.

Such discussions were often followed by despondent reflections on cultural change generally and hunting exemplified these changes for many.

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[38] Personal communication: Shirley Costello: teacher Hope Vale School 2002
[39] Smith (1987) describes the history of hunting at Hope Vale in detail, including the building by the community of the 'clinker boat' during the time that dugongs were hunted commercially to supply oil to the Queensland government for distribution to other Aboriginal communities.

Elders raised concerns about the increasing use of modern weaponry for hunting dugongs and Green turtles. Elders explained that the traditional practice of determining take was based on an appraisal of the animals' health, colour, sex, breeding age and capacity, size and the need for meat. Elders claimed that younger hunters now take whatever they can get from the hunt without applying traditional technologies, but using modern methods which include the use of motor boats, guns, fridges and freezers:

> Some young ones do this, younger ones who haven't got the experience to hunt and they just go ahead blind eye and just do whatever they want to do and they don't take an Elderly person with them. I think if they would take an Elderly person they would know the culture and the natural way, how the grandparents used to do. Get the old people to show them how to cut it. Not shoot it. That's not hunting by shooting'

> On account of people lost their respect and more or less they're not going traditional. They have a powerful boat with a big motor, and they can go out and kill anything.

## 7.3. Community Wellbeing[40]

Consistent with their pre-occupation with cultural survival, Hope Vale residents overwhelmingly linked the importance and value of hunting to social justice issues, including concerns about employment, education, domestic violence, youth suicide, health and general community welfare. Hunting was perceived as an antidote that could be used to address or at least ease many of these problems. In particular, many women in Hope Vale had high hopes of hunting, describing it as a cultural exercise that helped relieve some of the stress and boredom of community life and occupied their sons in productive and culturally appropriate ways.

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As discussed later in Chapter 10, Hope Vale's emphasis on well being is echoed in the Millennium Ecosystem Assessment, which defines typologies of human well being (Millennium Assessment 2003).

Therefore, hunting was perceived as a forum that allowed the community members to safely vent their concerns about wider issues such as community politics, education, health or employment. The re-structuring of the CDEP Program (See Chapters 5 and 6) is a good example as the re-structure had implications for the Rangers employed in the hunting management program. Discussions about hunting in this instance afforded an opportunity for respondents to reflect on the politics of CDEP generally, a much more important societal issue for them than hunting. The ways in which community politics were related as part of the discussion about the implementation of the Plan was often a mirror for wider community pre-occupations (as discussed in Chapters 5 and 6). Community politics were seen to impact heavily on the practice and management of hunting.

Community politics has many dimensions, between clan groups and within groups including the Native Title representative bodies, the Council and the community as a whole. Negotiations over who was the most appropriate person or group to speak for country in relation to hunting practice was a very fraught and emotionally charged issue and on many occasions these conflicts affected how people felt, the decisions they made and the management partnerships they forged in relation to the hunting management process. The ebb and flow of these politics are detailed in Chapter 6 and corroborate this view. Because of the personal and confidential nature of discussions with Hope Vale residents on this issue, I have decided not to present direct quotes in this section.

However, discussions about hunting in this context did highlight the socio-economic disadvantages Hope Vale community members experience collectively. The lack of

cultural, social and economic rights and self-determination were key themes underpinning all discussions in relation to hunting and community wellbeing.

### 7.3.1. Good Health

Older Hope Vale residents often attributed their ongoing good health to their consumption of dugong oil and meat. In particular, dugong oil was often described as having medicinal benefits:

> Well, with that [dugong] oil, if you got rheumatic… I had it bad here last fortnight ago, and I put a bit of that dugong oil on. Nothing here now, that oil can kick it.

> Oil mmm, they love getting the oil. It is good for cooking oil and good for medicine as well.

Many respondents fondly recalled childhood memories of Hope Vale in the early days of the Lutheran Mission, when, much as westerners used to be given cod liver oil, children at Hope Vale had to take dugong oil every day at school:

> See with the dugong oil that they were using in those days, we used to have a teaspoon a day at school. And the kids used to hate lining up at 8 o'clock before we ever went in, to have a teaspoon of dugong oil. When we used to go home our parents used to tell us then, what you can do is hold your nose and you won't smell it. No more, I can still smell that today!

Dietary concerns were often used to justify the ongoing practice of Green turtle and dugong hunting. Many respondents pointed out that despite the supermarket, there was often a lack of fresh produce within Hope Vale. In particular, many Hope Vale women argued that hunting provided an important protein supplement as opposed to frozen goods. They considered that fresh protein provided positive health benefits to their children:

> Hunting is good, you can have the bush food, with hunting you can have fresh. It is not bought and being in the freezer or from the shop. And you feel better by having fresh meat all the time[41].

Hope Vale people also often told me that eating dugong was necessary for their health and that their bodies would tell them when they needed some because they would 'crave for it'. As a high quality, filling meat, Hope Vale people felt that eating dugongs not only helped them from eating junk food, but that it was delicious:

> Oh dugong, the back flipper, that's good eatin'. Just like chewing gum, eh. You just cut a couple of strips up and take it out. Instead of you eating too much, I just snacking on that.

### 7.3.2. Relief of Stress and Boredom

Hunting performed a very important function as a circuit breaker of tension in Hope Vale. Hunting is regarded as a serious outlet for stress, boredom and grief and almost a panacea to help community members contend with the serious issues associated with unemployment, domestic violence, alcoholism, and frequent deaths. For most people, especially young people, hunting and hunting management could not be divorced from the socio-economic conditions of Hope Vale.

I frequently observed first-hand the difficult socio-economic conditions experienced within the community, and therefore why hunting, in being a recreational outlet held such contemporary societal as well as cultural value. For example, whilst I was living in Hope Vale, in the space of four days I observed the following: (i) a funeral for a key Elder; (ii) a young woman and her child sustained critical injuries in a hunting accident; (iii) a young man attempted to commit suicide; and (iv) a young woman sought police

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[41] This is consistent with research documented in Chapter 3 that confirms the nutritional value of bush foods and the importance of Indigenous peoples exploiting such foods in otherwise challenging socio-economic environments.

protection in the Ranger Station as a result of death threats made against her by her boy friend.

These events were overlain by broader community changes (see Chapter 6) including the entire re-structuring of the CDEP program, the audit of Hope Vale Council and the intensification of Native Title negotiations. All these changes heightened existing community tensions. Hope Vale residents even spoke of hunting as an important outlet and relief for young people vulnerable to suicide. Suicide in Hope Vale and other Indigenous communities is a serious issue, particularly affecting young men (ATSIC 2001). During my research period, one of the young rangers who had worked during the first attempt to implement the Hope Vale Plan committed suicide. Consequently, Hope Vale respondents perceived hunting as performing a dual role by keeping young people occupied and out of trouble with the authorities and acting as a deterrent to suicide:

> Well hunting, it should be really so that we could have something for the young folk to do. If we don't keep it going we're going to have a lot of children who'll be sitting at home, and we'll have high suicides because they've nothing to do.

> We are having trouble with young people here now; they break into schoolyards or break into store. Who cares? That's all right. If they get caught they know they're not going to get punished. Put them in jail that's it….but with young people, if they do obey culture more, the younger generation will follow up that law too, but if they don't it might get worse and worse you know.

### 7.3.3. Economic dimensions

Hope Vale residents did not characterise hunting as a subsistence activity. However, they did discuss how hunting practice had changed due to: (i) the establishment of supermarket; (ii) the subsequent higher actual costs in dollar terms of hunting over supermarket purchase; and (iii) the evolution of community exchange through bartering

and transportation of meat between community residents in Hope Vale and their relatives in Cairns and elsewhere.

For example, many respondents felt there is no need to go hunting and identified that there are more readily available alternative protein sources:

> Well there are other things to eat now. We can go to a supermarket and get everything packed, packed meats and that, you know. Saves all the trouble of going hunting.

> So they'll be quickly onto fast food also. They'll throw aside then, to say oh well, we can't do traditional hunting; it is quicker for us to buy quick food, fast food and that.

Others noted that the high cost of hunting meant that it was not a cost effective activity:

> I mean, they don't have to hunt. It most probably costs them more, you know all the petrol they waste in the boat and buying the boat, economically they could most probably do better by buying stuff.

Hunting was described as an important mechanism that facilitated the development and maintenance of relationships with family members who had left the community. The exchange of meat from within the community to external family members was thus, a mechanism used to keep in touch:

> Yes, I know a lot of meat gets taken out of this community…because there could be a wedding or something at another community, and a lot of meat goes out because of that.

## 7.4. Hunting Tradition

In contrast to the sombre tone of discussions about community welfare and cultural survival, interviewees assumed a much lighter tone when talking to me about the hunt itself. Hunting is clearly an adrenalin charged, highly exciting and positive experience. All respondents, including the women, described hunting as a fun, recreational and family based activity, one that brought families together, helped to reconcile feuds, and kept people on the community occupied. Hunting emerged as a factor driving community

lifestyle, especially during the hunting season (Dec-Feb), when families met on the beach, to camp and relax. Hunting was a subject of 'good yarns' and dynamic cultural interchange. Hunting enables culture to be transmitted, cultural relationships to be maintained and changes in the hunting tradition to be discussed and reconciled.

### 7.4.1. Community Lifestyle

Community lifestyle issues emerged strongly when discussing the values of hunting. Men spoke to me about lifestyle issues relating to fun and recreation whereas women focussed primarily on the sub-themes of family, gender and social issues.

The importance of hunting to community lifestyle and stability was continually reiterated, particularly by men who identified the thrill of the hunt and the sheer joy it provided.

> Yeah, I think it is like a lot of people get into bungee jumping, you get an adrenaline rush, 'cause you're going up there all day and you don't know how long it is going to be, you know you've got to get there, and you know you've got to get it, and you come all this way and the kids are screaming and yelling, and sometimes you get a bit too carried away and you can get pulled off the boat by the rope. A lot of fun.

These words are typical of many conversations I held with Hope Vale men about hunting. Many men relayed the story of their 'first hunt' to me. Irrespective of the age of the informant, these stories were always very detailed, meticulously recounted and full of the pride and exuberance of the first flush of hunting success[42].

Hunting is also one of the main forms of recreation for Hope Vale residents. In a remote community, such as Hope Vale, the value of hunting as a recreational outlet cannot be

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[42] The importance of this relationship and the ways in which it is manifest are well documented by both Smith (1987) and Bradley (2001).

over-estimated. Elders made clear links between the hunt and recreational activity as they remembered the hunting of their youth. Young men spoke about recent hunting expeditions, as non-Indigenous people would discuss recreational fishing. The following reflections illuminate the differences between older and younger perspectives on this issue.

> Oh it was in my blood when I was young. You feel fit and somehow you look forward to it and it is very exciting you know. Even to walk the hills here it was exciting to go out and get a kangaroo meat or a pig meat or goanna or bandicoot, or fish. It was exciting, and say three of us go out or four of us. I might catch six fish; the other two will get nothing. I have to equally share it out with these other three. We were happy and we shared our things.

> I suppose it is like a hobby, you know some like fishing, some like football coaching, and some like hunting. This morning I was asked to go out, some people are getting married. They have no turtle, no dugong; they just used to hunt for the meat, for the red meat. You got to go out turtle hunting; it is just come in lately, to use it for the party.

These quotes also illustrate the ways in which the cultural practice of sharing has transformed into the modern practice of hunting for Green turtles and dugongs to share at parties or at special events such as weddings.

Whilst hunting is primarily a male activity, the hunting party often involves the whole family. Thus, hunting was often depicted as an important family activity, a happy and memorable time as shown here from the perspective of a Hope Vale woman:

> It is the happy time; we look forward to that hunting, whether it is turtle or walking the hills or going down the riverside and fishing and all that. Always look forward.

> Ever since we had the six children we'd take them out fishing and hunting and we always go together, so even if we on the sea I remember when we all there. Every Christmas they'd end up with diving glass and a spear gun. So they're all like sort of tomboys, the girls, and so they do their diving too with my husband, and then they dive and he learned them how to use the spear gun and spears and that.

### 7.4.2. Cultural Relationships

Hunting was frequently described as providing an opportunity, in a modern world, to exercise and develop specific cultural relationships or activities (such as the *wallen* described below in Section 7.4.3.). Many women saw hunting as a vital opportunity for their teenage sons to get to know other men and to learn from older male role models. These men, (while often but not always related by blood), were known as 'Mookai' or 'Uncle' to the young male hunters:

> Mookai is sort of like, he plays the role in discipline. If your child is sort of out doing what the others will, then instead of you taking on that stress on yourself you can get your Mookai involved. Today, it is like our children always did respect Mookai but because of the new millennium, we need to practice that more. Because some of our kids saying 'Oh we're in a new millennium', we're saying to them, 'You still have to respect the Elders'. Elders must be feared because they had a strong culture so everyone who sort of like had a brother or a sister on my father's side, actually we call them the Mum and Dad. So the kids, they used to have little mother and big mother and little father and big father. So they've got a cultural way of doing this. And it comes down the line there, and then we find the Mookai is the one who up there will take care of them, the whole lot, and the Mookai is still up there in our cultural ways.

### 7.4.3. Waste and Sharing

However, while community members shared their positive experiences about hunting, many deplored the modern tendency to use only the high value meat and not share the meat beyond the immediate family. Many bemoaned the loss of past practices that had traditionally required hunters to use the entire carcass and share the spoils of hunting more widely. Many respondents discussed the importance of sharing meat upon conclusion of the hunt and the ways in which this practice built family cohesion:

> I don't know whether anybody knows about this, early days with one of my cousin's brothers, we used to hunt for turtle for mission, we'd get 5 or 6 turtles, the mission's truck would come up McIvor, pick us all up. We bring the turtle and kill it and share it around, everyone you know, get a piece.[43]

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[43] The McIvor River north of Hope Vale is one of the main channels through which Indigenous hunters from Hope Vale and surrounds go hunting for turtle.

> With the dugong, you know it is called, they call the species the cow from the sea or a maid, but with that dugong what we did, nothing was wasted so everything that's on the dugong was cut up and everything gone. We used everything. Then with the turtle the same, everything on the turtle is all used up so nothing was wasted from either animal.

The cultural rewards of sharing were also linked to the perceived decline of '*wallen*', the Guugu Yimmithirr term used to describe luck obtained from sharing meat:

> You're not supposed to waste anything, you know. Every bit of that meat's got to be taken off the bone. What you get, turtle or whatever, that's got to be shared out to your families and friends. They believed in *wallen. Wallen* means you always have that luck if you don't take the whole lot of it.

> That sharing business, you share it out equally. I wouldn't come home with my fish in the bag and these other two coming home with nothing. If I did, I would feel terribly ashamed of myself and I'm showing greediness, selfishness you know.

Interviewees felt that waste made Indigenous people look bad, evincing frustration that it occurred and that access to new technologies such as freezers encouraged more waste. As respondents pointed out, the use of a freezer actually encourages waste for two reasons. Firstly, dugong and Green turtle meat that has been frozen for more than two weeks loses its flavour and is thrown out and secondly, frequent power failures resulted in much spoilt meat:

> I mean if you are going to have a freezer full of six or seven dugong or turtles really it is going to lose its flavour. It is going to get thrown out when the power goes off and it has happened a lot of times here.

Historically there was no waste because all the meat was shared around the community and family:

> If they get two turtles, why waste the rest of the head, because with the other rest of things, that can last you for two weeks. The two heads and the three or four wings[44]. You know, cut off there, that could last for 3 weeks and for a bloke who,

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[44] "Wings" refer to the flippers on a green turtle, a favourite cut of meat

that scungy bloke who keeps what he want and don't share the rest out, that's going to destroy the animals.

Yeah, I seen it for myself when I was down the beach, and believe me I feel like eating that turtle, I was going to grab the thing from floating by, see? I didn't know if it was from yesterday or this morning. If it was this morning I would have grabbed it and taken it out. It was still fresh in the water, see? I'm not going to dob on my people but I tell you what, they got to think about the generation to come because if they're going to waste like that, no good.

## 7.4.4. Gender

Hunting is a traditionally male practice, however, all female respondents said that they now felt more part of the hunting process and that their involvement was growing. In contrast, all of the men interviewed considered that women had no role in hunting or its management:

Women? No more… this hunting is men's business see, women do nothing.

Well traditionally hunting was for the men, the women, well they might help us cook sometime, or go out make damper, get fruit, what have you, but out there, it was us and the dugongs.

This was counter to my observations of the reality of the situation. During my time at Hope Vale, it was the women who obtained the funds to develop and implement the Hope Vale Plan. I also observed a general delineation between hunting and management activities; women tended to participate in management, men in hunting *per se*. However, there were some exceptions to this pattern. While I was in Hope Vale, a serious hunting accident occurred involving a young woman, which indicated that women and children were at least accompanying the men on some hunting expeditions.

I have selected the following exchange to demonstrate the changing roles and perceptions in relation to gender and hunting. The quote is an excerpt from my interview with one of the female leaders of the community. It summarises the overall points raised by female

respondents at Hope Vale. HR represents the Hope Vale Respondent and MNB represents me.

HR:  So women play a very large role in Hope Vale and one of the biggest roles they play and look to is this hunting business.

MNB: How's that?

HR:  Well just like in your own culture Melissa, how years ago the non-Indigenous people used to be this, 'woman behind the stove'….

MNB: Yes…

HR:  …you know and the father was the bread-winner, that's your culture, not mine you know…

MNB: I see…

HR:  …and that title was given to him, he's the breadwinner and the woman, she stays in the kitchen. But that used to be also with Aboriginal women, way back. It used to be the head of the household, he go out hunting and the missus, she stay in the camp. So those two cultures were doing the same thing at the same time. Did you realise that?

MNB: I didn't, I hadn't quite equated it that way.

HR:  And then as time kept going on and it was like when in your culture the women's lib movement, and this burning bras and whatever, then the women were going out in the workforce. Well, when the women in your culture was joining the workforce, the women in my culture was joining the hunting groups.

MNB: Oh, OK.

HR:  So now even today, women are going hunting by themselves in a boat. Like my mother and my sister just over the holidays, they would jump into the boat and go fishing themselves. There was no need for a man to go or even one of the kids to go, it was O.K. just the two of them. Or now they help with the butchering, do it …so that's a big change, but that change also came about at the same time as your culture, where women are now pilots.

MNB: Oh OK.

HR:  So they move together...

MNB: Yes, that's interesting isn't it?

HR:  I've been following that. It used to be it was just male dominated area. It used to be just the men do that and I never used to even hear or see women watch them. But now in the last 10, 20 years it is O.K.

## 7.5. Indigenous Representation in Contemporary Resource Management

The role of Indigenous peoples in natural resource management was reiterated constantly in interviews and constructed within a discourse of caring for country. Respondents emphasised the expertise that Indigenous people can bring to the contemporary management of country and Indigenous rights to contribute to decision making processes

associated with natural resource management.[45] Occasionally, the usefulness of models of management was canvassed, and they were accepted or rejected. In this context, many respondents raised the need for a plan, although not necessarily the Hope Vale Plan. As discussed later in Section 7.6, many respondents revealed they were not aware of the Hope Vale Plan's existence. Discussion about the need for planning also sparked debate about equity in management and decision making processes.

## 7.5. 1. Equity

As previously discussed, equity was often linked to contemporary expressions about Hope Vale's right to exercise hunting in modern cultural frameworks. Many respondents pointed out that hunting was not the only impact on threatened species in their sea country. They pointed out that there are other impacts on Green turtles and dugongs such as pollution and trawling[46]:

> Everybody knew about it that they are endangered an all, but it is not only the hunters that's actually getting them endangered, its trawlers, nets. You don't know what's happening out there in the sea. You got oil spills things like that, and oil and the sea-grass don't mix.
>
> Really, trawlers shouldn't be around reefs, things like that you know. They damaging the reefs and things like that, pumping out river waters and it going out on the sea. And then when the ships come in from Japan or somewhere to Cape Flattery they pumping their water out on our hunting grounds.

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[45] Natural resource management (NRM) in an Australian context refers to the environmental resource management practices that are occurring both through institutional forums (legislation and the Natural Heritage Trust Regional NRM processes) and on the ground (community based and Landcare type activities).

[46] While community residents perceived that trawling impacted on both Green turtles and dugongs, and sea grass habitats, trawling in fact is not a major impact on dugongs, although netting is. Trawlers caught turtles before the introduction of turtle excluder devices in the 1980s (see <http://www.seagrantfish.lsu.edu/management/TEDs&BRDs/teds.htm> for a short history of TEDs), but the community did not refer to these differences in their discussions with me about equity in hunting. Nor did they seem to be aware of the significant measures introduced by GBRMPA and other agencies to reduce the number of dugongs drowning in gill nets (Grech and Marsh in review).

## 7.5.2. Caring for Country

The right to manage country using traditional as well as contemporary land and sea management techniques was a significant issue for most people I spoke to. Community respondents overwhelmingly acknowledged the need for on ground Management Agency support of Indigenous hunting management programs, in particular training and enforcement support.

> Well the Rangers have got to be properly trained in a lot of aspects of talking and knowledge too about turtles and dugongs, when is the right season[47]. A lot of it comes from the Elders from years ago, but there's a lot of new knowledge coming up now, research, so you've got to think about which way to move, especially the old culture to the scientific data I suppose.

> They need Rangers yes, but the Rangers need respect too for what they're going to do. You need the outside people to come in and work with the Rangers then you'd have a bit more back-up. Because otherwise people say we're just Community Rangers, no really laws or guidelines to go by.

## 7.6. The Hope Vale Turtle and Dugong Hunting Management Plan

During discussions about Green turtle and dugong hunting planning and management processes with the Hope Vale residents, it became clear that levels of understanding varied markedly regarding what constituted a planning process, the perceived need for a plan, or even the knowledge that one already existed.  Many respondents acknowledged or agreed that there was a need to have a management plan to manage Green turtle and dugong hunting activities by the Hope Vale community.

> I think there's a need a huge need and I've got a copy of the Turtle and Dugong Management Plan. I really think it is long overdue, but I'm thankful that we've got it.

Some respondents linked the need for planning as a tool to resolve their key issues of concern, such as the prevention of waste:

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[47] In this context the reference to "Rangers" is to the community based Rangers, employed at Hope Vale as part of the  CDEP program.

> We need planning for wastage…I know it has been happening in the last 10
> years where you get some families who have 6 or 7 – there's no need to have
> your freezer full. So you need that Plan[48].

Hope Vale residents saw the Plan as a vehicle to support those with leadership and
hunting management ambitions. For example, the Hope Vale Plan was perceived as a
political opportunity for many different clan groups outside of Hope Vale Council to
become involved in local resource management processes. The Plan was seen by many as
a good alternative to community by-laws, one that provided the opportunity to develop
some regulatory structure over their land and sea country outside the DOGIT boundaries.

### 7.6.1. Lack of Knowledge of the Plan

One component of the interviews conducted with Hope Vale residents was regarding
their opinions about the Hope Vale Plan; whether it was working, what could be done
better, and what amendments they would make. However, I learned that while the Plan
had certainly acquired iconic or political status in some sectors of the community, overall
knowledge that it existed was low. Moreover, those people that did know of its existence
had scant knowledge of its contents:

> I know its there but I got nothing to do with it.

> No, I not seen that one yet, one day…

This finding reflected patterns of information and knowledge flow in the community
among clan groups, where specific knowledge was privileged to and accessed by specific
groups, often with the result that outsiders, such as Management Agencies, researchers
and consultants (such as myself) often had a higher awareness about and access to the
Plan and its contents than many within the community. As a result, the relationship

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[48] This quote is referring to Green turtles.

between views on planning and the processes of enforcement and surveillance tended to reflect informal cultural norms that were not necessarily related to formal understandings about the Hope Vale Plan.

## 7.6.2. Co-Management

Many respondents saw the Hope Vale Plan (and planning processes more generally) as the blueprint from which they would be able to enter into negotiations with government to secure further funds for natural resource management. Hope Vale residents spoke of the need to engage in co-management, which was seen as an important component of the Plan, largely because it was understood that the promise of co-management provided government funding for the Plan in the first place.[49] Co-management was thus considered in a political rather than a cultural context. As will be outlined in Chapter 9, there were significantly different understandings between my respondents from Management Agencies and Hope Vale relating to co-management, but in this context, co-management was largely understood to mean a management endeavour that enabled equality, participation and equity in all decision making processes relating to hunting, planning and management. However, as demonstrated below and discussed in Chapter 8, community understanding of the term co-management varied markedly from that of Management Agency staff. Hope Vale respondents viewed co-management as a positive exercise.

> There's got to be joint management. That is what is happening with the Wet Tropics. It is a good model, because we look at the holistic picture of things…no matter what we do, it has got to be properly looked at, joint management could help us get feasibility studies done, find out about what we are doing, and what other things need happening.

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[49] The literature on co-management and its definition are reviewed in Chapter 2.

Others perceived co-management as an opportunity for all stakeholders to work together in order to allow all groups to protect their interests:

> Not only Greenies, but I respect anyone who has an opinion. We've got to have respect for other's opinions because that's the only way we can come up with a model, whereby even if we disagree, somewhere along the line in their report, or in their conservation, there is something that we can use. Everyone is just protecting their own interests…it is good that we have a good cross section of people who are concerned and that is the concerns that we should be looking at.

Overall members of Hope Vale conceptualized their role within a co-management regime as having parity in decision making over Indigenous land and seas. Parity in this sense was conceived of as entailing equality in all aspects of the decision making process, as well as equal involvement in both the day to day dimensions of decision making; and equal access to the financial or human resources on offer. In this sense, Hope Vale people always linked their willingness to take on equal responsibility for management subject to their rights to be an equal part of the process. However, as discussed in Chapters 9 and 10, Hope Vale perceived their planning processes as an exercise which was community driven and based rhater than a co-management exercise.

## 7.6. 3. Planning Processes

Hope Vale respondents focussed on the need for implementation of the Hope Vale Plan, in particular, the need for Management Agency staff to be involved in enforcement and monitoring of hunting activity. For the Hope Vale Community, planning was about the processes of *implementation*, not the *written product*, an avenue to seek and find resources for community based management, build capacity for managing country and institutionalise community based knowledge and power relationships. In this case, the Hope Vale Plan was almost immaterial to the ongoing aspiration by Hope Vale community to be supported by Management Agencies in enforcement and surveillance

activities (see Chapters 9 and 10). These trends were reflected in discussions about the usefulness of permits as a hunting management tool.

As discussed in Chapter 6, confusion over the allocation of hunting permits was a recurrent theme. Who was responsible for permit allocation? What was the process of permit distribution? The question of who determined these processes fuelled community angst and ongoing expressions of frustration:

> Well they haven't been keeping up to it. They been doing it and then slack off and then people don't know who's giving out license, permits you know. People at a loss.

> See, what's happening too is they give out the permits but doesn't follow up. There should be a person at Ranger Office all the time. If the person not there, somebody else should do it you know, and that permits got to be there. When people requires permit, somebody's there.[50]

> People were getting permits and then all of a sudden nobody was giving out permits. Just one Christmas, last year and this year they were giving out permits and someone said, 'Oh the trick is too sometimes families get five or six permits for that one family. That shouldn't be.

## 7.7. Relationship with Management Agencies: Governance

Hope Vale respondents constantly reiterated their disappointment with Management Agencies. They regarded the deficiencies in their relationship with Management Agencies as the core impediment to the fulfilment of community aspirations with respect to hunting and resource management generally. Hope Vale respondents raised a diverse range of issues including: (i) confusion over role definition; (ii) the role of Native Title; (iii) the need for Management Agencies to provide enforcement support; (iv) the provision of surveillance and training support, both externally and through an on ground

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[50] An added complication is that over Christmas, the key time for hunting, CDEP stops when Rangers are most needed.

presence; and (v) the lack of effective community based resourcing, either as cash or in kind contributions. Overall, the perceived 'failure' of Management Agencies at this time to deliver on core community aspirations compromised the relationship between the community and key Management Agencies. At this time, Hope Vale respondents involved in natural resource management particularly felt that their expectations had not been fulfilled, that promises had been broken and their trust betrayed. Specifically, grievances were expressed within the context of on ground action and role definition in management.

### 7.7.1. On Ground Activities

Many residents saw a need to formalise links between the Ranger Station and staff of the Queensland Department of Environment and Heritage who are responsible for day-to-day management of the marine park. This was especially significant due to the remoteness of the community and the fact that Management Agencies did not have on ground staff servicing the area. Hope Vale residents felt therefore that there were good opportunities to assist Management Agencies in their core business, while building community capacity, employment and training opportunities. For example, a work experience program (that included enforcement training) between Hope Vale and Marine Park rangers was seen as an effective way of building relationships between the two parties:

> Join with the Marine so that we can know more about ocean life, marine life and all that… And as they work in there they'll give them experience and from there these rangers will work with them and pass it onto the next generation.

> If the management plan were put in properly, from here to Cape Melville, you know we could pick our community rangers from along there to work with a uniform marine park ranger.

## 7.7.2. Role Definition

Hope Vale residents felt strongly that the Management Agencies, as part of their legislative responsibilities, should play a major role in resourcing the implementation of the Plan. Community members considered that Management Agency presence would be a deterrent to the practice of illegal hunting because cultural practices and internal relations impeded effective community enforcement:

> Well, I think that Agency doesn't do enough up here. They should be here more often, do more surveillance work, keep control. I look at a uniform from an Agency as a deterrent; when you got local people hunting, they take no notice of local rangers, but outside people they will.

## 7.7.3. Enforcement

In contrast to their internal reflections on culture and community, the Hope Vale respondents' understanding about enforcing the Plan was characterised by an outward looking discourse. Almost all respondents discussed issues of planning and the role external Agencies should play in assisting Hope Vale members manage their land and sea country.

The Hope Vale community saw the failure of Management Agencies to assist in effective enforcement as a major cause of the failure to implement the Plan, as illustrated by this brief exchange between a high profile local hunter and myself:

> MNB: What do you think would work then?
> HR     White-man law.[51]

For example, an older hunter might go out hunting without a permit and obtain one Green turtle, triggering a breach of conditions in the Hope Vale Plan. Using contemporary

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[51] This is an interesting assertion that is at odds with the overall intention of the Hope Plan to adopt community based management methods, with 'white fella' law as the last resort.

western-law enforcement measures were seen as the only effective mechanism by which the Rangers could deal with this situation. Fining hunters for breaching the Hope Vale Plan was also identified by Hope Vale respondents as being an effective deterrent. The use of fines as a mechanism to encourage adherence to the plan was seen as a significant component of hunting management:

> Yeah, because the next time they won't do it again. It is their pocket, next time they go out they know they're pocket be empty they won't do it. You got to start from the beginning again. Hit the nail on the head now, don't start in the middle because half of the damage is done.

> They have to put the fines in, otherwise don't be sorry in a couple of year's time…Do it now and say what the hell, to save losing your sleep over it.

> Not just agencies coming up in the Christmas period, they need to come up right during the year and well they should be able to come up and check everybody's boat and say this fellow's registered, and should get to know the people here a bit more.

> Well, if the law come out really strong, I reckon that would slow a lot of people down, going out there with unregistered boats and things like that. It would make them think a bit and actually register the boat and get all the equipment and that.

These quotes demonstrate that Hope Vale residents were very willing to engage in hunting management and keen to find culturally acceptable and legislatively endorsed ways of doing so. As one hunter put it 'if we can't do it straight way, let's do it sideways but still under the law'[52]. The implementation of enforcement mechanisms designed to make hunters adhere to the plan emerged as a significant factor:

> The plan… implement it. If they can implement it and make it, they should make the words stick, make it like you have to vote…it is compulsory. So make this a compulsory one too. Don't just come and slap you on the wrist and let you go. Bang, first offence, bang.

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[52] The notion of doing it sideways' refers to the implementation of indirect management of hunting, i.e. through regulating boat licenses, or possession of safety gear, which would inhibit people from going out hunting, if they were in breach.

Hope Vale residents argued that there was a need for even greater government

enforcement support during periods of high hunting activity, such as Christmas:

> Well, it is no good sitting down on a chair back there. You have to be out there, with them. They send certain blokes out there. Maybe two. The Government got money to occupy them, work them out. They need to run [rangers] during Christmas time, you know, because most of the dugong have been left half cut[53].

The involvement of Management Agency staff was seen as particularly important

because the process of community enforcement was difficult, often necessitating

'dobbing' on family and friends, which most Hope Vale residents were not prepared to

do. The dilemmas this situation provoked were expressed in various ways:

> Keeping tabs, keeping close tabs. This bloke is not going to tell anyone if his brother's going to go hunting because he's gonna get a share out of it too even though he's a ranger you know.

> Yeah that's the main thing.  I don't want the community rangers going stop us from hunting. Now I can go hunting for stingray. I can go hunting, you know, fishing. But I don't want community people saying they are going to stop us from hunting. No, I want the Agency fella to stop us from hunting too much dugong and turtle.

I often observed individuals on the community dealing with this issue. Many were torn

between cultural and family loyalties and a belief in the planning process and a

commitment to maintaining and managing hunting practice. In the absence of effective

and reliable support from Management Agencies, almost all respondents decided to 'let

sleeping dogs lie' reflecting an ambivalence about community control. As one person

said to me:

> I don't believe we should hunt at all, but I'm not going to be the one that says so or stops it… that's like telling your mother-in-law she can't drive your new car;

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[53] This quote refers to the occasional practice of some hunters of taking a dugong, removing the best cuts and then leaving the carcass on the beach, a practice most Elders deplored.

you might not like it, but you not going to be the one that says no to your own family.

### 7.7.4. Surveillance

Surveillance was also a high priority for Hope Vale residents. In contrast to their conceptualisation of enforcement as 'punishment', respondents viewed surveillance as the 'prevention' arm of management, viewing the presence of boats on the water as deterrent enough to ensure observance of management rules. Surveillance was favoured as a community based management exercise because it facilitated management without providing the type of cultural confrontation caused by breaches:

> The only thing that would stop people is more surveillance, I think, and more penalties for people who don't have the right equipment on their boat. You hear of people too who are carrying guns around and something like that.

### 7.8. Summary

Hope Vale respondents constructed a discourse about cultural survival, community well being, social justice and equity as high priorities for the management of hunting of Green turtles and dugongs. The hunting tradition was important, with the dimensions of waste, gender, economy, family and fun being specifically identified as elements crucial to cultural hunting practice. The community was also pre-occupied with contemporary forms of management. This concern was reflected in the discourse about caring for country, and the relationship between Hope Vale community members and Management Agency staff, especially on the matters of enforcement and surveillance activities. Overall, my analysis demonstrates that for Hope Vale Community respondents, the resolution of the management of Indigenous hunting of Green turtles and dugongs and hinges on the resolution of wider community concerns relating to health, education, employment and economy.

# Chapter 8

## 8.0. Discourse Themes: Management Agency Staff

### 8.1. Introduction[54]

This chapter presents the findings from my analysis of interviews with members of Management Agencies using discourse analysis. Overall, Management Agency respondents approached the issue of hunting as a problem that needed resolution as part of their core business, which they characterised as biodiversity protection. As such, Management Agency responses to questions about the issue of Indigenous hunting can be organised within two discourse frames: (i) biodiversity protection, and (ii) resource management. The discourse about biodiversity encompassed two dimensions: (i) justification of Management Agency positions on hunting, and (ii) identification of threats to Green turtles and dugongs deriving from the issue of Indigenous hunting. Management Agency discourse was primarily concerned with identifying ways forward, or management solutions to resolve identified biodiversity issues. As with Chapter 7, I use direct quotes to substantiate my analysis and to give immediacy to the text. All quotes are anonymous.

### 8.2. Biodiversity and Species Protection

Biodiversity protection and species management emerged as the predominant discourses framing the understanding about the issue of traditional hunting in the GBRWHA of Management Agency staff. The maintenance of populations of the Green turtle and the dugong was stressed as the most important indicator of whether or not biodiversity protection was being achieved. Specifically, the importance of biodiversity protection

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[54] It is important to stress that these interviews were conducted in early 2001, and predate any discussion about TUMRAs as discussed in Chapters 9-12.

was raised either in the form of justification by Management Agency staff of their positions, or within an identification of threats to the species that were perceived to derive from the practice of Indigenous hunting.

## 8.2.1. Justification of Need for Biodiversity Protection Management

### 8.2.1.1. Science

Overall, Management Agency staff used science to justify the argument and need for biodiversity protection. Reports by esteemed international scientists, such as Helene Marsh and Colin Limpus, were repeatedly cited to justify the Management Agency's view that the traditional harvest of Green turtles and dugongs by Indigenous people was unsustainable. Management Agency staff reliant on scientific reports and convinced of the usefulness of science as an enabling management tool were frustrated that to date, they had to rely on anecdotal knowledge about the levels of traditional harvest. The need to quantify the levels of traditional harvest of Green turtles and dugongs and the lack of baseline 'data' was perceived as completely inadequate for the management needs of the species:

> Look, we've got no idea of hunting levels… its all anecdotal stuff really. There's been some interesting work being done on genetic populations but the southern Barrier Reef stock is very low, and we know that in the northern Barrier Reef there are some major breeding populations such as turtle at Raine. There are only a few scattered populations. The implications of this for us is that at present our management is geographically determined. For the southern Barrier Reef stock we know boat strikes have a big impact. But we have no idea about hunting, with incidental catch in fisheries the other unknown. Apart from that very little information. Definitely no hard info on hunting![55]

Consequently, Management Agency respondents emphasised the need to adopt scientific methods of estimating sustainable take, advocating that this information would form the basis for a more productive engagement with Indigenous people in the Representative

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[55] This quote refers specifically to Green turtles.

Areas Program process (see Chapter 5) which, at the time I conducted my research, was

in its preliminary stages:

> You need to develop a management model that would be a useful tool also for estimating the sustainability of take in hunting. I think that's a very useful way for resourcing the sustainability of take.
>
> For example, we can do observer programs, TEDS for loggerhead turtle can direct our management actions better[56].

In this context, Management Agency staff stressed that determining actual baselines for

take provided a sound foundation for more effective management strategies of Green

turtles and dugongs:

> Previous permitting - based on figures of 300 turtle a year overall. We use that as a rough estimate of guaranteed known take as a management baseline
> If we can identify mortality factors, we put effective management mechanisms in place.

Many Management Agency staff also felt population simulation models were effective

management tools:

> Models serve many purposes. Turtle researchers can develop useful information for management. You can see the effect of management strategies. And it reaches the wider public. You can also see the complexities of future planning for long lived species. There is a role for Indigenous people in this. If Indigenous mobs have questions about turtle… this model can answer some of their questions. Models can be user friendly and this is one of the problems with scientists, they can get so focussed on research that we forget to apply it. Models need to justify work. Need to make it understandable to people. I hope a model will be useful.

### 8.2.1.2. Endangerment and Sustainability

The international responsibility of Management Agencies ranked highly as an issue

during my research. The IUCN listings of the Green turtle and dugong on the Red List of

Threatened Species was used to mandate organisational responses to Indigenous hunting

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[56] TED – Turtle Excluder Devices, designed to ensure turtle species do not get entangled in nets

(Hilton-Taylor 2000). A discourse about endangerment and extinction was employed by

Management Agency staff in relation to biodiversity protection:

> All sources of mortality of endangered species should be reduced. Including
> Indigenous hunting. Focus your efforts on these threatened species.
> Don't want to lose that animal. Some populations are abundant but vulnerable.
> Then there is deliberate as against incidental take. I see incidental take as wrong.
> Especially if the animal has threatened or vulnerable status.

Many Management Agency staff expressed frustration that in their view species

management, perceived by them as their 'core business' was being politically sidetracked

(some went so far as to say 'hijacked') by having to deal with the hunting issue. Many

did not believe it was possible to reconcile all interests and argued that species

conservation should be the core priority. In this context, the natural large scale

movements of both species and the jurisdictional implications of these movements often

emerged:

> A big one for us is the issue of migratory patterns of the species.

> Migration… that's often outside our jurisdiction. The northern Great Barrier Reef
> stock is unstable. There's been harvesting in Indonesia and the Indian Ocean. So
> with management, we try and feed that in. It also impacts how we relate to
> Indigenous mobs regarding hunting. It's an equality issue… it can impact on
> hunting values. It's the same with hunting issues down south, in Hervey Bay,
> Moreton Bay[57].

Therefore, Management Agency staff identified the need of core sustainability objectives

that would maintain populations of threatened species. For many respondents, this

included the establishment of a work program for Management Agencies based on

information collection:

> Well, the elements for priority within such a work program would include
> keeping a watch on the conservation status of Green turtles and dugongs,

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[57] This quote refers to Green turtles.

gathering knowledge about the species, building community perception and knowledge, environmental indicator status, likelihood of management service.

In sharp contrast to the Hope Vale understanding of the word sustainability, Management Agency discourse about sustainable hunting was constituted as an activity that needed managing due to other pressures on Green turtles and dugongs:

> Traditional Owners aren't in the situation of control anymore. Other issues faced are impacting on the population. It used to be one big pool that they were hunting from, for example a Torres Strait animal migrates to the Cape[58], and it will get targeted in one region and then get targeted in the other. So the presence of dugongs indicates a lot of tucker to people. Ultimately, the issue that needs resolving is the management for sustainability and it needs to happen at an inter-generational level as well as just one on one.

Most respondents thought that greater education about the species would encourage less hunting and Indigenous peoples to 'be more sustainable':

> There is also a lack of understanding about the species and its actual population status. Especially of marine turtles. There is a lack of understanding about Indigenous issues within GBRMPA itself.

The hopes of Agency staff were predicated on the belief that if scientific data proved to Indigenous peoples that the species were endangered, then, *ipso facto,* Indigenous people would curb their hunting activity:

> Acceptance is maybe the word. Getting Indigenous user groups to follow each other, talk to each other about these things, about their impact. If these people have information then they can come to their own conclusions.

This position reflected the deep seated scientific rationale, which underpinned the management discourse:

> The only issue in respect to Indigenous hunting is the hunting of larger adult females. We need to try and change the focus on what is hunted. That is crucial

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[58] This quote refers to the Cape York Peninsula, Australia.

for the survival of the species. Again though, it's still up to the people hunting, maybe if they knew about the biology they would change[59].

### 8.2.1.3. Urgency

The repeated use of phrases such as 'it's a race against time' reflected an urgency that underpinned Management Agency discourse about the population status of Green turtles and dugongs in the GBRWHA.

> Long long term, we would prefer not to have a conservation concern for turtles, for mortality levels, not to worry anymore. So we can look at habitats rather than specific species. This should be the goal of any species conservation. We shouldn't be focussed on keeping species just to justify what we are doing; whatever we do it's got to happen now.

> Well, time is not on our side, we've got to keep dugong as a high priority with turtle a close second, can't risk them ending up extinct. Cetaceans are our third priority and then sea birds. Everything else we keep a watching brief on.

> GBRMPA sees turtle and dugong as vulnerable. These are our urgent priorities for management, we need to build these priorities into the community reef advisory committees, and we've suggested the development of a document outlining our priorities for a work program. Using a bunch of criteria.

This urgency gathered momentum when Management Agency respondents reflected on evidence of a growing 'black' market in the trade of Green turtle meat. Many respondents argued that hunting should be prohibited altogether, a position that was primarily justified by the iconic and threatened status of the Green turtles and dugongs:

> There is still too much black market sale going on. Turtle and dugong meat within and outside of the community. We can't control this, we have no idea how much is going on, but it's a real issue and a real worry for the species. How do we know how much time we have left when we don't have any idea of what is actually being taken?

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[59]This quote refers to Green turtles, in relation to dugong, Hope Vale hunters were trained not to take pregnant dugong. Andrew Smith's PhD thesis (Smith 1987) outlines in detail the core of Hope Vale traditional practice in relation to hunting of marine resources.

**8.2.1.4. Management Responsibility**

Management Agency staff insisted that the role of their organisations was to protect

Green turtles and dugongs and no matter how appropriate community management may

be, ultimately, it is the agencies that have legislative responsibility to ensure species

survival:

> Not many people like imposing restrictions on themselves… that is our job!

> Problem is that the Management Agency has changed with managing resources, you will see if stocks collapse… to what degree do you keep flicking it back to the communities? At what level do you interfere? Sooner or later someone will say or ask us what's going on, what are we going to do about it?

This need was amplified because of the iconic status of Green turtles and dugongs as

representative of the World Heritage values of the Great Barrier Reef:

> It's also a problem when we use the Green turtle and dugong in all our literature… they've got a very high profile in the community you know! Seriously, if people see that we're not able to manage or protect the dugong or Green turtle, then that's a credibility issue and its raises the question of how are we going to manage the other values of the reef?

Many Agency respondents revealed a high level of awareness of the responsibility they

have in the public eye to manage the issue of Indigenous hunting on behalf of the whole

community:

> [The] Biggest hurdles are in getting acceptance in the wider community while addressing cultural needs.

As the following quote demonstrates, Agency staff considered that, although they did not

hold any personal prejudices against Indigenous hunting, it remained a significant public

relations issue:

> Don't personally have a problem with Indigenous hunting, but the issue is a lack of general knowledge, and for the general public why do we allow hunting? This lack of understanding makes it difficult for us to work with the public on this.

Many Management Agency staff felt they were put 'on the spot' by the public and required to justify government policy on the issue of Indigenous hunting. Management Agency staff felt they frequently bore the brunt of public indignation about the Native Title issue. This discomfort was fuelled by a popular belief in the general public that Native Title had bestowed privileged rights upon Indigenous people in ways that potentially compromised wider community rights to access and enjoy the GBRWHA:

> Then there is the relationship to user groups… there is a lack of understanding that hunting is a legislative right. Other users see their right as equal to Indigenous rights. Indigenous people are also new to the concept of user rights.

> People are still going to think about their backyard, they're still going to get paranoid its going to be taken away by Native Title, there's still going to be propaganda.

### 8.2.2. Threats To Biodiversity Protection

### 8.2.2.1. Cross Cultural Issues

The discourse about the primacy of biodiversity protection was also interwoven with an identification of the many threats or blocks to achieving biodiversity protection goals. Of these, cross cultural misunderstandings ranked high on the list for Management Agency staff who reiterated their disappointment and frustration that despite 'doing the right thing', it was in fact 'impossible to win' with Indigenous peoples. Many Management Agency respondents evinced the opinion that their collaborative efforts had largely been unrewarded. Many provided a detailed explanation of the history of previous collaborative management initiatives with Indigenous peoples, including Hope Vale, as proof that Management Agencies had 'made the effort' regarding the issue of traditional hunting. TUMRAs were often presented as the solution that would resolve many of the problems associated with Indigenous hunting in the GBRWHA.[60]. However, most

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[60] TUMRA – Traditional Use Marine Resource Agreement, as explained in Chapter 5.

respondents acknowledged that cross cultural misunderstandings or misconceptions about hunting helped to explain cultural conflict and disputes over the issue of Indigenous hunting:

> But it will require a big shift in hunting. In the long term, control through permits would be good but with Native Title the politicians don't like it. And the Indigenous groups don't like it due to its colonial connotations, but we need to think pro-actively, Native Title does enable a more equal footing with all groups. It's not like asking permission but a joint negotiation regarding the sustainability for stocks and cultural imperatives… it's about working out where we each come from culturally.

### 8.2.2.2. Permits and Poaching

The issue of permits and the existence of poaching were identified as key threats in Management Agency discussion about biodiversity protection. Some Management Agency respondents believed that the Ministerial ban on issuing permits for hunting Green turtles in 2000, described in Chapter 6, had facilitated the rise of poaching and black market activities along the GBRWHA. Management Agency respondents argued strongly that the number of animals hunted per year had increased and that Green turtle and dugong meat was being sold overseas:

> So at the end of the day, the Government decision not to issue permits has forced a situation of increased illegal activity. It has actually increased the level of illegal hunting and has promoted a black market.

> One fella has allegedly been accused regarding the sale of dugong; you know we're looking at perhaps 80 animals in one year. So the transfer of blame means we're now paying people to hunt and to take the rap if they get caught and business is booming. Now these things have to stop and [do so] with the help of Traditional Owners because the Traditional Owners aren't getting much out of it anyway.

> So in fact we've got a commercialisation of hunting as a result of the ban. And I mean regarding dugong meat, there's actually a market in Japan[61]. There's a

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[61] This assertion is unlikely to be true (H Marsh, pers. comms 2006)

slight surge in the market within Indigenous communities in Queensland and
people are being paid to take the rap.

### 8.2.2.3. Political Correctness

The need to be politically correct and act in accordance with Native Title interests and

obligations towards Indigenous peoples frustrated many Management Agency staff.

Many respondents clearly articulated the requirement to be politically correct regarding

Indigenous hunting as a threat to the biodiversity protection work of the Management

Agencies:

> I guess you can call traditional hunting as equivalent to the back yard barbeque
> for Australians, the 4th July celebrations in America or the reason why Japanese
> eat whales. Who are we to make that judgement call? Everyone is doing the right
> thing these days – being politically correct. Confuses the issue in my opinion…
> difficult to do our job in the face of that pressure you know?

One Management Agency respondent was blunt in his dismissal of political correctness

on the basis that Indigenous hunting culture and species management were not, nor ever

would be, compatible activities:

> There's actually a big conflict between culture and endangered species and my
> gut reaction is to say goodbye to the culture.

### 8.2.2.4. Attitudes to Hunting

When asked directly about traditional hunting, responses from Management Agency staff

were often heated, with cruelty and technology raised as core concerns. Almost all

Management Agency staff preferred to idealise pre-contact Indigenous culture as

culturally palatable rather than acknowledge the practice of Indigenous hunting culture as

it exists today:

> The biggest issue is that it's [hunting] not traditional anymore, nor is it conducted
> [the hunt] in a traditional way. It was okay then, and they only got what they
> needed; now it is much more of a competition than traditional use.

Most Management Agency staff also indicated that traditional hunting, if carried out in a bark canoe, was acceptable, but going out to hunt in a modern boat was unacceptable and not real or authentic.

> In the old days, Green turtles and dugongs were shared very widely, they used traditional methods, I think that still happens at Shark Bay[62], but basically now freezers have arrived. Now when they go out, its using modern tools, its all modern technology…its "my dugong" from the guy who owns the boat, has the fuel etc, its "my fridge".

Many Management Agency respondents also had difficulty differentiating between a general acceptance of Indigenous cultural rights to hunt and a personal dismay or antipathy at the thought of hunting Green turtles and dugongs, either on cruelty or sustainability grounds:

> Aboriginal rights - the treatment - I don't like the way that the animals are treated when they are killed. Even though I know it's culturally appropriate and we as an Agency can't make comment on that…I have to accept it but… I still find that difficult. This is where the legislation doesn't help much. To purposely mistreat an animal is wrong.

Most respondents indicated their view that the Indigenous hunting techniques of drowning dugongs and butchering Green turtles while alive was cruel. These discussions highlighted the fact that an Animal Rights discourse was implicit in Management Agency response to the issue of Indigenous hunting.

Other respondents who attempted to reconcile their notions of culture and sustainability believed that Indigenous people must accept that Green turtles and dugongs are threatened. They argued that that Indigenous hunting must be appropriately managed if the marine species are going to survive into the future. This argument is demonstrated in the quote below:

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[62] This assertion about Shark Bay is not correct.

> I don't know, it might have been alright back then, but I find it worrying - things are different now, and this is what we all need to deal with, black or white…Its now a limited resource.

While Management Agency staff acknowledged that Indigenous people would continue to hunt because of their cultural needs, it was pointed out that GBRMPA's management plans were not appropriately designed to factor in contemporary Indigenous hunting regimes. As described in the following two quotes, respondents argued that Management Agencies, particularly GBRMPA, needed to incorporate such cultural considerations into management plans:

> Some people can't get over the fact that Indigenous people have social and economic values that are important. In order to change to certain cultures we can't just put signs up saying National Park. You actually have to bring change in, even if it leaves some people behind, it is the way to do it.

> We've gradually changed the social culture over time. There's now a relationship between managers and Traditional Owners and Indigenous peoples. In 10 to 50 years time, traditional hunting will be part of the history. Kids will look back and say to the Elders, "you used to hunt in 2002". Everywhere culture changes over time and the manager of the marine park could look at different periods of Indigenous culture to draw something from them.

### 8.2.2.5. The Ministerial Decision on Hunting

The impact of the Ministerial decision to ban the issuing of permits to hunt Green turtles in 2000 was a prominent theme in Management Agency discourse about Indigenous hunting management. The Ministerial decision was identified as a major threat to crucial management planning processes, such as the Representative Areas Program (RAP).[63] As demonstrated in the quotes below, the decision overshadowed all other Management Agency work:

> People won't talk to us about anything else until that is (*Ministerial decision*) resolved. If we don't have it [*the Ministerial decision*] overturned, we might as

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[63] The Ministerial Decision and RAP are explained in full in Chapters 5 and 6.

well forget it, not just with turtle and dugong hunting, but everything with Indigenous people.

This is difficult also because we need to go and talk to the Traditional Owner groups and so there is a community problem that is being created. People want to do the right thing but it is the ban that's put them on the wrong foot. And we need to do that for both turtle and dugong. Outside of turtles and dugongs, people don't want to talk about the Representative Areas Program, they want to talk about hunting, and about being busted, so you know, it is even impacting our other work because people just want to talk about that one thing.

At the moment there are two key things that we're following up. One is the RAP process the other is the turtle and dugong issue. We need to get turtle and dugongs into the critical issues funding bucket and we need to overturn the Ministerial decision. It is just a band-aid measure anyway.

Management Agency respondents argued that the Ministerial decision was having serious impacts upon the viability and management of Green turtles and dugongs. Respondents noted that the Ministerial decision meant that Indigenous hunters were more likely to engage in illegal hunting activities and further increase their take. Other Management Agency respondents considered that the decision would also encourage a reactionary rebellion or protest by Indigenous peoples towards Management Agencies in reaction to the decision:

The Minister, he's made it all the worse for the environment and Indigenous peoples. For the environment, including the species, because of the Minister's decision we can't issue permits.

We're not issuing any permits now for hunting turtles and dugongs. I guess from a unit's perspective, it is causing a huge overarching problem in terms of just getting out and talking to communities.

**8.2.2.6. Native Title**

The impact of the Native Title legislation on biodiversity protection was a strong Management Agency concern (see Chapter 5 for a description of Native Title). Issues of primary concern included: (i) the overall success or failure of the Native Title Act; (ii) the

complications associated with implementing the Native Title legislation within the Hope

Vale Community; and (iii) the public perception of the Native Title process.

Respondents were not confident that the Native Title process had benefited Indigenous

people. In the words of one respondent:

> The Native Title decision has had a lot of impact on the community. What it
> should have done is given TOs [*Traditional Owners*] a vehicle to express their
> Native Title rights and interests better than in the past. It is a good tool but it
> isn't the be all and end all. From talking to the mobs (Aboriginal groups), it has
> in fact done nothing. At the end of the day if other groups don't want to talk to
> TOs then they don't have to.

Native Title was also perceived to have caused confusion over what constituted

Indigenous rights within the hunting arena. Different interpretations of the terms

'Traditional Owner', 'Historical Owner' and 'Native Title' holder were identified as

causing difficulties in organisational attempts by Management Agency staff to engage

with Indigenous peoples:

> The law itself is actually unclear, e.g. do Traditional Owners or Native Title
> holders have the right to hunt? If they have, have they permission? If they are
> intermarried to the community do they have those hunting rights? If you have
> permission, do you have Native Title rights? That's still not determined in the
> court.

For some Management Agency staff, the advent of Native Title meant that communities

like Hope Vale were even less well placed to manage country and subsequently had a less

productive relationship with Management Agencies. While Management Agency staff

overall felt that solutions were possible, the influence of Native Title had made

biodiversity protection much harder:

> I think the government and Management Agencies need to keep an open mind
> about what they might expect. Ultimately, we've got the same goal, to maintain
> the levels of turtles and dugongs and it is not impossible to develop solutions.
> However, we do have a big issue in terms of the changes of the last ten years. It is

not the same issue. There's less adherence to culture, less of a relationship between Agencies and people and other changes such as Native Title. There's been a shift; communities are not necessarily placed to do business on the land management issues anymore.

Some Management Agency respondents went so far as to assert that Native Title had had little impact upon the functioning of Management Agencies because Indigenous rights had already been institutionally recognised. This assertion revealed an important underlying discourse that revealed a belief that there was not a problem associated with Indigenous rights in the hunting arena in the first place, and that much had already been done (and in some cases too much), to address Indigenous concerns over the right to hunt:

> In terms of impact on the Authority, there was very little impact for the Authority. We have recognised Indigenous off-shore rights for 15 years anyway. We've got one Indigenous person on the MPA, we have an Indigenous person on each RAC and we have Indigenous positions on the LMACS.[64]

> In terms of Native Title, I think we have to look at what it means now. Traditional Owners already have the right (*to hunt*) under Section 2:11. It is explicit.

Many Management Agency respondents considered that Native Title obligations had already been incorporated into staff work practices and thus believed the legislation already had a significant institutional impact:

> Before, you couldn't have talked about Native Title rights. Before you were radical if you had a Native Title claim, now we openly talk with Traditional Owners about Native Title rights, how we should work more with them, help them assert their rights.

Other Management Agency staff felt that there was no need to wait for formal recognition of Native Title. Staff argued that they would be negotiating with Indigenous peoples in the course of their own work on the implicit assumption they were Native Title holders anyway:

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[64] Local Marine Advisory Committees were established to enable community feedback about its management and reef issues generally.

> There are a swag (sic) of things to boost people's Native Title rights and interests. We don't have to prove it in the High Court, it is merely a formality. We should just work with Traditional Owners as if we were working with Native Title holders.

The Native Title process was seen to have increased the workload for the Management Agencies because they had to manage the public perception that Native Title compromised public access rights to the World Heritage Area for other users. A good example of this concern is reflected in media reports in early 2005 after the release of a discussion paper exploring positive ways to implement tourism co-management arrangements between Girringun and GBRMPA in the Hinchinbrook Shire region (Nursey-Bray and Rist 2005). The media reports presented stakeholder reactions to the release as an infringement of their rights to access the World Heritage Area.

This strict focus on Native Title is interesting given the complicated and diverse jurisdictional framework within which hunting occurs (described in Chapter 5). This single focus on Native Title, provides an important insight into how the legislative parameters were both understood and prioritized by both Hope Vale and Management Agency respondents.

## 8.3. Management Perspectives of Indigenous Involvement in Natural Resource Management

A powerful discourse about how to undertake environmental management *per se* emerged from interviews I conducted with Management Agency staff. As I will demonstrate throughout the rest of this chapter, the challenge of reconciling the different legislative, policy and institutional arrangements for Green turtle and dugong protection and Indigenous hunting was prevalent in all Management Agency discourse about the

management of Indigenous hunting. This discourse revealed the extent to which Management Agency staff operated within, and were constrained by, the institutional parameters dictating their day-to-day business. This discourse reflects an embedded institutional mind-set about what constituted 'good' and 'bad', 'successful' or 'unsuccessful' management programs. The inflexibility of this discourse and its primacy as the dominant ideology in the hunting debate is clearly shown in Management Agency responses to the 'problem' of the Hope Vale Plan.

Legal advice relating to the Yanner decision (see Chapter 5) was still pending at the time of interviews. Thus, many Management Agency staff argued that, (due to this legal ambiguity), decision-making about Indigenous hunting had effectively stalled as there was no clarification of Management Agency and Indigenous rights. Some staff presented this uncertainty as a frustrating situation impeding effective management. Many others considered the situation a welcome relief, facilitating institutional apathy consistent with their disinclination to get involved in the hunting issue, which some respondents saw as a subject they felt they knew little about, did not believe in and was not part of the core business or interest of a conservation agency.

Management Agency staff often revealed a sense of personal and professional obligation to fulfill the terms of international conventions, such as the World Heritage Convention or Convention for the Illegal Trade of Endangered Species (CITES). These responsibilities, combined with the perceived lack of a statutory basis for the Hope Vale Plan (or Indigenous hunting management generally) were perceived by many Management Agency staff to explain the Plan's perceived failure. In the wake of the challenges sustained by the Hope Vale Community in its attempt to implement the Hope

Vale Plan (see Chapter 6), and due to the fact the Plan did not precisely fit within the framework of institutional expectations about planning, Management Agency respondents were able to blame the difficulties of the Plan's implementation squarely on Hope Vale community.

Management Agency respondents argued that there had been a window of opportunity for the Hope Vale Council to work with the GRBMPA under Section 39Z of the *GBRMPA Act 1975* (Cth) to give the Hope Vale Plan statutory status. The fact that the community had not taken advantage of this opportunity meant that Management Agency staff felt confident in critiquing the Plan; the community had not accepted the politically correct opportunity to take that option. The discourse of what comprised effective management (and therefore how Management Agency staff explained the failure of community based management programs) was reflected in many other management domains, such as monitoring and surveillance. For example, Management Agency staff perceived monitoring and surveillance activities as activities bound by statutory frameworks, and hence expected that formally qualified personnel would implement them. Indigenous peoples however, were not seen to be part of this management function due to the lack of qualified Indigenous people to undertake surveillance activities.

### 8.3.1. Management Models

In reflections on how to involve Indigenous peoples in biodiversity protection, many Management Agency staff discussed the usefulness of co-management as a medium that would encourage Indigenous participation in management. Co-management was perceived as a positive and non-confrontational method of developing a way forward for Management Agency staff to engage with Indigenous peoples:

> We also need to look at the tendency to inform higher management and higher management bias to species management. Species management is actually only one component of co-management and we need to draw parallels to discuss hunting within that context. I mean, cooperatively managing the species, it is not co-management, it is an element of co-management and it is actually one that suits the Agencies and Ministers who like to think of that in terms of co-management.

Management Agency respondents identified a range of views in relation to perceptions of Indigenous involvement in co-management. Firstly, some respondents expressed the view that resourcing collaborative management initiatives should occur within the aegis of fee-for-service activities. A fee-for-service activity, it was argued, could be one where Indigenous people are paid to undertake some management activity, while not being responsible for it or given any decision-making powers. For example, beach cleaning or cultural heritage work would be fee-for-service but would not give the Indigenous people involved any decision-making powers about how, where and when those activities might occur. Alternatively, co-management personnel should work within Management Agencies as employees.  This view of co-management is in interesting contrast to the approaches outlined in Chapter 2, section 2.8, in effect falling between both the notion of co-management as either community based, or a partnership.

Many Management Agency staff considered that management responses to Indigenous hunting should incorporate population monitoring exercises with the aim of definitely determining how many Green turtles and dugongs were caught each year along the Great Barrier Reef. Most staff felt that possession of this knowledge would help them monitor and manage Green turtle and dugong population numbers more effectively. The need to manage hunting and implement programs to monitor population numbers of Green turtles and dugongs is best summed up by the words of a staff member below:

> It is not hunting I have a problem with but how many are taken. Until we know that we won't know how to work together.

Crucially, Management Agency perception of co-management was positioned around its efficacy as a tool for biodiversity protection, rather than building Indigenous capacity and welfare. Accordingly, in interviews Management Agency staff talked about: (i) models and definitions of co-management; (ii) the need for consultation on co-management; (iii) how to negotiate co-management; (iv) how to resource co-management; and (v) the priorities for co-management and equity within co-management.

Cumulatively, Management Agency respondents identified the components required for good management as follows:

> (a) Identification of the correct parties [Indigenous peoples] to participate with in co-management arrangements, (b) clearly defined parameters of what each party wants out of the co-management arrangements, and (c) reconciliation of all the different legislative jurisdictions and people involved with the co management arrangements.

Many respondents also presented their vision of co-management in the context of the Hope Vale Plan, which included: (i) a quota or permit system combined with effective enforcement, (ii) surveillance, and (iii) monitoring mechanisms. Respondents argued these elements would facilitate effective co-management and ensure a satisfactory outcome for both Traditional Owners and conservation Management Agencies:

> In terms of models, there are other alternatives to hunting management, and I much prefer to work with TOs [*Traditional Owners*] than the wider community. The elements of these models or alternatives are: (1) a consistent package of rules for hunting and a way of ensuring those rules are culturally grounded; (2) having a permit system that provides for Traditional Owner hunting as well as having Traditional Owners manage the hunt; and (3) there may be alternative ways to implement co-management through various legislative or statutory structures such as zoning plans or plans for management.

Management Agency staff also considered co-management to be a system through which they could communicate on the ground to Traditional Owners, without the interference of so-called middlemen who were members of Native Title Representative Bodies or government bureaucrats from Brisbane or Canberra:

> In terms of co-management I look at that as being people on the ground, I see it as a big umbrella and the co-management strategy is a bit far away from that. What they want is small groups talking on issues, working with them. Brisbane meetings are way too far away. The co-management strategy, unless the government commits itself, it is not going to happen anyway, but Native Title is there now. Why wait, hanging around for it to be determined when we can be prepared now? Agencies could be doing a hell of a lot better. People need something now.[65]

Other Management Agency staff identified co-management as being the ideal tool to control Indigenous hunting of Green turtles and dugongs in the GBRWHA:

> Co-management is complete control of the hunting scenario based upon the need and the area to be enforced.

Effective ongoing consultation on the implementation of co-managerial arrangements was identified as an important component of any co-management strategy. For example, Management Agency staff argued that current co-management arrangements were difficult to implement because they were not set up to incorporate the diversity of Indigenous peoples and interests along the Great Barrier Reef. Co-management regimes that addressed the scale of interest and diversity of Indigenous peoples would help to provide some linkages between all levels of management. It would also demonstrate recognition of Management Agency needs to engage in a more sophisticated and broader manner on Indigenous hunting issues.

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[65] This quote is in relation to negotiations by the Sea Forum on co-management, and the report by Appleton (2000) which started to articulate some ideas for co-management between GBRMPA and the Traditional Owners of the Great Barrier Reef, particularly along the Southern Great Barrier Reef region (to help context this, the Hope Vale region is in the Northern Great Barrier Reef Region).

Management Agency staff recognised that if they did not recognise these dimensions that there would be implications for the effective development of hunting management partnerships because Indigenous peoples would feel disrespected. Staff identified therefore, that there was a need to develop local and community based strategies for a full and thorough consultation program on co-management arrangements:

> We need co-management at a basic level where Indigenous people, especially Traditional Owners work with marine Management Agencies at many different levels including high policy, internally, externally, working with Agencies, as themselves, as rangers and administrators all under the same goal and the same strategy. For example, in traditional hunting, both internally and externally, we need a framework regime that can achieve Green turtle and dugong hunting management.

Some Management Agency staff pursued the possibility that amending management policies might be a way to address these concerns, but only if such amendments reflected a genuine engagement, based on respect for Indigenous culture:

> With co-management, I think about projects, and we need to outline aims and objectives, then go to Traditional Owners and get the issues identified in the community. Don't consult just because of Native Title. Basically it comes down to three things: respect, decision making and negotiation[66].

Management Agency discourse about consultation with Indigenous communities reflected the view that co-management regimes must formally recognise Indigenous rights and responsibilities and support Aboriginal management aspirations beyond the issue of Indigenous hunting:

> We need to look at self determination and self management. We need to be responsive and we need to generate awareness but I think also, Indigenous people and ourselves need to context that relationship and understand that relationship within the bigger issues and the broader picture.

Management Agency discourse also revealed a preference for and comfort with conducting consultation through meetings:

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[66] This resonates with the emphasis placed on respect within Inidgenous and hunter-gatherer societies as outlined in Chapter 2, Section 2.4.3, and within Chapter 7.

> We need to talk about it; genuinely need to set in place how to deal with things, not dictate to people, they can tell us! Provide forums, at which we meet, come up with reconsiderations and recommendations for action. That's the way to do co-operative management on a policy issue, have a forum. Then you work with the Traditional Owners at the local level, the micro scale, and work out how that works on the ground.

Management Agency staff built upon discussions about consultation by identifying the need to be more inclusive and bring the general public into wider discussions about the positive aspects of co-management, pointing out that to-date, co-management was a subject of negative speculation for many:

> Co-management needs to include the general public more. NGOs need to get involved. At present, co-management tends to be negative rather than cooperative.

Despite this generally positive discourse on consultation, the Management Agency discourse about initiating and implementing co-management programs was more negative and confused. The main confusion centred on the need to clarify who were the appropriate Indigenous peoples with whom to negotiate and initiate co-management programs. For example, GBRMPA interviewees sought clarification on the difference between Native Title holders, Traditional and Historical owners in relation to the initiation of co-management negotiations. Respondents argued that without clarification, co-management negotiations would be impeded:

> While we had the authority systems we had a policy of development with Indigenous people as a collective group. Historically, traditionally, all people were affiliated together. But when we look back in hindsight we see that we've got to be able to work with Traditional Owners, and not necessarily try to deal with Traditional Owners as a collective group. We need a re-definition of Traditional Owner and Historical Owner.

The need to resource co-management effectively was of concern. Management Agency staff identified that the availability of management funds was finite and that any new initiatives, whether for hunting or otherwise, would have to draw on existing resources.

By implication, this limitation meant that resourcing new co-management initiatives was highly unlikely. If funding was to be re-allocated from elsewhere within a Management Agency budget, it would mean funding to existing programs would have to be cut:

> Part of the problem with co-operative management arrangements is that they are resource intensive. There are lots of people involved so it needs lots of dollars. At the moment, for us, enforcement is the priority, not co-operative arrangements. To put energy into that means either we input new dollars or reallocate existing dollars, which means somebody misses out and this is reiterated quite often with people. The reallocation of existing dollars isn't likely to occur.

Management Agency staff also indicated that they would be accused of inequity if they pursued negotiations with one Indigenous community group over another. Management Agency staff raised the feasibility of implementing co-management programs with all traditional owner groups along the GBRWHA and pointed out that such an action, although strictly equitable would have serious resource implications for the Management Agencies and was thus unrealistic:

> Its just not going to happen mate, its just not going to happen and that is the reality we all live with.

Many Management Agency staff, particularly in Day-to Day Management (DDM), also noted that if Management Agencies were to enter into co-management agreements with Indigenous people, they also needed to think about how to engage equitably with other sectors, such as the fishing or tourism industries.

Despite a public commitment to co-management, Management Agency staff argued that in real terms, co-management was a low priority within most institutions. In practice, Management Agency staff felt that many co-management initiatives had been tried but had failed. Scepticism surrounding co-management processes was evident:

> How committed are they [GBRMPA] to co-management? The time I've been here I don't think we've got anywhere. I mean there's the co-management

> proposal with a cost strategy we commissioned. It is token to the government and the government isn't responsible and it suggests a lot of in-kind stuff.

> So we've had a number of schemes over the years most of which, to be honest, have faltered.

Management Agency staff often discussed what one respondent called the 'pervasive nature' of institutional and cultural politics, and the ways in which these politics and their resolution affected co-management initiatives:

> It is a tortuous political road to travel. I've been 25 years in this job. It seems intractable and it has been going on for so long. Intuitively, it should be simple, but politically the internal politics mitigate against early resolution [for co-management initiatives].

Further, the lack of institutional capacity within Management Agencies to develop co-management programs was identified by interviewees as an impediment to co-management overall. Respondents outlined the structural restrictions that characterise many management bureaucracies, often in resigned terms, and pointed to them as a restriction to the development of new and innovative approaches to management:

> A flexibility of approach is needed. It is hard for governments to be flexible. They like models and want to apply them across the board.

The dialogue about co-management demonstrated this inflexibility and through the constant use of linguistic jargon, revealed a management preoccupation with organisational structure and order. Linguistic terms such as 'milestone', 'performance indicators', objectives', ' monitoring', 'auditing', 'annual work programming', 'financial accounting', 'legislative responsibility' and 'management planning' were used by all Management Agency respondents to express and portray their understanding of the management or planning process. As I demonstrate later in Chapter 10, this is an important factor that goes part of the way in explaining how ultimately, Hope Vale and Management Agency staff ended up talking at cross purposes; these terms mean very

little to Indigenous peoples yet are very significant to Management Agencies within management planning processes.

## 8.3.2. Management Relationships

As outlined in Chapter 6, the jurisdictional and institutional frameworks in the management of Indigenous hunting within the GBRWHA are complex. These frameworks, and their complex arrangements, were consistently reflected in management discourse about the different relationships between their institutional and jurisdictional responsibilities. For example, Management Agency staff identified that the relationship between the State and Federal governments on the issue of Indigenous hunting was confused and multi-faceted:

> There's an element of confusion, no doubt, between the State and Federal representation. All of us in the team are trying to bring the relevant sides together in the Commonwealth and State sectors to thrash out what to do. It is a very confusing situation [67].

The nature of the relationship between DDM and strategic management was clearly confused. A consequence of this confusion was that staff within DDM and strategic management were operating independently of each other. In practice, this situation meant that staff within DDM had to operate without formal guidelines and strategic advice on how to deal with Indigenous hunting. Accordingly, DDM assigned Indigenous hunting as low priority creating tensions with strategic management staff. DDM staff felt under pressure to deliver on Indigenous hunting issues but felt unsupported:

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[67] The issue of and delineation between State and Federal responsibilities over waters is explained in Chapter 4.

> Hunting at the moment, its not been directed as a priority for us, so we're not actively targeting, so it only happens if one comes across it or we're just following up a report from the public or Blackfellas [68].

Respondents from DDM also identified a lack of strategic linkages between their work, the work of the Indigenous Policy Liaison Unit (IPLU), of the GBRMPA and the Species Management Unit in GBRMPA regarding hunting permits.

The interviews I conducted revealed further tensions over role definition between the State and Federal government in relation to the implementation of strategic management goals within the GBRWHA. Confusion surrounding the interpretation of the legislative framework governing management of the GBRWHA was identified as a core reason for why collaborative management efforts between the State and Federal governments often stalled:

> So we've got the implementation arm. It looks good on paper but it is hard to implement on the ground. We're just basically happy to deliver what outcomes we can on the basis of our practice. Sometimes the State and Commonwealth get together regarding various mechanisms to form policy and there are different views and it is a bit confusing. Different interpretations are given by the State and Commonwealth. We have State MPA [69] and GBRMPA inspectors monitoring the reef, doing day-to-day management. And we have a fraud control policy where a certain level of inspection is implied. In State waters actually, we've been increasingly having less enforcement. This is partly because technically Commonwealth legislation supersedes State legislation and this is an issue that actually needs to be redressed and it has become a challenge for day-to-day management to look at what is possible and how something is reported. However, there are areas of uncertainty so you can't work out whose jurisdiction it is.

Commonwealth respondents often derided the role of the State:

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[68] The terms 'blackfella' or 'whitefella' are colloquial terms used to denote the racial and cultural differences between Indigenous and non-Indigenous persons and groups. While it is not an overtly racist term, the terms should be used with caution and are generally used by those familiar with Indigenous issues who have been given unspoken 'permission' to do so.
[69] MPA is Marine Protected Area

> There's no real commitment from the Federal or the State governments but the State's reluctance to negotiate with communities is worse.

The allocation of jurisdictional responsibility for the issuing and monitoring of permits for hunting appeared uncertain. Respondents noted that much of the hunting within the Hope Vale region occurs in State waters, yet the Hope Vale Plan process had been sponsored by GBRMPA. One respondent noted that the State could issue hunting permits for State waters but chose not to:

> So much hunting comes from State waters, so from our perspective the responsibility there is with QPWS anyway. The State could certainly issue permits for State waters and they don't.

### 8.3.3. Management in Practice

Most Management Agency staff placed particular emphasis on the need to control the implementation of management plans on the ground. In relation to Indigenous hunting of Green turtles and dugongs, Management Agency staff evinced a specific concern with decision making over and implementation of permit systems, prosecutions and surveillance measures. The complexity of issuing (or not issuing) permits for example, and how to regulate the permit system, were manifest in Management Agency discourse in several ways. Firstly, the difficulty of dealing with so-called unenforceable permit regimes was discussed. Many respondents considered that bad decision making in relation to permits had resulted in an unnecessary increase in illegal activity:

> The bad decision making regarding permits by government has resulted in poaching being on the increase, a non-cultural use of the resource is on the rise and some groups are initiating their own management regime in an attempt to manage the resource. Our trouble is that ultimately those regimes aren't enforceable except in a cultural context.

Consequently, Management Agency respondents indicated strong preference for written understandings:

It seems, you know, doing cultural stuff is becoming more acceptable but it is hard. You need documents, unfortunately, in this day and age. Got to have some sort of permit.

An advantage of a permit system identified by Management Agency staff was that it

helped to facilitate written understandings; that cultural mores were open to dispute:

Without a permit system these people have no-where to go. If local Traditional Owners don't have some kind of permit system in place, where do people go?

Written permits not only allow you to refuse but to document. Unwritten understandings are open to dispute.

Specifically, Management Agency staff urged the recall of traditional management regimes to complement permit and modern management mechanisms:

Community based management based on traditional culture could bring back the sharing. I could also see the use of traditional politics restoring the old ways. All you need is one ratbag and gives the rest a bad name. We could get along working our two systems together, traditional community by laws and our enforcement to deal with those situations.

Nonetheless, Management Agency staff noted that enforcement, whether via prosecution of surveillance was a political minefield:

Hunting is difficult to handle in relation to enforcement as it does not really fall within the 'fishing' umbrella. One of the issues therefore in GBRMPA is that we are actually not all that clear on what our policy is re hunting and no-one wants to bite it off.

Compliance and enforcement… well it's difficult with people in the field dealing with hunting. We go on patrols, sometimes we are alerted by the community regarding hunting. But the traditional rights argument is very difficult… we as compliance/enforcement people find it very difficult knowing where we stand, what we should do, what action to take.

Undertaking enforcement processes such as prosecution, and following up of complaints

about hunting was also problematic:

It's a hard one out there; one group says one thing, then another do something differently, tell you something different. If an officer makes the wrong decision - the ramifications of that are huge. There is a loss of faith, then they get transferred. Then we've got people on board with virtually opposing positions on this issue. Resources are also an issue. At the moment just to interview a hunter, take good notes, do it properly, it all costs money, money we might end up getting told is wasted if we make the wrong decisions. All these things are factors in

establishing the relationship of persons in our position within the general community and to Aboriginal communities. Then if we've gone through all that rigmarole, it goes to the Department of Public Prosecutions, where one way or the other, in the 'public interest' the determination is made.

In particular it was difficult to determine whether or not potential offenders were Native Title holders (or not), thus making prosecution very difficult.

Compliance people in the field have to make ad hoc decisions with limited management responsibility. We are all trying to do the right thing personally.

Enforcement officers identified that they felt they were navigating dangerous political waters if they falsely accused someone of *not* being a Native Title holder:

Damned if you do, damned if you don't. You are bedevilled either way.

Some respondents were worried they would be seen as or accused of being racist when these situations arose:

Most people do roughly the same thing, and then you get the crooks. When you are dealing with a whitefella trying it on, you know what to do, but if it is a blackfella trying it on, you are in no-man's land.

Sometimes complaints about hunting occur and you know friends will follow up or people will follow up the facts of the matter and will ask questions; what was hunted, where was it hunted, when, how, why, just get some information from the alleged hunters about their traditional links to the area. But that's when it gets all a bit tricky. The Rangers are obliged to ask these questions but it can cause a bit of awkwardness at times and the lines of questioning are hard. And sometimes the activity is seasonal and some areas are more predominant than others and we have conflict with some communities more than others. The reality is that our compliance staff have to action the complaints.

The issue of equity was raised, in this context, in relation to the rights of fishers to fish versus the rights of Indigenous people to hunt. Enforcement officers identified the perceived conflict between the two parties and their rights as a major impediment to management:

> Recreational fishers are pissed off when Indigenous persons don't have size limits.

This was a management problem that Management Agency staff did not enjoy negotiating:

> Down here though, e.g. Seychelles Water Bay, special access is despised. It is not just about turtle and dugong hunting, it is about special rights. They are denied to them [fishers] but given to black-fellas. This creates schisms and disparity and divisions between them.[70]

On the other hand some Management Agency respondents talked about the existence of so called gentlemen's agreements' between commercial fishers and Indigenous groups on fishing issues. Again, these agreements, in lacking formal and written form made ongoing enforcement difficult and disempowered enforcement personnel when trying to exercise their powers:

> Sometimes there are close personal relationships between Aboriginal and Torres Strait Islander people and commercial fishers, 'gentlemen's agreements.

Again however, despite a strong rhetorical commitment to co-management, DDM staff pointed out that their concerns were justified through a critique of the Hope Vale Plan. Most Management Agency respondents felt there should have been a greater clarification of the link between the strategic and operational aspects of the plan:

> I mean there's a problem there with Hope Vale with the community based plan, and it is a strategic plan rather than operational plan. The community did some good in thinking about the ideas but it didn't implement the ideas, and it seems to me it has rested on its laurels a bit and it didn't realise that it had to do the whole thing to make it work, so it is the beginning not the end. People didn't seem to realise that it takes a lot to implement it.

> Needs to be more positive. Turn it around. Get people that can be effective and change. Whatever works with whom ever you are dealing with. The Hope Vale Plan was OK but Hope Vale Council needed to be more flexible. Flexibility of

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[70] This issue in this region is explored more fully in Ponte et al. (1994) work on the views of fishers towards Indigenous hunting.

approach is needed. It's hard for governments to be flexible. They like models and want to apply them across the Board.

Monitoring and legislative issues were identified as being significant blocks to the effective implementation of the Hope Vale plan:

> First of all, there's been a huge focus on monitoring and secondly there's this emphasis on legislating for it.

Consistent with the challenges faced by DDM Enforcement Officers when following up prosecutions, Management Agency respondents identified that developing effective on ground management provoked similar challenges at Hope Vale:

> We want a set of rules anyway, a set of goals but we can't translate the goals into rules and there's been other problems with the legislative thrust. We need to try and get community consensus and we can only regulate where that fails. While effort has been put into developing management goals in the Hope Vale Plan and get community acceptance of them, it might have been more useful if we could get things happening so the Plan had a legislative basis. The Hope Vale Plan tried to treat everyone equally. It would have been wonderful to see it take root but it is not going to be the case.

GBRMPA respondents went further, identifying the lack of continuity in staff and ongoing collective knowledge (about the Hope Vale Plan) both within the community and Management Agencies, as a key factor in the difficulties faced by Hope Vale in implementing the Plan:

> I'm not suggesting the communities are to blame, I think we're all to blame. I didn't think further than the 100% turnover of staff at GBRMPA and at Hope Vale. There's been no ongoing champions of the plan.

The discourse of blame was reinforced by the fact that Management Agency staff often directly characterised the resources put in to the Hope Vale Plan as a 'waste of money'[71]. To Management Agency respondents who believed that management success was solely contingent on effective resourcing, the fact that the Hope Vale Plan had apparently failed

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[71] In this case they meant monies from the Management Agency that had been invested in the Hope Vale initiative.

proved the stereotype, characterising Indigenous peoples as being unable to manage

money. Management Agency respondents, in this context, described Indigenous hunters

in Hope Vale as being their own worst enemy.


## 8.4. Summary

In this chapter I presented a thematic analysis of Management Agency discourses on

Indigenous hunting, planning and management. Overall, Management Agency staff

articulated discourses about: (i) biodiversity and species protection, and (ii) management

in theory and practice, including what involvement Indigenous people should have in the

process. Within these discourses, the involvement of Indigenous peoples in protected area

management, the issue of Indigenous hunting *per se*, and the belief in written and

legislative forms of management were core themes. Combined with Chapters 6 and 7 this

review provides the information required for the analysis I present in Chapters 9 and 10.

## 9. 0. Discussion

**Uncommon Platforms: Developing Discourse Understandings In Environmental Decision Making**

### 9.1. Introduction: The Different Discourses About Hunting, Planning And Management

Discourse analysis of the themes presented in Chapters 7 and 8 revealed a number of significant differences between Hope Vale residents and Management Agency staff on the issues of hunting, planning and management in the GBRWHA. I have organised these differences into discrete discourses that characterise and reflect each group's values and perspectives on these topics. Discourses are not only linguistic expressions but also represent knowledge relationships. They therefore exist *in and of themselves*. Thus, the different ways that the discourses are constituted also reflect: (1) the different ways in which power and knowledge relations between Hope Vale and Management Agencies are constructed, and (2) the different power and knowledge bases they each rely on and deal with on a daily basis. This chapter is divided into four sections: (i) how the different discourses are constituted; (ii) the discourse trends; (iii) common terms of linguistic significance; and (iv) reflections on the implications of discourses for the implementation of the Hope Vale Plan.

## 9.2. Key Discourses

### 9.2.1. Hunting

Hunting is of great cultural value to the Indigenous peoples of Hope Vale. Consequently, a discourse of *cultural survival* dominated their discussions on the issue of hunting Green turtles and dugongs. Discourse components included: (i) the way knowledge about hunting was being transmitted; (ii) how such knowledge was passed on or lost; (iii) the practice of traditional hunting; and (iv) hunting as an expression of family and community and as a fundamental basic right. This discourse was linked to socio-economic issues such as employment, education and diet, and as highlighted in Chapter 6, the wider political debate surrounding Indigenous hunting. Collectively, these dimensions constitute a discourse about the need to continue hunting and the important role it plays in maintaining Hope Vale's Indigenous culture.

In contrast, Management Agency staff constructed their discourse on hunting as a biodiversity issue underpinned by a series of sub-discourses regarding animal rights, what constituted traditional culture and whether or not hunting was sustainable. The discourse on animal rights was primarily derived from concerns over animal welfare, such as the ways in which Green turtles and dugongs were harvested and butchered[72]. The Management Agency discourse on sustainability included elements of concern over the impact of hunting, the overall viability of the target species and how to negotiate a process with Indigenous peoples to determine a sustainable take of Green turtles and

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[72] As referred to in Chapters 7 Hope Vale members did mention animal rights, sustainability and biodiversity. However, as shown later in this chapter, their understanding of these terms was different from those of the management agency staff, and often expressed differently across individuals within the community. Moreover, these terms were only raised when counter-pointing or discussing Management Agency perceptions of hunting, so cannot be classified as being a significant Hope Vale discourse about hunting *per se.*

dugongs. The Management Agency discourse about hunting also derived from reaction to and the influence of public perceptions of hunting. For example, the issue of media coverage mediated Management Agency response to the perceived role of what constituted appropriate management of hunting activity in the GBRWHA.

### 9.2.2. Planning

Significant discourses on the issue of planning emerged during my research. Hope Vale community members were pre-occupied about who was in control of the planning process, whereas Management Agency staff, were more concerned with the Hope Vale Plan's content, revealing throughout a preference for and dependence on the 'written word' as proof of management. Thus discourses surrounding the planning process occurred at cross purposes, with each party seeking answers to different questions.

Hope Vale respondents used the Plan as a mechanism to engage Management Agency staff about how government consulted with the community and individuals involved in hunting. Hope Vale people were less interested in discussing the delivery and implementation of the Hope Vale Plan. Community discourse about the Plan was instead framed in terms of obtaining the resources necessary to achieve community aspirations for effective resource management. These aspirations included obtaining funds for a coordinator and full-time rangers and the resourcing of core infrastructure needs such as a boat, office equipment such as Internet connections, a satellite phone and purchase of furniture.

For the Management Agencies however, the Plan was an end in itself. Their focus was product based[73]. The Hope Vale Plan was seen as the physical manifestation of the investment made to reach an agreement with Hope Vale on hunting practices. However, contrary to the Hope Vale community discourses, development of the Plan was not seen by Management Agencies as incorporating an ongoing commitment to funding or capacity building. Management Agencies did not consider that their underwriting the plan included a funding commitment for the implementation phase. The production of the Plan was seen as a satisfying outcome for minimal financial investment, enabling a 'box to be ticked' on a work plan.

Further, analysis of the discourse surrounding the planning process reveals significant differences in relation to the implementation phase of the Plan. Community respondents understood implementation to be the conduct and conclusion of a hunting season. However, Management Agency staff understood implementation to be a management exercise. Management Agency staff had expectations that they would receive detailed information about where, what species, and how many individuals were being caught during the implementation of the Hope Vale Plan with a hope to developing a better understanding of how to implement collaborative management programs in relation to Indigenous hunting.

### 9.2.3. Management

Both parties expressed differences in their discourse about resource management, particularly with reference to the management of Indigenous hunting of Green turtles and dugongs. Hope Vale members ranked highly the importance of incorporating community

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[73] This is consistent with what Robinson et al. (*in press*) are finding in work with other Indigenous groups in Australia and in Canada.

priorities into management regimes. In contrast, Management Agency ranked the protection of the target species as being of the highest priority in the management of natural resources. For example, when discussing management needs, Hope Vale community respondents reiterated the themes of family, community, culture and related socio-economic issues such as health, youth suicide and domestic violence as factors for consideration when designing hunting management plans. The need to be holistic was often raised. Conversely, Management Agency staff articulated management needs within a discourse about conservation of the target species. Tenets of the management discourse included: (i) identification of the need to develop mechanisms to achieve sustainability; (ii) a recognition of the urgency for management due to the endangered status of Green turtles and the vulnerable status of dugongs; and (iii) the perceived need to manage the number of these species because of their 'iconic' nature to the GBRWHA.

### 9.2.4. Knowledge

The knowledge base from which community and Management Agency respondents spoke about hunting, planning and management differed significantly. Consistent with the discourse about hunting comprising an essential expression of cultural rights, Hope Vale community members discussed hunting through an assertion of the primacy of local or Indigenous knowledge. This primacy was manifest in many ways including embedding traditional knowledge and its use within the text of the Plan. For example, the management objectives of the Plan were underpinned by principles of traditional hunting practices.

The community moreover relied upon experiential and anecdotal knowledge. For example, they did not accept that traditional hunting could have or was having a

significant impact upon the two species[74]. Their belief was primarily derived from an experiential knowledge about and ongoing observation of large populations of both Green turtles and dugongs within their traditional sea country. This observation was overlaid by a firm belief that traditional knowledge equipped Hope Vale people better than anyone else to manage their country and cultural activities such as hunting. Hope Vale community residents often asserted their ability to manage hunting on the basis of custodianship practice founded on ancient knowledge systems.

Management Agency parties however, asserted a belief in the primacy of western science as the dominant paradigm and knowledge system for informing management of the hunting of Green turtles and dugongs. This discourse was manifest in many different ways including the constant referral by Management Agency respondents to scientific reports pertaining to the over harvest of Green turtles and dugongs. Such reports were used to prove Management Agency assertions of endangerment, thus requiring an urgent need for biodiversity protection. Management Agency staff revealed an implicit belief in the superiority of a Western management ethos and approach. Table 9.2.4.1. below provides a succinct summary of the different discourses discussed above by Management Agencies and members of the Hope Vale Aboriginal Community.

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[74] As noted in Chapters 5, 6 and 7, this view is in fact contrary to scientific evidence that cites overharvest by Indigenous peoples as the primary cause of the unsustaianable anthropogenic mortality of dugongs and Green turtles in the Northern Great Barrier Reef region and Torres Strait (Limpus 1999, Heinsohn et al. 2004, Marsh et al. 2004).

**Table 9.2.4.1.** A summary of the discourses about hunting, planning and management expressed by Management Agencies and members of Hope Vale Aboriginal Community

| Management Agencies | Hope Vale Community |
|---|---|
| *Hunting* | *Hunting* |
| Bio-diversity Protection | Cultural Survival |
| Animal Rights | Indigenous Rights |
| Sustainability | Community Well Being |
| *Planning* | *Planning* |
| What | Who |
| Product | Process |
| Implementation of Hunting Management Plan | Implementation of Hunting Season |
| *Management* | *Management* |
| Bio-diversity Conservation | Social Justice |
| - Species Priority | - Community Priority |
| - Co-Management | - Conflict |
| *Knowledge* | *Knowledge* |
| Science Rationale | Cultural/Indigenous Knowledge Rationale |
| Numbers | Loss |

## 9.3. Discourse Trends and Dynamics

Examination of changing trends in the discursive terrain over the study period highlighted the ways in which both parties viewed each other and the implications that these trends had on the Hope Vale planning process. In particular, this analysis revealed that the hunting issue became part of an ongoing discourse within Hope Vale and Management Agencies about culture, community, colour and ownership of the Hope Vale Plan.

### 9.3.1. Community

During the study period, the way the Hope Vale community defined itself changed markedly, particularly in response to the impact of the Native Title negotiations and determination (see Chapter 5). During the developmental phase of the Hope Vale hunting planning and management process (1998-9), community residents described their role as that of 'community' members or 'Traditional Owners'. The term 'community' was

preferred overall as its flexibility enabled the incorporation of many forms and expressions of identity.

For example, during the development of the Hope Vale Plan in 1999, the term community included Elders, all Traditional Owners of the 35- 37 clan estates at Hope Vale, the Guugu Yimmithirr people, Hope Vale Council, the Hope Vale Council Natural Resource Management Office, the Hope Vale Congress of Clans, Historical Owners and a collection of other representative bodies such as Land Councils, Health Groups, and Women's Groups. Consequently, the Hope Vale Plan was initially perceived as a 'community plan'.

However, between 1999 and 2003, negotiations and resolution of the Hope Vale Native Title claim significantly changed the conception of the term community. The impacts of the Native Title determination of 1997 reached a crucial point during this period. Since the determination, Hope Vale Council had held Native Title lands in trust for the traditional owners, while negotiations over how to hand back and distribute title were conducted[75].  As such the terms Historical Owner, Traditional Owner and Native Title Holder assumed precise meanings thus dismantling the notion of the Hope Vale Plan as a community plan. The term community plan evolved to mean the 'Hope Vale Council Plan'.

As a consequence of the Native Title outcome, the hunting estate defined within the Hope Vale Plan was re-conceptualised as a series of Native Title estates. This change had serious consequences for the implementation of the Hope Vale Plan. The discourse

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[75] These negotiations were formally facilitated by the Cape York Land Council

relating to community hunting became divisive with different clan groups trying to work out who was responsible for the management of newly recognised Native Title estates, rather than the community hunting estate mapped in the Hope Vale Plan. Debate over who had rights when discussing the term community contested the assertion that both Historical and Traditional Owners had hunting rights. This change had a negative impact on the hunting practice and is best described through the words of a Hope Vale Elder in late 2002:

> Before, we all belonged to one hunting country. We all one people, helped each other out. Now we all fighting over the bits and pieces. In the old days the whole beach was free for anyone come here. Have a fish, go hunting; now the beach is cut up into little bits, each bit for each separate one, and we men have to ask each other permission to go there.

## 9.3.2. Race and Colour

During the development and attempted implementation of the Hope Vale Plan, a clear discourse trend emerged about race and colour. While the issues of race and colour occurred in many contexts, their manifestation within the hunting debate revealed interesting trends in how Hope Vale people constructed the notion of natural resource management and the legacy of colonisation.

Throughout 2000 – 2003, Hope Vale people expressed most of their comments in relation to resource management in 'black' and 'white' terms. Hope Vale residents identified themselves as black and GBRMPA and other Management Agencies as white. This description was independent of whether or not the speaker was Indigenous or non-Indigenous; the terms reflect structural rather than personal understandings.

Consequently, Hope Vale respondents overwhelmingly conceived the hunting issue as a physical manifestation of an ongoing cultural expression. For example, when discussing hunting frameworks, Hope Vale residents would 'colour-in' their use of various terms, such as the 'whitefella' and the 'whitefella bureaucracy'. Respondents often prefaced their answers during interviews with phrases such as 'Well, in your way' or 'That's your culture, not mine'.

During the second implementation phase of the Hope Vale Plan, the conflict between the Hunting Coordinator and the Ranger Coordinator was constructed within a discursive terrain dominated by race and colour. The Hunting Coordinator was black and the Ranger Coordinator white. The conflict between the two was based on an argument about animal rights versus cultural rights. For example, the Ranger Coordinator and Hunting Coordinator both told me of an incident on the beach when the Ranger Coordinator had questioned Indigenous hunters about their activities but couched his concerns in animal rights terms. The Hunting Coordinator, who felt Indigenous rights were being attacked 'by a bloody hippy'[76] was not prepared to accept the questioning of the Ranger Coordinator. On the other hand, the Ranger Coordinator felt he was doing his job, which was to 'protect the species'. The discourse surrounding this conflict became understood in the Hope Vale community as a contest between black and white natural resource management domains.

The perceived failure and resultant discourse of blame about the Hope Vale Plan was ascribed by many of my respondents both within Hope Vale and the Management Agency (including Indigenous and non-Indigenous peoples) to be partly derived from the

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[76] 'Hippy' is a term used in common parlance in Australian society to denote an individual who identifies with the conservation movement, and therefore in this case, a green agenda that often views Indigenous hunting as inappropriate on animal rights or sustainability grounds.

fact that it was a white woman (me) who had in both cases played the lead role in writing it. In taking an essentialist position, the baton of responsibility for the implementation of the Hope Vale Plan was passed from Hope Vale to outsiders. This viewpoint also enabled all parties to save face, and played an important role in enabling the redemption of the planning process at a later date.

Finally, the perceived failure of Management Agencies to act at the time of the alleged slaughter of dugongs in early 2002 (see Chapter 6), was explained as an example of ongoing white oppression and how 'white bureaucracies want to keep us blackfellas down'. The rationale given by Management Agency staff at the time to explain the incident or use 'white man's law' and the fact they chose not to do anything about it reinforced the racial constructs underpinning this view. As highlighted in Chapters 7 and 10, Hope Vale residents repeatedly advocated the importance of using 'white man's law', which represents the diversity of sentiments about the application of Indigenous and Western legal frameworks to resolving and managing incidents such as this one.

Interestingly, even though the Hope Vale Plan aimed to provide a management framework for the sustainable harvest of both Green turtles and dugongs, neither Management Agency staff nor Hope Vale respondents constructed themselves in the hunting debate as 'green'. Analysis of the discourse around this term reveals that being green is, in fact, being the 'other'. The greens or greenies are a sector whose ideology is potentially allied with Indigenous hunting issues. To Indigenous people, being green was perceived as obstructionist, colonialist and oppressive; green ideology was seen as the advocacy or the 'snatching' of Indigenous rights in culturally inappropriate ways. To many Management Agency respondents, being green meant being irrational and

idealistic. To both Indigenous and Management Agency respondents, the green discourse

represented an (unacceptable) extreme within the debate. I experienced this view first

hand many times. For example, on returning from a large public meeting, which

environmental non-government organisations (NGOs) had attended, I had the following

discussion with the Hope Vale Ranger Coordinator of the time:

> RC: that was very interesting that meeting, especially meeting those rednecks.
> MNB: Rednecks! I didn't invite any rednecks.
> RC: Yeah there were. Those ones from the environment centre. They weren't so bad as I thought they would be, much more reasonable.

Hence, seen through the eyes of Hope Vale people, to be green, was to be a 'redneck', a

term most conservationists would find exquisitely amusing. [77]


### 9.3.3. Ownership

Another key discourse term influencing the ebb and flow of the Hope Vale Plan was

ownership.  Analysis of the trends defining ownership shows that who 'owned' the plan

was a major pre-occupation during the planning and implementation phases. For

example, the ways in which the term 'ownership' was defined over time corresponds with

the 'success or failure' discourse that evolved simultaneously. The term also reflected the

changing depths of attachment by Hope Vale members to the Hope Vale Plan. These

changes were crucial; the less attachment the community had to the process, the higher

likelihood there was of over-hunting and dismissal of the Plan and planning process. For

example, during the study period, the Plan had many owners, including the Hope Vale

Aboriginal Council, the Hope Vale Natural Resource Management Office, the first

Ranger Coordinator, Traditional Owners, the community generally, and me.

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[77] Noel Pearson's (1991) article "Green, black or Redneck" offers further insights into this issue.

During the first phase of the Hope Vale Plan (1999 – 2000), community members referred to the Plan as 'our Plan' or a 'Community Plan'. Management Agencies also referred to it as the 'Hope Vale Plan'. During my study period, the Plan and process had a strong community based cultural identity. The identity was strongly articulated until the Native Title process (described above) challenged community notions of community and confronted individual understandings of ownership. This factor, combined with the alleged slaughter of dugongs in 2002 (see Chapter 6), mobilised opinion towards opposing dialectical constructions of the Hope Vale Plan: it had either succeeded or failed. In this context, Hope Vale residents, struggling to have a positive reason to identify with the Hope Vale Plan, started to disown it.

The discourse about ownership also reflects other trends relating to the changing understanding of colour, gender and community. Ownership of the Plan became increasingly individualised and its failure associated with other terms including colour, clan and gender, terms, which raise contentious dimensions in the Indigenous hunting domain at Hope Vale.

As discussed above, as part of the discourse of failure the Hope Vale Plan evolved to be seen as owned by myself, the white consultant who had led the planning process and written the Plan. The Plan also became owned by and attributed to the female Ranger Coordinator who supervised me in this job. The Plan thus, became a white and black representation of tensions within its implementation; these tensions were not resolved. By my becoming (by default) a representative owner, the Plan also became transformed into a white and therefore non-Indigenous, document.

Simultaneously, the discourse term of ownership became associated with gender. As shown previously (see Chapter 6), the Hope Vale Plan was initially owned by a series of male Elders, male hunters and community members. As the attempts at implementation progressed, the Hope Vale Plan evolved to be seen in terms of gender because women took an increasing role in the process. Further, its failure was also partly attributed to women because it was a female who had managed the Hope Vale Plan process as Ranger Coordinator, and a white woman who had helped prepare and write the plan.

Native Title negotiations also enabled Hope Vale Native Title holders to critique the Plan from the perspective that Native Title holders did not own it; the original signatories to the Plan were drawn from the Council and Traditional Owner representative groups. This critique engendered a new process of re-owning or recapturing ownership of the Plan which was centred around a discourse on the rights of Native Title groups to run and own their own hunting management processes. In this way, Hope Vale residents regrouped to make the concept of hunting management planning culturally palatable again. Today, these groups, through the TUMRA process (as mentioned in Chapters 6 and 7) are reinstating community based hunting management strategies.

The characterisation by Management Agencies of who owned the plan and implementation processes is also informative and mirrors Hope Vale's response in many ways. In the early stages of the planning process, GBRMPA, which had funded the initiative (and also because the Plan won a Prime Minister's Environmental Award), constructed the initiative as a success. The GBRMPA Chair, the Hon. Virginia Chadwick, attended the Prime Minister's Award ceremony in Adelaide. At this time, GBRMPA staff referred to the Hope Vale Plan as a community based, jointly managed venture and were

happy to co-own it. At this time, the Hope Vale Plan was often referred to by GBRMPA as a co-management, or joint management planning exercise. GBRMPA celebrated the Hope Vale Plan as proof that a model for joint management and partnerships with Indigenous communities could be successfully negotiated and implemented. However, as the initiative faltered, discourse on the subject within GBRMPA started to change. The Plan began to be referred to as 'the Hope Vale Plan', or 'the Hope Vale experiment' instead of a co-management initiative (RAC 2002). The Management Agency discourse was modified further to ultimately frame the Plan as 'the failure at Hope Vale', or the 'wasted investment at Hope Vale'.

Given the iconic nature of Green turtles and dugongs and the very public international responsibility of Management Agencies as managers of a World Heritage Area, the conditions surrounding the Hope Vale Plan also became increasingly unpalatable from a western cultural perspective. Increasingly, it became difficult for GBRMPA and other Management Agencies to continue to support the Hope Vale Plan, especially in the face of public concern about the vulnerability of the two species. Thus, over a three year period (1999 – 2002), GBRMPA moved from being willing to acknowledge or even co-own the plan, to distancing itself from the Hope Vale Plan; the Plan became 'the experiment that didn't work' but more importantly, 'the experiment at Hope Vale that did not work'. The GBRMPA could not afford to acknowledge its part in, or be associated with or collaborate on an initiative that was potentially culturally unpalatable to the wider Australian community and public expectations about the protection of Green turtles and dugongs.

### 9.3.4. Cultural Contexts

The ways in which different parties engaged with hunting and reconciled hunting issues was reflected in the way each party defined their understandings of what constituted traditional and contemporary culture. As illustrated in Chapters 7 and 8, Hope Vale respondents conceived traditional hunting as the apex of Indigenous culture. A hunt is regarded as a contemporary expression of culture because it is the physical manifestation and enactment of an unique cultural right and an acknowledgement of Indigenous tradition that stretches back millennia. The fact that hunters may not need the meat for survival, that Green turtles and dugongs might not be caught on the hunt, that some cultural methods and cultural weapons have changed or been lost does not lessen the importance of the practice itself. Traditional hunting practice also constitutes a relationship amongst clan groups through clearly defined land and sea tenure boundaries. Thus, hunting culture is also about relationships with country, place, clan estates and the associated responsibilities those relationships bring.

Hunting is also a traditional source of power in Hope Vale, a concept that was reflected in the process of developing the Plan. While causing controversy, the Hope Vale Plan also attracted funding and status for those on the community who chose to support and be involved in the planning process. Their involvement secured and re-affirmed their position as influential members of, and leaders within the local community.

On the other hand, Management Agency respondents constructed understandings of the notion 'traditional' in much more conventional terms. Their focus was on traditional technology rather than the practice of hunting. For Management Agencies, the

constitution of a traditional approach focused on the physical elements of the hunt. Only hunting consistent with traditional resources (i.e. hunting with a spear and a bark canoe versus a motor boat and rifle, the use of traditional language and whether traditional regimes of reciprocity and no waste distribution of cuts of meat are enacted), made the hunt culturally palatable to managers.

The concepts of what is traditional and contemporary also found expression through the process of hunting management. For Management Agency respondents, while hunting was acknowledged as a traditional right, hunting practice in relation to species management was constructed as a contemporary Management Agency responsibility. When engaging with the Hope Vale community on a joint management initiative, Management Agency staff aspired for community based management regimes to be based on traditional mechanisms and processes. In other words, the implementation of the Hope Vale Plan for Management Agency staff implied the adoption of traditional mechanisms such as the judgment and direction of Elders, traditional methods of distribution and other mechanisms deemed culturally appropriate when Indigenous people become involved in management.

In contrast, the Hope Vale respondents did not subscribe to the same view of tradition, and were of the view that they had a right to hunt using whatever technology they deemed appropriate for traditional culture exercised in contemporary society. However, while cultural mechanisms for management at Hope Vale did exist, they did not manifest within the constructs of what was considered traditional by Management Agency staff. Consequently, the frequent requests from Hope Vale for Management Agency support for community based contemporary management were often ignored.

These disparate notions about traditional and contemporary management explain why there was a significant block to enacting a collaborative management regime. Management Agency notions of what is traditional and culturally palatable, although consistent with their understandings of how Indigenous people should be managing country, blocked the opportunity for the two groups to work together employing contemporary methods. The situation also reflects an implicit institutional mindset within Management Agencies that culture is static and unable to embrace modernity in innovative ways.

## 9.4. Terms of Linguistic Significance

Discourse analysis of terms of linguistic significance revealed that there were common terms used by both Hope Vale and Management Agency respondents to describe the hunting, planning and management domain. The analysis below reveals, however, that both parties had completely different definitions of terms used in common. These differences had profound implications for the delivery of the Hope Vale Plan.

### 9.4.1. Equity

'Equity' was a term employed by Hope Vale community respondents as part of a discourse surrounding their rights. Hunting was seen as a value laden activity primarily because it is an equity issue. Terms used to describe rights held by the community included: (i) who had the right to hunt; (ii) who had access to permits; (iii) who had the right to speak with Management Agencies; and (iv) who had the right to manage hunting activities. Management Agency staff by contrast, discussed the term equity in a far broader context. Management Agency staff employed the term equity to explain the

problem of reconciling Indigenous interests with those of non-Indigenous groups, (including scientific and conservation) in management. This concern reflects the wider community perception that Indigenous people received preferential treatment in relation to Indigenous harvesting of Green turtles and dugongs in the GBRWHA.

## 9.4.2. Endangerment

Given the preoccupation with the sustainability of Green turtles and dugongs in the GBRWHA, the term 'endangered', or the concept of endangerment, was often used. Management Agency understanding of the term endangered was three fold. Firstly, in its strictest sense, the term endangered was used in relation to the need for Management Agencies to fulfill management responsibilities within the legislative arena as required by legislation such as the *Environment Protection and Biodiversity Conservation Act 1999 (*Cth*)*, the *Great Barrier Reef Marine Park Act 1975 (*Cth*)* and the *Nature Conservation Act 1982 (*Qld*)*. Secondly, the term endangered was used to highlight Management Agency concerns about the status of the wild populations of both Green turtles and dugongs within the GBRWHA. Thirdly, Management Agency staff employed the term endangered in the context of how they could meet their collective global responsibilities to prevent the further decline of both Green turtles and dugongs.

In stark contrast, Hope Vale community respondents did not believe that Green turtles or dugongs were endangered or vulnerable. Their perception was based on their personal experience; it is still possible for hunters to see apparently healthy populations in their hunting grounds, particularly north of Lookout Point. There are large populations of Green turtles and dugongs in the Hope Vale sea country. From a scientific perspective

however, the issue is not rarity but over-harvest (Marsh et al. 2002). For Hope Vale people, the term endangerment was conceived as 'a whitefella trick' rather than a reality. Indeed, Hope Vale respondents often wryly stated that compared with the number of dugongs caught, it was actually the hunter, the hunt, and the culture that were endangered, not the species. In this context, respondents employed the concept of endangerment to speak about their fear and anger at the loss of their culture, knowledge, and traditions of sharing.

### 9.4.3. Sustainability

The difference in the use of the term 'sustainability' between Hope Vale community and Management Agency staff provides a clear example of how hunting and management outcomes were different. Sustainability was not understood by Hope Vale respondents to mean a limit to hunting activity. The use of the term sustainable for Hope Vale respondents was enmeshed in community politics and used as a semantic device for determining who and which groups were allocated permits to hunt and how many Green turtles and dugongs they could take. Hope Vale respondents understood the term 'sustainability' as the magic talisman to give comfort to Management Agencies and researchers during the planning and implementation phases of the Hope Vale Plan. The term was used as a tool by Hope Vale hunters to lobby for the allocation of permits to specific clan groups on the basis that they aspired to a higher environmental ground. It was clear that the term sustainability was not one that actually related to the sustainable harvest or survival of Green turtles and dugongs per se.

Interestingly, Hope Vale respondents did not locate any discussion of sustainability in a wider, i.e. national and global, sustainable development context. Given the core focus on land and sea country that characterizes Indigenous world views, this is not unsurprising, but in terms of resource management, has potential to be an interesting avenue for further investigation.

In contrast, Management respondents used the term sustainable to explicate a link between the notions of healthy populations of species and endangerment. Management Agency staff assumed that sustainability implied a restriction on hunting. They focussed on trying to determine the overall 'magic number' for take that would allow Indigenous hunting to continue while ensuring that the populations of dugongs and Green turtles were maintained. Appropriate to the ecology of dugongs and Green turtles, management appreciation of what constituted an acceptable or sustainable number to take was calculated across the whole of the GBRWHA, whereas local groups in Hope Vale constituted their idea of a sustainable take from the numbers calculated to be in their own hunting grounds.

### 9.4.4. Resourcing

The term 'resourcing' was also interpreted differently. From a Management Agency perspective, the term resourcing meant the provision of monies, whereas to Hope Vale respondents it meant the provision of monies but also implied the provision of in-kind community based training and access to boats, vehicles and other resources that may have contributed to the work of implementing the Plan. Access to and the provision of intangible but valuable resources featured highly in Hope Vale's understandings of the term resourcing.

The term resourcing was often used, like co-management, with a view to achieving political objectives and as a term that signalled control to both Hope Vale and Management Agencies. The term resourcing or resource became associated with the discourse about blame, success and failure of the plan. It was felt by many that if only there had been sufficient resource support, the implementation of the Plan would have gone smoothly, (reflecting the differences between the two groups' spatial and temporal understandings of the term). Hope Vale saw resourcing as a long term commitment. Management Agency staff however, saw resourcing as either seed funding or kick-start funding, but did not feel obliged to provide long-term funding.

Finally, and perhaps most importantly, Hope Vale respondents saw resourcing of the Plan as an opportunity to address social and economic issues within the community. Funding for a Ranger was not just about species protection it was about addressing the core issue of unemployment and capacity building within the community. There was a hope that the resourcing of the Hope Vale Plan would result in some job security and even career advancement for community people involved and in turn build social capital within the community. In contrast, Management Agency staff only spoke of resourcing in environmental management as a means to an end in relation to achieving biodiversity and species protection objectives. These differences clearly illuminate the fundamental dichotomy between the reductionist, linear imperative of the Management Agencies and Hope Vale's more holistic and circular understanding of what environmental management entailed.

### 9.4.5. Co-management or Community Based Wildlife Management?

As outlined in Chapters 6, 7 and 8, the terms 'co-management' and 'community based management' were frequently applied to the Hope Vale planning process in the discourse between Hope Vale and Management Agency staff in relation to hunting management and practice. The terms were employed as a linguistic tool to facilitate intra-cultural dialogue and often used interchangeably by both parties.

As highlighted in Chapter 2, community based wildlife management and co-management are interpreted to represent community based control and partnerships respectively. However, in this case it became clear that the Hope Vale initiative was not considered to be either. At first, the initiative was seen by both parties to be a community driven and therefore community based wildlife management exercise. However, upon Hope Vale winning the Prime Minister's Award, and a general move by Management Agencies towards the idea of co-management, the Plan was constructed more as a co-management exercise. Towards the end of the implementation period, Hope Vale respondents tended to prefer the term co-management (perceiving it as a term that still had value to Management Agencies), while Management Agencies, (who had by this time decided that Hope Vale was a lost cause) deemed it again as a community enterprise for which they did not have responsibility. The ebb and flow of terminology in this instance highlights how terms will be used only when and if they have currency or meaning.

Specifically though, levels of interpretation of the term co-management differed markedly within the Hope Vale community. Many respondents in Hope Vale had no idea

what the term 'co-management' meant. The understanding of respondents who were at least familiar with the term bore direct relation to their distance from the political arena of the hunting program. For example, those most closely involved with the management of hunting, including school teachers, Ranger personnel, Hope Vale Councillors and Council staff often had an understanding of or at least an opinion about co-management. By contrast, those community members actually involved in the practice of hunting, such as hunters or Elders, had very little or no understanding of what co-management means. Community members who *were* familiar with the idea of co-management understood it to be a model or framework that would provide equity of access to services, funding and equality in decision making in hunting management processes.

Management Agency staff, in the early stages referred to the term co-management as a mechanism for engaging in negotiations with Indigenous groups for 'fee-for-service' activities[78]. Activities included (i) topping up Rangers' CDEP wages, (ii) paying people to attend meetings, and (iii) undertaking cultural heritage work. Co-management was not used to mean parity in decision making between Management Agencies and Indigenous peoples.

## 9.5. Discourse Spectra

The discourses about hunting, planning and management, and the discourse trends and terms of linguistic significance discussed above, collectively demonstrate that while the discussion and agreements about the development and implementation of the Hope Vale Plan appeared to be on common ground, the reality was that both Hope Vale and

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[78] As noted previously Management Agency definitions and understandings of co-management do not tally with definitions within the literature as described in Chapter 2.

Management Agencies were at odds with each other as a result of their different discourse understandings.

Outlining discourse spectra about hunting, planning and management can bring these differences together. A discourse spectrum is a representation of the range of positions on any particular issue. As with the other discourse modes, these spectra are constituted by both historical and linguistic practices.

In this study, I have identified three discourse spectra: (i) hunting, (ii) the Hope Vale Plan, and (iii) Indigenous roles in management. These spectra reflect the discursive points by which respondents identified where they stood in the hunting management debate. The ways in which respondents positioned themselves along these spectra were not necessarily reflective of cultural or organisational affiliations. In relation to the hunting spectrum, for example, a Management Agency person might be situated at one end of the spectrum arguing hunting is always acceptable, whereas a Hope Vale person might be situated on the opposite end of the spectrum, arguing it is never acceptable. It was also possible for people to hold different positions simultaneously. For example, a person could consider the Hope Vale Plan as both a success and a failure, or concurrently believe that hunting should be stopped while claiming simultaneously the cultural right to hunt. These dimensions show the dynamic nature of opinion and discursive terrain on this issue. The spectra also reveal the individuality of people's ideas and the diversity of opinion within Hope Vale and Management Agencies.

### 9.5.1. Hunting Spectrum

The hunting spectrum is characterised by four main positions. These are: (i) that hunting is appropriate at all times; (ii) that hunting is appropriate only when using traditional

technologies; (iii) that hunting is appropriate only if it is ecologically sustainable; and (iv) that hunting is never acceptable. This is illustrated below.

| Hunting Spectrum |
| :--- |

**Hunting is appropriate at all times**

**Hunting is appropriate only if 'traditional technology is used**

**Hunting is appropriate only if it is ecologically sustainable**

**Hunting is never appropriate**
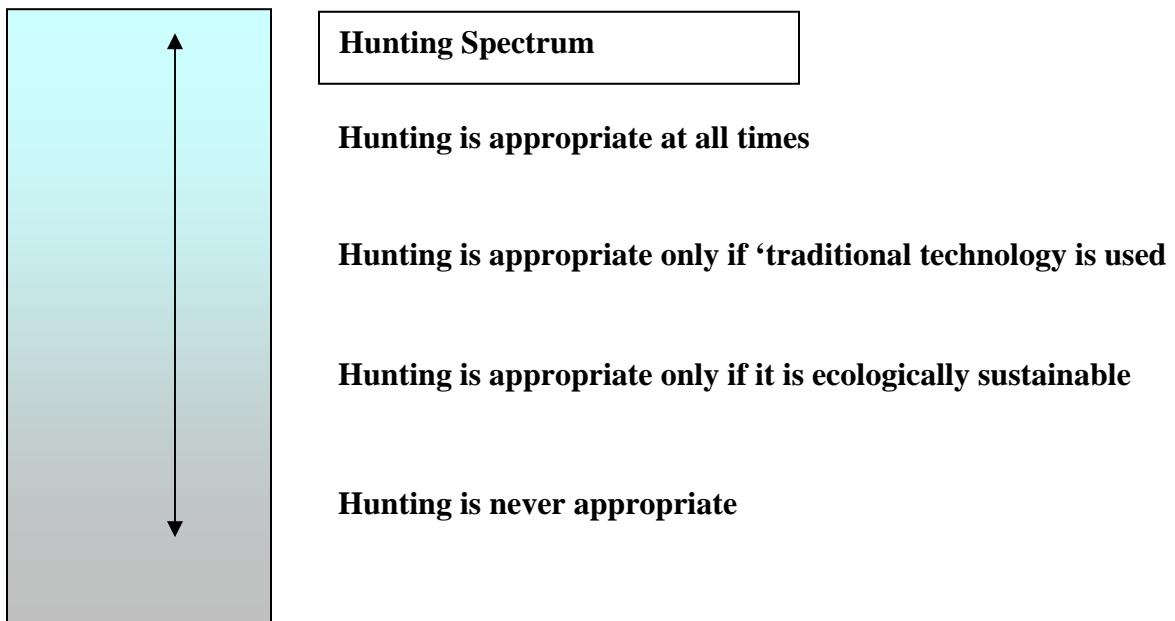
### (i) Hunting is acceptable at all times

The discourse surrounding hunting as an acceptable activity at all times was a powerful driver for action and decisions taken within management. This discourse position was particularly evident in the power relations between younger and elder hunters and in negotiations over the Plan and process between the community and the Management Agencies. The discourse at this end of the spectrum is underpinned by two rationales. Firstly, most Hope Vale respondents held the view that the cultural right to hunt was of overriding importance. The Yanner decision (*Yanner vs. Eaton (1999)* HCA 53) was

perceived by many community and Management Agency members as providing the

legislative mandate for hunting to occur at any time[79].

## (ii) Hunting is only appropriate if traditional technology is used

In the middle section of the spectrum, the discourse states that hunting is appropriate only

when traditional methods are employed to conduct the hunt. Traditional methods, in this

case, means using spears and non motorised boats[80], rather than motor boats and rifles.

As shown in Chapters 7 and 8, this view was not only held by some GBRMPA

management staff, but also by some Hope Vale Elders who saw the latter method of

hunting as inappropriate and evidence of cultural change.

## (iii) Hunting is appropriate only if it is ecologically sustainable

This view on the spectrum (held primarily by Management Agency staff), took the

position that hunting is acceptable only if it is sustainable. This position is consolidated

by an Indigenous discourse about the traditional sustainability of Indigenous

custodianship and practices for caring for country. For example, most Management

Agency respondents articulated the view that they were much more comfortable about

and accepting of Indigenous hunting if it could be proved to be ecologically sustainable.

Those respondents who were most anxious to implement Green turtle and dugong

monitoring programs tended to be of this view. Hope Vale respondents were much more

confused in this area, with most believing that traditional hunting, in whatever form, was

sustainable if it occurred within a traditional cultural framework.

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[79] *Yanner vs Eaton* (1999) is discussed in detail in Chapter 5
[80] Interestingly, while GBRMPA staff envisaged such vessels as pre-contact bark canoes, Hope Vale
respondents meant the rowing boats used in Mission times when the community conducted a commercial
industry to supply dugong oil to the State of Queensland (see Smith 1987).

**(iv) Hunting is never appropriate**

This end of the spectrum states that hunting is never appropriate, irrespective of whether it is sustainable or traditional. The different ways in which people reflected this discourse illustrates a synthesis of broader discourses about sustainability and animal rights. Respondents situating themselves at this end of the spectrum based their position primarily on their belief that science supported their opposition to Indigenous hunting at all times and that nothing justified further impacts upon Green turtle and dugong population numbers at this time.

Many respondents made the point that hunting should not occur because the scientific evidence suggests that an over-harvest was a key factor in declining population trends for both Green turtles and dugongs and empirically supported their view that populations were not capable of sustaining any further hunting activity[81]. Further, many respondents argued that because of the difficulty in determining what numbers of Green turtles and dugongs were actually being taken by Indigenous hunters, sustainability could not be measured so hunting must cease.

Concurrently, other respondents who opposed hunting used animal rights arguments, especially notions of sentience and cruelty, to explain why they opposed hunting. They objected to traditional methods of hunting such as drowning dugongs and butchering Green turtles alive. Overall, it was only Management Agency staff that situated

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[81] While it is true that scientific reports argue that over harvest of Green turtles and dugongs is an issue, it is not scientifically proven this means that no hunting activity can be sustained; this was an extrapoloation made by Management Agency staff rather than scientists.

themselves at this point on the spectrum. I did not meet any Hope Vale respondents who were of this view.

### 9.5.2. The Hope Vale Plan Spectrum

A discourse about the Hope Vale Plan itself emerged as a spectrum during the study period. The Hope Vale Plan spectrum is characterised by three main points. These are: (i) that the Hope Vale Plan was a success; (ii) that the Plan was a failure; and (iii) that the Hope Vale Plan could be redeemed. This is illustrated below in the Hope Vale Plan spectrum. While in many respects, it would have made more sense to locate the point about the plan 'being redeemed' as a logical half way point between the 'success' and 'failure' points, I have chosen to locate it at the end of this spectrum, as this is what occurred historically, and as such was the way in which the knowledge and power relations ebbed and flowed during this period.

**Hope Vale Plan Spectrum**

**Hope Vale Plan was a success**

**Hope Vale Plan was a failure**

**Hope Vale Plan could be redeemed**
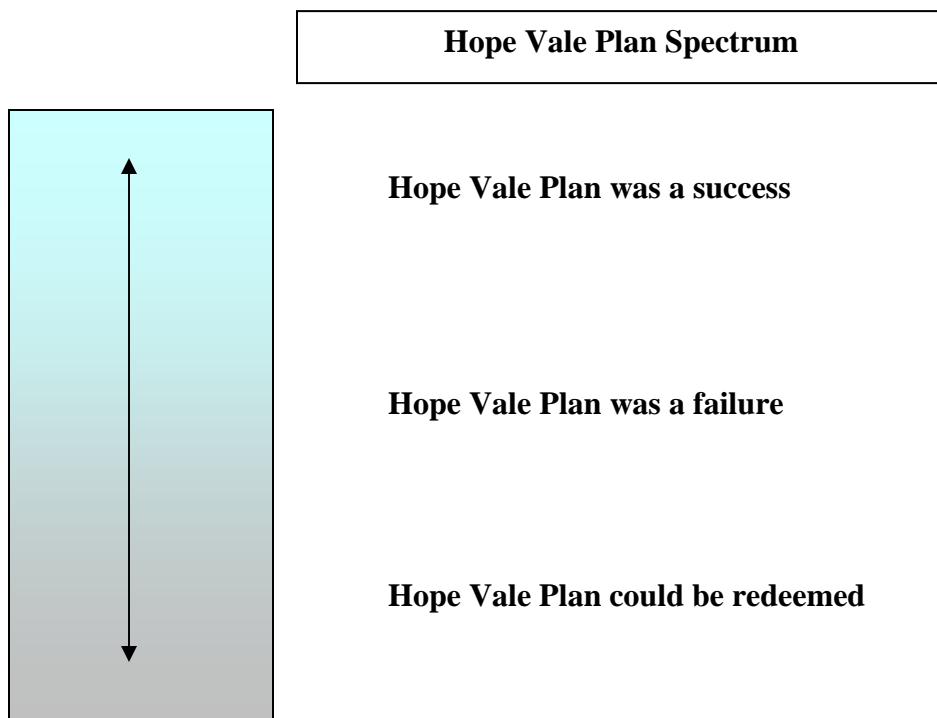
**(i) Hope Vale Plan was a success**

Over the life of the project, there was a significant shift in the discourse about the Hope Vale Plan. The historical analysis demonstrates how initially, the Plan won awards and brought the Hope Vale Community, Management Agencies, and research agencies together in a discourse of success surrounding the plan. This discourse is documented in the minutes of community and Management Agency meetings, in newspaper clippings, organisational newsletters and the GBRMPA web site. This success was also reflected in the funding support provided by the Management Agency and researchers for the implementation of the Hope Vale Plan and the awarding to Hope Vale of the Prime Minister's Award in 2000.

**(ii) Hope Vale Plan was a failure**

However, as discussed in Chapter 6, the difficulties encountered during the implementation phase caused a shift in opinion about the Hope Vale Plan towards a discourse of failure. This change is also documented in the minutes of meetings and was a constant discourse in reflective discussions amongst all interested parties about the Hope Vale Plan. Components of this discourse were couched in reproachful terms such as 'a waste of time and money'. Some Hope Vale community members engaged in a process of mutual recrimination and discourse of blame for the perceived failure of the Plan.

This attitude was also specifically reflected by GBRMPA when, as an organisation, it rejected its association with the Hope Vale Plan process and subsequently withdrew the

opportunity of granting the Plan statutory authority under Section 39Z of the GBRMPA Act.

**(iii) Hope Vale Plan could be redeemed**

In 2003, the discourse about the Hope Vale Plan adopted a redemptory tone. GBRMPA staff approached the Hope Vale community to participate in an alternative hunting management process called Traditional Use Marine Resource Agreements (TUMRAs). As explained in Chapter 5, TUMRAs are based on a regional and Native Title based model for Indigenous marine use management.

Community reactions to the concept of a TUMRA varied markedly. Because of the changing situation in Hope Vale regarding Native Title, some clan groups within Hope Vale and Management Agency staff felt that a TUMRA offered a clan-based opportunity to negotiate hunting management without the interference of Hope Vale Council. Many Hope Vale residents re-examined the Hope Vale Plan and decided that while the Plan needed amending according to their own group's needs, it provided a solid foundation on which to re-engage in the planning process without the need of starting afresh with a TUMRA. Alternatively, the Hope Vale Plan could be reviewed and refreshed under a TUMRA.

### 9.5.3 Role of Indigenous peoples in Management Spectrum

Indigenous people's role in management also emerged as a key discourse spectrum as show below.
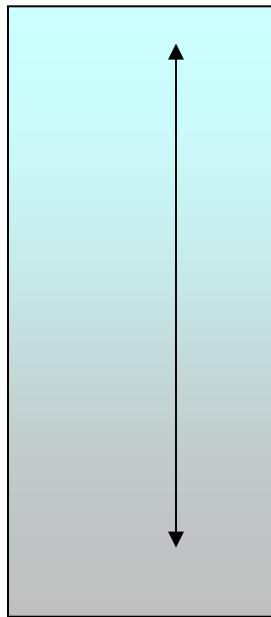
| | **Role of Indigenous peoples in Management spectrum** |
|---|---|

**Indigenous peoples should be resourced to do management work on community and with community based governance systems**

**Indigenous peoples should be resourced to undertake collaborative management fee for service activities, consistent with community and Management Agency aspirations**

**Indigenous peoples should only be involved in management through participation in normal Management Agency governance and management structures**

**(i) Indigenous peoples should be resourced to do management work on community and with community based governance systems**

During the period of the development and implementation of the Plan, Hope Vale respondents asserted a discourse about their rights as Indigenous people to participate in management. This discourse was evidenced in many ways. Firstly, the issue of resourcing was a high priority and mentioned often by community members. Most Hope Vale respondents held the view that not only should Management Agencies financially resource initiatives such as the Hope Vale Plan but that this resourcing and support should include full training for the Rangers, including enforcement training, the provision of employment funds and the purchase of vital infrastructure items such as cars and boats.

The fact that this level of resourcing did not eventuate was one of the core drivers underpinning the withdrawal of community support for the Hope Vale Plan as a co-management exercise. Moreover, the expectation that this support would be forthcoming emerged as one of the main motivators for participation in the development and implementation of the Hope Vale Plan by the community in the first place.

A strong rights discourse underpinned Hope Vale community perceptions of the Plan. The Plan was embedded within a discursive terrain of community rights, Native Title and Indigenous rights and located within the racial constructs of black and white. This discourse was a powerful influence on the role of the Hope Vale Plan played as a representation or litmus test of how far Hope Vale people had progressed in terms of empowerment, self determination and community decision making in natural resource management. It was in the context of ensuring community decision making and Indigenous rights to self determination that Hope Vale members formed the Hunting Council and one of the reasons why addressing the 'who' within the Hope Vale Plan management process was so significant. Achieving recognition and equity as resource managers and partners alongside Management Agency staff was seen as extremely important and an aspiration to be sought at all levels. Implicit in this recognition was the perception that community based governance systems would be implemented, respected and importantly, resourced.

**(ii) Indigenous peoples should be resourced to undertake collaborative management fee-for-service activities, consistent with community and Management Agency aspirations**

Most Management Agency staff took the view that Indigenous peoples should be involved in management but that their role should be monitored and prescribed. Most staff were uncomfortable with the idea of communities such as Hope Vale having decision making powers but open to the development of forums for decision making and participation. The forums discussed ranged from Indigenous participation on committees to employing Indigenous people in fee-for-service activities such as cultural heritage work and beach patrols or cleanups. Many felt comfortable with Indigenous peoples participating in Indigenous cultural training and education but not in other management activities.

Most Management Agency staff expressed an unwillingness or ambivalence with the notion that Indigenous peoples, such as the Rangers at Hope Vale, be fully trained on equal terms to work on the community. Arguments against this form of recognition were always couched in terms of resource scarcity; there was not enough money for existing Management Agency staff to do their work, therefore, it was an impossibility to consider larger investments in Indigenous initiatives. Management Agency staff argued that reallocation of funds would create structural inequities, and that any funds invested in community based management would not be new monies but monies obtained from the withdrawal of reallocated funds belonging to another existing budget. Such an approach was considered to have a high likelihood of prejudicing other management priorities and sections and fan the flame of politically incorrect racial discontent and bias. Some Hope

Vale respondents considered their involvement in fee-for-service activities to be beneficial and worthwhile as a first-step towards ultimate empowerment, in contrast to Management Agency staff that constructed fee-for-service collaborations as the end step in relation to Indigenous involvement in management.

**(iii) Indigenous peoples should only be involved in management through participation in Management Agency governance and management structures**

Only Management Agency staff held this view. Further, this view was only held by a minority of Management Agency respondents who felt that Indigenous peoples should not be privileged over and above other sectors, and who perceived Indigenous peoples as only one of many stakeholders to consult in management. Thus, while Indigenous peoples were perceived to have an equal right to raise concerns with Management Agencies along with any other stakeholder group, they were not believed to possess a special right for inclusion into management. Respondents that adhered to this view did not feel there was any necessity to involve or recognise Indigenous peoples in any specific manner outside of the conventional and formal mechanisms available in relation to consultation with any groups, whether through consultation, negotiation on policy or employment of Indigenous people.

## 9.6. Implications of Discourse Differences for the Hope Vale Plan Process

The analysis above has identified the significant differences that existed between Hope Vale and Management Agencies in the process of developing and implementing the Hope Vale Plan. Ultimately, despite giving the impression that both parties had negotiated mutually agreed outcomes, both parties were actually operating from uncommon and

incompatible discourse platforms. These differences had tangible effects on the planning process and directly impacted upon the ebb and flow of power/knowledge relations between the two groups. I have characterised these physical manifestations in three ways: (i) the ways in which knowledge and power relations were manifest through cultural confrontations in the meeting of discourses and practice; (ii) through the occurrence of critical discourse events such as the Ministerial decision on hunting; and (iii) through the negotiation of what I have termed management transactions.

## 9.6.1. Cultural Confrontations

An immediate effect of the discourse differences between Hope Vale and Management Agencies was that the process was characterised by a number of cultural confrontations. I have characterised a cultural confrontation as occurring when: (i) there was a literal clash or crash between discourse and practice; (ii) between discourse and discourse; and (iii) where multiple discourses competed for ascendancy. These clashes are conceptualised below in Figure 9.6.1.1. During my observation of the implementation of the Hope Vale Plan, these cultural confrontations occurred daily and are characterised by Foucault (1980) and others as the meeting of discursive and non-discursive (or material) practices. Together, the meeting of these practices constituted the field of knowledge and power relations between the two groups. It is this intersection or abutting of discourse and practice in the hunting domain that had major impacts on the success/failure of the Hope Vale Plan overall.
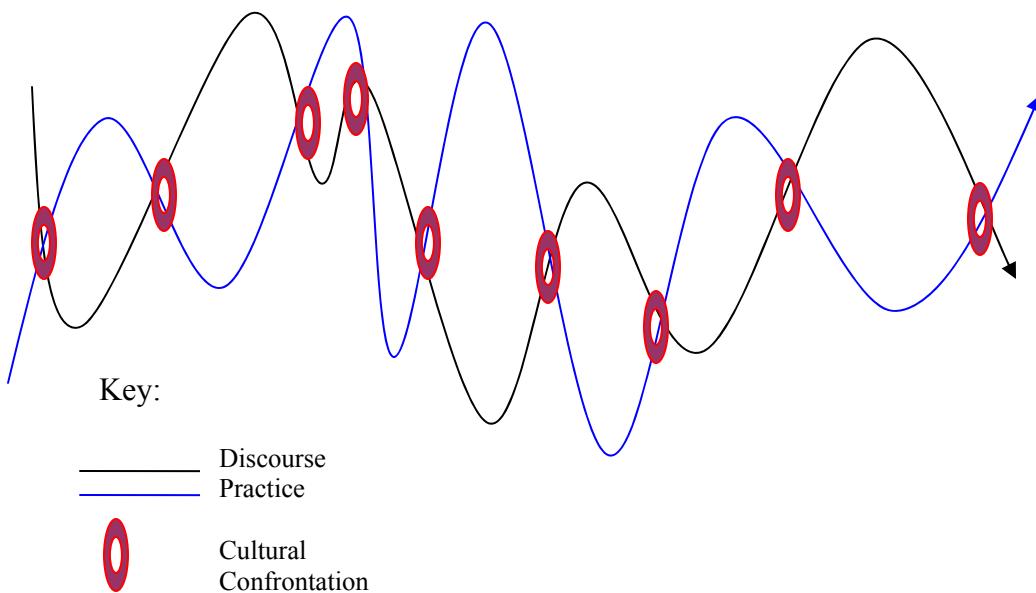
**Figure 9.6.1.1:** Conceptual diagram of discourse and practice creating cultural confrontations in resource management

To demonstrate this point further, the following examples illuminate the effects these confrontations between discourse and practice had on the Hope Vale Plan. These examples are all drawn from my personal experiences, either through observation or within formal interviews during the research period.

## 9.6.1.2. Discourse and Practice

The discourse on the role of women in traditional hunting provides a good example of a clash between discourse and practice. As discussed in Chapters 6 and 7, the discourse on traditional hunting held that women were not perceived or supposed to have any active role. Both men and women in Hope Vale and Management Agencies held this view. However, this discourse was confronted by reality because the hunting management planning process had been, without exception, run by, coordinated and implemented by women.

This disjuncture between discourse and practice had significant implications for the Plan and implementation process. For example, the women who were trying to work with the Management Agencies to implement a hunting management plan felt continually ignored and frustrated because the primary discourse about hunting determined that Indigenous hunting issues were dealt with by men; on the other hand, many Hope Vale men undertaking hunting activities felt resentful and resisted being 'told what to do by a woman'.

The clash between different power and knowledge domains in this instance is stark. For instance, women were the repositories of contemporary knowledge systems relating to management, whereas the men were the owners of traditional knowledge about the hunt. This dichotomy had an immediate effect on the way power relations were constituted and established forcing a struggle for ascendancy between the women and men. This struggle had major impacts on the acceptance of the Hope Vale Plan during the implementation phases (1999 – 2002). For example, it was not considered appropriate to give women the power over hunting practice because it is the men who hold the traditional knowledge on the subject. On the other hand, it was the female Ranger Coordinator (with female researchers and a female manager from GBRMPA) who had negotiated to obtain the funding, both for management to occur and to employ men to implement the Hope Vale Plan. The power this arrangement gave to the women mediated the cultural discourse held by the men about women's role in hunting, making the job of Management Agencies much harder as it was unclear with whom to discuss and negotiate within the community.

### 9.6.1.3. Discourse versus Discourse

Another example of how a discourse domain impacts on management in practice is when one powerful discourse confronts another. During the Hope Vale planning process this happened many times, particularly in the clash between modern and traditional manifestations of culture.

A typical discourse confrontation is found in the following example relayed to me by a young Ranger. This Community Ranger, while patrolling the beach confronted an Elder, who under the terms of the Plan, was in breach. The Ranger attempted to talk to the Elder about the transgression and enacted the process of questioning and monitoring as stipulated in the Plan. The Elder responded however by using cultural mores of shame to reprimand the Ranger for failing to observe cultural customs of respect for Elders. This Elder also used his cultural mandate and traditional knowledge about hunting to accuse the Ranger of being too western, of showing no faith in the old ways and showing disrespect and a lack of trust in the Elder. The Ranger was now in an invidious position. He had to choose between a powerful discourse about the importance of community based contemporary management (a discourse to which both he and the Elder subscribed to when supporting the Plan), and the perceived primacy of the Indigenous discourse of traditional culture and respect for Elders.

In most cases, such as this one, the discourse about respect had ascendancy and the Elder's assertion of power based on traditional knowledge carried the day. Confrontations such as this were repeated over and again during the hunting seasons (2000, 2001 and 2002) and acted as a significant inhibitor to the effective implementation of the Plan.

A second example of how two discourses clash in a cultural confrontation is found in relation to the discussion on animal cruelty. When developing the Hope Vale Plan, I was asked to write a section entitled 'prevention of cruelty'. When working through the content of the text, Elders requested that I include a section that stated that Green turtles must be butchered while still alive on the beach. When I queried how this was preventing cruelty (for it seemed to me to be the opposite), I was told it was vital that the blood from the turtle ran back into the sea to ensure its spirit was returned to its ancestors. To kill the turtle first and then butcher it was to deny it the right to a future life, which in traditional culture is considered cruel in the extreme. Animal Rights advocates however consider the butchering alive of Green turtles to be a cruel and inhumane practice.

In this case, a number of powerful discourses are present. On the one hand, a contemporary Animal Rights discourse meets the discourse of traditional ecological knowledge. This confrontation is overlain with a powerful delineation between a black and white discourse, which is interpreted as an assertion of western knowledge over an Indigenous domain, and a reflection of imperial arrogance. This clash also reveals how in practice, the implementation of management programs such as the Hope Vale Plan is underlaid with implicitly held but completely different cultural mores and understandings of the world. The implication for this during the Hope Vale planning process was that this section in the Plan caused conflict rather than mutually agreed approaches to management. It also revealed the ways in which formal management structures are nonetheless underpinned by dominant cultural societal mores.

However, it is when multiple discourses and practices confront each other that the most complicated ebb and flow of knowledge and power relations are enacted.

**9.6.1.4. Multiple Discourses and Practice**

To best exemplify the difficulties faced when multiple discourses and practices confront each other, I have chosen the alleged slaughter of dugongs that occurred on the community in 2002. As described in Chapters 6, 7 and 8, at the request of certain community members, staff from GBRMPA and Department of Environment and Heritage (DEH) visited Hope Vale to investigate the alleged overkill. Due to insufficient hard evidence to support the claims, Management Agency staff returned to their bases in Townsville and Cairns, noting: (i) that there was insufficient material proof to consider prosecution and (ii) the incident would remain a community matter, which was outside Management Agency purview and culturally incorrect to intervene.

This situation represents an example of a cultural confrontation within which multiple discourses and material practices have intersected in powerful ways. The cultural discourse to which Hope Vale residents adhered (custodianship of country), was challenged by the reality that a case of over harvesting had apparently occurred. This incident was a sharp rebuff to Indigenous assertions about sustainable Indigenous stewardship and the general discourse about caring for country.

Hope Vale Community, despite the shame attached to the discourse crash that had occurred, acted quickly to demand outside help from the Management Agencies for surveillance and enforcement support. Members of the community acted to empower themselves by asking for help in a situation with which they did not feel they could deal internally. This request put all groups in a difficult position. Management Agencies were unable or unwilling to provide the requested support but continued to assert a discourse about supporting the process of community based management. Being wary of following

up prosecutions and keen to avoid the bad publicity that prosecution would have attracted, the reliance on a community based discourse offered Management Agencies a politically correct rationale for inaction. Thus, the Management Agencies used Hope Vale's own cultural survival discourse to advantage by asserting that hunting was an integral part of traditional culture and that responsibility for resolution and action relating to this should therefore be transferred back to the community. In using the discourse of supporting community based management to their advantage, Management Agencies were able to distance themselves from the problem. This arrangement allowed GBRMPA to offer Hope Vale another 'community based' model in 2003 (in this case TUMRAs, see Chapter 5), a model that is nonetheless Management Agency driven and controlled (Havemann et al. 2005). Management Agencies however could now with justification say they had given community based management a chance but it had failed.

This example also highlights a common discursive misunderstanding by demonstrating how attachment to discourse frames can bias and impact on resolution of a conflict. In choosing to interpret Hope Vale's requests for help as inconsistent with their own interpretation of what community based management was and the ways in which it should embed traditional practices, Management Agencies missed the point that contemporary and culturally appropriate models of co-management of natural resources in Indigenous society have now evolved to include and demand Indigenous participation within western management regimes. The dismissal by Management Agencies of these requests reflects a blind spot in their discourse frame that prevents the possibility of change, and hinders the chances of negotiating mutually beneficial and understood terms.

This incident also reflects the ebb and flow of power. Up until this incident, the relationship between Management Agencies and Hope Vale had ebbed and flowed, with each party at different stages successfully asserting power. When Hope Vale won the Prime Minister's Environment Award (see Chapter 6), Management Agencies had been obliged to support the notion of community based planning and had been publicly perceived to be actively promoting a joint management model.

However, after this incident, Management Agencies began the process of re-establishing control over the hunting management process, and re-appropriated their discourse on community-based joint management in favour of biodiversity protection and then argued that community based management had been tested but had been found wanting. The alleged overkill of dugongs in 2002 thus enabled Management Agencies to be seen both advancing support for community based management while in reality enabling a situation that facilitated re-assertion of power by Management Agencies over the hunting domain. TUMRAs emerged as a mechanism for engagement with communities that GBRMPA could utilise without handing the reins of control in any real sense to the community.

This point of cultural confrontation is a good example not only of how multiple discourses and practices together define the contours of management, but how discourse can be used strategically for individual or agency interests. It also illustrates the ways in which power and knowledge relations can transform over time. The importance of these cultural confrontations, whether expressed as discourse meeting discourse, discourse meeting practice or a mixture of the two, is that they reflect the ways in which the power and knowledge domains of each group are competing with each other for ascendancy.

The ways in which they constitute and reconstitute determine the ebb and flow, or the success and failure, of the management initiative at different times in the process.

## 9.6.2. Critical Discourse Events

The different discourses about hunting, planning and management help identify the points of contention in the struggle between discourses in the management process. Foucault (1972) calls these 'critical discourse events' and recognised that they are significant because they can both produce important events and discursive and social change and relations of power. Critical discourse events demonstrate that discourse, and thus power and knowledge, is not static. Such events also reflect the reality that management practices need to be flexible to cope with the exigencies of the flow between knowledge and power because they do not exist in a static environment. The example outlined above is a critical discourse event because it galvanised conflict on the hunting issue and challenged and created the conditions necessary for change.

Other critical discourse events occurred throughout the development and implementation of the Hope Vale Plan. The Ministerial decision on hunting for example galvanised a discourse on Indigenous rights within the hunting domain, including the assertion of Indigenous rights to negotiate, participate and act as stewards and environmental managers using traditional ecological knowledge. This event meant that the GBRMPA and other Management Agencies were at a discursive disadvantage and unable to respond to Indigenous discontent. In this situation, Indigenous knowledge systems based on sustainability, spirituality and balance held ascendancy, and carried primacy over science. It also meant that operationalising the Representative Areas Program (see Chapters 5 and 6), which actualises Management Agency discourse about biodiversity and species

protection, was very difficult to implement with Indigenous people's support. Indigenous people at Hope Vale and elsewhere simply refused to talk about anything else until the decision on issuing permits for Green turtle hunting was revoked. The parallel assertion of both Hope Vale and Management Agencies of their positions at this time ultimately resulted in a discourse stand off, broken only, in Hope Vale at least, with the alleged slaughter of dugong in 2002.

A critical discourse event does not need to be negative. The winning by Hope Vale of the Prime Ministers Environment Award in 2000 was a triumph for Indigenous traditional knowledge and had important discursive ramifications for management by creating social change at two levels. This award forced Management Agencies to take a longer term view of their involvement in the Hope Vale planning initiative and ensured that important community members renewed their interest in the hunting management issue and worked to help make the Plan a success. Management Agencies thus faced a challenge to existing scientific bases for the management of protected species, which in turn meant they were obliged to remain involved and acquiescent throughout the initial stage of the implementation of the Hope Vale Plan.

This winning also helped build cultural pride at a community level and created social change within the community; the status of the award encouraged Management Agencies to offer funds to support a series of small scale employment, training and other opportunities. These opportunities had great value at the local level because of the difficult social and economic challenges facing the community. Importantly, the granting of the award helped heal some of the grief resulting from the death of the first hunting coordinator (see Chapter 6), thus enabling the community to refocus energy on the issue

of Indigenous hunting and its management. The awarding of this prize also prompted many other Indigenous groups to consider developing their own hunting management plans (e.g. Quandamooka 2002), thus initiating a wider discourse frame within which to consider not just Green turtle and dugong management, but community based management overall.

The launch of the Hope Plan itself was also a critical discourse event. The launch embodied a series of discourses about the environment, management and planning, and had two effects. The attendance by high level GBRMPA staff sent a symbolic message to the community that Management Agencies were joining with the Indigenous community to celebrate and collaborate rather than engage in conflict over the hunting management of protected species. Secondly, the text of the Plan, in embedding discourses about both biodiversity protection and cultural survival, bound both parties to the management endeavour and the implicit understanding that both parties were committed. The rhetoric within the Plan to reconcile the two imperatives, when neither party was actually prepared to do so in practice, ultimately created a situation of conflict rather than co-management. Moreover, the mechanisms embedded in the Hope Vale Plan to achieve these objectives, while they relate to processes of community organisation, were not accompanied by mechanisms which would easily ensure that both cultural and species management objectives were met.

### 9.6.3. Management Transactions

Rather than ensuring the implementation of collaborative endeavours that would effectively implement and achieve the objectives and vision of the Hope Vale Plan, both Hope Vale community and Management Agencies, particularly the GBRMPA, initiated a

management process based on a series of discursive trade-offs. As a result, the management of hunting, through the Hope Vale Plan, actually became a contest between cultures. The management agreements that eventuated can be conceptualised as the actualisation of the way in which cultural negotiations between the two had been reconciled through various management transactions (see Table 9.6.31. below).

| **Table 9.6.3.1.:** Management transactions between Hope Vale community and Management Agencies in relation to implementation of the Hope Vale Turtle and Dugong Hunting and Management Plan and hunting generally. |
| --- |
| (i) Maintenance of cultural practice by Hope Vale in return for species sustainability for Management Agencies |
| (ii) Resourcing of community initiatives by Management Agencies in return for retention of control over enforcement |
| (iii) Training in enforcement and contemporary management for Hope Vale Rangers in return for access to traditional knowledge about hunting for Management Agencies |
| (iv) Women at Hope Vale being permitted to manage the hunting domain in return for Hope Vale men to be the key liaison and negotiators with Management Agencies and other outsiders at crucial points |
| (v) Undertaking of research by outsiders (myself) and support of research by outsiders (e.g. JCU, GBRMPA, PEW) in return for Hope Vale community keeping the information, intellectual property and products of research |
| (vi) GBRMPA obtaining information about current hunting practice in return for fee-for-service and other support of funded activities on Hope Vale by Management, research and other Agencies |
| (vii) Hope Vale Elder involvement in return for access to hunting grounds or meat from take when Elders are not able to hunt it for themselves. |

It must be noted that these transactions embody both trade offs and mutual learning between the two parties. For example, training in enforcement and contemporary management for Hope Vale Rangers, encouraged knowledge sharing, joint learning and bridging of knowledge sharing consistent with that advocated by proponents of adaptive co-management (Folke at al. 2005). However, these processes were not conscious applications of any given process or model, but implicit within and enacted upon in an iterative way. As outlined in Chapter 11, revisiting the plan process would allow the opportunity to apply new processes, and the principles embodied by natural resource

practitioners, including but not limited to those implemented within adaptive co-management regimes.

These transactions also reflected the ascendancy of the power and knowledge domains within and between Hope Vale and Management Agencies at any given time. For example, the overarching debate about Indigenous hunting is one that is based on two principles of rights and responsibility: (i) Indigenous rights to hunt, and (ii) western management responsibility under the terms of legislation prescribed by the governments of Australia (see Chapter 5). Application of these principles to management necessitates quite different operational frameworks. Accordingly, for each party to get something from the debate each party must give something; this is the transaction.

For both Hope Vale and Management Agencies to achieve their objectives they would have negotiated a series of transactions within the hunting management arena. In Table 9.6.3.1. it is clear that the management transactions negotiated reflect in many ways the dominance of the different discourse orientations of both Management Agencies and Hope Vale, and the ways in which they have been transformed to suit the objectives of hunting management.  It is important to note, however, that while these transactions were the basis for many and protracted negotiations between Hope Vale and Management Agencies, they were not transactions that were always expedited or honoured.

The transactional nature of the way the Hope Vale Plan was implemented reveals the contractual and often conflictual contours that defined the process overall. Seen from this perspective, the Hope Vale Plan was ultimately more of an exercise in conflict and contested cultural ground rather than an exercise in collaboration or co-management.

## 9.7. Summary

In this Chapter, I outlined the way in which discourses about hunting, planning and management were constituted within the Hope Vale planning process. The Chapter incorporated the identification of discourse modes, trends, and linguistic signifiers. These elements were cumulatively expressed in three discourse spectrums about hunting, planning and resourcing in management. In turn, these discourses revealed the way in which power and knowledge relations influenced the implementation of the Hope Vale Plan. The lessons that can be drawn from this process to achieve mutually agreed and beneficial management regimes are the subject of the next chapter.
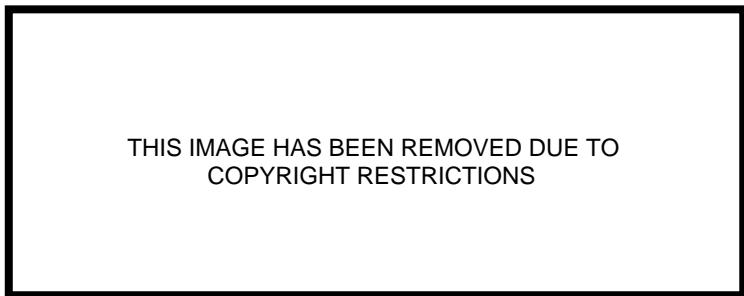
Artefacts from Hope Vale. *Source:* Lutheran Archives, Adelaide

# Stage 3. Chapter 10

## Stage 3. Overview

Power and knowledge relations are embedded in natural resource management, yet rarely overtly acknowledged or genuinely 'managed' in and of themselves. As shown in Chapter 9, power and knowledge nonetheless are sites of contest that inhibit the delivery of effective resource management. This chapter synthesises the results of chapters 7-9 to provide some reflections on the findings and their broader implication for achieving both biodiversity protection and cultural survival aspirations in management regimes. Consistent with the thesis structure (adopted from Fairclough - see Chapter 1), I conclude this Chapter with a discussion on whether or not the parties involved in the Hope Vale Plan *needed* the issue of Indigenous hunting to remain unresolved.

**Stage 1** Introduce research focus: a problem, which has a semiotic (linguistic) aspect
**Chapters 1-4**: Introducing the Problem: (Indigenous hunting) and its semiotic aspect i.e. the ways in which discourse/s about Indigenous hunting of endangered species in protected areas impacts upon marine resource management. Includes literature reviews, theory and method

**Stage 4** Identify solutions to the obstacles inhibiting resolution of the problem
**Chapters 11-12** Identification of a management solution (socially just conservation framework) that addresses the factors (obstacles) that inhibited the effective implementation of the Hope Vale Plan (resolution) and addresses the issue of Indigenous hunting of endangered species in protected areas (the problem)

**Stage 2** Identify the way in which resolution of the problem is reflected within social relations
**Chapters 5-9**: The factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. In this case the 'problem' is the issue of Indigenous hunting of threatened species in a protected area and the 'solution' is the Hope Vale Plan. Includes overview of case study, history of Hope Vale Plan and analysis and synthesis of data from Hope Vale and Management Agencies using discourse analysis.

**Stage 3:** Consider whether the social order (network of practices and social relations) in a sense 'needs' the problem; and whether therefore the resolution of the problem entails a radical restructuring of the social order
**Ch 10**:Considers whether the Hope Vale community and Management Agencies 'needed' the Hope Vale Plan to fail to maintain existing social (power and knowledge) relations

## 10.0. Synthesis: Power And Knowledge In Management

### 10.1. Introduction

An important function of the application of discourse analysis is that it reveals the power and knowledge relations that underpin, transform and continually affect species management initiatives such as the Hope Vale Plan. These relationships lie beneath the 'action' or non-discursive practice. In this case, discourse analysis of the Hope Vale Plan, its history and implementation, revealed that the process was more than just about the management of Green turtles and dugongs within the Great Barrier Reef World Heritage Area. Specifically, Chapters 7-9 revealed two key findings: (i) that language in resource management does matter, and (ii) that significant differences exist between the discourses of Management Agencies and Hope Vale Aboriginal community discourses about hunting, planning and management. In turn, these differences expressed the ebb and flow of power relations between the two management interests. This chapter builds on these findings to consider further these results in the context of the broader historical and political landscape within which the Hope Vale Plan process occurred. As such, two other findings are revealed: (i) that social justice dimensions must be incorporated within management regimes in order to achieve both cultural survival and biodiversity protection objectives, and (ii) that resource management initiatives can never be divorced from the impact of external events, other societal influences and knowledge and power regimes.

## 10.2. The Broader Political Landscape: Colonial Versus Community Based Conservation

The attempts by both parties to use the Hope Vale planning process for purposes other than the management of Indigenous hunting resulted in a contest between Hope Vale and the Management Agencies and revealed the legacy of Australia's colonial past. Hope Vale residents were ready to explain any difficulties in implementation as consequences of colonial hegemony, hence their discourses on colour, race and identity. Similarly, Management Agencies often asserted a discourse of western cultural hegemony to maintain control of management. However, these differences are more than simple linguistic 'misunderstandings'. These differences must also be understood within wider historical and political frameworks. For example, the differences between Management and community based discourses about hunting and management in Hope Vale further reflect the different historical and colonial experience of the two groups. Toyne and Johnston (1993) contend that this is particularly the case where conservation is seen as the new dispossession:

> The seizure of land by Europeans...is in danger of giving way to a new wave of dispossession - the denial of Aboriginal people's rights to land in the name of nature conservation (Toyne and Johnston 1993, p.1).

Le Roy Little Bear (2000) characterises this clash of discourses as a clash of jagged world-views, an event that minimises legitimate cultural and social control:

> Colonisation created a fragmented worldview amongst Aboriginal peoples. By force, terror, and educational policy, it attempted to destroy the Aboriginal worldview – but failed. Instead, colonisation left a heritage of jagged worldviews among Indigenous peoples (Le Roy Little Bear 2000, p. 84).

The result of the clash between Hope Vale Community and Management Agency worldviews meant that it was impossible to implement the stated objectives of the Hope Vale Plan to maintain sustainable populations of Green turtles and dugongs, whilst

maintaining Indigenous hunting practice. The abutting of different discourses blocked

sustainable management. The Hope Vale experience however is not unique and in

another marine protected area, the Miskito Reef systems, Nietschmann (1997)

demonstrates how similar dynamics were being played out as a 'three way conflict

between drug trafficking lobster pirates, colonialist conservationists and Indigenous

communities' (Nietschmann 1997, p.194). Nietschmann concludes that conflict in

management results from the fact that different parties to the management are operating

from different discourse paradigms, community based and colonialist based, as

conceptualised in Table 10.4.1. below. Nietschmann's characterisation of colonial and

community based perspectives corroborates the Hope Vale experience where the

community discourse was similarly dominated by considerations of community,

prioritised people's needs over conservation, asserted ownership of the management plan

and demanded a higher status for and recognition of community and traditional

knowledge systems. This community approach is based on a community based, bottom

up, and consensus type approach to management.

**Table 10.2.1.** Community based and colonialist based perspectives on conservation and management of natural resources (from Nietschmann 1997, p. 219)

| Community-Based Perspectives | Colonialist-Based Perspectives |
|---|---|
| Heritage of local tradition | Heritage of colonial tradition |
| Local people own the resources | Local people destroy the resources |
| Destruction of nature due to colonialism, exploitation | Destruction of nature due to poverty, overpopulation, ignorance |
| Conservation is done because it is tied to community's welfare | Conservation is done because of foreign assistance or insistence |
| Effective conservation is local | Effective conservation measures are imposed |
| Conservation: local consensus | Conservation: legislation and fines |
| Bottom up: participatory | Top-down: non-participatory |
| People's participation is community participation | Peoples participation is satisfied by hiring a local |
| Every day 'town hall' democracy | Undemocratic or dictatorial |
| Resource management is based on local knowledge | Resource management based on foreign science |
| Decentralised local authority | Centralised external authority |
| Information and communication are open and accessible | Information and communication are usually closed, internal |
| Local/Indigenous models | External/foreign models |
| Start with what communities know, build on what they have | Don't start until external funding and experts are available |
| Low level financing | Medium level financing |
| People are the goal of conservation and development | People may be the means to conservation and development |
| Demarcation of local land, coastal and marine territories | Establishment of national parks and reserves |
| Development/conservation areas are geographically interdependent | Conservation and development are geographically diverse |
| Conservation persists despite government multiparty changes | Conservation stops and starts with changes in government |

Similarly, the Management Agency approach to the Hope Vale Plan process resonates with Nietschmann's (1997) identification of the colonialist approach to conservation. The colonialist approach argues for a top down, hierarchical and geographically defined approach. The focus on conservation with participation of the community people is a means to an end and there is an overdependence on bureaucratic, statutory and regulatory management mechanisms.

## 10.3. Explaining Inequalities In Power Relations In Management

These differences in approach have important ramifications for natural resource programs. For example, Christie (2003, p.246) contests that where such programs are based on 'the interaction of groups of individuals with grossly unbalanced levels of influence and power (it) is likely to result in inequitable social arrangements'.

Inequities can also reflect what Brechin et al. (2003a) call 'organisational pathologies'. An organisational pathology can illuminate institutional and organisational power dynamics. As Brechin et al. (2003a) note, these pathologies can include: (i) a rigidity towards internal rules rather than performance goals, and (ii) a resistance to innovation. Management Agencies are constrained by their statutory powers and formal structures, structures that define a power relationship and the types of power and resources at their disposal to implement and pursue their organisational objectives (Brechin et al. 2003a, p.162-3). The Management Agency discourse in relation to the Hope Vale Plan could be constructed as an 'organisational pathology.' Such dynamics can solidify inequitable relationships and make it harder for all parties to be appropriately represented and involved in a conservation initiative.

Wilshusen's (2003b) work in Colombia reflects on inequities in relationships between Indigenous societies and Management Agencies. He argues in the context of his case study that the management project was used as a platform to consolidate power within a black community and as a means to obtain resources (Wilshusen 2003b). Wilshusen (2003b) further argues that this management project demonstrates the ways in which power relations are used within conservation projects to consolidate influence in wider political settings:

> Power dynamics associated with conservation projects are embedded in wider political arenas…political actors operating at multiple levels – locally, regionally, nationally, internationally interpret events and make decisions within the sphere of interaction that most directly affects their perceived interests (Wilhusen 2003b, p 86).

The relationship between Hope Vale and the Management Agencies reveals similar inequities. For example, Hope Vale's primary discourse was based on the assertion of the superiority of 'traditional' cultural knowledge over western science, while the Management Agency discourse was based on the presumed superiority of the scientific discourse about endangerment, sustainability and biodiversity. This imbalance reflects inequity within both the power and knowledge arenas. As western scientific paradigms are prioritised to be of higher societal value, Management Agency dominance in both the knowledge and power arenas was assumed by both Hope Vale and Management Agency groups. Despite the discourse of planning being ostensibly focussed on the management and conservation of Green turtles and dugongs, the real debate was in the form of a discourse tussle between the two groups over the superiority of knowledge systems. As a result, hunting management was actually neglected. This result illustrates the importance of understanding the discursive terrain in management programs, thus enabling the real and often invisible or hidden blocks to management to be identified and isolated. Without such interweaving of the knowledge and power regimes underpinning the management activity, it is impossible to develop common understandings about biodiversity protection and social justice. Gray (cited in Stevens 1997a) confirms the efficacy of this argument in his documentation of the environment movement's attempts at forest conservation:

> As long as environmentalists and advocates try to seek monolithic solutions to problems of conservation and paternalistically project their ideas about protection onto forest peoples without trying to understand their perspectives, the world will end up with neither conserved areas nor forest peoples (Gray 1991, p.32, cited in Stevens 1997a, p.33).

Nietschmann (1997) again reflects on the clash between colonialist and community based understanding of management:

> The failure of colonialist conservation and centralised marine management programs is because they collide with things not seen or recognised: the existence of traditional management, the presence of customary sea tenure and rights to sea resources, and the absence of an invitation or permission to be there. The coastal ocean and its biodiversity cannot be saved, conserved, protected or sustainably managed without the full cooperation and participation of the people who live there, who have sea space there, who know the sea there, and who have responsibilities there (Nietschmann 1997, p 224)

## 10.4. Explaining differences in knowledge relations in natural resource management

Kishigami (2005) reflects that the differences in understanding can also be explained by the fact that resource management is a non-Aboriginal concept. Suchet (2001, p131) adds weight to this argument by stating 'the fundamental idea of 'management' is integrally tied up with colonisation, both historically and in the present'. Suchet (2001) continues by arguing that amongst others, the terms 'management' and 'wildlife' are Eurocentric, and thus continue to 'plague' attempts at collaborative environmental and wildlife management in Australia. Croal and Darou (2002) establish that these differences reflect 'fundamental paradigmatic differences between Indigenous and non-Indigenous understandings about the world':

> European based cultures have a hierarchical, individualist worldview, in which an elite has mastery over the majority. Humans master the animals. A First Nations worldview…is based on equality, connectedness, and harmony between humans and nature (Croal and Darou 2002, p.84).

This view is consistent with the documentation of the marginalisation of Hope Vale respondents after Management Agencies had asserted western scientific paradigms about Green Turtles and dugongs, ensuring their hierarchical dominance over traditional knowledge systems.

Wilshusen et al. (2003a) argue that such situations occur because identity is constantly

negotiated and that 'power relationships are continuously enacted and transformed within

the symbolic and material limits of a given set of institutional and discursive practices'

(Wilshusen et al. 2003a, p. 56). This situation may not be beneficial to Indigenous

peoples. It is timely to be reminded that Indigenous knowledge helps shape Indigenous

identity (Berkes 1999). Freeman (2005) explains this link by demonstrating that Inuit

knowledge provides a strong sense of cultural power and identity:

> The essential Inuit cultural core is arguably most secure with respect to their
> whaling culture. This is so because of the large measure of food security and well
> being these animals provide, the high degree of sharing and social solidarity the
> acts of hunting, processing, distributing and celebrating the whales engenders, and
> because of the enrichment of the human spirit that follows from consuming and
> contemplating whales. It is for these reasons that those societies where whales are
> valued multi-dimensionally cannot even consider giving up whaling, for to do so
> is to surrender their identity, devalue their history and culture, and denigrate their
> Forebears (Freeman 2005, p.70).

Similarly, Howitt (2001) argues that western models of planning result in Management

Agency dominance over traditional practices. He shows how western conceptualisations

of planning, when applied in Indigenous planning contexts, create disempowerment and

alienation of Indigenous peoples from the very source of their strength, that is, 'as kin to

other species, as co-equal occupants of places, as embedded in rather than outside and

above ecological relations' (Howitt 2001, p.157). As such the cultural alienation that

success produced was seen as a temporary aberration. Therefore, different discourse

understandings led to the entrenchment of a system that marginalises and disempowers

Indigenous interests. This view is consistent with Management Agency responses to the

Hope Vale Plan process where the public and ideological pressure to be 'politically

correct' in dealings with Indigenous peoples, was spoken of often. Very few perceived

their involvement in co-management or community based wildlife management as being

of any real value to the management and protection of Green turtles and dugongs.

## 10.5. Do We *Need* The Problem?

Overall, the consequence of the inequality in relationships between Indigenous peoples

and Management Agencies is that community-based conservation or resource

management has not been the 'magic bullet' that early proponents had hoped for (Brosius

and Russell 2003, p. 43). Brosius and Russell (2003) signal a further consequence of this

unbalanced paradigm arguing that:

> rather than locate the weaknesses of community-based approaches in their own
> policies and practices, many conservation practitioners have tended to lay blame
> on the communities themselves (Brosius and Russell 2003, p.43) [82].

Similarly Hauck observes of co-management efforts in South Africa that:

> The possibility exists that co-management efforts may fail (or succeed) for
> reasons that have nothing to do with the model itself but the institutional and
> social dynamics of implementation. Instead of discarding co-management based
> on these uncertainties…it is important to experiment (Hauck and Sowman 2001,
> p.183).

In this case, why are these power and knowledge relational inequities perpetuated? Do

the Management Agencies and Indigenous people 'need' the problem? When

interrogating the discursive parameters of power and knowledge Fairclough (2001)

argues that there *are* occasions where discursive relations reflect configurations of power

that are designed to prohibit any resolution of the problems at hand, at any time. Pro-

whaling interests provide a good reflection of this perspective. In their view, anti-whaling

NGO groups *need* whaling to continue in order to maintain their *modus operandi* and

hence resource and power base. In some cases this situation also applies to governments,

such as Australia, who lobbied against whaling at the International Whaling Commission

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[82] As shown in Chapters 6, 7, 8, and 9, this quote is resonant with the view of Hope Vale by Management
Agencies such as the GBRMPA.

meeting in 2002. Because there is currently no support for whaling in Australia, while some countries outside Australia continue to whale, Australian governments can gain electoral support for their anti-whaling stance without having to make any unpopular political decisions that would disadvantage Australians. Thus, it could be argued that the Australian government needs whaling to continue to gain this support from conservation groups.

In the case study considered in my thesis, did the Hope Vale respondents or the Management Agencies *need* the plan to 'fail' in order to maintain regimes of power? In answering this question several other important questions are raised. Did authority and decision making structures remain stable? Does the resolution of the 'problem' entail a radical re-working of how institutions and Indigenous people work together along the GBRWHA? Do the parties to the management endeavour actually want these solutions or is the divide between the discourses *about* versus the *practice* of hunting maintained for a reason?

My analysis reveals that there are no easy answers to these questions. As shown in Chapters 7-9, the relationship between the discourses about hunting, planning and management and the practice of implementing the Hope Vale Plan were at odds with a situation which had major implications for the success of the program overall. My analysis also revealed previously hidden relationships between knowledge and power that fluctuated during the planning process and favoured different parties at different times. Consequently, both parties at various times *did* need the problem to continue while one or the other found that the power and knowledge relationship was *not* in their favour. This situation meant that the problem was continually re-formed and re-constituted by

different people within the Hope Vale Community and Management Agency to ensure dominance over the discursive terrain of hunting, planning and management.

However, while it is significant that both parties operated within different discourse domains, it does not mean there was no opportunity to resolve the differences and effectively implement the Hope Vale Plan. Both Hope Vale and Management Agencies articulated a good faith adherence to each other's aspirations, but did not follow through with appropriate management mechanisms to integrate the two. It was this lack of will that fuelled the tensions. Mechanisms that might be used to end this power struggle and provide both parties with an opportunity to collaborate effectively on the issue of hunting management are considered in the next chapter.

## 10.6. Chapter Summary

This chapter has reflected on some of the implications of the discourse differences between Hope Vale and Management Agencies in relation to the hunting and management of Green turtles and dugongs. I argue that these differences reveal fundamental inequities in power and knowledge between the two management parties, which prejudice effective collaborations. I conclude the chapter y reflecting on whether of not these inequities are able to be resolved, or whether in fact, the 'problem' is maintained for a reason. I argue that mechanisms can be implemented to redress these inequities, and facilitate future collaborative management. The next chapter outlines some of these suggestions.
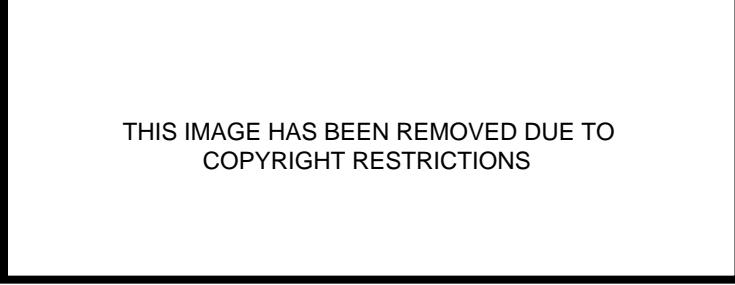
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Hope Vale Hunting Party, 1930s. *Source:* Lutheran Archives, Adelaide

## Stage 4. Chapters 11 – 12

### Stage 4 Overview

In Stage 4 of this thesis, I identify possible solutions to the impediments to socially just Indigenous resource management identified in Chapter 2, in the context of the effective implementation of the Hope Vale Plan. In Chapters 11 and 12, I investigate whether opportunities exist for parties like the Hope Vale community and Management Agencies to move towards a genuine resolution to the problem of Indigenous hunting of threatened species in a protected area. I do this by providing a response to some of the constraints outlined in Stage 2, (Chapters 6-10). My response includes consideration of how to integrate mutually agreed and negotiated terms of parity into natural resource management processes. I conclude with a presentation of a methodology for management that incorporates social justice within conservation both in theory and practice As such, I consider how to alleviate the tension between cultural survival and biodiversity conservation objectives.

**Stage 1** Introduces research focus: a problem, which has a semiotic (linguistic) aspect

**Chapters 1-4**: Introducing the Problem: (Indigenous hunting) and its semiotic aspect i.e. the ways in which discourse/s about Indigenous hunting of endangered species in protected areas impacts upon marine resource management. Includes literature reviews, theory and method

**Stage 4** Identifies solutions to the obstacles inhibiting resolution of the problem

**Chapters 11-12** Identification of a management solution (socially just conservation framework) that addresses the factors (obstacles) that inhibited the effective implementation of the Hope Vale Plan (resolution) and addresses the issue of Indigenous hunting of endangered species in protected areas (the problem)

**Stage 2** Identify ways in which resolution of the problem is reflected within social relations

**Chapters 5-9**: The factors that inhibit the effective implementation of co-management programs such as the Hope Vale Plan. In this case the 'problem' is the issue of Indigenous hunting of threatened species in a protected area and the 'solution' is the Hope Vale Plan. Includes overview of case study, history of Hope Vale Plan and analysis and synthesis of data from Hope Vale and Management Agencies using discourse analysis.

**Stage 3:** Consider whether the social order (network of practices and social relations) in a sense 'needs' the problem; and whether therefore the resolution of the problem entails a radical restructuring of the social order

**Ch 10:** Considers whether the Hope Vale community and Management Agencies 'needed' the Hope Vale Plan to fail to maintain existing social (power and knowledge) relations

## 11.0.  From Theory To Practice: Steps Forward

**Integrating knowledge and power in management:
How to develop effective co-management programs
along the GBRWHA**

## 11.1. Introduction

As highlighted in Chapters 7-10, there are significant differences in the power and

knowledge systems within the domain of Indigenous hunting of Green turtles and

dugongs. While the Hope Vale Plan tried to ensure the sustainability of species and

culture, I argue in this chapter that its difficulties in implementation could be largely

ameliorated by the integration, or re-balancing of these knowledge and power systems.

This chapter presents reflections on how to achieve this integration and on the basis of

these reflections, and the findings of my research, I outline a methodology for the

implementation of socially just conservation management. The chapter concludes with

some practical recommendations, to guide Management Agencies and Indigenous

peoples in the implementation of objectives to achieve both cultural survival and

ecological sustainability.

## 11.2. Identification of the components needed for effective resource management.

Gambold (2002a, 2002b), Walsh and Mitchell (2002), Roe et al. (2000b), Roe and Jack

(2001) and Ross et al. (2004a, 2004b), confirm that Indigenous peoples must be involved,

supported and judged on their own criteria of resource management success. This support

will build social capital that over time will consolidate the strength and effectiveness of

Indigenous resource management programs. As I outlined in Chapters 2 and 10, the

global experience and my case study results both show that the development of policies and programs, such as the Hope Vale hunting initiative, must entail a process of continual assessment, the formation of common discourse and dialogues amongst all participants. The process must embed systems of institutional adaptation that facilitate flexibility and give voice to Indigenous peoples in equitable ways (Liddle 2001).

Understanding the world view from which each group is operating will help facilitate flexibility in knowledge relations and enable the creation of localised cross cultural 'tool boxes' for management (Jacobs & Mulvihill 1995). This approach is consistent with components of adaptive co-management models which stress the importance of learning, innovation and polycentric (multi-scale) governance in co-management (Olsson et al. 2001, Lebel et al. 2006). Understanding how knowledge is distributed amongst different parties and individuals and who are the recipients of that knowledge also reflects the contours of power in resource management.

My results support this view. Further, despite the attempts to integrate the objectives of cultural survival and biodiversity protection within the Hope Vale planning process, the knowledge and power relations had significant impacts on the effectiveness of the program. Hope Vale respondents focussed on *who* was going to be involved in the management, *who* would get funded, *which* community members were liaising and taking a leadership role with the Management Agencies. Management Agency respondents focussed on the *what: what* was the product being produced (the Hope Vale Plan), *what* would be the tangible outcome either in higher species numbers or less hunting, and *what* management techniques were need to achieve and measure these outcomes.

## 11.3. Using Discourse Strategically: Incorporating The 'Culturally Unpalatable.'

At one level, as detailed in Chapters 2 and 3, the use of discourse is increasing as a strategic resource with which to assess power and knowledge relations and reinforce mutual understandings in management. Applying a strategic approach to discourse should not be approached naively. A strategic discourse process requires more than the employment of a facilitator or the simple adoption of conventional mediation or conflict resolution techniques. While these techniques are often productive in the short term, they rarely interrogate the underlying tensions, remove their sting or harness them productively. Using discourse strategically is about being able to manipulate the discursive domain to embed social justice effectively within and redress power and knowledge inequities in management. Developing common discourse platforms that will ensure mutually productive understanding and better management entails the brokering of hard realities. This point is not lost on Sillitoe (2002b) who states:

> We cannot reduce one understanding to the other; each leads to an entirely different apprehension of the world. It would be misguided to seek a synthesis, as neither can be comprehended in the other (Sillitoe 2002b, p. 129).

The development of common discourse frames necessitates the building of mutual trust between the negotiating parties. This approach includes the fundamental premise that each party must acknowledge the cultural perspective of the other party. New discourse pathways must be multi-culturally literate and avoid the temptation to reduce traditional value systems and perspectives into fragmented 'facts' of utilitarian value for 'appropriation' and exploitation. Both parties have to avoid falling into what Howitt (2001) describes as 'naïve and idealised notions of the 'wisdom of the elders' or a patronising concern with disabled Indigenous minorities' (Howitt 2001, p.56).

Accordingly, when developing a common understanding, each party must address aspects of a culture that they find uncomfortable. If such an approach had been employed during the Hope Vale hunting management initiative, the Management Agencies would have accepted culturally uncomfortable practices such as the butchering of turtles alive and in turn, the community would have to have recognised that the species they are hunting are threatened. Thus, Management Agencies will have to change their constructed understandings of what constitutes Indigenous hunting and traditional practice *before* they are able to engage fully with the notion of Indigenous people's involvement in contemporary management regimes. Management Agencies will have to accept that Indigenous people want to be involved in *contemporary* as well as *traditional* management activities, and find funding for contemporary Indigenous peoples to undertake caring for country activities. In turn the community members will have to accept that a new regime is needed to ensure that their harvest of threatened species is sustainable.

## 11.4. Resolving Conflict

There is a real need to acknowledge and enact the relationship between words and actions, the discursive and the non-discursive. Conflict is a key part of the discursive power and knowledge landscape. Conflict within the conservation arena, as highlighted in Chapters 2 and 7, can be generated between all the people involved and reflect economic, social, political, moral, emotional and historical dimensions that may be independent of the management objective or program. Therefore, conflict resolution must be a key management imperative (Babbie et al. 1994; Oviedo 1999; Talaue – McManus et al.1999; Tyler 1999). The failure to use conflict resolution mechanisms, along with the

rhetorical commitment by all parties to multiple discourses about community based wildlife and co-management models, created confusion in the Hope Vale planning process. Both the Management Agencies and the Hope Vale residents were reacting to and operating within a conflictual, *not* a cooperative (whether community based or co-management) environment in relation to the planning exercise. The situation remained unresolved and was continually obfuscated by the apparent commitment to collaboration between the parties. As a result, significant blocks to the implementation process evolved for both parties. This situation may have been mediated by the use or application of Native Title resolution and mediation processes, as cited by Havemann et al. (2005) and Jones (2002, 2004). Alternatively, as proponents of adaptive co-management highlight, this conflict, (whether perceived or real) can trigger knowledge generation and 'open up space for new management trajectories of resources and ecosystems' (Folke at al. 2006, p. 446). For example, as Olsson and Folke (2005) highlight in a review of adaptive co-management in Lake Racken catchment in western Sweden, the threats of acidification and overfishing actually mobilized learning and generated ecological knowledge amongst local groups.

Many conventional resource management responses however, are essentially designed to avoid, not resolve, conflict (Tyler 1999).[83] For example, many organisations seek anaemic solutions that immediately appease or calm a situation by employing co-option mechanisms within management that enable both parties to call a nominal truce and work together in the short-term. A good example of such a mechanism is the use of facilitation or 'fee for service' activities within co-management discussed by Management Agency

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[83] Tyler (1999) identifies sources of conflict as uncoordinated planning, inadequate information or consultation, discriminatory or unclear tenure policies, population displacement and migration, piece meal approach to reform, vague policy directions and inadequate support for reforms.

respondents within chapter 8[84]. As shown in Chapters 8 and 9, in this context

Management Agency respondents considered co-option to be viable and, in terms of

power relationships, a preferable alternative to the community based processes aspired to

by the Hope Vale Community. Castro and Nielson (2001) specifically reflecting on co-

management concur that co-option is often the end result of co-management trials:

> As might be expected, co-management regimes encompass a broad spectrum of
> policies and institutional arrangements for participation, partnerships, and power
> sharing. The regimes can be a source of conflict when they provide limited bases
> for local participation. At the less participatory end of the scale are advisory
> councils, review committees, and other forums aimed solely at public consultation
> with State resource managers. Consultation furnishes opportunity for people to
> share their interests and knowledge, exposing decision makers to a wide range of
> issues, concerns and needs. At best the process is a modified form of top-down
> resource management. In the worst case scenario people find they are members of
> advisory groups from which no-one seeks meaningful advice. Co-management in
> such cases essentially *co-opts* local interests, providing only a venting
> outlet…frustration over being limited to a consultative role can itself generate
> further conflicts – especially when those in power do not seek out, or listen to,
> advice (Castro and Nielson 2001, p. 235).

In this context, while neither Hope Vale nor Management Agency respondents talked

about adaptive co-management *per se* in the context of the management needs of the

planning process, the emphasis within adaptive co-management models on flexibility,

polycentric governance and resolving uncertainty in contexts of change could provide

some useful future baselines for adoption or adaptation within this or future similar

initiatives and avoid the tendency towards coption outlined above.

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[84] In this context it is important to note that not all Indigenous communities would necessarily be opposed to 'fee for
service' activities. For example, Girringun, an Indigenous corporation in Cardwell, along the GBRWHA, suggest a
staged co-management paradigm, the first stage of which includes 'fee for service' relationship and the last stage of
which is a full management partnership (Nursey-Bray and Rist 2002).

## 11.5. Ways Forward: Building Social Justice Into Conservation

Brechin et al. (2003a) suggest that resource management processes must go beyond conflict resolution. They consider the core challenge in natural resource management is how to embed social justice within conservation:

> Nature conservation is a process of human organisation. It has been about crafting the organisational and institutional capacity necessary for pursuing socially just biodiversity conservation. Socially just conservation can only be obtained through the human capacity to negotiate agreements of understanding and responsibilities among all affected parties (Brechin et al. 2003a, p.179).

In order to progress the Indigenous natural resource management agenda, whether as a community based wildlife or co-management regime, different discourses and knowledge bases must be integrated to provide equity within power relations, in a way that enables both biodiversity protection and cultural survival imperatives to be achieved. Processes of integration must be workable and politically feasible. The missing link is the failure of most natural resource management processes to incorporate social justice agendas within management regimes.

Croal and Darou (2002) argue that new models of natural resource management are needed to build on the roots of cultural identity, enable a true sharing of knowledge systems and revitalise social institutions within Indigenous communities. The approaches described in Chapter 2 also attempt to incorporate social justice dimensions (Purcell and Onjoro 2002). However, Brechin et al. (2003b) argue that most core approaches, and specific models of management such as community based wildlife management or co-management, still focus on objectives, 'the what', but do not comprehensively consider the social and political processes by which conservation initiatives are undertaken, the 'how'. They are structurally rather than process based. Brechin et al. (2003b) add:

how biodiversity protection should occur and who will enjoy the benefits or bear the burden for its impacts often are not clearly defined. We have yet to fully articulate the procedural and distributional aspects of social justice as they relate to the goal of nature protection (Brechin 2003b, p. 251). [85]

As Robinson and Bennett (2000) reflect, achieving sustainability in wildlife management has multiple economic and social/cultural dimensions, aspects that are as vital as the ecological dimensions. As an alternative to these approaches, Brechin et al. (2002) and Wilshusen et al. (2002) explore the idea of conceiving conservation as the process of seeking the answer to a series of moral questions including: (i) who benefits from conservation?, (ii) does the preservation of basic human rights supercede the goals of biodiversity conservation?, and (iii) how can the ideals of human dignity and nature protection be pursued in concert rather than in opposition?

In this way, the development of socially just conservation is cast as a series of processes or principles. To date, most work that focuses on incorporating social and cultural dimensions is from the application of participatory research, rapid rural appraisal and other techniques to equalize power, specifically in developing countries (Milligan et al. 2006, Rambaldi et al. 2006, Bigg 2006, Vermeulen 2005). The work undertaken by the International Institute of Environmental Development is a good example of how these techniques have been applied in co-management contexts (Fabricius and Koch 2004, Roe et al. 2001). However, as I highlighted in Chapter 2, Brechin et al. (2002), build on these ideas by developing six key concepts of social and political processes that must be embedded within conservation programs in order to make them socially just. Underpinning these concepts is the requirement that socially just conservation initiatives must fulfil the three criteria of being: (i) ecologically sound, (ii) politically feasible, and

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[85] Social justice can be broadly defined as the right to political, economic and cultural self determination.

(iii) socially just.  It is these criteria I have chosen to focus on to build a methodology for the socially just conservation management of Green turtle and dugong.

## 11.6. Socially Just Conservation Processes For Green Turtles And Dugongs: A Methodology For Resource Management

It is crucial to develop a methodology for environmental resource management that incorporates social justice within both cultural survival and biodiversity conservation agendas within Indigenous resource management programs in Australia. Brosius and Russell (2003) argue for conservation initiatives that explore ways to support local institutions as a primary goal of conservation:

> There needs to be a greater willingness to ensure two way communication and to be self reflexive, even when conservation goals are slower to materialise. The alternative may be the complete breakdown of relationships between conservation practitioners and local communities (Brosius and Russell 2003, p.55).

The Aboriginal and Torres Strait Islander Social Justice Commissioner takes the position that addressing social justice issues for Indigenous Australians requires recognising their distinctive rights as the original peoples of this land, including:

- **the right to a distinct status and culture**, which helps maintain and strengthen the identity and spiritual and cultural practices of Indigenous communities
- **the right to self-determination**, which is a process where Indigenous communities take control of their future and decide how they will address the issues facing them
- **the right to land**, which provides the spiritual and cultural basis of Indigenous communities (HREOC web site 2005).

In this context, social justice is about ensuring that individuals and communities have the means to decide how and where they live. The Australian Future Directions Forum (AFDF 2006) states that ending Indigenous disadvantage is the number one priority for Australians.

The methodology I present here (see Figure 11.7.1. below) incorporates the principles identified in the emerging literature of socially just conservation and my findings from the research conducted at Hope Vale. It is predicated on the understanding of management as a *process* rather than an *outcome* of actions undertaken and moves away from the structural parameters of both the community based and co-management models outlined in Chapter 2, to advance a series of processes that can be applied within any resource management initiative. However, while this framework is not presented as a co-management process *per se*, it is nonetheless consistent with many of the basic principles of adaptive co-management outlined in Chapter 2.

These processes address the *who, how* and *why* in management. As such, while I developed this methodology specifically for the socially just conservation of Green turtles and dugongs, I believe it has wide applicability and could be implemented within any Indigenous resource management, co-management, community based management or mainstream single sector biodiversity management initiatives. However, given the diversity of locations, cultures and situations within resource management, like all such methodologies it would be a mistake to presume this process could be prescriptive. I offer these processes as a possible avenue, amongst many, for natural resource practitioners to consider and incorporate within the parameters of their own planning processes.

This framework takes a problem based approach (see Figure 11.7.1 overleaf). The first step is defining the problem that needs addressing. The problem might be an actual issue, such as how to achieve both biodiversity protection and address socio-economic issues, or it might be the exploration of how to achieve certain outputs in management.

**(ii) Defining and Bridge Building**

Having identified the management problem, the parties involved must come together and establish a common understanding of the definition and dimensions of the problem. Having a working knowledge of each other's culture and common understanding about the management issue is vital at this stage because this knowledge will frame the parameters for each party and determine their respective management commitments. Central to this process will be the necessity to maintain the notions of community and participation (Brosius and Russell 2003). This bridge building phase is where important differences in understanding can be drawn out through forums of independently facilitated negotiation and debate. Any process that enables the discourse environment within which the parties are operating to be articulated will be appropriate in this stage. The importance of different understandings should not be under-estimated. As this research has found, different discourse domains, unless made visible, recognised and dealt with, will have a significant impact on and permanently affect the management process.

Having established some common platforms for negotiation, the parties involved in the management initiative can then proceed to the next phase, the determination of their respective management commitments. Couched within common understandings of the management issues, the management commitments made will need to occur in three categories: (i) ecological sustainability, (ii) knowledge integration, and (iii) power sharing. It is important to separate each dimension. Failure to disaggregate these issues can have devastating consequences for both people and the environment as demonstrated in Chapters 9 and 10. The commitments made at this stage will effectively constitute the *how, why* and *what* needs of management.

| MANAGEMENT PROBLEM | → | BRIDGE BUILDING DEFINING COMMON GROUND AND DISCOURSES |

**MANAGEMENT COMMITMENT 1:** ECOLOGICAL SUSTAINABILITY

**MANAGEMENT COMMITMENT 2**: KNOWLEDGE INTEGRATION

**MANAGEMENT COMMITMENT 3:** POWER SHARING

**WHAT**
Resources
Context
Research needs
The problem

**HOW**
Cross cultural literacy
Common understandings
Respect
Knowledge incorporation
Process and actions

**WHO**
Roles
Trust
Parity
Capacity
Conflict resolution
Autonomy

**S O C I A L L Y   J U S T   C O N S E R V A T I O N**

**Evaluative Criteria 1**: Ecologically Sound

**Evaluative Criteria 2:** Socially Just

**Evaluative Criteria 3:** Politically Feasible

**Figure 11.7.1.** A socially just conservation process: a methodology for management

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Once a mutual platform of needs and actions is developed, each party must then articulate their specific commitment to them. This commitment must be based on a realistic assessment of capacity and preparedness to contribute. The commitment in each case might range from large to small scale, depending on the outcome of the negotiations. For example, in order to address the discourse emphasis by Hope Vale on community well being and welfare, the drivers identified by the Millennium Ecosystem Assessment (Millennium Assessment 2003) within their typology for Human Welfare could be incorporated within this stage of the process. These drivers are: demographic, economic, socio-political, scientific and technological, culture and religion and physical, biological, and chemical. This process of iterative negotiation and commitment provides the opportunity to develop a management program that is always achievable and that over time can build up or contract depending on circumstances. The alternative is the implementation of a management program based on rhetorical commitment, different understandings and unrealistic expectations.

Key to the effective negotiation of these outcomes is the role played by leaders within the different sectors party to the initiative. The role of visionaries, leaders and 'knowledge stewards' is paramount at this stage. Folke et al. (2003) highlight many types of knowledge stewards including knowledge retainers, interpreters, facilitators, visionaries, inspirers, innovators, experimenters, followers and reinforcers. In this context Lebel et al. (2006, p. 456) add that visionary leaders enable 'new and vital meanings, overcome contradictions, create new synthesis and forge new alliances between knowledge and action. Effective leadership in such contexts is transformative, and builds social capital between different groups and leaders, thus building bridges and creating the conditions for joint learning, knowledge sharing and crossing of cultural divides.

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**(iii) Management Commitment 1: Ecological Sustainability**

In order for ecological sustainability to be achieved, it is vital that each party to the negotiation defines their 'needs' or components of the management endeavour. At a minimum, this must include:

(i)       identification of resources needed;

(ii)     identification of the awareness of the existing scientific and knowledge basis of the problem;

(iii)    understanding of the processes behind the ecosystem and population dynamics of the problem

(iv)    evaluation of education needs to heighten skills and understandings about the problem;

(v)     knowledge of existing management solutions for the problem;

(vi)    evaluation of research needs to further build knowledge about the problem.

At the start of the Hope Vale Plan implementation process for example, negotiations between GBRMPA and Hope Vale could have defined in detail the real and expected needs and objectives of each party in relation to ecological sustainability. This management component addresses the *what* in management. It is the component on which Management Agencies conventionally focus. The Hope Vale Plan is a good example of this approach because while it did attempt to make a commitment to ecological sustainability, it was not accompanied by an assessment of what resources would be needed to achieve ecological sustainability. The Hope Vale process also only

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focussed on one (hunting), rather than the many threats to species sustainability. Nor was an assessment made of who was going to resource what.

More importantly, there was no agreement between the parties as to what the problem was. A lack of awareness on both sides about research needs and the existing information exacerbated the process. This situation would have made it impossible for Management Agencies and Hope Vale to determine their commitments within this component.

It is also vital to determine what comprises the suite of management options available to each party. In some cases the management options available may necessitate investment in new infrastructure, which may or may not be feasible. In other cases, some of the management mechanisms may be available only to one member of the management parties (e.g. traditional hunting management practice or western law enforcement programs). Such a situation will necessitate mutually agreed outcomes and role definition. Working through all these processes will then enable each party to determine what they can *realistically* offer and within what parameters they will be working.

## (iv) Management Commitment 2: Knowledge Integration

This component relates to developing the *how* in management and, as illustrated above, it is the least acknowledged component in contemporary management. Developing mechanisms to build the *how* into management requires the integration of Indigenous and non-Indigenous knowledge systems. Until such integration is achieved, collaborative and equitable decision-making will be impossible to achieve. Davies et al. (1999) supports

this view noting there are many barriers that limit the effectiveness of the integration of

scientific and Indigenous knowledge systems including:

> (i) naïve cross cultural understandings, (ii) erosion of authority and interest in
> culturally directed management, (iii) threats to continued Indigenous wildlife use,
> (iv) marginal linkages between government approaches to natural resource
> management and to Indigenous affairs, and (v) lack of resources for Indigenous
> groups to pursue long term management programs (Davies et al. 1999, pp. 4-5).

This position is supported by Sillitoe (2002a) who argues that such collaboration and

integration of knowledge is critical:

> Interdisciplinary research with a local knowledge perspective involves the
> reconciliation of tensions evident between the natural and social sciences,
> assuming that outsiders have something to contribute to…and that Indigenous
> knowledge needs to be conveyed to technocrats and policy makers such that
> they can appreciate its relevance. This is the way to dismantle the divide
> between Indigenous and scientific knowledge (Sillitoe, 2002a, p.19)

Respecting Indigenous people's knowledge and contributions to management is crucial.

As outlined in Chapter 2, while the traditions and knowledge systems of many

Indigenous peoples around the world are being re-invented out of the colonial era, they

have been increasingly threatened by the globalised mainstream which is pushing further

and further into Indigenous communities (Suzuki and Knudtson 1992). Further, Wohling

(2001, 2002) argues for the need for reciprocity in engaging with Indigenous peoples so

that management outcomes are maximised and involvement and ownership by and for

Indigenous peoples in the project is secure. The development of these processes will

enable the enactment of existing cultural traditions. These processes may include the

acknowledgement or incorporation of aspects each party finds culturally unpalatable, or

the incorporation of cultural mores such as the respect, sharing and other attributes

discussed in Chapter 2.

Moreover, mechanisms must be embedded within these components to recognise diverse gender roles as a crucial aspect of the knowledge sphere in management. Such recognition is important because, as outlined earlier in Chapters 2, 7, 8, and 9, the role of women within Indigenous hunting societies, is varied, and at times, culturally confronting. The Draft Resolutions from the Indigenous Rangers' Conference (2001), for example, reflect the need and aspirations of Indigenous women to be involved in Indigenous resource management and in all that entails. Therefore, expectations of gender must be consistent between participatory parties. This perspective partly entails trying to understand, without generalising, the different ways in which women may view the world but recognises that they added cross-cultural dimensions to the project at hand. Davis (1999) argues that many Indigenous women today claim the dominant role in management and thus must be incorporated within programs. There are many ways that management programs can recognise the role of women.

Finally, it is important to recognise and construct forums from which Indigenous people can manage the land and enact their roles as stewards of knowledge and therefore management. As Posey (2002, p. 28) notes 'Indigenous people frequently view themselves as guardians and stewards of this spiritual nature of spirit.' Or as Langton (2000) reminds us, land for Indigenous peoples is a manifestation of symbolic environmental space.

**(v) Management Commitment 3: Power Sharing**

The essential commitment is the determination of how both parties are going to share power within the management initiative. My thesis has shown that the appropriation of

power within a natural resource management initiative is a key driver for its success or failure. This component addresses the *who* in management.

At the start of a negotiating process, there must be an acknowledgement that there are likely to be inequities within the power relations between the parties involved. However, it is of the utmost importance for the parties to acknowledge that each party is also likely to possess a level of power that will make an effective contribution. For example, in the case of the Hope Vale Plan, such an acknowledgement would have necessitated the Management Agencies recognising that the community could make a set of discrete, but very significant contributions to the management endeavour. Moreover, in addressing the inequities, management parties should develop mutually agreed power-sharing mechanisms at the outset of the negotiation. Indigenous people must be supported to manage their own land and sea (Mitchell 2002).

This situation again demonstrates the importance of a common discourse understanding. Each party at the negotiation table needs to be clear on the levels of power and the capacity of each party to use its power resources. The willingness to share power in a management initiative renders the entire process more equitable and transparent. This honesty also enables a clearer answer to the moral questions within management that Wilshusen et al. (2002a, 2002b) outline, such as who benefits from conservation.

In order to ensure real parity within this component, both management parties must establish what capacity is available and needed to: (i) implement the management program, (ii) build trust and respect as part of the process, and (iii) resolve conflict. At

this point, I believe the development of cross-cultural literacy will enable these issues to be addressed.

As noted in Chapters 2 and 3, and recalling Howitt's (2001) argument that we need to develop new ways of seeing, thinking and doing, we need to work towards the building of multi-cultural literacy through a 'multi-cultural toolbox' within management (Jacobs and Mulvihill 1995). Flexible mechanisms that take into account differences in cultural perspective need to be negotiated. As noted in Chapter 10, this process includes engagement with and incorporation of the entire cultural perspective of each party, including aspects that are culturally uncomfortable to each.

Power sharing will also need to include a shift in management understanding of what 'local' and 'cultural ' knowledge is and the role it plays in the decision making processes. This shift will mean a restructuring and re-negotiation of the different layers engrained within 'knowledge,' such as sacred/secret knowledge, male/female knowledge, traditional ecological knowledge, song, stories, experience, laws (tribal or otherwise), cultural mores and social traditions and ideological orientation (Johannes 1989). Again, parity in power will include the cultural mores of respect, identity and connection to country, that, as outlined in Chapter 2, are such a vital part of contemporary hunting practice worldwide. Moreover, as shown in Chapters 5 and 6, resource managers aspiring to develop cross-cultural forums within management cannot help but be informed by an awareness of the history of racial division and the current social and economic conditions prevailing in Indigenous communities. Drawing a curtain over the past does not make it disappear, and serious engagement and power sharing processes enacted by management need to accept the history and politics from which these initiatives have burgeoned.

Finally, a fundamental aspect of genuine power sharing is sharing resources and building capacity. This process may necessitate developing cross culturally appropriate ways of building capacity and adopting culturally different modes of decision making. Within the Hope Vale planning process, power sharing might have meant one party lending the weight of its resources to the other, e.g. Management Agencies providing resources for enforcement. Importantly, this process, as all of the processes suggested here need to be two-way, in that they necessitate both Indigenous people and Management Agencies to appropriately recognise differences between them.

Power sharing can be developed in many ways: (i) through developing forums for decision making, (ii) by developing processes of information transfer, communication and development, and (iii) by sharing resources and capacity. Achieving parity (however that is conceived by each participant in the management exercise) is the key challenge to any commitment.

**(vi) Evaluation**

As highlighted in Chapter 2, two key lessons from the implementation of co-management worldwide to date include: (i) a need to avoid blaming communities if co-management initiatives falter, and (ii) a need to give such programs the opportunity to consolidate through ongoing capacity building, presence and leadership and investment. A process of continual assessment is required. The management program needs to be evaluated against the following criteria: (i) Ecological Sustainability, (ii) Social Justice, and (iii) Political and Economic Feasibility. These criteria encompass the core dimensions with which contemporary managers need to engage. These criteria also work by measuring the what

(ecological sustainability), how (knowledge sharing) and who (power sharing) of management to see whether the management parties have met the commitments, and to identify problems encountered during the management trial. The framework process can then continue having incorporated the lessons learned from previous experience, in an adaptive co-management cycle. For the Hope Vale community, such a process would have enabled a frank exchange of views about the process whilst creating the opportunity to learn from past experience. Both parties to the process would have been able to re-commit to a planning process by creating realistic parameters for management, without the shame, frustration, and inherent conflict that dominated this project. Both parties to the management endeavour should learn from each other, and work together productively to achieve, over time, and incrementally, long term cultural survival and biodiversity protection goals.

## 11.7. Practical Steps: Socially Just Conservation Management in action

This methodology for achieving socially just conservation management could be an effective tool for the current management of hunting of Green turtles and dugongs. Specifically, it could be applied to drive a whole of government approach to achieve social justice outcomes for Indigenous people in resource management because it asks negotiating parties to go beyond simply drawing up rhetorical agreements, (often the result of well-meaning but inadequate facilitation or mediation exercises), and requires parties to negotiate outcomes that are: (i) socially just, (ii) politically feasible, and (iii) environmentally sustainable. There are a number of advantages to this process. Firstly it ensures that prior to the commencement of any management process, each party has a clear understanding of each other's perspective. As I have demonstrated, with the case study of the Hope Vale Plan, this lack of understanding was a crucial factor in the Plan's

failure. Ensuring that everyone is 'singing from the same song book' and operating from common discourse bases is vital.

Secondly, this management process does not define a required scale for the management outputs. Management programs may be large or small in spatial and financial scale. Implementing this process will ensure that it will be culturally appropriate yet within the ambit of each party's ability to deliver on their mutually agreed commitments. A third advantage is that there are no defined timelines for implementation of this methodology for management. Rather the time taken will depend on how parties commit to work with each other at any given time, and the commitments they are prepared to make to the process to reach mutually agreed outcomes.

The socially just conservation management process embodies both a structure and a process and can be applied to any management problem or system. Most importantly, this process enables the development and implementation of all kinds of conservation management programs, whether it is a hunting management plan, an enforcement program or the gathering of environmental information about a problem. This methodology thus enables the linking of wider political and historical frames to local scales, and provides for the recognition of social justice within conservation. Crucially, this methodology offers a series of processes which encourages a fluidity in approach, while providing some structure without being prescriptive *per se*.

However, it is important that this methodology is implemented in such a way that it is understood by Management Agencies and Indigenous peoples alike to be more than an intellectually esoteric or arm waving enterprise. How could this methodology be applied in practice?

### 11.7.1. Regional Approaches

### 11.7.1.1. TUMRAs

As outlined in Chapter 5, the development of TUMRAs, is now the key approach to the specific management of Indigenous hunting along the GBRWHA. There are two TUMRAs under consideration within the Hope Vale region at the time of writing. In this case, staff from the GBRMPA could apply the processes for bridge building within the methodology to the development of TUMRAs, to enable the development of a common understanding on the use and management of Indigenous harvest between the relevant traditional owner group and the Management Agency. The application of this methodology would at least thus ensure that when a TUMRA is developed, that it would be socially equitable, ecologically sustainable and politically feasible. Adoption of such a process would greatly enhance the chance of success for a TUMRA and forestall future disappointment such as that experienced with the Hope Vale Plan. As Havemann et al. (2005) note, TUMRAs as currently constituted still enable the managing agencies to maintain control over the management regime. Thus the implementation of this methodology would enable the definition and implementation of milestones that are socially just and environmentally sustainable programs within the realms of what is politically feasible for both parties.

### 11.7.1.2. Regional and Local Green Turtle and Dugong Management Programs

Since the inception of the Hope Vale planning process, a number of other initiatives for managing the harvest of dugongs and Green turtles have been established across Australia. In Queensland, for example, the Quandamooka people (Quandamooka 2002) developed a traditional hunting management strategy based on the template of the Hope

Vale Plan. In 2004, the Angumothimaree Paynaranama people, of Pine River, north-west Cape York became signatories to a memorandum of understanding with the Queensland Environment Protection Authority to guide their traditional hunting practice (Angumothimaree Paynaranama and EPA 2004). In 2005, the Framlingham Aboriginal Trust and Winda Mara Aboriginal Corporation released the *Kooyang Sea Country Plan* and develops management priorities for south-western Victoria, an area that includes more than 700ha in Indigenous Protected Areas and is touted as the first cooperative sea country plan to be developed nationally under the Australian Government's regional marine planning program (Campbell 2005). Regionally, the current NHT program has funded regional and community based Green turtle and dugong hunting management and planning initiatives for communities from the Northern Territory to the Torres Strait, a program implemented by the Northern Australia Indigenous Land and Sea Management Alliance (NAILSMA)(TSCRC 2004). These initiatives provide opportunities for the principles within the methodology for socially just conservation management to be applied. In negotiating community and regionally representative agendas for the management of Green turtle and dugong hunting, the processes of bridge building, relationship development and definition of the parameters needed for resourcing would ensure that the *how* and *what* in management are addressed. It would also ensure that the regional plan is politically feasible and effectively resourced, while addressing the biodiversity needs of the species.

## 11.7.2. National Approaches

### 11.7.2.1. Marine and Coastal Committee (MACC)

On an even broader scale, a national partnership approach has been developed by the Task Force on Marine Turtle and Dugong Populations, which in turn is part of the Marine

and Coastal Committee (MACC), a body of the Natural Resource Management Ministerial Council. This approach, developed within the paper 'Sustainable Harvest of Marine Turtles and Dugongs in Australia' (MACC 2005), has the following goals:

(i)     Improve the information base available to Indigenous communities for managing the sustainable harvest of turtles and dugongs;

(ii)    Respect Indigenous and non-Indigenous knowledge and management;

(iii)   Improve education and awareness;

(iv)    Identify the economic, social and cultural factors that contribute to unsustainable harvest levels and identify and implement measures to address them;

(iv)    Protect sea country resources.

In themselves these objectives are commendable, yet when further investigated they reflect a superficial rather than in depth appreciation of the complexity of the issues highlighted in this thesis. It is clear that the dominant objective in this case is biodiversity protection. There are no real mechanisms embedded within the Framework that will practically address the social justice dimensions of employment, health, education and culture for Indigenous peoples in relation to hunting. For example, objectives relating to Goal 2 focus on how to educate Indigenous peoples about the biological importance of the species, not on how to integrate different knowledge domains in management. Objectives within Goal 5 focus on how to achieve compliance in relation to the regulation of poaching and illegal activity rather than on how to train Indigenous peoples in compliance and enforcement strategies in relation to species management and protection. As outlined in Chapters 7, 8, 9, and 10, being resourced and supported to be part of contemporary management regimes is a core aspiration for Indigenous peoples; one that

addresses both the right to participate in environmental management and, through employment, builds in socio-economic elements. Finally, the objectives in Goal 4 clearly exemplify a lack of recognition that social justice dimensions must be integrated into management processes. Despite Goal 4 expressly focussing on socio-economic issues within management, the approach (consistent with my findings in Chapter 8), actually constructs these socio-economic factors as threats to the management of Green turtles and dugongs, rather than as issues that needs incorporating within management. This Goal is also based on a simplistic appreciation that economic, social and cultural factors are about the value of Green turtles and dugongs as a 'source of protein', rather than the deeper social, cultural and economic issues and the interplay between them presented in Chapter 7. A key flaw in the National Approach is its focus on the species, rather than the people. It therefore attempts species rather than people management. However, if the National Approach adopted the methodology for management suggested in this thesis it could implement its goals and objectives in a way that would effectively achieve both cultural and biodiversity goals in a socially just and responsible manner.

## 11.8. Whole Of Government Approach: A National Indigenous Caring for Country and Cultural Program

The approach taken by MACC also falls short of addressing the reality that for Indigenous peoples 'caring for country' is also about self, culture and identity. In this context, Pearson (2000a, 2000b) has repeatedly called on Indigenous peoples to work proactively towards economic self-determination, in order to establish effective and productive on ground programs. The appalling socio-economic conditions still prevailing in Australian Indigenous communities and the legacy of colonisation also necessitate the

development of resource management initiatives that encompass holistic and whole of government approaches. As shown in Chapter 2, this has been partially recognised in suggestions for caring for country programs (Young et al. 1991; Woenne-Green et al.1994; Ellis 1999) and through proposals for integrated regional frameworks (Craig and Jull 1995; French 1995). In Cape York, the Cape York Land Council investigated options to establish whole of government approaches to Indigenous people through the establishment of a coordinating body for Indigenous resource management (Nursey-Bray and Wallis 1996). The Cape York Land Council and subsequently Balkanu proposed a system of Indigenous Land and Sea Management Centres, (CYLC 1996, 1997), a concept that was subsequently funded through the Cape York NHT program, and designed to establish regional caring for country and culture programs. Most recently, Barnett (2005) has called for:

> strategic government initiatives and guidelines in place to provide more coordinated approaches to Indigenous engagement by natural resource management agencies and associates, which promote shared responsibility, partnerships, whole-of-government, regional focus, flexibility and an outcomes focus (Barnett 2005, p.3).

However, as noted by Marsh (2003b, *in press*), these initiatives are not in and of themselves sufficient to ensure ongoing practical management of issues such as Indigenous hunting of threatened wildlife such as Green turtles and dugongs. In reflecting on the progress towards cooperative management of marine hunting in the Great Barrier Reef, Marsh (*in press*) sketches the necessity for a whole of government approach that builds on the existing land and sea management programs based on CDEP and short-term funding from a variety of programs such as the National Heritage Trust. Marsh (*in press*) argues for the recognition of socio-economic issues by advancing recommendations including: (i) recognition of cultural dimensions in management; (ii) flexibility in

management; (iii) developing wide ownership of the management process; (iv) ensuring respect and equality within negotiations; (v) the development of statutory co-management arrangements; and (vi) the effective, long term resourcing of management, in ways that build community capacity.

In this context, social justice within conservation could be achieved in practical terms through a national initiative that will not only train and resource Indigenous Australians to help manage land and sea country, but create meaningful employment opportunities. In turn, such an initiative has the potential to facilitate a reduction in the social problems experienced within and by remote Indigenous communities as well as helping to protect Australia's biodiversity. In this context, a number of recommendations could be made.

## 11.9. Policy Recommendations For Resource Managers

In the development of natural resource initiatives resource managers need to:

1. Adopt processes such as the methodology for socially just conservation management within Indigenous resource management and biodiversity conservation programs.

2. Address the *how*, *what* and *why* within management by: (a) conducting their negotiations such that the development of common understandings is a management priority, and (b) ensuring that each initiative is evaluated against the three criteria of: (i) social justice, (ii) political feasibility, and (iii) environmental sustainability.

3. Form partnerships with other government agencies (such as health, education, housing, customs, quarantine) to consider, in consultation with the relevant Indigenous parties or individuals, how best to coordinate and integrate activities

and programs in such as way as to achieve holistic, socially just, politically and economically feasible, and environmentally sustainable community management and biodiversity outcomes.

4.  Establish a small expert group facilitated and co-coordinated by an Indigenous leader, to develop a policy briefing for submission to Commonwealth and State governments in relation to a national 'Caring for Country and Culture' Scheme, that will address both socio-economic, cultural and biodiversity objectives for the management of Indigenous land and sea country, and other related matters of importance to Indigenous leaders.

## 11.10. The Advantages of a Methodology for Socially Just Conservation Management and Recommendations for Management

As shown above there are many opportunities currently available to resource managers to incorporate social justice outcomes within natural resource management. Adopting such recommendations will decrease impacts on threatened species while achieving an increased involvement in management by the communities and individuals most affected. The recognition and implementation of a national approach would also strengthen cultural integrity and increase the visibility and viability of different cultural approaches. Finally, the development of such regimes would not only be cost effective, but also ensure more holistic approaches to natural resource management.

## 11.11. Summary

This chapter outlined the strategic use of discourse to build bridges of linguistic and other understanding within resource management and the importance of recognising social justice agendas within conservation. In this context, I present a methodology for

management that entails the development of social justice and conservation within management and reflected on how it could have been applied to the Hope Vale initiative, and within other forums for Green turtle and dugong management. I conclude with policy recommendations to managers and Indigenous peoples in relation to expediting the principles suggested and priorities identified within the rubric of achieving social justice within conservation.

## 12.0. Conclusions

### 12.1. Introduction

In this chapter I revisit my thesis that language matters in resource management, and reflect on how this case study illustrates that in order to achieve effective management of traditional hunting of Green turtles and dugongs in the GBRWHA, both Management Agencies and Indigenous communities need to be working from a common discourse base. I summarise the key findings of my research and my suggested response. I conclude with suggestions for future research that will contribute towards an identification of how to reconcile cultural survival and biodiversity protection objectives within resource management of protected areas.

### 12.2. Cultural Survival and Biodiversity Protection: the Project

> The conservation community stands at an important crossroads. Its members have tried different strategies, secured generous funding and made important conservation advancements. Yet it still has much to learn regarding the human organisational factors that largely determine the success or failure of biodiversity conservation endeavours (Wilshusen et al. 2003, p. 20).

Wilshusen's words are timely because natural resource management programs and mechanisms that are designed to protect the environment and its resources are increasingly being attacked for simultaneously compromising human rights. There is no easy solution to this predicament and as Fortwangler (2003) notes, there are many roadblocks to incorporating social justice into protected area policies. Biodiversity protection programs moreover, have had substantive impact upon Indigenous cultural survival agendas within protected areas.

In this context, my research reflects on the impact biodiversity programs have had on human rights by focussing on the management of Indigenous hunting (in this case through the Hope Vale Plan) of endangered and vulnerable species Green turtle and the dugong, in a protected area, the GBRWHA. Indigenous utilisation of wildlife is an appropriate research focus as hunting provides (in many cases, not all) ongoing economic, cultural and dietary sustenance for many Indigenous groups. The Hope Vale Plan embodies a commitment to respect the cultural right to hunt and ensure the sustainability of the species. Drawing on Christie (1996), Brechin et al. (2002, 2003), Brosius and Russell (2003), Howitt (1990, 2001), and Wilshusen et al. (2002), my research method specifically applied the results of both participant observation techniques and discourse theory to focus on the use of language in resource management. As noted in the introduction, one way to equip resource managers with tools to enable them to engage with the political, moral and ethical dimensions of management is the development of a 'common' language within environmental management domains' (Howitt 2001). The research framework I adapted from Fairclough provided productive parameters within which to sequentially build and present my argument and information. This framework allowed me to identify the problem, reflect on whether or not the discursive tensions re-constituted themselves as a 'need' for the problem to remain and considered what opportunities are available to 'resolve' the problem of Indigenous hunting of Green turtles and dugongs in the Great Barrier Reef World Heritage Area. The use of discourse also enabled me to ensure the application of a methodological process that enabled a structured and rigourous interpretation of my results, an important factor given the politicized and polarized nature of the issue. My own personal connections to

the Hope Vale community also demanded I develop techniques to ensure my independence and objectivity.

## 12.3. Key Findings

### 12.3.1. Significant Discourse Differences

My analysis of the Hope Vale and Management Agencies discourse demonstrated that if parties to a negotiation confer at cross-purposes with each other then the chances of management success are greatly diminished. Hope Vale respondents focussed on *who* was going to be involved in the management; *who* would get funded, *who* were the community members liaising and taking leadership. Management Agency respondents were focussed on the *what;* such as *what* was the product being produced (the Hope Vale Plan), *what* would be the tangible outcome either in higher species numbers or less hunting, and *what* management techniques were need to achieve and measure these outcomes.

### 12.3.2. Language Does Matter

From the analysis and identification of the different discourses above, I conclude that the use of language in the development of natural resource management plans between Indigenous peoples and government Management Agencies has significant influence over management outcomes. As highlighted in Chapters 10 and 11, the clash of discourses and practice, discourse and discourse, or multiple discourses and practice significantly affected the implementation of the Hope Vale Plan. My analysis of the power and knowledge relations prove that far from being a collaborative management exercise, the Hope Vale hunting initiative was an example of conflict between Indigenous and non-Indigenous interests in the natural resource management arena.

### 12.3.3. Incorporation of Social Justice Outcomes in Natural Resource Management Programs

As I outlined in Chapter 6, Indigenous Australians still live on the margins of society and their levels of health, education, life expectancy and living conditions are significantly lower than those found in non-Indigenous communities. As shown in Chapters 7, and 8, these factors played key roles in the development and implementation of the Hope Vale Plan. Such socio-economic conditions are not conducive to traditional forms of biodiversity protection as the community inevitably focusses on rectifying social inequalities. Social justice outcomes then, must be sought and embedded within natural resource management programs.

### 12.3.4. Managing the Impact of External Forces

My use of discourse analysis revealed the multiple layers of complexity involved in the exploration of Indigenous hunting and management of Green turtles and dugongs within a protected area, including how the discursive practice was linked to the politics of resource access and control. This analysis was achieved by employing Blaikie's (2003) model of simultaneously focusing on several scales of analysis. For example, as shown in Chapters 7-9, my analysis demonstrates how institutional arrangements that govern the hunting management arena in Australia are influenced by wider political events such as the International Whaling Commission Meetings (e.g. IWC 2000) and the GBR Representative Areas Program. This message is important for Indigenous peoples aspiring to work collaboratively with Management Agencies, demonstrating that it is impossible to divorce local initiatives from wider ideological and political arenas.

Managing such external forces is critical for the successful implementation of co-management programs.

## 12.4. Key Research Challenges

As outlined in Chapter 4, (see also Appendix 5), I experienced challenges whilst conducting my research. Politically, ideologically and emotionally, the subject of Indigenous hunting in Australia is contentious. Being a white female conducting research into the activities of an Indigenous cultural issue dominated by men posed serious research management issues. From an academic perspective, integrating different knowledge disciplines was a significant challenge. At a cultural level, I had to ensure that I presented Indigenous information as 'interpretive' rather than 'constitutive of' Indigenous values and knowledge. Management of information was difficult because while scientific paradigms construct knowledge as a common pool resource, one that should be publicly available, Indigenous knowledge systems privilege certain groups and individuals depending on the subject matter. Thus, whilst writing my thesis I had to make judicious decisions about what detail and examples to include and what it was culturally appropriate to exclude.

Separating the personal from the professional proved to be a challenge. It was hard for the community to differentiate my roles as researcher and acquaintance/friend. It was much easier to make this delineation in exchanges with Management Agency staff who generally made a clear distinction between my personal and professional roles. Collectively, these challenges influenced how I conducted my research at Hope Vale and with Management Agency staff. As discussed in Chapter 4, I established a research

protocol with the Hope Vale Community and formulated a specific methodology for information collection and dissemination.

Through the development of a comprehensive research protocol, ensuring I had both male and female Indigenous mentors, and by consistently confirming my actions within and seeking guidance from the community, I overcame many of these challenges. For further information, Appendix 5 builds on my method chapter, to highlight some of the specific issues I had and how I overcame. them, outside of the development of the research protocol and use of discourse. This account will hopefully provide some insights for other researchers.

The use of discourse also enabled me to ensure the application of a methodological process that enabled a structured and rigorous interpretation of my results, an important factor given the politicized and polarized nature of the issue. My own personal connections to the Hope Vale community also demanded I develop techniques to ensure my independence and objectivity.

## 12.5. Recommendations For Future Research

My research was conducted with an understanding that Indigenous resource management initiatives are being trialled world-wide and, as outlined in Chapter 2, these experiences had many synergies and commonalities with the challenges presented in my case study. My research makes a specific contribution to this literature by bringing together many of these fields through the application of discourse analysis in an Indigenous Australian resource management context.

Nonetheless, as with most research, this project raises as many questions as it answers. There is a need to investigate further different processes for building common discourses between Indigenous peoples and other parties (e.g. the conservation or tourism sectors). More research is needed to detail the discursive links between the economy and the environment to enable a sophisticated integration of social justice and biodiversity into natural resource management endeavours. Understanding the different discourse constructs on governance of Indigenous and non-Indigenous sectors would be extremely beneficial. Research into establishing and trialling conflict resolution processes is needed. For example, processes used within the Native Title trials referred to by Havemann et al. (2005), and an investigation as to how they should be designed to be culturally appropriate and tailored to Indigenous natural resource management problems needs to take place.

Research identifying the incentives needed to achieve effective and culturally appropriate community based compliance and enforcement would help focus and build collaborative management regimes between cultures. Such research would ensure the appropriate (and mutually agreed to) resourcing of initiatives such as the Hope Vale Plan. Given the changing Native Title landscape, and the recent policy shift at the Federal level (from negotiating with representative bodies to engaging with Traditional Owners on the ground), research into the impact of these changes and Indigenous responses at the local level would help demonstrate how the wider political and social agenda can impact on resource management initiatives.

Generally, research in this area focuses on the developing world. Future research needs to investigate the applicability of some of the lessons learned through Indigenous natural

resource management programs in the developing world to developed countries such as Australia. This need is confirmed by the recent affirmation by the Australian Future Directions Forum that addressing Indigenous disadvantage in Australia is a first priority (AFDF 2006).

Finally, as shown in Chapter 11, there are several national, regional and local initiatives regarding Indigenous hunting of Green turtles and dugongs currently underway across Australia. Future research could evaluate these initiatives through the lens of the socially just conservation process and methodology presented in my thesis, and investigate the ways in which different discourse understandings have influenced and affected the outcomes of these Indigenous hunting management initiatives. As outlined in the recommendations for management in Chapter 11, practical steps, such as the development of a whole of government approach towards a Green turtle and dugong management program, based on incorporating social justice into conservation management, are crucial steps towards achieving both cultural survival and biodiversity protection.

## 12.6. Conclusion

Reconciling human need and cultural affiliation with the biological and ecological needs of target species is a key challenge for environmental managers. Dugongs and Green turtles are iconic species for the GBRWHA embodying the ideals of biodiversity, protection and beauty. Hope Vale community's right to hunt, and its ongoing assertion and defence of that right, goes to the heart of social justice dimensions such as cultural survival, rights, equity and parity. Nonetheless, land and sea management is, and will remain, a political struggle by different stakeholders. Too often, natural resource

management initiatives focus on biodiversity conservation at the expense of social justice and vice versa. More often than not, different sectors promote their own self-interest.

There are strong reasons to broker real collaborations and implement co-management programs. There are approximately 5,000 Indigenous groups in the world, comprising up to 200 million people and 4 per cent of the global population (Howitt 2001). By the time the Earth's population reaches 9 billion people, however, as a result of globalisation, we will all have become part of a wider and more homogenised culture, Indigenous peoples will not be alone in meeting the twin challenge of maintaining cultural identity and environmental integrity. It thus makes sense, (culturally, ecologically, legally, scientifically, and managerially) to support the aspirations of Indigenous and local peoples for their sea country.

The implementation of a methodology for management that prioritises social justice within conservation can provide the opportunity for diverse parties to negotiate and work towards a common discourse for the management of natural resources. A whole of government approach that recognises the multiple social, economic and cultural dimensions of species management is an important first step in creating such common understandings. The development of such commonalities will ensure that all involved will not have to 'eat their words', and resile from previous rhetorical commitments, but work together to achieve collaborative, mutually understood and achievable outcomes that protect both the environment and culture.

The Pearl Lugger, Cape Bedford. *Source*: Lutheran Archives, Adelaide

# 13. Glossary of Acronyms

| | |
|---|---|
| **ACF** | Australian Conservation Foundation |
| **AFMA** | Australian Fisheries Management Authority |
| **AIMS** | Australian Institute of Marine Science |
| **ALRC** | Australian Law Resource Commission |
| **AQIS** | Australian Quarantine and Inspection Service |
| **AMC** | Australian Maritime College |
| **ATSIC** | Aboriginal and Torres Strait Islander Commission |
| **Balkanu** | Balkanu Cape York Development Corporation |
| **CAFNEC** | Cairns and Far North Environment Centre |
| **CRC Reef** | Cooperative Research Centre Reef Research |
| **CYLC** | Cape York Land Council |
| **CYPLUS** | Cape York Peninsula Land Use Strategy |
| **DDM** | Day to Day Management |
| **EPA** | Environmental Protection Authority |
| **GBRMC** | Great Barrier Reef Ministerial Council |
| **GBRMPA** | Great Barrier Reef Marine Park Authority |
| **GBRMPWHA** | Great Barrier Reef Marine Park World Heritage Area |
| **GSWRU** | Girringun Saltwater Ranger Unit |
| **HVAC** | Hope Vale Aboriginal Council |
| **ICAD** | Integrated Conservation and Development |
| **ICDP** | Integrated Conservation and Development Program |
| **IGAE** | Inter-Governmental Agreement on the Environment |
| **IPA** | Indigenous Protected Areas |
| **JCU** | James Cook University |
| **MoU** | Memorandum of Understanding |
| **MPA** | Marine Protected Area |
| **NAEA** | Northern Australia Environment Alliance |
| **NAILSMA** | Northern Aboriginal and Islander Land and Sea Management Alliance |
| **NGO** | Non Government Organisation |
| **NHT** | Natural Heritage Trust |
| **NLC** | Northern Land Council |
| **NOO** | National Oceans Office |
| **NQLC** | North Queensland Land Council |
| **NNTT** | National Native Title Tribunal |
| **PA** | Protected Area |
| **QCC** | Queensland Conservation Council |
| **QDEH** | Queensland Department of Environment and Heritage |
| **QPWS** | Queensland Parks and Wildlife Service |
| **RAC** | Resource Assessment Commission |
| **SOS** | Statement of Significance |
| **TAFE** | Technical and Further Education |
| **TSCRC** | Tropical Savannas Centre for Cooperative Research |
| **TWS** | The Wilderness Society |

# 14. Literature Cited

Aboriginal and Torres Strait Islander Commission and Office of the Aboriginal and Torres Strait Islander Social Justice Commissioner (ATSISJC) 1996, *Indigenous Deaths in Custody 1989 to 1996* AGPS Canberra.

Aboriginal and Torres Strait Islander Social Justice Commissioner (ATSISJC) 2002, *Social Justice Report 2001*, Human Rights and Equal Opportunities Commission, Sydney.

Aboriginal and Torres Strait Islander Social Justice Commissioner (ATSISJC) 2003, *Social Justice Report 2002*, Human Rights and Equal Opportunities Commission, Sydney.

Aboriginal and Torres Strait Islander Social Justice Commissioner (ATSISJC) 2004, *Social Justice Report 2003, Human Rights and Equal Opportunities Commission, Sydney.*

Aken, R 2001, *Setting The Black Green Agenda*, Cape York Land Council, <http://brec.ozecol.org/news/current/blackgreen.html>

Alden Smith, E 1983, 'Anthropological Applications of Optimal Foraging Theory: A Critical Review', *Current Anthropology*, Vol. 24, No 5, pp. 625 – 651.

Alden Smith, E 1988, 'Risk and in the 'original affluent society': evolutionary ecology of resource-sharing and land tenure' in T Ingold, D Riches and J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp. 222-251.

Altman, J 1979, *The Economic Status of Australian Aborigines* (with J.P. Nieuwenhuysen), Cambridge University Press, Cambridge.

Altman, J 1987, *Hunter-Gatherers Today: An Aboriginal Economy in North Australia*, Australian Institute of Aboriginal Studies, Canberra.

Altman, JC (ed.) 1989, *Emerging Inequalities in Aboriginal Australia*, Oceania Monographs No. 38, University of Sydney, Sydney.

Altman, JC 2000, *The economic status of Indigenous Australians*, CAEPR Discussion Paper 193/2000, ANU, Canberra.

Altman, JC 2003, 'Peoples on country, healthy landscapes and sustainable indigenous economic futures: the Arnhem Land case', Paper presented at the *International Association for Landscape Ecology World Conference 2003*.

Altman, JC 2004, 'Development Options on Aboriginal Land: Sustainable Indigenous Hybrid Economies in the Twenty-first Century', in G. Ward, S. Davies & G. Gray (eds) *The Power of Knowledge, the Resonance of Tradition*, Aboriginal Studies Press, Canberra, Australia.

Altman, J & Allen, L 1992, 'Living off the land in national parks; Issues for Aboriginal Australians' in J Birckhead, T De Lacey & L Smith (eds) *Aboriginal Involvement in Parks and Protected Areas,* AIATSIS, Aboriginal Studies Press, Canberra.

Altman, JC, & Gray, MC 2000, *The effects of the CDEP scheme on the economic status of indigenous Australians: some analyses using the 1996 Census,* Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University, Discussion Paper 195.

Altman, J & Peterson, N 1988, 'Rights to Game and Rights to Cash among Contemporary Australian Hunter - Gatherers' in T Ingold, D Riches, & J Woodburn (eds) *Hunter and Gatherers 2: Property, Power and Ideology,* Berg.

Altman, J & Saunders, W, 1995, 'From exclusion to dependence: Aborigines and the welfare state in Australia', in Dixon, J and Scheunell, RP (eds), *Social Welfare with Indigenous peoples,* London Routledge, pp. 209 – 29.

Altman, JC & Whitehead, PJ 2003, *Caring for country and sustainable Indigenous development: opportunities, constraints and innovation*, Technical Report No.20, Working Papers, Centre for Aboriginal Economic Policy Research (CAEPR), ANU, Canberra.

Altman, JC, Ginn, A, & Smith, DE 1993, *Existing and potential mechanisms for indigenous involvement in coastal resource management,* Report prepared for Coastal Zone Inquiry, RAC, Canberra.

Anderson, D 2000, 'Tracking the 'Wild Tungus' in Taimyr: Identity, Ecology and Mobile Economies in Arctic Siberia', in Schweitzer, P, Biesele, M & Hitchcock, P (eds), *Hunters and Gatherers in the Modern World*, Berghan Books, Oxford, pp 233 – 244.

Andrews, E 1994, 'Territoriality and Land Use Amongst the Akulmiut of Western Alaska', in E Burch & L Ellanna (eds), *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 65 – 95.

Angumothimaree Paynaranama (Two Rivers People) & the Environmental Protection Agency, 2004, *Memorandum of Understanding,* 14th October 2004.

Appleton, P 2000, *An Indigenous Co-Management Strategy for the Great Barrier Reef World Heritage Area, Final Report to GBRMPA,* Impact Consulting (Qld) Pty Ltd, Queensland.

Armitage, D 2005, 'Community –Based Narwhal Management in Nunavut, Canada: Change, Uncertainty, and Adaptation', *Society and Natural Resources*, vol.18, pp. 715 – 731.

Arrate, CP & Scarlato, G 1999, 'The Laguna Merin Basin of Uruguay: From protecting the natural heritage to managing sustainable development', D Buckles (ed.) *Cultivating Peace,* International Development Research Centre, Ottawa, pp.237-250.

Aswani S, & Hamilton R 2004, 'Integrating indigenous ecological knowledge and customary sea tenure with marine and social science for conservation of bumphead parrotfish (*Bolbometopon muricatum*) in the Roviana Lagoon, Solomon Islands', *Environmental Conservation,* Vol. 31, pp. 69–83.

Attwood, B 1989, *The Making of the Aborigines*, Sydney, Allen and Unwin

Attwood, B & Arnold, J (eds) 1992, *Power, Knowledge and Aborigines*, La Trobe University Press, Melbourne.

Augoustinos, M 2001, 'History as a rhetorical resource: using historical narratives to argue and explain', in A McHoul & M Rapley, *How to analyse Talk in Institutional Settings. A Case Book of Methods*, Continuum Press, London, pp 135 – 146.

Augoustinos, M, Tuffin, K, & Rapley, M 1999, 'Genocide or a failure to gel? Racism, history and nationalism in Australian talk', *Discourse & Society*, vol. 10, no. 3, pp. 351-378 (1999), Sage.

Australian Bureau of Statistics (ABS) 1995, *National Aboriginal and Torres Strait Islander Survey 1994 - Detailed Findings*, Series cat. no. 4190.0, ABS, Canberra.

Australian Bureau of Statistics (ABS) 2001, *Census of Population and Housing: Selected Indigenous Characteristics 2001,* ABS, Canberra.

Australian Bureau of Statistics (ABS) 2001a, *Population Characteristics, Aboriginal and Torres Strait Islander Australians*, Series cat. no. 4713.0, ABS, Canberra.

Australian Bureau of Statistics (ABS) 2001b, *National Drug Strategy Household Survey* , AGPS, Canberra.

Australian Bureau of Statistics (ABS) 2002, *National Aboriginal and Torres Strait Islander Social Survey 2002,* ABS, Canberra.

Australian Bureau of Statistics (ABS) 2003, *Australian Institute of Health and Welfare (AIHW), The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2003*, cat no 4704.0, ABS, Canberra.

Australian Bureau of Statistics (ABS) 2004, *Indigenous Statistics*, ABS website, August 2004, (viewed March 7 2005),

<http://www.abs.gov.au/websitedbs/D3310116.NSF/0/646d7f493235b4f8ca256ef600
212e19?OpenDocument>

Australian Future Directions Forum 2006, *Consolidated Outcomes*, Meeting held at
the Sebel Heritage Yarra valley, Victoria, 8 February 2006.

Australian Heritage Commission (AHC), 1997a, *Policy in Relation to Aboriginal and
Torres Strait Islander Heritage People and the National Estate*, AGPS, Canberra.

Australian Heritage Commission (AHC) 1997b, *Aboriginal Employment
Development Policy, Community-based Employment and Enterprise Strategies*,
Policy Paper No. 3., Canberra, AGPS.

Australian Human Rights and Equal Opportunity Commission (AHREOC) 2005, *A
statistical overview of Aboriginal and Torres Strait Islander peoples in Australia*,
HREOC website, viewed March 7 2005,
<http://www.hreoc.gov.au/social_justice/statistics/index.html>

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) 2000,
*Guidelines for ethical research in Indigenous studies*, Canberra, Act, 17pp. Online at
<http://www.ai atsis.gov.au/corp/docs/EthicsGuideA4.pdf>

Australian Law Reform Commission (ALRC) 1986, *The recognition of Aboriginal
customary law*, Summary Report No. 31, Canberra, AGPS.

Australian Parliament 2005, viewed March 9 2005,
<http://www.austlii.edu.au/au/other/IndigLRes/timeline/1962.html.>

Australian Parliament 2005, viewed March 2 2005,
<http://www.foundingdocs.gov.au/places/cth/cth1_amend/cth1_p24_s127_1967.html
>
Babbie, E 1992, *The Practice of Social Science*, Belmont, CA, Wadsworth.

Babbie, E, Gutlove, P, & Jones, L 1994, *Handbook of Basic Conflict Resolution
Skills: Facilitation, Mediation and Consensus Building*, The Balkans Peace Project,
Cambridge, Massachusetts, USA.

Backhouse, L 1999, 'Gate keeping of research in Aboriginal communities',
*Aboriginal and Islander Health Worker Journal*, vol.23., no.5, Sept - Oct 1999, pp.
20-25

Bagshaw, G 1998, 'Gapu Dhulway, Gapu Maramba: Conceptualisation and
Ownership of Saltwater among the Burrara and Yan-nhangu Peoples of Northeast
Arnhemland,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in
Australia*, University of Sydney, pp.154-177.

Baker, R 1999, *Land and Life, from Bush to Town. The Story of the Yanyuwa people*,
Allen and Unwin, Melbourne.

Baker, R, Davies, J & Young, E (eds) 2001, *Working on Country, Contemporary Indigenous Management of Australia's Land and Coastal Regions*, Oxford University Press, Melbourne.

Baker, R, Davies, J, & Young, E 2001a, 'Contemporary Indigenosu Management, Managing Country: An Overview of the Prime Issues', in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne

Baker, R, Davies, J, & Young, E 2001b, 'Negotiating Management', in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp.247-255.

Baker, R, Davies, J, & Young, E 2001c, 'Sharing Knowledge', in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp.137-146.

Baker, R, Davies, J, & Young, E 2001d, 'Working on Country. Listening, Sharing and Practical Support,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp 337- 345.

Baldwin, C 1985, *Management of dugong: an endangered marine species of traditional significance. The need for user involvement in and integrated program of research, management and education*, Great Barrier Reef Marine Park Authority Technical Report 1. Townsville.

Baldwin, C 1987, 'Hunting by the people of Hope Vale in the Great Barrier Reef Marine Park: Approaches to management,' *ANZAAS 1987 - Conservation in Aboriginal and Islander Environments,* ANZAAS.

Baldwin, C 1988, 'Management of dugong: an endangered marine food species of traditional significance: The need for user involvement in and integrated programs of research, management and education', in F. Gray & L.Zann, (eds) *Workshop on traditional knowledge of the marine environment in northern Australia,* Great Barrier Reef Marine Park Authority Workshop Series 8.: 134-148. Townsville.

Baldwin, C 1989, 'User perception in a multi use park,' *Paper presented at the 23rd Conference, IAG. International Association of Geographers.* Adelaide.

Balkanu (Cape York Development Corporation) 1997, *Draft Statement of Principles regarding bio-physical research in the Aboriginal lands, islands and waters of Cape York Peninsula*, Balkanu, Cairns.

Barborak, J 1995, 'Institutional Options for Managing Protected Areas' in J McNeely, (ed.), *Expanding Partnerships in Conservation*, IUCN, Island Press, Washington.

Barker, B 1998, 'Use and Continuity in the Customary Marine Tenure of the Whitsunday Islands,' in N Peterson & B Rigsby (eds), *Customary Marine Tenure in Australia*, University of Sydney.

Barnard, A 1979, 'Kalahari Bushman Settlement Patterns', in P.C. Burnham & R. F. Ellen, (eds.) *Social and Ecological Systems,* Academic Press, New York, pp. 131-144.

Barnard, A 1983, 'Contemporary Hunter-Gatherers: Current Theoretical Issues in Ecology and Social Organization', *Annual Review of Anthropology*; vol. 12, pp. 193-214.

Barnard, A 1991, *Hunter Gatherers of Southern Africa: A Comparative Ethnography pf the Khoisan Peoples,* Cambridge University Press, Cambridge.

Barnett, B 2005, *New ways of knowing, for sharing the caring. Current cultural and natural resource management initiatives, policies and partnerships linking researchers, managers and traditional owners in the Great Barrier Reef and Wet Tropics World Heritage Areas*, TYTO Consulting, Townsville.

Barthes, R 1967, *Elements of Semiology*, Jonathan Cape, London.

Barthes, R (trans R. Howard) 1988, *The Semiotic Challenge,* Blackwell, UK.

Barton, T, Borrini-Feyerabend, G, de Sherbinin, A & Warren, P 1989, *Our People, Our Resources*, IUCN, Gland, Switzerland, Online resource, viewed April 17 2005, <http://www.iucn.org/themes/spg/opor/opor.html>.

Batianova, EP 2000, 'Ritual Violence among the Peoples of Northeastern Siberia,' in P Schweitzer, M Biesele & RK Hitchcock, (eds) *Hunters and Gatherers in the Modern World*, Berghahn Books, New York, Oxford**,** pp. 150-164.

Battiste, M (ed.) 2000, 'Introduction: Unfolding the Lessons of Colonization,' in M.Battiste, (ed) *Indigenous Peoples and Postcolonial Colonialism*, UBC Press, Canada.

Baudrillard, P 1983, *Simulations*, Semiotext, New York.

Beaglehole, JC (ed.) 1962, *The "Endeavour" Journal of Joseph Banks 1768 – 1771*, vol. 2, Angus and Robertson, Sydney.

Beaglehole, JC (ed.) 1969, *The Journals of Captain James Cook on his Voyage of Discovery: Volume 1, The Voyage of the Endeavour 1768 – 1771*, Hakluyt Society, Cambridge.

Bedenhorn, B 1990, 'I'm not the Great Hunter, my wife is: Inupiat and anthropological models of gender', *Etudes/Inuit/Studies*, vol. 14, no. 1-2, pp. 55-74.

Beetson, J 2002, 'Consultation and negotiation with Indigenous peoples', *Journal of Indigenous Policy,* no.1, pp. 87-91.

Bell, C 1978, 'Studying the Locally Powerful,' in C. Bell (ed.) *Inside the Whale: Ten Personal Accounts of Social Research,* Pergamon**,** Sydney, pp. 14-40.

Beltran, J & Phillip, A (eds) 2000, *Indigenous and Traditional Peoples and Protected Areas, Principles, Guidelines and Case Studies, Best Practice Protected Area Guidelines,* Series No 4 IUCN, WCU and Cardiff University, Wales.

Bentham, J 1789, *The Principles of Morals and Legislation,* Methuen, London.

Benzaken, D, Smith, G & Williams, R 1997, 'A long way together: The recognition of indigenous interests in the management of the Great Barrier Reef World Heritage Area', in D Wachenfeld, J Oliver & K Davis (eds), *State of the Great Barrier Reef World Heritage Area Workshop Proceedings*, GBRMPA Workshop Series No. 22, pp. 471 - 495, GBRMPA, Townsville

Bergin A 1991, 'Aboriginal sea claims in the Northern Territory of Australia', *Ocean and Shoreline Management*, vol. 15, no. 3, pp. 171-204.

Bergin, A 1993, *Aboriginal and Torres Strait Islander Interests in the Great Barrier Reef Marine Park*, A Report to the Great Barrier Reef Marine Park Authority, Research Publication No. 31., Great Barrier Reef Marine Park Authority, Townsville.

Berkes, F (ed.) 1998, *Common Property Resources*, Belhaven Press, London.

Berkes, F 1999, *Sacred ecology: traditional ecological knowledge and management systems*, Taylor & Francis, Philadelphia and London.

Berkes, F 2005, 'Commons Theory for Marine Resource Management in a Complex World', in N. Kishigami & JM Savelle, *Indigenous use and Management of Marine Resources*, Senri Ethnological Studies no. 67, National Museum of Ethnology, Osaka, Japan, pp 13 – 33.

Berkes F, Colding J, & Folke C 2000, 'Rediscovery of traditional ecological knowledge as adaptive management', *Ecological Applications,* Vol. 10, pp. 1251–62

Berkes, F, Colding J, & Folke C, (eds.) 2003, *Navigating Social-Ecological Systems: Building Resilience for Complexity and Change,* Cambridge University Press, Cambridge, UK.

Berkes, F, George, R, & Preston, RJ 1991, 'Co-Management: The Evolution of theory and practice of the joint administration of living resources', *Alternatives*, vol. 18, no.2, pp. 12 - 18.

Bern, J 1979, 'Ideology and Domination: Toward a Reconstruction of Australian Aboriginal Social Formation,' *Oceania*, vol. 50, pp. 118 - 132.

Berry, M 1995, 'Indigenous hunting and fishing in Queensland: A Legislative Overview,' *University of Queensland Law Journal*, vol. 18, no. 2, pp. 326 – 333.

Beynon, N 2000, 'Outcomes for Marine Wildlife at CITES', *Waves* vol. 7, no. 2, Winter 2000, Marine and Coastal Community Network, Australia.

Bhaskar, R 1975, *A Realist Theory of Science*, Leeds Books, Leeds.

Bhaskar, R 1979, (2nd ed. 1989) *The Possibility of Naturalism*, London, Verso.

Bigg, T (ed.) 2006, *Sustainable Development Opinion papers – How to make Poverty History: The Central Role of local organisations in meeting the Millennium Development*, IIED, London.

Birckhead, J, de Lacy, T, & Smith, L (eds) 1993, *Aboriginal involvement in parks and protected areas*, Aboriginal Studies Press, Canberra.

Birckhead, J, Klomp, N & Roberts, A 1996, 'Protocols for the Participation of Aboriginal Communities in Research and Monitoring', M. Bomford, & J. Caughley (eds) *Sustainable Use of Wildlife by Aboriginal Peoples by Aboriginal peoples and Torres Strait Islanders*, Bureau of Rural Sciences (BRS), Canberra, pp126 – 137.

Bird - David, N 1988, 'Hunters and Gatherers and Other People - A Re-examination,' in T. Ingold, D. Riches, & J Woodburn, (eds.), *Hunters and Gatherers 1. History, Evolution and Social Change*, Berg, Oxford.

Bird-David, N 1992, 'Beyond the "Original Affluent Society": A Culturalist reformulation', *Current Anthropology*, vol. 33, pp. 25-47.

Bird - Rose, D 1996, *Nourishing Terrains - Australian Aboriginal Views of Landscape and Wilderness*, Australian Heritage Commission, Canberra.

Bird-Rose, D 1997, 'Indigenous Ecology and an Ethic of Hope', paper prepared for the conference *Environmental Justice: Global Ethics for the 21$^{st}$ century*, Melbourne, Oct 1-3, 1997.

Bismarck Ramu, 2002, *Bismarck Ramu* ICAD, Unpublished report.

Blaikie, N 1993, *Approaches to Social Enquiry*, Polity Press, Cambridge.

Blomley, T, & Mundy, P 1997, *Integrated Conservation and Development: a Review of Project Experience from CARE*, CARE Denmark, Copenhagen.

Blunt, A & McEwan, C 2002, *Postcolonial Geographies*, Continuum Press, New York.

Bomford, M & Caughley, J (eds) 1996*, Sustainable Use of Wildlife by Aboriginal and Torres Strait Islanders,* AGPS, Canberra, ACT, Australia.

Bomford, M & Caughley, J 1996, 'Ecologically sustainable Harvesting of Wildlife by Aboriginal Peoples', M Bomford & J Caughley (eds), *Sustainable Use of Wildlife by Aboriginal Peoples by Aboriginal peoples and Torres Strait Islanders*, Bureau of Rural Sciences (BRS), Canberra, pp. 60-75.

Borrini - Feyerabend, G 1996, *Collaborative management of protected areas: tailoring the approach to the context,* The World Conservation Union, IUCN, Gland, Switzerland, Online resource, viewed November 12 2005, <http://www.iucn.org/themes/spg/Tailor/index.html>

Borrini-Feyerabend, G (ed) 1997, *Beyond Fences: Seeking Social Sustainability in Conservation*, 2 vols, IUCN, Gland, Switzerland, Online resource, viewed November 12 2005, <http://www.bsponline.org/publications/showpub.php3?14>.

Borrini - Feyerabend, G, Taghi Farver, M, Nguinguiri, JC, & Ndangang, V (eds) 2000, *Co-Management of Natural Resources. Organising, Negotiating and Learning-by-Doing,* GT2 and IUCN, Kasparek Verlag, Heidleberg.

Bourdieu, P 1992, *Language and Symbolic Power*, Polity Press, Cambridge.

Bowen-Jones, E & Entwistle, A 2002,' Identifying appropriate flagship species: the importance of culture and local contexts' *Oryx  Vol.* 36:, pp.189-195

Bowler, JM, Johnston, H, Olley, JM, Prescott, JR, Roberts, RG, Shawcross, W & Spooner, NA 2003, 'New Ages for Human Occupation and Climatic Change at Lake Mungo, Australia', *Nature*, Vol. 421, pp 837 – 40

Boyd, IL, Lockyer, C, & Marsh, HD 1999, 'Reproduction in marine mammals', in JE Reynolds & JR Twiss (eds), *Marine Mammals*, Smithsonian Institution Press, pp. 218–286.

Boyle, M, Kay, J, Pond B 2001, 'Monitoring in support of policy: an adaptive ecosystem approach', T Munn (Ed.), *Encyclopedia of Global Environmental Change*, Vol. 4, pp. 116–37, New York, Wiley.

Bradley, J 1998, '"We always look north" Yanyuwa Identity and the Maritime Environment.' in N Peterson & B Rigsby, (eds) *Customary Marine Tenure in Australia*, University of Sydney, pp. 125-141.

**381.**

Bradley, J 2001, 'Landscapes of the Mind, Landscapes of the Spirit. Negotiating a Sentient Landscape,' in R Baker, J Davies, & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp. 295-305.

Brashares, J.S 2004, 'Bushmeat hunting, wildlife declines, and fish supply in West Africa', *Science* Vol. 306, Nov. 12, pp.1180-1183.

Brechin, S, Wilshusen, P, Fortwangler, C & West, P 2002, 'Beyond the square Wheel: Toward a more Comprehensive Understanding of Biodiversity Conservation as Social and Political Process', *Society and Natural Resources*, vol. 15, pp. 41 – 64.

Brechin, SR, Wilhusen, PR, Fortwangler, CL &West, PC (eds) 2003, *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York.

Brechin, SR, Wilshusen, PR, Benjamin, CE 2003a, 'Crafting Conservation Globally and Locally' in SR Brechin PR Wilhusen, CL Fortwangler, &PC West, (eds) *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp. 159 – 183.

Brechin, SR, Wilhusen, PR, Fortwangler, CL &West, PC 2003b, The Road Less Travelled. Toward Nature Protection with Social Justice, in SR Brechin PR Wilhusen, CL Fortwangler, &PC West, (eds) *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp. 251 – 270.

Breeze, N 2000, 'Treaty, Building Bridges in Australia', *Just Issues*, Vol 3, No. 4 2000, at http://www.erc.org.au/issues/text/tb00.htm, accessed October 3rd 2006.

Bridgewater, P 1999, 'Indigenous protected areas: a new approach to the use of IUCN Categories V and VI in Australia', in S Stolton, & N Dudley, *New Strategies for Planning and Management for Protected areas,* Earthscan, London, Online resource viewed July 5 2005, <http://www.ea.gov.au/indigenous/ipa/index/html>.

Briggs, T 1982, 'Living dangerously: The Foundation of value in Canadian Inuit Society', in E Leacock, & R Lee (eds), *Politics and History in Hunting Societies*, Cambridge Uni press, Cambridge, pp 109 – 31.

Briggs, J 2000, 'Conflict Management in a Modern Inuit Economy', in P Schweitzer, M Biesele, & R Hitchcock (eds), *Hunters and Gatherers in the Modern World,* Berghan Books, Oxford, pp.110 – 125.

Brosius, J 1999, 'Analyses and Interventions, Anthropological Engagements with Environmentalism', in *Current Anthropology*, vol. 40, no. 3, June 1999, pp. 277 – 309.

Brosius, JP 2001, 'Local Knowledges, Global Claims: On the Significance of Indigenous Ecologies in Sarawak, East Malaysia' in J Grim, (ed.) *Indigenous Traditions and Ecology, The Inter being of Cosmology and Community,* Harvard University Press, pp. 125-159.

Brosius, P 2004, 'What counts as local knowledge in global environmental assessments and conventions', *Bridging Scales and Epistemologies: Linking Local Knowledge and Global Science in Multi-Scale Assessments,* Biblioteca Alexandrina, Alexandria, Egypt.

Brosius, JP & Russell, D 2003, 'Conservation from Above: An Anthropological Perspective on Transboundary Protected Areas and Eco-regional Planning,' *Journal of Sustainable Forestry,* vol. 17, no. 2, pp. 39-65.

Brosius, JP, Tsing, AL, & Zerner, C 1998, 'Representing Communities: Histories and Politics of Community-Based Natural Resource Management,' *Society and Natural Resources* vol. 11 pp.157 - 168.

Brundtland Commission 1987, *Our Common Future*, IUCN.

Bruyn, S 1966, *The Human Perspective in Sociology: The Methodology of Participant Observation,* Prentice Hall, Englewood Cliffs, NJ.

Bryant, RL 2000, 'Politicized moral geographies. Debating biodiversity conservation and ancestral domain in the Philippines,' *Political Geography* vol. 19, pp. 673-705.

Buckles, D (ed.) 1999, *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,* International Development Research Centre, World Bank Institute, Washington, USA.

Buckles, D & Rusnak, G 1999, 'Introduction: Conflict and collaboration in natural resource management, in D Buckles (ed.) *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,* International Development Research Centre, Ottawa, pp.1-12.

Burch, ES, Jnr 1994a, 'The Future of Hunter-Gatherer Research', in ES Burch Jnr & L Ellana (eds), *Key Issues in Hunter-Gatherer Research,* Explorations in Anthropology Series, Berg press, Oxford, pp. 441-455.

Burch, ES Jnr & Ellanna, LJ 1994b, 'Introduction,' in ES Burch Jnr & LJ Ellanna (eds) *Key Issues in Hunter-Gatherer Research,* Berg, Oxford, pp.1-10.

Burgess, R 1990, *In the Field: An Introduction to Field Research,* 4th impression, George Allen and Unwin, London.

Bush, KD & Opp, RJ 1999, 'Peace and conflict impact assessment,' in D Buckles (ed.) *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,* International Development Research Centre, Ottawa, pp.185-204.

**383.**

Butteriss, C, Wolfenden, JAJ, & Goodridge, AP 2001, 'Discourse Analysis: A Technique to Assist Conflict Management in Environmental Policy Development', *Australian Journal of Environmental Management* vol. 8, pp. 48-58.

Cairns Post 1999, *Lightning Strike Kills Man,* December 31 1999, Cairns, p.1.

Campbell, I (Hon) 2005, *Aboriginal 'Sea Country Plan', A National First*, Australian Government press release.

Canadian Human Rights Commission 1997, *Report of the Royal Commission on Aboriginal Peoples (RCAP)*, Canada

Cantrell, DC 1993, *Alternative Paradigms in Environmental Education Research: The Interpretive Perspective*, vol. 2001, Online resource, Viewed 1 November 2005, <http://www.edu.uleth.ca/ciccte/naceer.pqs/pubpro.pqs/alternate/pubfiles/08.Cantrellf in.htm>

Cape York Land Council 1996, *Proposal for the Establishment of a Sea Council*, Cape York Land Council, Cairns.

Cape York Land Council 1997, *Sub - Regional Indigenous Land and Natural Resource Management in Cape York Peninsula,* Cape York Land Council, Cairns.

Carr, A 2002, *Grass Roots and Green Tape: Principles and practices of environmental stewardship*, Federation Press, New South Wales.

Carlsson, L, & Berkes, F 2005, 'Co-management: concepts and methodological implications', *Journal of Environmental. Management,* Vol. 75, pp. 65–76

Castro, AP & Nielson, E 2001, 'Indigenous People and Co-management: implications for conflict management,' *Environmental Science and Policy* vol. 4, pp.229-239.

Castro, G, Alfaro, L & Werbroucj, P 2001, 'A partnership between government and indigenous people for managing protected areas in Peru' in *ICDPS: Working with Parks and People in Parks* vol. 11 No 2 WCPA, IUCN.

Centre for Aboriginal and Torres Strait Islander Participation, Research and Development (CAEPR) 1995, *Guidelines on research ethics regarding Aboriginal and Torres Strait Islander Cultural, social, intellectual and spiritual property*, Townsville, Australia.

Chaloupka, M 2002, 'Stochastic simulation modelling of southern Great Barrier Reef green turtle population dynamics', *Ecological Modelling* vol. 148, pp. 79-209.

Chaloupka, M 2003, 'Phase 2- Development of a Population Model for the Southern Great Barrier Reef Green Turtle Stock,' *Research Publication No 81,* GBRMPA, Australia.

Chambers Concise Dictionary, 2005, Houghton Mifflin, UK.

Chape, S 2001, 'An overview of integrated approaches to conservation and community development in the Lao People's Democratic Republic' in *ICDPS: Working with Parks and People in Parks* vol. 11, No 2., WCPA, IUCN.

Chase, A & Sutton P 1981, 'Hunters and gatherers in a rich environment: Aboriginal coastal exploitation in Cape York Peninsula', in A Keast, RL Crocker & CS Christian (eds), *Biogeography and ecology in Australia*, Junk and Co, The Hague.

Chase, A & Sutton, P 1987, 'Australian Aborigines in a Rich Environment', in WH Edwards (ed.) *Traditional Aboriginal Society: A reader,* Macmillan, Melbourne.

Chenier, J, Sherwood, S, & Robertson, T 1999, 'Copàn, Honduras: Collaboration for identity, equity and sustainability,' in D Buckles (ed) *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,* International Development Research Centre, Ottawa, pp.221-236.

Chilvers, BL, Delean, S, Gales, NJ, Holley, DK, Lawler, IR, Marsh, H & Preen, AR 2003, *Diving behaviour of dugongs, Dugong, Dugon, Final Report,* GBRMPA/JCU Final Report, Townsville, Australia.

Chindina, LA 2000, 'Warfare among the Hunters and Fishermen of Western Siberia,' in P Schweitzer, M Biesele & RK Hitchcock, (eds) *Hunters and Gatherers in the Modern World,* Berghahn Books, New York & Oxford.

Chouliaraki, L 1999, *Discourse in late modernity: Rethinking critical discourse analysis,* Edinburgh University Press.

Christie, M & Perrett, B 1996, 'Negotiating resources: language, knowledge and the search for the 'secret' English in northeast Arnhem land' in Howitt, R Connell J & Hirsch, P (eds) *Resources, Nations and Indigenous Peoples, Case Studies from Australasia, Melanesia, and Southeast Asia*, Oxford Uni press, Melbourne, pp. 57 – 65.

Christie, P 2004, 'Marine Protected Areas as Biological Successes and Social Failures in South-East Asia', *American Fisheries Society Symposium*, vol. 42, pp. 155 – 164.

Christie, P., White, AT & Buhat, D 1994, 'Community-based resource management on San Salvador Island, the Philippines', *Society and Natural Resources* vol. 7, pp. 103-117.

Christie, P White, A & Deguit, E 2002, 'Starting point or solution? Community based marine protected areas in the Philippines', *Journal of Environmental Management,* vol. 66, pp. 441 – 454.

Christie, P, Bihat, D, Graces, L & White, A 2003, 'The Challenges and Rewards of Community Based Resources Management, San Salvador Island, Phillipines', in SR Brechin, PR Wilshusens, CL Fortwangler & PR West, *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First century,* Suny press, New York, pp 231 – 251.

Chuenpadgee, R 2004, 'Progressing Towards Co-Management Through Participatory Research', in *Society and Natural Research,* vol.17, pp. 147 – 161.

Cicourel, A 1964, *Method and measurement in Sociology,* Macmillan, London.

Clammer, J 2002, 'Beyond the Cognitive Paradigm: Majority Knowledges and Local Discourses in a non - Western donor society,' in P Sillitoe, A Bicker & J Pottier, (eds*) Participating in Development: Approaches to Indigenous Knowledge,* Routledge, London, pp. 43 - 64.

CNRMO 1997, *Community Rangers Duties,* HVAC, Queensland.

Coates, J 2002, *Sea Turtle and Dugong of the South West Gulf of Carpentaria: Incorporating traditional knowledge into sustainable resource management,* Coastcare Project Final Report, July 2002.

Colchester, M 2004, 'Conservation policy and indigenous peoples,' *Environmental Science and Policy* vol. 7, pp. 145-153.

Cooke, P & Armstrong, G 1998, 'Ownership and Resource use off the Liverpool River, Northern Territory,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia,* University of Sydney, pp.178-191.

Cordell, J 1992, *Managing sea country: tenure and sustainability of Aboriginal and Torres Strait Islander Marine Resources,* Consultancy report for ESD Working Group on Fisheries, ESD Fisheries Working Group, Canberra.

Cordell, J 1993, 'Indigenous people's coastal-marine domains: some matters of cultural documentation', Paper presented to *Turning the Tide: conference on indigenous peoples and sea rights*, Northern Territory University Faculty of Law & Centre for Aboriginal and Islander Studies, Northern Territory, 14-16 July.

Cordell, J 1995, 'Indigenous management of land and sea and traditional activities in Cape York Peninsula', in *Cape York Peninsula Land Use Strategy (CYPLUS)*, Vol 1, Brisbane.

Corson, D 1995, 'World View, Cultural Values and Discourse Norms: The Cycle of Cultural Reproduction,' *International Journal of Intercultural Relations,* vol. 19, no. 2, pp. 183-195.

Council for Aboriginal Reconciliation 1995, *Going Forward: Social Justice for the First Australians*, A submission to the Commonwealth Government, Canberra.

Cowlishaw, G, Mendelson, S & Rowcliffe, J 2005, 'Structure and operation of a bushmeat commodity chain in southwestern Ghana', *Conservation Biology* Vol. 19 (February), pp. 139-149.

Craig, D, & Jull, P 1995, 'Regional Agreements - the International Experience', in Harris, A (ed.) *A good idea waiting to happen*, Cape York Land Council, Cairns, pp. 9-16.

Crawford, F, Dudgeon, P, Garvey, D, & Pickett, H 2000, 'Interacting with Aboriginal communities,' in Dudgeon, P, Garvey, D. & Pickett, H. (eds) *Working with Indigenous Australians: a handbook for psychologists*, Curtin Indigenous Research Centre, Curtin University of Technology, Gunada Press, Perth, WA, pp.185-201.

Croal, P & Darou W 2002, 'Canadian First Nations' experiences with international development, ' in P Sillitoe, A Bicker & J Pottier (eds) *Participating in Development: Approaches to Indigenous Knowledge,* Routledge, London, pp. 82-107.

Cundill, G, Fabricius, C & Marti, N 2005, 'Foghorns to the future: using knowledge and transdisciplinarity to navigate complex systems', *Ecology and Society,* Vol. 10, No. 2., 8. URL: http://www.ecologyandsociety.org/vol10/iss2/art8/. Acessed October 5th 2006.

Dale, A. 1991, *Aboriginal access to land management funding and services - case studies Kowanyama, Aurukun, Worabinda and Trelawney*, University College, Canberra.

Dale, AP, Cowell, SG & Willet, A 1999, *Aboriginal involvement in the Management of the Southern Great Barrier Reef,* on behalf of the Sea Forum, CSIRO Tropical Agriculture, Australia.

Daly, B,Marsh H & Smith, A (in review), 'The Commercial Exploitation of dugongs, Dugong dugon, in Queensland Waters, 1847-1976', *Environmental History*.

Damas, D 1963, 'Igluligmiut kinship and local groups: A Structure and approach', *Ottowa National Museum, Bulletin 196*, Ottowa.

Damas, D 1969, 'Contributions to Anthropology', *Band Societies. National Museum of Canada Bulletin* vol. 228.

Damas, D 1988, 'The Contact-Traditional Horizon of the Central Arctic: Reassesment of a Concept and Re-examination of an Era', *Arctic Anthropology*, vol. 25, no.2, pp. 101-138.

Davidson, G 2000, 'The importance of interpersonal communication skills in intercultural contacts', in Dudgeon, P, Garvey, D, & Pickett, H (eds.), *Working with*

*Indigenous Australians: a handbook for psychologists*, Curtin Indigenous Research Centre, Curtin University of Technology, Gunada Press, Perth, WA, pp.181-183.

Davies, J 1996, 'Of Cariboux and kangaroos: Agreements about Wildlife,' *Indigenous Law Bulletin* vol. 4.

Davies, J 1999, 'Challenges for sustainability in Indigenous wildlife management', Paper presented at the *12th Annual Australasian Wildlife Management Society Conference*, Darwin, December 1999

Davies, J 2001, 'Traditional CPRs, new Institutions: Native Title Management Committees and the Statewide Native Title Congress in South Australia,' (Draft,) *Paper presented for the Inaugural Regional Meeting, International Association for the Study of Common Property*, Brisbane 2-4th September 2001.

Davies, J, Higginbottom, K, Noack, D, Ross, H, Young, E 1999, 'Sustaining Eden: Indigenous Community Wildlife Management in Australia,' *Evaluating Eden* Series EE01, International Institute for Environment and Development (IIED) Biodiversity Group, London.

Davis, ER 1999, 'The Dominant Female: Politics in the Local Aboriginal Community,' *Australian Aboriginal Studies,* vol 2, pp. 34-42.

Davis, KLF, Russ, GR, Williamson, DH & Evans, RD 2004, 'Surveillance and Poaching on Inshore Reefs of the Great Barrier Reef Marine Park,' *Coastal Management* vol. 32, pp. 373-387.

De Lacey, T & Lawson, B 1997, 'The Uluru - Kakadu Model, Joint Management of Aboriginal Owned National Parks in Australia' in S Stevens (ed.) C*onservation Through Cultural Survival*, Island Press, Washington.

Deleuze, G & Guattari, F (trans. Robert Hurley, Mark Seem, and Helen R. Lane)1977, *Anti-Oedipus*, Viking press, New York.

Deleuze, G & Guattari, F (trans. Brian Massumi) 1987, *A Thousand Plateaus*, University of Minnesota Press.

de Saussure, F (trans. Roy Harris) 1983,: *Course in General Linguistics*, Duckworth, London.

de Silva, P 2003, *Linking Nature, Ethics and Culture through Effective Environmental Discourse,* Monash University Philosophy Department, Melbourne.

Deloges, C & Gauthier, M 1997, 'Community Forestry and forest resource conflict: an overview', in *Proceeding of the XI World Forestry Congress*, 13 to 2 27 October, 1997, Antalay, Turkey, vol 5, pp. 109-121, Online resource, viewed 5 November 2005, <http://www.fao.org/montes/foda/wforcong/PUBLI/v5/V27E/1.HTM#TOP>

Denham, WW 1974, 'Population Structure, Infant Transport and Infanticide Among Pleistocene and Modern Hunter-Gatherers', *Journal of Anthropological Research,* vol. 30, pp. 191-98.

Denzin, NK. & Lincoln, YS (eds) 1998, *Handbook of Qualitative Research*, Sage, London.

Department of Environment and Heritage, (DEH) 1992, Inter-governmental Agreement on the Environment, Canberra, viewed November 1 2005, <http://www.deh.gov.au/coasts/mpa/nrsmpa/about.html#imcra>.

Department of the Environment, Sport and Territories, (DEST) 1996, *National Strategy for the Conservation of Australia's Biological Diversity*, Australia, viewed November 1 2005, <http://www.deh.gov.au/biodiversity/publications/strategy/index.html>

Department of Environment (DoE) 1997, *Conservation and Management of Dugong in Queensland*, Brisbane.

Department of Heritage (DEH) 2005a, *National Representative System of Marine Protected Areas*, viewed November 1 2005, <http://www.deh.gov.au/coasts/mpa/nrsmpa/map.html>

Department of Heritage (DEH) 2005b, *Map of National Representative System of Marine Protected Areas*, viewed November 1 2005, <http://www.deh.gov.au/coasts/mpa/nrsmpa/about.html#imcra>

Department of Heritage (DEH) 2005c, *Indigenous Protected Areas,* viewed August 2005, <http://www.deh.gov.au/indigenous/ipa/map.html>

Derrida, J 1967, *De la Grammatologie,* Collection "Critique", Paris, Minuit.

Derrida, J 1972, *La Dissémination,* Collection "Tel Quel", Paris, Seuil.

Derrida, J 1978, *Writing and Difference*, Chicago, University of Chicago Press.

Dietz, T, Ostrom, E, & Stern PC, 2003, 'The struggle to govern the commons', *Science* Vol. 302, pp. 1902–12.

Dobbs, K 2001, *Marine Turtles of the Great Barrier Reef World Heritage Area - a compendium of information and basis for the development of policies and strategies for the conservation of marine turtles*, Great Barrier Reef Marine Park Authority, Townsville, Queensland.

Dodson, M 1993, *First Report on Social Justice*, Aboriginal and Torres Strait Islander Social Justice Commissioner, AGPS, Canberra.

Dodson, M 1994, *Second Report on Social Justice*, Aboriginal and Torres Strait Islander Social Justice Commissioner, AGPS, Canberra.

Dodson, M 1995, *Third Report on Social Justice*, Aboriginal and Torres Strait Islander Social Justice Commissioner, AGPS, Canberra.

Dovie, BDK 2000, 'Who counts most? - Managing Non-Wood Forest Products operations through the "Community Conservation Interface" Model', *FAO/ECE/ILO Seminar on Harvesting of Non-Wood Forest Products*, 2nd–8th October 2000, Izmir, Turkey.

Donald, L & Mitchell, D 1994, 'Nature and Culture in the North-West of Northern America: The case of the Wakashan Saltwater Resources', in Burch, E & Ellanna, L (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 95 – 119.

Dousset, L 1997, 'Naming and personal names of Ngaatjatjarra-speaking people, Western Desert: some questions related to research', *Australian Aboriginal Studies* vol.2, 1997, pp. 50-54.

*Draft Resolutions* 2001, 3rd Indigenous Ranger Conference Gulkulum 26 – 29 August 2000.

Dryzek, JS 1997, *The Politics of the Earth, Environmental Discourses*, Oxford University Press Inc, New York.

Dulvy, N & Polunin, N 2004, 'Using informal knowledge to infer human-induced rarity of a conspicuous reef fish', *Animal Conservation*, Vol. 7., pp. 365 – 374.

Durham, WH 1981, Overview: Optimal Foraging Analysis in Human Ecology, in B. Winterhalder & EA Smith, *Hunter-Gatherer Foraging Strategies* , University of Chicago, Chicago Press, Chicago.

du Val, E 1997, *Diversity of Opinion regarding the dugong and turtle hunting in Hopevale*, unpublished report to Hope Vale Aboriginal Council.

Dufour, D 1983, 'Nutrition in the Northwest Amazon: Household Dietary Intake and Time Energy Expenditure', in RB Hames & WT Vickers (eds) Adaptive Responses of Native Amazonians, Academic Press, New York, pp 357-90.

Dunne, E 2000, 'Consultation, rapport, and collaboration: essential preliminary stages in research with urban Aboriginal groups', *Australian Journal of Primary Health – Interchange*, vol.6, no.1, 2000, pp. 6-14.

Dwyer, PD 1994, 'Modern conservation and indigenous peoples: in search of wisdom', *Pacific Conservation Biology*, vol. 1, pp. 91-97.

Ecologically Sustainable Development Steering Committee (ESDST)1992, *National Strategy for Ecologically Sustainable Development, Australia*, viewed April 5 2005,<http://www.deh.gov.au/esd/national/nsesd/strategy/intro.html>

Elder, B 1988, *Blood on the Wattle: Massacres and Maltreatment of Australian Aborigines since 1788,* National Book Distributors and Publishers, Frenchs Forest, NSW.

Ellis, R 1999, *Working Together - A 'Caring for Country Partnership'*, Queensland Parks and Wildlife Service, Environmental Protection Agency, Brisbane.

Endangered Species Advisory Committee (ESAC) 1992, *An Australian national strategy for the conservation of species and habitats threatened with extinction,* ANPWS, Canberra.

Endicott, K 1988, 'Property, power and conflict amongst the Batek of Malaysia', in T Ingold, D Riches, & J Woodburn (eds) *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford, pp 110 – 129.

Environment Australia, 1998, *Australia's Ocean Policy*, Canberra, viewed July 2 2005, <www.oceans.gov.au/oceans.jsp>

Esposito, A nd, *Indigenous Rights and Conservation Regulations*, website viewed on January 30th 2006, at <http://www.indig-enviro.asn.au/Support9.html>

Evans, G 1997, 'Coming Together: green and black views on the land', *Habitat Australia,* vol. 25 no. 2, pp. 10-13.

Evans, R, Saunders, K & Cronin, K 1975, *Race Relations in Colonial Queensland: A History of Exclusion, Exploitation and Extermination,* St. Lucia, Qld, UQP.

Fa, J 2000, Hunted Animals in Bioko Island, West Africa: Sustainability and Future, pp 168 – 199 in Robinson, J and Bennett, E (Eds) *Hunting for Tropical Sustainability in Tropical Forests*, Columbia University press, New York.

Fa, D.F., Ryan,  SF, &  Bell, DJ 2005, 'Hunting vulnerability, ecological characteristics and harvest rates of bushmeat species in afrotropical forests', *Biological Conservation, Vol.* 121 (January), pp. 167-176.

Fabricius C, & Koch E (eds.) 2004, *Rights, Resources and Rural Development: Community- Based Natural Resource Management in Southern Africa*. London: Earthscan

Fabricius, C., Koch, E, & Magome, H 2001, 'Towards strengthening collaborative ecosystems management: lessons from environmental conflict and political change in South Africa', *Journal of the Royal Society of New Zealand* Vol. 31, pp. 831-844.

Fabricius, C, Koch, E, & Magome, H 2002, *Evaluating Eden (EE 06) - Challenging the Assumptions of Eden: Community wildlife management in Southern Africa*, IIED, London.

Fairclough, N 1989, *Language and Power,* Longman, London and New York.

Fairclough, N 1992, *Discourse and Social Change,* Polity press, Cambridge.

Fairclough, N 2001 'Critical Discourse Analysis', in A McHoul & M Rapley *How to analyse Talk in Institutional Settings. A Case Book of Methods*, Continuum Press, London, pp 25 – 41.

Fairclough, N 2001,' Critical Discourse Analysis as a method in social scientific research,' in R. Wodak & M. Meyer, *Methods of Critical Discourse Analysis,* Sage, London, pp. 121 – 138.

Faust, BB & Smardon, RC 2001, 'Editorial. Introduction and overview: environmental knowledge, rights, and ethics: co-managing with communities,' *Environmental Science and Policy* vol. 4, pp. 147-151.

Feit, H, A. 2001, 'Hunting, Nature and Metaphor: Political and Discursive Strategies in James Bay Cree Resistance and Autonomy, in J. Grim (ed.) *Indigenous Traditions and Ecology, The Inter-Being of Cosmology and Community*, Harvard University Press, pp. 411 – 453.

Fielder, J, Roberts, J, Abdullah, J 2000, 'Research with Indigenous communities', in P Dudgeon, D Garvey, & H Pickett (eds) *Working with Indigenous Australians: a handbook for psychologists*, Curtin Indigenous Research Centre, Curtin University of Technology, Gunada Press , Perth WA, pp.349-356.

Fien, G 2000, 'Outcomes for Marine Wildlife at CITES' in *Waves* vol. 7, no 2, Winter 2000, Marine and Coastal Community Network, Australia.

Fienup – Riordan, A 2001, 'A Guest at the Table: Ecology from the Yup'ik Eskimo Point of View,' in J.Grim (ed.) *Indigenous Traditions and Ecology, The Inter -Being of Cosmology and Community,* Harvard University Press, pp. 541 – 559.

Finch, J 1984, 'It's great to have someone to talk to: The Ethics and Politics of interviewing women,' in C Bell & H Roberts (eds) *Social Researching: Politics, Problems and Practice*, Routledge and Kegan Paul, London.

Flood, J 1983, *Archaeology of the Dreamtime,* William Collins, Sydney.

Flowers, NM 1983 Seasonal Factors in Subsistence, Nitrition and Cild Growth in a Central Brazilian community, in RB Hames & WT Vickers (Eds) Adaptive Responses of Native Amazonians, pp 329 - 55, Academic Press, New York

Folds, R 1993, 'Assimilation by any name…Why the Federal government's attempts to achieve social justice for indigenous Australians will not succeed,' *Australian Aboriginal Studies* no 1.

Foley, R 1988, 'Hominids, humans and hunter gatherers: an evolutionary perspective,' in T Ingold, D Riches, & J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp. 207-221.

Folke, C, Hann, T, Olsson, & Norberg, J 2005, 'Adaptive Governance of social-ecological systems', *Annual Review of Environmental Resources,* Vol. 30, pp. 441 - 73

Fortwangler, CL 2003, 'The Winding Road. Incorporating Social Justice and Human Rights into Protected Area Policies,' in SR Brechin, PR Wilshusen, CL Fortwangler & PC West (eds) *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp.25-40.

Foucault, M 1969, *The Archaeology of Knowledge,* Penguin, London.

Foucault, M 1972, *The Archaeology of Knowledge*, Tavistock, London.

Foucault, M 1973a, *The Order of Things: An Archaeology of the Human Sciences,* Vintage Books, New York.

_____ 1973b, *The Birth of the Clinic,* Tavistock, London.

Foucault, M 1977, *Discipline and Punish: The Birth of the Prison*, Allen Lane, London.

Foucault, M, & Gordon, G 1980, *Power/knowledge, Selected Interviews and Other Writings 1972 -1977,* Harvester Press, Brighton.

Franks, C, Brown, A, Brands, J, White, E, Ragg, L, Duffy, M, Walton, S, & Dunbar, T 2001, 'Research partnerships: yarning about research with Indigenous peoples', Casuarina, NT, Cooperative Research Centre for Aboriginal and Tropical Health, 2001, online resource, viewed October 28 2005,<http://www.crcah.org.au/index.cfm?attributes.fuseaction=docSearch>.

Freeman, M 2005, '"Just One More Time Before I Die": Securing the Relationship between Inuit and Whales in the Arctic Region,' in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp.59-76.

Freeman, M, Wein E, & Keith, D 1992, *Recovering Rights; Bowhead Whales and Inuvialiut Subsistence in the Western Canadian Arctic,* Canadian Circumpolar Institute and Fisheries Joint Management Committee.

Freeman, M, Bogoslovskaya, L, Caulfield, RA, Egede, I, Krupnik, II, & Stevenson, MG 1998, *Inuit, Whaling and Sustainability*, Altamira Press, Walnut Creek, Lanhan MD.

French, Justice RC 1995, *Discussion Paper on a process for reaching agreement about future development on Native Title land and the possibility of regional formal agreements.*

Friere, P 1972, *Pedagogy of the Oppressed,* Penguin, Harmondsworth.

Fukuda-Parr, S 2004, *Human Development Report 2004, Cultural liberty in today's diverse world,* United Nations Development Programme (UNDP) Online resource, viewed November 5 2005,
<http://hdr.undp.org/reports/global/2004/pdf/hdr04_complete.pdf>

Galley, K 1996, 'Sea Rights at the Summit' *Cape York Unity News,* vol. 31.

Galtung, J 1973, *The European Community: An Emerging Superpower*, Allen and Unwin, London.

Gambold, N 2002a, 'Responsibilities and Ethics in Participatory Planning: A Personal View' in F. Walsh, & P. Mitchell, (eds), *Planning on Country. Cross Cultural Approaches to Decision Making on Aboriginal Lands*, Jukurrpa Books, Australia.

Gambold, N 2002b, 'The role of traditional ecological knowledge and skills in 'modern' Aboriginal land management and education' in F. Walsh & P. Mitchell, (eds), *Planning on Country. Cross Cultural Approaches to Decision Making on Aboriginal Lands*, Jukurrpa Books, Australia.

Gardner, Peter, 1980, 'The Warrigal Creek massacre', *Journal of the Royal Australian Historical Society*, pp. 47-51.

Gare, AE 1995, *Postmodernism and the Environmental Crisis*, Routledge, London.

George, M, Innes, J, & Ross, H 2002, *Managing Sea Country Together: Key Issues for Developing co-operative management for the Great Barrier Reef World Heritage Area* (Draft) Paper prepared under the Reef CRC Co-Management Task, CRC Reef, Townsville, April 2002.

Gibbs, M 2001, 'Towards a Strategy for Undertaking Cross-Cultural Collaborative Research', *Society and Natural Resources*, vol.14, pp. 673 – 687.

Gibbs, M 2003, 'Indigenous Rights to Natural Resources in Australia and New Zealand: Kereru, Dugong and Pounamu, *Australasian Journal of Environmental Management* vol. 10, pp. 138 - 151.

Giddens, A 1990, *The Consequences of Modernity,* Polity Press, Cambridge.

Gillespie, R 2004, 'First and Last: dating people and extinct animals in Australia', *Australian Aboriginal Studies*, 2004, Vol. 1, pp. 97 – 101.

Gold, RL 1958, 'Roles in sociological field observations', *Social Forces*, vol. 36, pp. 217-223.

Gold, R 1969, 'Roles in sociological field observation,' in G McCall & J Simmons (eds) *Issues in Participant Observation: A Text and Reader,* Addison Wesley, London.

Golovnev, AV 2000, 'Wars and Chiefs among the Samoyeds and Ugrians of Western Siberia,' in P Schweitzer, M Biesele & RK Hitchcock, (eds) *Hunters and Gatherers in the Modern World*, Berghahn Books, New York, and Oxford**,** pp. 125-150.

Goodman, LA 1961, 'Snowball sampling' in *Annals of Mathematical Statistics* vol. 32, pp.148-170.

Goulet, JGA 2000, 'Visions of Conflict, Conflicts of Vision among contemporary Dene Tha' in P Schweitzer, M Biesele, & RK Hitchcock (eds)*, Hunters and Gatherers in the Modern World.* Berghahn Books, New York and Oxford, pp. 55 - 77.

Gramsci, A 1971, *Selections from Prison Notebooks,* Lawrence and Wisehart, London.

Gray, F & Zann, L 1985, *Traditional knowledge of the marine environment in Northern Australia*, Proceedings of the Workshop held in Townsville, Australia, 29 and 30 July 1985, Workshop Series No. 8. Great Barrier Reef Marine Park Authority, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 1981, *Nomination of the Great Barrier Reef by the Commonwealth of Australia for inclusion in the World Heritage list,* Report to Great Barrier Reef Marine Park Ministerial Council, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 1994a, *The Great Barrier Reef. Keeping it Great. A 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area,* the Great Barrier Reef Marine Park Authority, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA), 1994b, *Turtle and Dugong Conservation Strategy for the Great Barrier Reef Marine Park*, Townsville, Queensland.

Great Barrier Reef Marine Park Authority (GBRMPA) 1997a, *Action Plan to Address Indigenous Hunting of Dugong - Southern Barrier Reef*, GBRMPA, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 1997b, *Indigenous Community Initiatives in the Sea Turtle and Dugong Management within the Great Barrier Reef Marine Park,* GBRMPA Indigenous Liaison Unit, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 1998, *Dugong - Handle with Care! Information Kit*, GBRMPA,Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 2001 *Minute; 5 December 2001, Subject: Hope Vale,* the Great Barrier Reef Marine Park Authority, Townsville.

Great Barrier Reef Marine Park Authority (GBRMPA) 2004, *Great Barrier Reef Marine Park Zoning Plan 2003*, The Great Barrier Reef Marine Park Authority, Townsville.

Great Barrier Reef Marine Park Authority website 2005, *Corporate Goals*, viewed October 2005, <http://www.gbrmpa.gov.au/corp_site/>

Greaves, T 2001, 'Contextualising the Environmental Struggle,' in J Grim (ed.) *Indigenous Traditions and ecology, The Inter-being of Cosmology and Community,* Harvard University Press, pp. 25 – 47.

Grech, A & Marsh, H *In review*, 'Large, comprehensive and representative multiple-use MPA protects a mobile marine mammal', paper in review for *Conservation Biology.*

Griffin, MB 2000, 'Homicide and Aggression among the Agat of Eastern Luzon, the Phillipines, 1910 – 1985,' in. P Schweitzer, M Biesele, & RK Hitchcock, (eds), *Hunters and Gatherers in the Modern World,* Berghahn Books, New York and Oxford, pp. 94 - 110.

Grim, J (ed.) 2001, *Indigenous Traditions and Ecology, The Inter-being of Cosmology and Community,* Harvard University Press.

Guba, E 1981, 'Criteria for Assessing the Trustworthiness of naturalistic inquiries', *Educational Communications of Technology Journal*, vol. 29, pp. 75 – 92.

Guba, E &. Lincoln, YS 1981, *Effective Evaluation*, Jossey-Bass Publishers, San Fransisco.

Guemple, DL 1988 'Teaching social relations to Inuit children', in T Ingold, D Riches, & J Woodburn, (eds) *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford, pp 131 – 150.

Gunderson, LH, & Holling, CS (Eds) 2002, *Panarchy: understanding transformations in human and natural systems,* Island Press, Washington D.C., USA.

Gunderson, L, Holling, CS, & Light, S, (Eds) 1995, *Barriers and Bridges to the Renewal of Ecosystems and Institutions*, Columbia University Press, New York.

Gunnarison, B, Linell, P & Nordley, B (eds) 1997, *The Construction of Professional Discourse* Longmans, UK.

Gurung, CP 1995, 'People and their Participation: New Approaches to Resolving Conflicts and Promoting Cooperation' in J. McNeely (ed.) *Expanding Partnerships in Conservation*, IUCN Island Press, Washington.

Hall, M 1988, 'At the frontier: some arguments against hunter-gathering and farming modes of production in southern Africa,' in T Ingold, D Riches & J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp.137-147.

Hall, S 2001, 'Foucault: Power, Knowledge and Discourse,' in A. Weatherall, S. Taylor & S. Yates, *Discourse Theory and Practice,* Sage, London.

Hamaguchi, H 2005, 'Use and Management of Humpback Whales in Bequia, St. Vincent and the Grenadines,' in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp.87-100.

Hamann M 2002, *Reproductive cycles, interrenal gland function and lipid mobilisation in the green sea turtle (Chelonia mydas).* Ph.D. thesis, The University of Queensland, Brisbane.

Happynook, TM 2000, 'Indigenous Whalers and Traditional Resource Management Knowledge,' *Indigenous Affairs* 2/2000, pp. 64 - 72.

Hardy, AM (ed.) 2001, *Terrestrial Protected Areas in Australia: 2000 summary,* AGPS, Canberra.

Hardy, C, Palmer, I, & Phillips, N 2000, 'Discourse as a strategic resource', *Human Relations*, vol. 53, no. 9, pp. 1227-1248.

Hart, J 2000, 'Impact and Sustainability of Indigenous Hunting in the Ituri Forest, Congo –Zaire: A Comparison of Unhunted and Hunted Duiker populations', pp. 106 – 154, in Robinson, J & Bennett, E (eds) *Hunting for Tropical Sustainability in Tropical Forests*, Columbia University press, New York.

Hart, C & Whatman, S 1998, 'Decolonising the Concept of Knowledge', Paper presentation at the *HERDSA98 Conference* in Auckland.

Hauck, M. & Hector, R 2003, 'Towards abalone and rock lobster co-management in the Hangklip-Kleinmond Area', in M Hauck & M Sowman, *Waves of Change: Coastal and Fisheries Co-management in South Africa,* University of Cape Town Press: Cape Town, pp. 247-268.

Hauck, M. & Sowman, M 2001, 'Coastal and Fisheries Management in South Africa: An Overview and Analysis,' *Marine Policy, v*ol. 25, 2001, pp. 173-185.

Hauck, M & Sowman, M (eds) 2003a, *Waves of Change: Coastal and Fisheries Co-Management in South Africa,* University of Cape Town Press, Cape Town.

Hauck, M & Sowman, M 2003b, Co-management of coastal and fisheries resources in South Africa: policy and legislative framework, in M Hauck & M Sowman, *Waves of Change: Coastal and Fisheries Co-management in South Africa,* University of Cape Town Press, Cape Town, pp. 37-60.

Hauck, M. & M. Sowman 2003c, 'Introduction', in M Hauck & M Sowman, *Waves of Change: Coastal and Fisheries Co-management in South Africa,* University of Cape Town Press: Cape Town, pp. 1-12.

Havemann, P, Thieret, D, Marsh, H, & Jones, C 2005, 'Decolonising conservation? Traditonal use of marine resource agreements and dugong hunting in the Great Barrier Reef World Heritage Area', *Environmental and Planning Law* vol. 22, pp. 258-280.

Haviland, J. & Haviland L 1980, 'How much food will there be in heaven? Lutherans and Aborigines around Cooktown before 1900,' *Aboriginal History* vol. 4, no.2, pp. 119 - 149.

Haviland, JB & Hart, R 1988, *Old Man Fog and the Last Aborigines of Barrow Point,* Smithsonian Institution publication, Crawford House publishing, Bathurst.

Hayden, B 1994, 'Competition, Labour, and Complex Hunter-Gatherers', in Burch, E Jnr & Ellanna, L (eds), *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, , pp 223 – 243.

Head, L 1990, 'Conservation and Aboriginal land rights: when green is not black, *Australian Natural History*, vol. 23, pp. 448-454.

Head, L 2000, *Cultural Landscapes and Environmental Change*, Arnold, London.

Henderson, R, Simmons, DS, Bourke, L & Muir, J 2002, 'Development of guidelines for non-Indigenous people undertaking research among the Indigenous population of north-east Victoria', *Medical Journal of Australia* vol.176 no.10, May 2002, pp. 482-485.

Heinsohn, R, Lacy, RC, Lindenmayer, DB, Marsh, H, Kwan, D & Lawler, IR 2004, 'Unsustainable harvest of dugongs in Torres Strait and Cape York (Australia) waters: two case studies using population viability analysis', *Animal Conservation* 2004, vol. 7, pp. 417-425.

Henry, D 1985, 'Preagricultural Sedentism: The Natufian Example', in T. Douglas Price & James Brown, (eds.) *Prehistoric Hunter-Gatherers: The Emergence of Cultural Complexity*, Academic Press, Orlando, pp. 365-384.

Henry, GW & Lyle, JM (eds), 2003, *The National recreational and indigenous fishing survey, July 2003*, Australian Government Department of Agriculture, fisheries and Forestry Canberra, online resource, viewed July 4 2004, <http://www.affa.gov.au/corporate_docs/ publications/pdf/ fisheries/final_recsurvey_report.pdf.>.

Hercus, L & Sutton, P (eds) 1986, *This is What Happened: Historical Narratives by Aborigines.* Australian Institute of Aboriginal Studies, Canberra.

Hewlett, BS 2000, 'Central African Government's and International NGOs Perceptions of Baka Pigmy Development,' in PP Schweitzer, M Biesele, & RK Hitchcock (eds), *Hunters and Gatherers in the Modern World,* Berghahn, New York and Oxford, pp.380-390.

Hiatt, LR 1962, 'Local Organiations Among the Australian Aborigines', *Oceania*, vol. 32, pp. 267-286.

Hiatt, L 1965, *Kinship and Conflict: A Study of an Aboriginal community in northern Arnhem land,* ANU, Canberra.

Hill, K & Padwe, J 2000, 'Sustainability of Ache Hunting in the Mbaracayu Reserve, Paraguay', pp. 79 – 106, in Robinson, J & Bennett, E (eds) *Hunting for Tropical Sustainability in Tropical Forests*, Columbia University press, New York.

Hill, R 1984, 'Establishing validity in the social sciences: An empirical illustration', *NZ Science Review*, vol. 40.

Hill, R 1992, 'Models for Aboriginal Involvement in Resource Management in the Cape York', in Birckhead, T, De Lacey, T, & Smith, T (eds) *Aboriginal Involvement in Parks and Protected Areas*, Aboriginal Studies Press, Canberra, pp 267 – 274.

Hill, Ki, Hillard Kaplan, Kristen Hawkes, & Ana Magdalena Hurtado 1985, 'Men's Time Allocation to Subsistence Work Among the Ache of Eastern Paraguay', *Human Ecology*, vol.13, pp. 29-47.

Hilton-Taylor, C. 2000, *The 2000 Red List of Threatened Species*, Gland, IUCN.

Hitchcock, R 1987, 'Sedentism and Site Structure: Organizational Changes in Kalahari Basarwa Residential Locations', in, S Kent (ed.), *Method and Theory for Activity Area Research*, Columbia University Press New York, pp. 374-423.

Hobson, K 2004, 'Environmental Justice: An Anthropocentric Social Justice Critique of How, Where and Why Environmental Goods and Bads Are Distributed', *Environmental Politics,* vol. 13, no. 2, Summer 2004, pp. 474-481.

Hofer, H, Campbell, KLI, East, ML & Huish, SA, 2000, 'Modeling The Spatial Distribution Of The Economic Costs And Benefits Of Illegal Game Meat Hunting In The Serengeti', *Natural Resource Modeling*, vol. 13, pp.151-177.

Holzknecht, H 2000, 'Customary Marine Tenure,' *Australia Pacific Affairs,* vol. 73, no 1, pp. 151 – 152.

Honchin, D 1998, *Native Title Implications for Management of Marine Protected Areas,* Legal Services Unit, GBRMPA, TG52190.

Hope Vale Aboriginal Council (HVAC) 1997a, *A Guugu Yimmithirr Bama Wii, Community Strategy for the Management of Traditional Hunting*, Hope Vale, North Queensland.

_____ 1997b, *Promotion and Awareness Workshop for Turtle and Dugong*, unpublished minutes, Hope Vale North Queensland.

Hope Vale Aboriginal Council (HVAC) 1998a, *Community Laws Concerning the Traditional Hunting of Turtle and Dugong,* Hope Vale North Queensland.

_____ 1998b, *Minutes of Hope Vale, JCU , GBRMPA Meeting on Dugong Research and Management Project*, Hope Vale, North Queensland.

_____ 1998c, *Minutes of Hopevale , JCU, GBRMPA, Meeting on Dugong Research and Management project,* Hope Vale, North Queensland.

Hope Vale Aboriginal Council(HVAC) 1999, *Guugu - Yimmithirr Bama Wii: Ngawyia and Girrbithi: A Turtle and Dugong Hunting Management Plan*, Hope Vale Aboriginal Council, Cairns, Queensland.

Hope Vale Aboriginal Council 1999a, *Minutes: Meeting to Discuss Dugong and Turtle Hunting 9 February*, Hope Vale, North Queensland.

_____ 1999b, *A Guugu Yimmithirr Bama Wii: Ngawiya and Girrbithi. The Turtle and Dugong Hunting Management Plan (Draft),* Hope Vale, North Queensland.

Hope Vale Aboriginal Council (HVAC) 2000, *Guugu Yimmithirr Bama Wii – Ngawiya and Girrbithi Permit*

Hope Vale Aboriginal Council (HVAC) 2001, *Minutes of Meeting held at Hope Vale, March 21 2001*

Hope Vale Aboriginal Council NRMO 1998, *Hopevale Turtle and Dugong Strategy Notes,* Hope Vale, North Queensland.

**400.**

HORSCERA 1991, *The injured coastline: protection of the coastal environment,* AGPS, Canberra.

HORSCERA 1993, *Biodiversity: the role of protected areas*, AGPS, Canberra.

Horstman, M 1992, 'Cape York Peninsula: forging a black-green alliance', *Habitat* vol. 20, no. 2, pp.18-25.

HREOC 2005, *Social Justice Fact Sheet: Aboriginal and Torres strait Islanders*, viewed November 20 200 <(http://www.hreoc.gov.au/social_justice/info_sheet.html>

Howitt, R 2001, *Rethinking Resource Management: Justice, Sustainability and Indigenous Peoples*, Routledge, New York and London,

Howitt, R, Crough, G & Pritchard, B 1990, 'Participation, power and social research in Central Australia', *Australian Aboriginal Studies*, vol. 1, pp. 37-44.

Hughes, I 2000 'Ganma: Indigenous knowledge for reconciliation and community action', Participatory Action Research World Congress, Ballarat, September 2000, Online only http://www2.fhs.usy d.edu.au/arow///arer/014.htm, Sydney, NSW: Faculty of Health Sciences, Cumberland Campus, University of Sydney - Action research E-reports - no.14, 2000.

Humphery, K 2000, *Indigenous health and 'western research'*, Melbourne: VicHealth Koori Health Research and Community Development Unit, 2000, Online http://www.cshs.unimelb.edu.au/koori/docs/DP_KimHumpheryFINAL.pdf

Humphery, K 2001, 'Dirty questions: Indigenous health and 'western research'. *Australian and New Zealand Journal of Public Health* vol.25, no.3, June 2001, pp. 197-202.

Hunt, J and Smith, D 2005, *Strengthening Indigenous Community Governance: A step towards advancing reconciliation in Australia.* CAEPR Topical Issue Paper 2005/04.

Hunter, B 1998, *Community based Management Initiatives for Marine Turtle and Dugong*, GBRMPA ILU, Townsville.

Hunter, E 2001, 'A brief historical background to health research in Indigenous communities', *Aboriginal and Islander Health Worker Journal* vol.25, no.1, Jan - Feb 2001, pp. 6-8.

Hunter, B. & Williams, R 1998, 'Sustainable hunting in search of a solution', in R. Kennett, A. Webb, G. Duff, M. Guinea & G. Hill (eds), *Marine Turtle Conservation and Management in Northern Australia*, Proceedings of a workshop held 3-4 June 1997, at the Centre for Indigenous Natural and Cultural Heritage, Northern Territory University, Darwin.

Hurley, A 2003, *Respect, acknowledge, listen: practical protocols for working with the Indigenous community of Western Sydney*, Liverpool, NSW: Community Cultural Development New South Wales, online <http://www.ccdnsw.org/ccdnsw/pdf/protocols.pdf>

Inglis, KS 1974, *The Australian Colonists: An Exploration in Social History, 1788-1870,* Melbourne University Press, Victoria.

Ingold, T 1983, 'The Significance of Storage in Hunting Societies', *Man* vol. 18, pp. 553-71.

Ingold, T 1987a, 'Territoriality And Tenure:  The Appropriation of Space in Hunting and Gathering Societies', in *The Appropriation of Nature:  Essays on Human Ecology and Social Relations*, University of Iowa Press, Iowa City, pp. 130-164.

Ingold, T 1987b, 'Changing Places: Movement and Locality in Hunter-Gatherer and Pastoral; Societies'. in *The Appropriation of Nature:  Essays on Human Ecology and Social Relations*, University of Iowa Press, Iowa City, Chapter 7.

Ingold, T 1988, 'Notes on the foraging mode of production', in T Ingold, D Riches, & J Woodburn *Hunters and Gatherers I: History, Evolution and Social Change*, Berg, Oxford, 269 – 286

Ingold, T, Riches, D, & Woodburn, J (eds) 1988, *Hunters and Gatherers I: History, Evolution and Social Change*, Berg, Oxford.

Ingold, T, Riches, D, & Woodburn, J (eds) 1988 *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford.

Innes, J, & Ross, H 2001,'Co-managed research as a strategy for informing the development of indigenous and government management partnerships over the Great Barrier Reef', paper presented at the *International Association for the Study of Common Property Inaugural Pacific Regional Meeting,* Brisbane, QLD, 2-4 September 2001, Online resource at the Digital Library of the Commons http://dlc.dlib.indiana.edu/documents/dir0/00/00/07/03/index.html.

International Alliance of the Indigenous and Tribal Peoples of the Tropical Forests (IAITPTF) 2002, *The Charter of the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests*

International Alliance of the Indigenous-Tribal Peoples of the Tropical Forests (IAITPTF) 1992, *Charter of the Indigenous and Tribal Peoples of the Tropical Forests (IAIP Charter),* Penang, Malaysia, 15 February 1992, viewed 5 February 2004, <http://www.mtnforum.org/resources/library/citpt92a.htm>

*International Covenant on Civil and Political Rights,(ICCPR)* 1976, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976.

International Labour Organisation International Labour 1957, *Convention No C107 Indigenous and Tribal Convention,* International Labour Office Geneva.

International Labour Organisation International Labour 1991, *Convention No 169 Convention concerning Indigenous and Tribal Peoples in Independent Countries 1919-1991 Volume II (1963-1991)*, International Labour Office Geneva.

International Maritime Organisation (IMO) 1973, *International Convention for the Prevention of Pollution from Ships,* (MARPOL) 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78)

International Union for the Conservation of Nature (IUCN)  1975, *'Washington' Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),* Washington, US.

International Union for the Conservation of Nature (IUCN)  1992, *Protected Areas and Demographic Change: Planning for the Future: a Working Report of Workshop 1.6* (World Congress on National Parks and Protected Areas 1992 Biodiv. Ref. SB481.A2 W927 1992, An international report, Gland, Switzerland.

International Union for the Conservation of Nature (IUCN) 1993, *Parks for Life: Report of the Ivth World Congress on National Parks and Protected Areas,* IUCN Gland Switzerland.

International Union for the Conservation of Nature (IUCN) 1994a, *Guidelines for Protected Area Management Categories CNPPA with the assistance of WCMC*, IUCN Gland Switzerland and Cambridge.

International Union for the Conservation of Nature (IUCN) 1994b, *IUCN 19th General Assembly, Resolutions and Recommendations*, Gland, Switzerland.

International Union for the Conservation of Nature (IUCN) 1996, *1996 IUCN Red List of Threatened Animals.* Gland, Switzerland.

International Union for the Conservation of Nature (IUCN) 1997, *World Conservation Congress: Resolutions and Recommendations*, IUCN Gland Switzerland.

International Union for the Conservation of Nature (IUCN) 2000a, *Confirming the global extinction crisis: A call for international action as the most authoritative global assessment of species loss is released,* online resource, viewed November 5 2003, <http://www.iucn.org/redlist/news.htm>

International Union for the Conservation of Nature (IUCN) 2000b, *2000 IUCN Red List of Threatened Animals.* Gland, Switzerland.

International Union for the Conservation of Nature (IUCN) /SSC Marine Turtle Specialist Group 1995, *A Global Strategy for the Conservation of Marine Turt*les. IUCN and Natural Resources Species Survival Commission.

International Union for the Conservation of Nature (IUCN), United Nations Environment Program (UNEP) & World Wildlife Fund for Nature (WWF) 1991, *Caring for the earth-a strategy for sustainable living,* IUCN, UNEP & WWF, Gland, Switzerland.

International Union for the Conservation of Nature (IUCN) 2006, *IUCN Red List of Threatened Animals,* Gland, Switzerland.

Irimoto, T 2000, 'Political Movement, Legal Reformation, and Transformation of Ainu Identity' in P Schweitzer, M Biesele, & RK Hitchcock, *Hunters and Gatherers in the Modern World,* Berghahn Books, New York, Oxford, pp. 206 - 223.

IUCN Publications Services Unit 1992, *Protected Areas of the World: a Review of National Systems. Vols. 1, 2, 3, 4.,* Biodiv. Ref. SB481.P78 1991, Cambridge, UK

IUCN World Commission on Protected Areas 1998, *Regional Action Plan for Protected Areas in South Asia: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. New Delhi. India*, WCPA South Asia.

Ivanitz, M 1999, 'Culture, ethics and participatory methodology in cross-cultural research', *Australian Aboriginal Studies,* no. 2, 1999, pp. 46-58.

Ivanovici A, Tarte D & Olson M (eds) 1991, 'Protection of marine and estuarine areas: a challenge for Australians', *Proceedings of the fourth Fenner Conference on the environment,* 9-11 October, Canberra.

Iwasaki-Goodman, M 2005, 'Resource Management for the next generation: co-management of fishing resources in the Western Canadain Artic region, in N Kishigami & JM Savelle, *Indigenous use and Management of Marine Resources*, Senri Ethnological Studies no. 67, National Museum of Ethnology, Osaka, Japan, pp 101 – 121.

Iwasaki-Goodman, M & Freeman, M 1994, 'Social and Cultural Significance of Whaling in Contemporary Japan: A Case Study of Small Type Coastal Whaling', in Burch, ER Jnr & Ellanna, L (eds), *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 377 – 403.

Jacobs, P & Mulvihill P 1995, 'Ancient Lands: New Perspectives, Towards multi-cultural literacy in landscape management.' *Landscape and Urban Planning* no. 32, pp. 7-17.

Jager, S 2001, 'Discourse and Knowledge: Theoretical and methodological aspects of a critical discourse and dispositive analysis,' in R Wodak & M Meyer, *Methods of Critical Discourse Analysis,* Sage, London, pp 32 – 62.

Jagtenberg, T & McKie, D 1997, *Eco-impacts and the greening of modernity: New maps for communication studies, cultural studies and sociology*, Thousand Oaks Press, Sage, California.

James, AN 1999, 'Institutional Constraints to Protected Area Funding,' in *Parks, Management of Effectiveness of Protected Areas*, vol. 9, no 2, June 1999.

Jameson, F 1991, *Postmodernity, or the Cultural Logic of Late Capitalism*, Verso Press, London.

Janzen, D 2001, 'Good fences make good neighbours: Area de Conservacion Gunacaste, Costa Rica' in *ICDPS*: *Working with Parks and People in Parks* vol. 11, no. 2 WCPA, IUCN.

Jefferson, (ed.) 1975, *Resistance through Rituals,* Centre for Contemporary Cultural Studies, University of Birmingham.

Johannes, RS (ed.) 1989, *Traditional Ecological Knowledge: A Collection of Essays,* IUCN.

Johannes RE & MacFarlane JW 1990, 'Assessing customary marine tenure systems in the context of marine resource management: a Torres Strait example', in K Ruddle & RS Johannes (eds), *Contending with global change: study no 2: traditional resource management in the Pacific Basin: an anthology*, UNESCO & ROSTSEA, Jakarta, Indonesia.

Johannes RS & MacFarlane JW 1991, *Traditional fishing in the Torres Strait Islands,* CSIRO Division of Fisheries, Hobart.

Jones, C 2002, 'The Conflict Resolution Domain: A Mediation Model for the Resolution of Cross Cultural Multi- Party Resource Based conflict', paper presented at the *South Pacific Land Tenure Conflict Symposium*, United Nations and University of the South Pacific, Suva, Fiji.

Jones, C 2004, 'Is there a future for co-existence? A Question of Strategy' in *Indigenous law bulletin, vol. 6, no. 5, pp.15-18.*

Jorgensen, DL 1989, *Participant Observation. A Methodology for Human Studies,* Sage Publications, New York.

Jose, J 1998, *Bio-politics of the subject: An Introduction to the Ideas of Michel Foucault,* NTU Press, Darwin, Northern Territory.

Jull P 1993, *A sea change: overseas indigenous-government relations in the coastal zone: consultancy report,* Prepared for Coastal Zone Inquiry, RAC, Canberra.

Kaare, B 1994, 'The Impact of Modernisation Policies on the Hunter-Gatherer Hadzabe: The Case of Education and Language Policies of Post Independence Tanzania', in Burch, E Jnr & Ellanna, L (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 315 – 333.

Kassam, A 2002, 'Ethnotheory, ethnopraxis: ethnodevelopment in the Oromia state of Ethiopia', in P Sillitoe, A Bicker & J Pottier, (eds) *Participating in Development: Approaches to Indigenous Knowledge,* Routledge, London, pp. 64 - 82.

Kawulich, B 2005, 'Participant Observation as a Data Collection Method', *Forum: Qualitative Social Research* (On-line Journal), vol. 6(2), online http://www.qualitative-research.net/fqs-texte/2-05/05-2-43-e.htm.

Keene, AS 1983, 'Biology, Behavior and Borrowing: A Critical Examination of Optimal Foraging Theory in Archaeology', in JA Moore & AS Keene, (eds.) Archaeological Hammers and Theories, pp. 137-55.

Kelly, RL 1995, *The Foraging Spectrum*, Smithsonian Institution Press, Washington DC.

Kidd, R 1997, *The Way We Civilise: Aboriginal Affairs - the untold story,* University of Queensland Press, Brisbane.

Kishigami, N 2005, 'Co-Management of Beluga Whales in Nunavik (Arctic Quebec)), Canada,' in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp.121-144.

Kleindienst, M.R. & Watson PJ 1956, '"Action archaeology": the archaeological inventory of a living community', *Anthropology Tomorrow* vol. 5, pp. 75-78.

Kobayashi, A & MacKenzie, S (eds) 1989, *Remaking Human Geography,* Unwin Hyman.

Kolig, E 1989, 'The powers that be and those who aspire them: Kinship and Representation in Australian Aboriginal Society', in JC Altman (ed.) pp. 43 – 65, *Oceania Monograph*, no 28, University of Sydney, Sydney.

Kothari, A, Pathak, N, & Vania, F, 2000, *Where Communities Care is the full regional review of community wildlife management in South Asia*, IIED, London.

Kratz, CA 1988, 'The unending ceremony and a warm house: representation of a patriarchal ideal and the silent complementarity in Okiek blessings,' in T Ingold, D Riches, D & J Woodburn (eds), *Hunters and Gatherers 2: Property, power and ideology',* Berg, Oxford, pp.215-248.

Kratz, CA 1989, 'Sexual Solidarity and the Secrets of Sight and Sound: Shifting Gender Reelations ans their Ceremonial Constitutions', *American Ethnologist*, vol.16, pp. 449-69.

Kuale, S 1996, *Interviews: An Introduction to qualitative research interviewing*, Sage, California.

Kuku Yalanji 1997, *Sustainable Hunting for Green Sea Turtle and Dugong in Traditional Kuku – Yalanji 'Sea country' A Management Framework by the Mossman / Daintree Aboriginal Community,* Kuku Yalanji Marine Resource Management Committee, Mossman.

Kumar, M 2000, 'Postcolonial Theory and Cross-culturalism: Collaborative 'Signposts' of Discursive Practices', *Journal of Educational Enquiry*, vol. 1, no.2, pp. 82 – 92.

Kwan, D 2002, *Towards a sustainable Indigenous fishery for dugongs in Torres Strait: A contribution of empirical data and process.* PhD thesis, James Cook University, Townsville.

Kwan, D 2005, 'Traditional Use in Contemporary *Ailan* (Island) Ways: The Management Challenge of a Sustainable Dugong Fishery in Torres Strait, in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp. 281-303.

Kwan, D, Dews, D, Bishop, N & Garnier, H 2001, 'Towards Community-Based Management of Natural Marine Resources in Torres Strait,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp. 214-229.

Lacan, J 1977, *Ecrits. A Selection*, WW Norton, New York.

Laenui, P 2000, 'Processes of Decolonization,' in M Battiste (ed.)*, Indigenous Peoples and Postcolonial Colonialism,* UBC Press, Canada, pp. 50 – 57.


Laird, SA, & Posey, DA, 2001, 'Professional society standards for biodiversity research: codes of ethics and research guidelines', Laird, SA (ed.) *Biodiversity and traditional knowledge, Equitable partnerships in practice,* Earthscan, London.

Laird, SA, & Wynberg, R., 2001, 'Institutional policies for biodiversity research', Laird, SA (ed.), *Biodiversity and traditional knowledge, Equitable partnerships in practice,* Earthscan, London.

Langton, M 2000, 'Indigenous concepts of connectedness and the new environmentalism', Paper presented at the Linacre Lecture Series on *Consciousness*

*of Connections: Global Environments and the New Millennium*, 3 January 2000, Oxford.

Lanyon, JM & Morrice, MG 1997, *The distribution and abundance of dugongs in Moreton Bay, south-east Queensland*, Report to Queensland Department of Environment and Heritage, Brisbane.

Law, J 1994, *Organising Modernity*, Blackwell, Oxford.

Lawrence, D 1996, *Managing parks/ managing 'country': joint management of Aboriginal owned protected areas in Australia*, Research paper no. 2, 1996-97, Parliamentary Research Service, Department of the Parliamentary Library, Canberra.

Lebel, L, Anderies, JM, Campbell, B, Folke, C, Hatfield-Dodds, S 2005, 'Governance and the capacity to manage resilience in regional social-ecological systems', *Ecology and Society,* Vol. 10, No. 2), 8. URL: http://www.ecologyandsociety.org/vol10/iss2/art8/. Acessed October 5th 2006.

Le Couteur, A 2001, 'On saying 'sorry': a repertoire of apology to Australia's Stolen Generations' pp 146 – 159, in A McHoul, & M Rapley 2001, *How to analyse Talk in Institutional Settings. A Case Book of Methods*, Continuum Press, London.

Lee, R 1968, 'What Hunters Do for a Living, or, How to Make Out on Scarce Resources', in R Lee & I DeVore (eds), *Man the Hunter*, Aldine press, Chicago.

Lee, R 1969, 'Kung Bushmen Subsistence: An Input-Output Analysis', in A Vayda (ed.), *Environment and Cultural Behaviour*, Natural History Press, Garden City, New York.

Lee, R 1981, 'Is there a foraging mode of Production?', *Canadian Journal of Anthropology*, vol. 2, no. 1 pp.13-19.

Lee, R 1988, 'Reflections on Primitive Communism' in T Ingold, D Riches, & J Woodburn, *Hunters and Gatherers. Vol.II, History, Evolution and Social Change*, Berg press, Oxford, pp 252 – 26.

Lee, RB & Devore, I (eds.) 1968, *Man the Hunter*, Aldine Publishing Company, Chicago.

Leitch, K 1997, *Entanglement of Marine Turtles in Netting: Northeast Arnhem Land, Northern Territory, Australia*, Unpublished report to Environment Australia. Dhimurru Land Management Aboriginal Corporation, 20 October 1997.

Leroy Little Bear 2000, 'Jagged Worldviews Colliding,' in M Battiste (ed.) *Indigenous Peoples and Postcolonial Colonialism*, UBC Press, Canada, pp. 77 – 86.

Levi-Strauss, C 1953, 'Social structure', in AL Kroeber (ed.), *Anthropology Today,* University of Chicago Press, Chicago, pp.24-53.

Liddle, L (with Young, E) 2001, 'Bridging the Communication Gap. Transferring Information between Scientists and Aboriginal Land Managers,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp.147-155.

Limpus, CJ 1995, *Conservation of Marine Turtles in the Indo – Pacific region. Final Report to the Australian Nature Conservation Agency,* Australian Nature Conservation Agency, Canberra.

Limpus, C 1999, *Green turtle, Chelonia mydas in Queensland: population status and sustainable harvest*, September 1999 review, Brisbane, unpublished report to Queensland Parks and Wildlife Service.

Limpus, CJ & McLachlan, NC 1979, 'Observations on the leatherback turtle, *Dermochelys coriacea* (L.), in Australia', *Australian Wildlife Research* vol. 6, pp. 105 - 116.

Limpus, CJ & Miller, JD 1994, 'The occurrence of cutaneous fibropapillomas in marine turtles in Queensland', in James, R (ed.) *Proceedings of the Australian Marine Turtle Conservation Workshop*, Australian National Parks and Wildlife Service; Canberra, pp. 186 - 188.

Limpus, C & Reimer, D 1994, 'The loggerhead turtle, *Caretta caretta*, in Queensland: a population in decline', in James, R (ed.) *Proceedings of the Australian Marine Turtle Conservation Workshop*, Australian National Parks and Wildlife Service; Canberra.

Limpus CJ, Miller JD, Parmenter CJ, Reimer D, McLachlan N, & Webb R 1992, 'Migration of Green (*Chelonia mydas*) and Loggerhead (*Caretta caretta*) Turtles to and from Eastern Australian Rookeries', *Wildlife Research* vol. 19, pp. 347-358.

Limpus CJ, Eggler P, & Miller JD 1994, 'Long interval remigration in eastern Australian chelonia', in BA Schroeder & BE Witherington (eds) *Proceedings of the thirteenth Annual Symposium on Sea Turtle Biology and Conservation,* U.S Department of Commerce, NOAA Technical Memorandum NMFS-SEFSC.

Limpus CJ, Carter D, & Hamann, M 2001, 'The green turtle, *Chelonia mydas*, in Queensland, Australia: The Bramble Cay rookery in the 1979-1980 breeding season, *Chelonian Conservation and Biology* vol. 4, pp. 34-46.

Lofland, J & Lofland L 1984, *Analysing social settings: A Guide to Qualitative Observation and Analysis* 2nd Edition, Belmont, CA Washington.

Loibooki, M, Hofer, H, Campbell, KLI & East, ML 2002, 'Bushmeat hunting by communities adjacent to the Serengeti National Park, Tanzania, the importance of

livestock ownership and alternative sources of protein and income, *Environmental Conservation,* vol. 29, no.3, pp. 391-398.

Loos, N 1976, *Aboriginal - European Relations in North Queensland 1861-1897,* Ph.D. Thesis, James Cook University, Townsville.

Loos, N 1982, *Invasion and Resistance: Aboriginal-European Relations on the North Queensland Frontier, 1861-1897,* Australian National University Press, Canberra.

Lothian, J 1994, 'Attitudes of Australians towards the environment', *Australian Journal of Environmental Management,* vol. 1, pp 78-97.

Lourandos H 1988, 'Paleopolitics: resourse intensification in Aboriginal Australia and Papua and New Guinea,' in T Ingold, D Riches & J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp. 148-169.

Lukes, S 1974, *Power: A Radical View,* Blackwell, UK.

Lukes, S 1994, 'Some problems about rationality' in M Martin, & LC McIntyre (eds) *Readings in the Philosophy of Social Science,* MIT Press, Cambridge MA.

Lutheran Herald 1927, *Mission News - our Lutheran Mission Hope Valley*, March 14 1927.

Lutheran Herald 1929, *Mission news - Our Hope Valley Mission*, September 30 1929.

Lutheran Herald 1933, *In Our Hope Valley Mission*!, January 30 1933.

Lutheran Herald 1934, *Our Hope Valley Mission,* January 15 1934.

Lutheran Herald 1935, *Our Lutheran Mission, Hope Valley,* July 22 1935.

Lutheran Herald 1936a, *Mission News: Fifty Years of Hope Valley,* February 3 1936.

_____ 1936b, *Fifty Years of Hope Valley (contd,)* February 17th 1936.

_____ 1936c, *Our Hope Valley Mission*, October 26th 1936.

Lutheran Herald 1939, *Mission News: Our Hope Valley Mission*, October 9 1939.

Lutheran Herald 1943, *Hope Valley,* November 6th 1943.

Lutheran Herald 1944a, *The Hope Valley and New Guinea Missions*, January 29 1944.

_____ 1944b, *The Hope Valley and New Guinea Missions*, January 29th 1944.

Lutheran Herald 1945, *The Mission Fields - Hope Valley*, March 17 1945.

Lutheran Herald 1946, *Mission News: A Visit to Cooktown and the Hope Vale Mission Area*, December 7th 1946.

Lutheran Herald 1947, *Hope Valley, A Trip to Woorabinda on Boxing Day*, February 1st 1947.

Lutheran Herald 1949a, *Lutheran Mission, Hope Valley, Appeal for the Reconstruction of our Mission*, April 2nd 1949.

_____ 1949b, *Mission News, Lutheran Mission Hope Valley*, May 28 1949.

_____ 1949c, *Mission News - Lutheran Mission Hope Valley*, June 25th 1949.

_____ 1949d, *Lutheran Mission - Hope Valley*, September 17th 1949.

_____ 1949e, *Lutheran Mission Hope Valley*, December 10 1949.

Lutheran Herald 1950, *Mission News - Lutheran Mission Cooktown*, March 18 1950.

Lutheran Herald 1951a, *Mission News Lutheran Mission Cooktown*, June 9th 1951.

_____ 1951b, *Lutheran Mission Cooktown, News from the Board*, July 7th 1951.

_____ 1951c, *Lutheran Mission Cooktown*, May 12th 1951.

Lutheran Herald 1952a, *Mission News Lutheran Mission Cooktown - News In Brief*, January 19th 1952.

_____ 1952b, *Mission News - Impressions of Lutheran Mission Cooktown*, September 13th 1952.

Lutheran Herald 1954a, *Mission News - Hope Vale Mission News In Brief*, February 13th 1954.

_____ 1954b, *Mission News - Hope Vale Mission*, July 10 1954.

_____ 1954c, *Mission News, Hope Vale Mission - A Visit to Hope Vale Mission*, August 14th 1954.

Lutheran Herald 1955, *Mission News - Hope Vale Mission - Help for the Mission*, July 23 1955.

Lutheran Herald 1956a, *Mission News - Hope Vale Mission by Blitz to Hope Vale*, January 28 1956.

_____ 1956b, *Mission News - Hope Vale Mission, Visit by Special Commission*, September 8 1956.

_____ 1956c, *Mission News - Hope Vale Mission News from the Board*, October 13 1956.

Lyotard, J 1984, *The Postmodern Condition: A Report on Knowledge*, Manchester University press, Manchester.

MacDonnell, D 1986, *Theories of Discourse*, Blackwell, Oxford.

MacKinnon, K & Warojo, W 2001, 'ICDPs: Imperfect solutions for imperilled forests in South - East Asia' in *ICDPS: Working with Parks and People in Parks* vol. 11, No 2, WCPA, IUCN.

Manne, R 1998, 'The stolen generations', *Quadrant*, Vol. 42, No. 1, pp. 53 – 63.

Margolin, E 1998a, *Working Towards Community Based Resource Management: Listening to Indigenous Voices*, School for International Training, Cairns.

_____ 1998b, *Documentation of Traditional Knowledge Surrounding Turtles (Ngawiya) and Dugong (Girrbithi)*, unpublished report for the School for International Training, Cairns.

Marine And Coastal Committee (MACC) 2005, *Sustainable and legal Indigenous harvest of marine turtles and dugongs in Australia –A National Approach*, developed by the MACC Taskforce Marine and Coastal Committee (MACC) on Dugong and Marine Turtle Populations in consultation with Indigenous communities and Stakeholders, Canberra.

Markus, A 1994, *Australian Race Relations 1788-1993*, Allen & Unwin, Sydney.

Marquardt, W 1988, 'Politics and Production among the Calusa of south Florida' in T Ingold, D Riches & J Woodburn (eds), *Hunters and Gatherers. Vol. II History, Evolution and Social Change,* Berg press, Oxford, pp. 161 – 189.

Marsh, H 1996, 'Progress towards the Sustainable Use of Dugongs by Indigenous peoples in Queensland', in M Bomford & J Caughley *Sustainable Use of Wildlife by Aboriginal Peoples by Aboriginal peoples and Torres Strait Islanders*, Bureau of Rural Sciences (BRS), Canberra, pp. 139-151.

Marsh, H 2000, 'Evaluating management initiatives aimed at reducing the mortality of dugongs in gill and mesh nets in the Great Barrier Reef World Heritage Area', *Marine Mammal Science* vol. 16, pp.684-694.

Marsh, H 2002, *Letter from Helene Marsh to GBRMPA re Hope Vale Plan*, Townsville.

**412.**

Marsh, H 2003a, *Progress towards the cooperative management of marine hunting by a remote indigenous community and government agencies in the Great Barrier Reef Region, Final Report,* GBRMPA/JCU Final Report. Townsville, Australia.

Marsh, H 2003b, *An integrated framework for the conservation of dugongs and dugong hunting cultures in northern Australia. Final Report*, GBRMPA/JCU Final Report, Townsville, Australia.

Marsh, H 2006, 'Progress Towards the Cooperative Management of Marine Hunting in the Great Barrier Reef', in TR McClanahan & JC Castilla, *Fisheries Management: progress towards Sustainability*, Blackwells

Marsh, H, & Heinsohn, GE 1982, *Zoning the Cairns Section of the Great Barrier Reef Marine Park for the conservation and management of dugongs (Dugong dugon). Townsville,* Unpublished report to Great Barrier Reef Marine Park Authority, Townsville.

Marsh, H & Lawler, I 1999, *Dugong Distribution and Abundance in the Southern Great Barrier Reef Marine Park and Hervey Bay: Results of an Aerial Survey in October – December 1999*, GBRMPA Research Publication No. 70, Townsville.

Marsh, H & Lawler, I 2002, *Dugong distribution and abundance in the northern Great Barrier Reef Marine Park - November 2000*. Research Publication No. 77. Great Barrier Reef Marine Park Authority.

Marsh, H & Saalfeld WK 1989a, 'Aerial surveys of sea turtles in the northern Great Barrier Reef Marine park', *Australian Wildlife Research,* vol. 16, pp 239-49.

Marsh, H & Saalfeld W 1989b, 'The distribution and abundance of Dugongs in the northern Great Barrier Reef Marine Park', *Australian Wildlife Research* vol.16, pp. 429-40.

Marsh, H, Heinsohn, GE & Marsh, LM 1984a, 'Breeding cycle, life history and population dynamics of the dugong, *Dugong dugon* Sirenia: Dugongidae', *Australian Journal of Zoology* vol. 32, pp.767-785.

Marsh, H, Smith, A, & Kelly, G 1984b, Dugong hunting by members of the Hopevale Aboriginal community and the initial reaction to the GBRMP and the dugong permit system, Unpublished report to the Great Barrier Reef Marine Park Authority, James Cook University, Townsville.

Marsh, H, Breen, B & Preen, AR 1994, *The status of dugongs, sea turtles and dolphins in the inshore region of the Great Barrier Reef Marine Park south of Cape Bedford,* Report to Great Barrier Reef Marine Park Authority, Townsville.

Marsh, H, Corkeron, P, Lawler, IR, Lanyon, JM & Preen, AR 1995, *The status of the dugong in the southern Great Barrier Reef Marine Park*, Report to Great Barrier Reef.

Marsh, H, Harris, A, & Lawler, I 1997, 'Sustainability of the indigenous Dugong fishery in Torres Strait, Australia/Papua New Guinea', *Conservation Biology* vol. 11, no.6, pp. 1-13.

Marsh, H, Eros, CM, Corkeron, P & Breen, B 1999a, 'A conservation strategy for dugongs: implications of Australian research', *Marine and Freshwater Research,* vol. 50, 979–990.

Marsh, H, Gibson, P, Roberts, C & Williams, R 1999b, 'Providing research support for co-management of natural resources in a manner acceptable to Indigenous Australians' unpublished paper presented at the *International Symposium on Society and Resource Management: Application of Social Science to Resource Management in the Asia-Pacific Region* Brisbane Australia, 7-10 July 1999.

Marsh, H, Penrose, H, Eros, J Hugues, 2002 & United Nations Environment Programme 2002, *Dugong : status reports and action plans for countries and territories*, United Nations Environment Programme. Early Warning and Assessment Report Series 1, 162pp.

Marsh, H, Lawler, I, Kwan, D, Delean, S, Pollock, K & Alldredge, M, 2004, 'Aerial surveys and the potential biological removal technique indicate that the Torres Strait dugong fishery is unsustainable', *Animal Conservation* vol. 7, pp.435-443.

Marsh, H, De'ath, G, Gribble, N, & Lane, B 2005, 'Historical marine population estimates:triggers or targets for conservation? The dugong case study', *Ecological Applications*, vol. 15, pp. 481-492.

Martin, JF 1983, 'Optimal Foraging Theory: A Review of Some Models and Their Application', *American Anthropologist*, vol. 85, no. 3, pp. 612-628.

Martin, JF 1985, 'More on Optimal Foraging Theory', *American Anthropologist*, vol. 87, no. 3., pp. 649-50.

Maurstad, A 2002, 'Fishing in murky waters – ethics and politics of research on fisher knowledge', *Marine Policy,* vol. 26, pp. 159-166.

May, T 1997, *Social Research. Issues, Methods and Process,* Open University Press, UK.

McCall, G & Simmons, J (eds) 1969, *Issues in participant observation: A Text and Reader*, Addison Wesley, London.

McCallum, R & Sekham, N 1997, *Race for the Rainforest. Evaluating Lessons from an Integrated Conservation and Development "Experiment" in New Ireland*, *Papua New Guinea*, PNG Biodiversity Conservation and Resource Management Program.

McCreedy, M 1994, 'The Arms of the Dibouka' in ES Burch Jnr & LJ Ellanna, (eds) *Key Issues in Hunter - Gatherer Research*, Berg, Oxford, pp. 11-14.

McIntyre, J 2002, 'An adapted version of a community of practice approach to evaluation owned by indigenous stakeholders', *Evaluation Journal of Australasia*, vol. 2, no.2, pp. 57-59.

McKay, B, Jentoft, S 1996, 'From the bottom up: Participatory Issues in Fisheries Management,' *Society and Natural Resource*, vol. 9, pp. 237 - 250.

McLain, R, & Lee, R 1996, 'Adaptive management: promises and pitfalls, *Journal of Environmental Management*, Vol. 20, pp. 437–48.

McNeely, JA 1995a, 'Partnerships for Conservation: An Introduction' in J.McNeely (ed.), *Expanding Partnerships in Conservation*, IUCN, Island Press, Washington.

McNeely, JA (ed.) 1995b, *Expanding Partnerships in Conservation*, IUCN, Island Press, Washington D.C.

Mearns, L 1994, 'To continue the Dreaming: Aboriginal Women's Traditional Responsibilities in a Transformed World', in E Burch & L Ellanna (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp. 263-288.

Meggitt 1966, 'Indigenous forms of government amongst Australian Aborigines', in I Hogbin & L Hiatt, *Readings in Australian and Pacific Anthropology*, Melbourne University Press, Melbourne.

Memmot, P & Trigger, D 1998, 'Marine Tenure in the Wellesley Islands Region, Gulf of Carpentaria,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia*, University of Sydney, pp.109-124.

Mena, P, Stallings, J, Regalado, J & Cueval, R 2000, 'The Sustainability of Current Hunting Practices', in Robinson & Bennett, *Hunting for Sustainability in Tropical Forests*, Columbia University Press, Columbia.

Meppem, T. 2000, 'The discursive community: Evolving institutional structures for planning sustainability', *Ecological Economics*, vol. 34, no. 1, pp. 47-61.

Merculieff, I 1994, 'Western Society's Linear Systems and Aboriginal Cultures: The Need for Two Way Exchanges for the sake of Survival,' in ES Burch Jnr & JL Ellanna (eds), *Key Issues in Hunter Gatherer Research*, Berg. Oxford, pp. 405-418.

Meyer, M 2001, 'Between theory, method, and politics: positioning of the approaches to CDA' in R Wodak & M Meyer, *Methods of Critical Discourse Analysis,* Sage, London, pp. 14 – 31.

Meyers, GD 1994, 'Aboriginal rights to the "profits of the land": the inclusion of traditional fishing and hunting rights in the content of Native Title', in RH Bartlett & GD. Meyers (eds), *Native Title legislation in Australia*, The Centre for Commercial and Resources Law, The University of Western Australia and Murdoch University, Perth, Western Australia, pp.213-230.

Millennium Ecosystem Assessment (MA) 2003, *Ecosystems and human well being: a framework for assessment/Millennium Ecosystem Assessment.* Island Press, Washington D.C., USA.

Milligan, A, Kenton, N, & Ashley, H 2006, *Participatory learning and Action, PLA Notes – Full Set of Back Issues* 1-53, IIED London.

Mills, S 1997, *Discourse*, Routledge, UK.

Mitchell, P 2002, 'Supporting Aboriginal People to manage their land themselves : mutual responsibility and shared problem solving' in F Walsh & P Mitchell (eds) *Planning on Country: Cross Cultural Approaches to Decision Making on Aboriginal Lands*, Jukurrpa Books, Australia.

Monk, K 2001, 'The Evolution and scope of ICDPs: the example of the Leuser Ecosystem, Sumatra, Indonesia, in *ICDPS: Working with Parks and People in Parks* Vol. 11 No 2 WCPA, IUCN.

Moritz C, Broderick D, Dethmers K, Fitzsimmons N, & Limpus CJ 2001, 'Migration and genetics of Indo-Pacific marine turtles,' Final Report to UNEP/CMS.

Morphy, H 1988, 'Maintaining cosmic unity: ideology and the reproduction of Yolngu clans,' in T Ingold, D Riches & J Woodburn (eds), *Hunters and Gatherers 2: Property, power and ideology'* Berg, Oxford, pp.249-271.

Morphy, H, 1983, '"Now you understand": an analysis of the way Yolngu have used sacred knowledge to retain their autonomy', in N Peterson & M Langton, (eds), *Aborigines, land, and land rights*, Australian Institute of Aboriginal Studies, Canberra, 1983, pp. 110-133.

MPA 1984, *Policy No: 2000/663. Decision made on Research Relevant to the Great Barrier Reef Marine Park: Monitoring the Human - Induced Mortality of Dugongs MPA* 73/7, 22 and 23rd August 1984, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1988a, *Policy No: 2000/164 - Decision made on Management Relating to the Great Barrier Reef Marine Park: Community By - Laws for the Management of*

*Traditional Hunting and Fishing*, MPA 102/15, 27 June 1988, Great Barrier Reef Marine Park Authority, Townsville.

_____ 1988b, *Policy No: 2000/262. Decision made on Consultation and Collaboration with Indigenous People on Matters Relating to the Great Barrier Reef Marine Park*, MPA 102/15, 27 June 1988, Great Barrier Reef Marine Park Authority, Townsville.

_____ 1988c, *Policy No: 2000/182. Decision made on Educational, Advisory and Informational Services Relating to the Great Barrier Reef Marine Park: Indigenous Community Awareness*, MPA 102/15 27 June 1988, Great Barrier Reef Marine Park Authority , Townsville.

MPA 1989a, *Decision on Management Relating to the Great Barrier Reef Marine Park: Conservation of Dugongs*, MPA 109/8, 28 April 1988, Great Barrier Reef Marine Park Authority, Townsville.

_____1989b, *Policy No: 2000/663. Decision made on Research Relevant to the Great Barrier Reef Marine Park: Monitoring the Human - Induced Mortality of Dugongs* MPA 109/8, 28th April 1989, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1991, *Policy No: 2000/282: Decision made on Joint Planning and Management Relating to the Great Barrier Reef Marine Park,* MPA 127/16, 19th and 21st June 1991, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1993a, *Policy No: 2000/282: Decision made on Joint Planning and Management Relating to the Great Barrier Reef Marine Park*, MPA 145/1, 15th and 16th December 1993, Great Barrier Reef Marine Park Authority, Townsville.

_____1993b, *Policy No: 2000/283 Decision made on Funding for Community Ranger Program and Similar Indigenous Involvement in Management of the Great Barrier Reef Marine Park and Related Areas*, MPA 145/18, 15th and 16th December 1993, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1993c, *Policy No: 2000/109 Decision made on Management Relating to the Great Barrier Reef Marine Park: Conservation of Turtles*, MPA 145/1,15& 16th December 1993, Great Barrier Reef Marine Park Authority, Townville.

MPA 1994a, *Policy No: 2000/282 Decision made on Joint Planning and Management Relating to the Great Barrier Reef Marine Park,* MPA 151/2, 20th October 1994, Great Barrier Reef Marine Park Authority, Townsville.

_____1994b, *Policy No: 2000/283 Decision made on Funding for Community Ranger Program and Similar Indigenous Involvement in Management of the Great Barrier Reef Marine Park and Related Areas*, MPA 151/2, 20 October 1994, Great Barrier Reef Marine Park Authority, Townsville.

_____ 1994c, *Policy No: 2000/284 Decision on Research relevant to the Great Barrier Reef Marine Park: Research into Cultural and Heritage Matters*, 20 October 1994, Great Barrier Reef Marine Park Authority, Townsville.

_____ 1994d, *Policy No: 2000/284 Decision made on Research Relevant to the Great Barrier Reef Marine Park: Research not Cultural and Heritage Matters*, MPA 151/2, 20th October 1994, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1997, *Policy No 2000/282 Decision made on Joint Planning and Management Relating to the Great Barrier Reef Marine Park*, MPA 166/7, 11 April 1997, Great Barrier Reef Marine Park Authority, Townsville.

MPA 1998, *Policy No: 2000/163 Decision made on Zoning Plans for the Great Barrier Reef Marine Park: Designation of Traditional Hunting Areas*, MPA 102/15, 27 June 1998, Great Barrier Reef Marine Park Authority, Townsville.

MPA 2001, *Policy No: 2000/282 Decision made on Joint Planning and Management relating to the Great Barrier Reef Marine Park,* MPA 183/8A, September 2001, Great Barrier Reef Marine Park Authority, Townsville.

Murphree, M 1991, *Communities as Institutions for Resource Management*, Center for Applied Social Sciences (CASS), University of Zimbabwe, Harare.

Murphree, M 1996, *Wildlife in Sustainable Development,* Center for Applied Social Sciences (CASS), University of Zimbabwe, Harare.

Myers, F 1988, 'Burning the Truck and holding the country: property, time and the negotiation of identity amongst the Pintupi Aborigines, in T Ingold, D Riches, & J Woodburn (eds) *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford, pp 52 – 75.

Myerson, G & Rydin, Y 1996, *The Language of the Environment: a New Rhetoric* UCL Press, London.

Napier, V, Branch, G & Harris, J 2005, 'Evaluating conditions for successful co-management of subsistence fisheries in KwaZulu-Natal, South Africa, *Environmental Conservation,* vol. 32, no. 2, pp. 165-177.

National Health and Medical Research Council (NHMRC) 2000, *Nutrition in Aboriginal and Torres Strait Islander peoples, An information paper*, NHMRC, Canberra.

National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their Families 1997, *Bringing Them Home,* Human Rights and Equal Opportunity Commission, Sydney.

National Native Title Tribunal (NNTT) (Brisbane Registry) 1997, *Native Title Determination: Hope Vale, Queensland, Application number QC96/15, December 1997,* National Native Title Tribunal: Brisbane Registry.

Nettheim, G 2001, *Discussion Paper 7: Governance Bodies and Australian Legislative Provision for Corporations and Councils*, Reconciliation and Social Justice Library, The University of New South Wales and Murdoch University.

Nie, M 2001, 'The socio-political dimensions of wolf management and restoration in the United States', in *Human* Ecology, vol. 8, no. 1, pp 1- 12.

Nietschmann B 1982, 'Indigenous island peoples, living resources and protected areas', *World National Parks Congress*, Bali, 11-22 October, IUCN, Switzerland.

Nietschmann, B 1997, 'Protecting Indigenous Coral Reefs and Sea Territories, Miskito Coast, RAAN Nicaragua', in S Stevens (ed*.) Conservation Through Cultural Survival Indigenous People and Protected areas,* Island Press, Washington DC, pp 193 – 225.

Nohria, N & Eccles, R 1992, *Networks and Organisations; Structures, Forces and Actions,* Harvard Business School Press.

Norris, C 1987, *Derrida*, Fontana Paperbacks, London, UK.

Northern Land Council (NLC) 2005, *Summary Brief about High Court Decisions on Sea Country,* viewed November 8 2005
<http://www.nlc.org.au/html/land_native.html>

Notzke, C 1995, 'A New Perspective in Aboriginal Natural Resource Management: Co-Management,' *Geoforum,* vol. 26, no 2, pp. 187-209.

Nursey-Bray, M 2000, *A Guugu Yimmithirr Bama Wii - A Background Report* A Consultancy Report to the Great Barrier Reef Marine Park Authority, Cairns, Qld.

Nursey-Bray, M 2003, ' Fishing for Answers; The incorporation of Indigenous Knowledge in Northern Australia, Developing Cross Cultural Literacy', in *Putting Fishers' Knowledge to Work Conference Proceedings August 27-30, 2001* Fisheries Centre Research Reports 2003, vol. 11, no. 1, pp. 321-8.

Nursey-Bray, M 2004, *Wuthathi Land and Sea Management Framework*: *Integrating Culture and Country,* ACF and Wuthathi Land Trust publication, Cairns, Queensland.

Nursey-Bray, M,  & Rist, P 2002, *Girringun Saltwater Unit, A Co- Management Proposal,* Girringun /GBRMPA publication, Queensland.

Nursey-Bray, M & Rist, P 2005, 'Sea Country and Tourism – Finding the Balance*'* in H Ross, J Innes, M George & K Gorman (eds) *Traditional Owner Aspirations towards co-operative management of the Great Barrier Reef World Heritage Area:*

*Community Case Studies,* CRC Reef Research Centre Technical Report No. 56, Townsville.

Nursey-Bray, M, & Wallis A 1996a, *Aboriginal Protocols in Consultation, Module 4, PKM301 Principles of Aboriginal Land Management* Faculty of Science and Agriculture, Charles Sturt University, Wagga Wagga.

Nursey -Bray, M and Wallis, A 1996b, *Sharing the Caring: A Review of Natural and Cultural Resource Management in Queensland,* CYLC, Cairns.


O'Faircheallaigh, C 1995, *Negotiations Between Mining Companies and Aboriginal Communities: Process and Structure*, Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University, online resource, viewed April 12, 2005, <http://www.anu.edu.au/caepr/Publications/DP/1995_DP86.pdf>.

Oakley, A 1990, 'Interviewing women: A contradiction in terms,' in H Roberts (ed.) *Doing Feminist Research*, Routledge Kegan Paul, London.

O'Connell, James F. & Hawkes, K 1981, 'Alyawara Plant Use and Optimal Foraging Theory', in B Winterhalder & EA Smith, (eds) *Hunter-Gatherer Foraging Strategies*, Chicago, University of Chicago Press, pp. 99-125.

Office of the High Commissioner for Human Rights 1976, *International Covenant on Economic, Social and Cultural Rights General Assembly resolution 2200A* (XXI), of 16 December 1966 entry into force 3 January 1976, in accordance with article 27 Geneva Switzerland.

Ohmagari, K 2005, 'Whaling Conflicts: The International Debate,' in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp.145-180.

Olsson, P, Folke C, Hahn T 2004, 'Social- ecological transformation for ecosystem management: the development of adaptive co-management of a wetland landscape in southern Sweden', *Ecological. Society (Online), Vol.* 9, No. 4, 2, http://www.ecologyandsociety.org/vol9/iss4/art2/, Accessed 5th October 2006.

Omura, K 2005, 'Science against Modern Science: The Socio-Political Construction of Otherness in Inuit TEK (Traditional Ecological Knowledge)', in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp.323-344.

Osherenko, G 1988, *Sharing Power with Native Users: Co-Management Regimes for Native Wildlife,* Canadian Arctic Resources Committee, Ontario.

Ostrom, E 1990, *Governing the Commons: The Evolution of Institutions for Collective Action,* Cambridge University Press.

Ostrom, E 1999, 'Coping with the tragedy of the commons', *Annual Review of Political Science*, vol. 2, pp. 493 – 535.

Oviedo, P 1999, 'The Galapagos Islands: Conflict management in conservation and sustainable resource management,' in D Buckles (ed) *Cultivating Peace Peace: Conflict and Collaboration in Natural Resource Management,* International Development Research Centre, Ottawa, pp.163-184.

Pàlsson, G 1988, 'Hunters and gatherers of the sea,' ' in T Ingold, D Riches & J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp.189-204.

Pannell, S 1996, "Homo nullius' or where have all the people gone? Refiguring marine management and conservation approaches, *Australian Journal of Anthropology,* April, The Journal of the Australian Anthropological Society.

Peace, A 1996, 'Loggers are environmentalists too'. Towards an ethnography of environmental dispute, rural New South Wales: 1994 – 1995', *Australian Journal of Anthropology*, April, The Journal of the Australian Anthropological Society.

Pearson, N 1991, *Black, Green and (Red) neck. A response to recent criticism of Aboriginal interests in National Parks*, Cultural Management of Natural Resources Series, Cairns.

Pearson, N 2000a, *Our Right To Take Responsibility*, Noel Pearson and Associates, Cairns.

_____ 2000b, 'The Light on the Hill,' Ben Chifley Memorial Lecture, *Journal of Indigenous Issues* vol. 3, no. 3 Sep 2000, pp. 4-15.

Pedersen, J & Waehle, E 1988,'The complexities of residential organization among the Efe (Mbuti) and Bagombi (Baka): a critical view of the notion of flux in hunter-gatherer societies' in T Ingold, D Riches, & J Woodburn, *Hunters and Gatherers. Vol. History, Evolution and Social Change,* Berg press, pp 75 – 91.

Pedynowski, D 2003, 'Science (s) – which, when, and whose? Probing the netanarrative of scientific knowledge in the social construction of nature', *Progress in Human Geography*, vol. 27, no 6, pp. 735 – 752.

Peet, R & Watts, M 1996, *Liberation Ecologies: Environment, Development, Social Movements*, Routledge, London.

Pellizzoni, L 2004, 'Responsibility and Environmental Governance,' *Environmental Politics,* vol. 13, no. 3, Autumn 2004, pp. 541-565.

Peterson, N & Rigsby, B (eds) 1998, *Customary Marine Tenure in Australia*, University of Sydney, Sydney.

Phillips, A 1998, *Parks for Peace - Preface. Parks for Peace International Conference on Transboundary Protected Areas as a Vehicle for International Cooperation, South Africa*, 1997. Onnline resource, viewed November 8, 2003 <http://www.unepwcmc.org/protected_areas/transboundary/somersetwest/somersetwest.pdf>.

Pinkerton, E 1993, 'Co-Management Efforts as Social Movements,' *Alternatives* vol.19, no 3.

Pinkerton, E 1999, 'Factors in overcoming barriers to implementing co-management in British Colombia salmon fisheries', *Conservation Ecology*, vol. 3, no.3.

Pinkerton, E (ed.) 1989, *Cooperative Management in Local Fisheries: New Directions for Improved Management and Community Development,* University of Columbia Press, Vancouver.

Pizzey, S, & Robinson, C 1999, *Co-management with Indigenous people: Key elements and issues - a review,* Department of Natural Resources and Environment, (Parks and Reserves), Victoria.

Ponte, F, Marsh, H & Jackson, R 1994, 'Indigenous hunting rights, Ecological sustainability and the reconciliation process in Queensland', *Search* vol. 25, no.9, pp. 258-261.

Porter, S 1993, 'Critical Realist ethnography: the case of racism and professionalism in a medical setting,' *Sociology*, vol. 27, no. 4, pp.591 – 609.

Posey, D 1996, *Traditional resource rights: international instruments for protection and compensation for indigenous peoples and local communities*, Gland, Switzerland.

Posey, D 2002, 'Upsetting the Sacred Balance: Can the Study of Indigenous Knowledge reflect cosmic connectedness?' in P Sillitoe, A Bicker & J Pottier (eds) *Participating in Development: Approaches to Indigenous Knowledge,* Routledge, London, pp. 24 – 42.

Pratt, K 1994, "They never ask the People": Native views about the Nunivuk Wilderness', pp 333 – 357, in E Burch & L Ellanna (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford.

Preen, AR 2001, *Dugongs, Boats, Dolphins and Turtles in the Townsville-Cardwell Region and Recommendations for a Boat Traffic Management Plan for the Hinchinbrook Dugong Protection Area*, Research Publication No. 67, Great Barrier Reef Marine Park Authority, Townsville.

Prescott, V & Davis, S 2002, 'Aboriginal claims to seas in Australia,' *The International Journal of Marine and Coastal Law* vol. 17, no1, pp.1-31.

Prideaux, M 2000, 'The War of the Whales,' in 'Outcomes for Marine Wildlife at CITES', *Waves* Vol 7 No 2 Winter 2000, Marine and Coastal Community Network, Australia.

Prince, RIT 1998, 'Marine turtle conservation: the links between populations in Western Australia and the Northern Australian region – People and turtles', in R Kennett, A Webb, G Duff, M. Guinea & G Hill (eds), *Marine Turtle Conservation and Management in Northern Australia*, Proceedings of a workshop held at the Northern Territory University, Darwin 3-4 June 1997. Centre for Indigenous Natural and Cultural Resource Management & Centre for Tropical Wetlands Management, Northern Territory University, Darwin.

Pryce, K 1996, *Endless Pressure: A Study of West Indian Life Styles in Bristol,* 2nd Edition, Bristol Classical Press, University of Bristol.

Purcell T & Onjoro, EK 2002, 'Indigenous Knowledge, power and parity: models of knowledge integration,' in P Sillitoe, A Bicker & J Pottier (eds) *Participating in Development: Approaches to Indigenous Knowledge,* Routledge, London, pp. 162-188.

Pykes, GH 1984, 'Optimal Foraging Theory: A Critical Review', *Annual Review of Ecology and Systematics*, vol. 15, pp. 523-575.

Quandamooka Community Elders and Traditional Owners 2002, *Managing Traditional Hunting of Dugong and Turtle by the Quandamooka people, Draft only,* Quandamooka Elders, Queensland.

Queensland Department of Aboriginal and Torres Strait Islander Policy (QDATSIP) 1999a, *Protocols for consultation and negotiation with Aboriginal people*, Brisbane, Qld, Online resource, viewed July 8 2004, <http://nla.gov.au/nla.arc-21855>

Queensland. Department of Aboriginal and Torres Strait Islander Policy (QDATSIP) 1999b, *Mina Mir Lo Ailan Mun: proper communication with Torres Strait Islander peoples*, Brisbane, Qld, Online resource, viewed July 8 2004, <http://nla.gov.au/nla.arc-34464>

Rabinow, P 1984, *The Foucault Reader,* Penguin, Harmonsworth.

Radcliffe-Brown, AR 1913, 'Three tribes of Western Australia', *Journal of the Royal Anthropological Institute of Great Britain and Ireland*, vol.43, pp.143-194.

Radcliffe-Brown, AR 1918, 'Notes on the social organisation of Australian tribes', Journal of the Royal Anthropological Institute of Great Britain and Ireland, vol. 48, pp 222 – 53.

Radcliffe-Brown, AR 1930, 'The social organisation of Australian tribes, Parts 1 and 2', *Oceania,* Vol 1 (Part 1) pp 34 – 63, (Part 2) pp. 206 – 46.

Rambaldi, G, Corbett, J, McCall, M, Olson, R, Muchemi, J, Kwaku Kyem, P, &Wiener, D 2006, *Participatory Learning and Action (54) – Mapping for Change: Practice, technologies and communication*, IIED, London.

Rawsthorne, M 2003, 'Working better with Indigenous people, communities and issues', *SPRC Newsletter,* no.84 May 2003, 6, Online resource, viewed February 1, 2005, <http://www.sprc.unsw.edu.au /nl/NL84.pdf>.

Reynolds, H 1972, *Aborigines and Settlers: The Australian Experience 1788-1939,* Cassell Australia.

Reynolds, H 1982, *The Other Side of the Frontier,* Penguin, Melbourne.

Rigsby, B & Chase, A 1998, 'The Sandbeach People and Dugong Hunters of Eastern Cape York Peninsula: Property in Land and Sea Country,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia,* University of Sydney, pp.192-118.
Roberts, C 2002, *Email Transcript re Meeting at Hope Vale*, 3rd December 2002, Cairns.

Roberts, C & Tanna, A 1998, 'Aboriginal Maritime Estates and their relevance in the context of modern management,' *Coast to Coast Conference,* Perth.

Roberts, RG, Flannery, TF, Ayliffe, LK, Yoshida, H, Olley, JM, Prideaux, GJ, Laslett, GM, Baynes, A, Smith, MA, Jones, R and Smith, BL 2001, 'New ages for the last Australian megafauna: continent – wide extinction about 46,000 years ago', *Science*, Vol. 292, pp. 1888 – 92.

Robinson, C 1998, 'Marine Co-Management Arrangements with Indigenous Peoples: Issues and Options,' *Second Joint Conference of the Institute of Australian Geographers and New Zealand Geographical Society*, IAG, Hobart.

Robinson, CJ, Ross, H & Hockings, M. (2005), *Development of Co-operative management arrangements in the Great Barrier Reef; an adaptive management approach*. CRC Reef Research Centre Technical Report 55, Townsville.

Robinson, J, and Bennett, E 2004, 'Having your wildlife and eating it too: an analysis of hunting sustainability across tropical ecosystems', *Animal Conservation*, Vol. 7, pp. 397 – 408.

Robinson J, and Bennett, E 2002, 'Will alleviating poverty solve the bush meat crisis?, *Oryx*, Vol. 36, 332.

Robinson, J & Bennett, E 2000, *Hunting for Sustainability in Tropical Forests*, Colombia University press, New York.

Roe, D & Jack, M 2001, *Evaluating Eden: Exploring the myths and realities of community-based wildlife management: Series overview*, Evaluating Eden (EE 08),

International Institute for Environment and Development (IIED) Biodiversity Group, London.

Roe, D, Mayers, J, Grieg-Gran, M, Kothari, A, Fabricus, C, &Hughes, R 2000a, *Where Communities Care. Community Based Wildlife and Ecosystem Management in South Asia*, Evaluating Eden Series (EE 03), International Institute for Environment and Development (IIED) Biodiversity Group, London.

Roe, D, Mayers, J, Grieg-Gran, M, Kothari, A, Fabricius, C, & Hughes, R 2000b, Evaluating Edene: Exploring the myths and Realities of Community-Based Wildlife Management, ), International Institute for Environment and Development (IIED) Biodiversity Group, London.

Roe, D, Mulliken, T, Milledge, S, Mremi, J, Mosha, S & Greig-Gran, M 2002, *Stories from Eden: Case studies of community-based wildlife management,* Evaluating Eden (EE 09), International Institute for Environment and Development (IIED) Biodiversity Group, London.

Rorty, R 1992, 'We Anti-representationalists,' *Radical Philosophy* vol. 60.

Ross, A 1994, 'Traditional Hunting in National Parks and the Cultural Heritage Paradigm of Hunting', *Ngulaig*, vol. 11, pp 1-19.

Ross, H, Elspeth Y, & Liddle, L 1994, 'Mabo: an inspiration for Australian land management', *Australian Journal of Environmental Management*, vol. 1, no. 1, July 1994, pp. 24-41.

Ross, H, Innes, J & George, M 2004a, 'A framework for designing co-management for the Great Barrier Reef World Heritage Area', Paper Presented at the *Conference for the International Association for Common Property*, Oaxaca, Mexico, August 2004.

Ross, H, Robinson, C, Hockings, M 2004b 'Evaluating Indigenous co-management of natural resources', Paper prepared for *CSIRO/CIRM Symposium on natural resource management planning: The challenge of evaluation as seen through different lenses*, Brisbane, 15 October 2004.

Ross, H, Innes, J, George, M, & Gorman, K (eds) 2005, *Traditional owner Aspirations towards co-operative management of the Great Barrier Reef World Heritage Area: Community Case Studies,* CRC Reef Research Centre Technical Report No. 56, Townsville.

Roth WE (1901-1903), *North Qld Ethnography Bulletins.*

Rouland, N 1979, 'Les modes juridique des solutions des conflits chex les Inuit', *Etudes/Inuit/Studies*, vol. 3, Special Issue.

Rowley, CD 1970, *Aboriginal Policy and Practice, 3 vols, vol. 1: The Destruction of the Aboriginal Society*, Australian National University, Canberra.

Roy, C.B 2000, *Interpreting as a Discourse Process*, Oxford University Press, New York.

Royal Commission into Aboriginal Deaths in Custody, 1991, AGPS, Canberra, online resource viewed 7 december 2003, <http://www.austlii.edu.au/au/other/IndigLRes/rciadic/>.

Sackett, L 1991, 'Promoting primitivism: conservationist depictions of Aboriginal Australians', *The Australian Journal of Anthropology* vol. 2, no 2, pp. 233-246.

Sahlins, M 1958, *Social stratification in Polynesia*, University of Waverley Press, Seattle.

Sahlins, MD 1960, *Evolution and Culture*, University of Michigan Press, Ann Arbor.

Schiffrin, D 1994, *Approaches to Discourse*

Schnierer, S & Woods, G 1998, 'An Indigenous Perspective on Ethical Research Practices in Protected Areas,' *Australian Journal of Environmental Management,* vol. 5 Supplement, November 1998, pp.39-45.

Scollon, R 2001, 'Action and text: towards an integrated understanding of the place of text in social (inter)action, mediated discourse analysis and the problem of social action, in R Wodak & M Meyer, *Methods of Critical Discourse Analysis*, Sage, London, pp.139-183.

Scott, C 1988, 'Property, Practice and Aboriginal Rights among Quebec Cree Hunters,' in T Ingold, D Riches, & J Woodburn (eds), *Hunter and Gatherers 2: Property, Power and Ideology,* Berg, Oxford, pp. 35-51.

Seidman, S & Wagner, D (eds) 1992, *Postmodernism and Social Theory The debate over general theory,* Blackwell, UK.

Selfa, T 2004, 'Mobilizing at the Frontier: Framing Social Justice Claims in a Natural Resources Management Project in Rondonia, Brazil', *Society and Natural Resources*, vol. 17, pp. 717 – 734.

Sharp, H 1994, 'The Power of weakness', in E Burch, & JL Ellanna, (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 35 – 61.

Sharp, N 1988, 'Dry meat and gender: the absence of Chupewyan ritual for the negotiation of hunting and animal ?, in T Ingold, D Riches, & J Woodburn, J (eds) *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford.

Sharp, N 1998, 'Reimagining Sea Space: from Grotius to Mabo,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia*, University of Sydney, pp.47-65.

Silberbauer, GB 1963, 'Marriage and the Girl's Puberty Ceremongy of the G/wi Bushmen', *Africa* (Reprint), vol. 33, no. 1, pp. 12-24.

Silberbauer, GB 1972, *Hunter-Gatherers in the Central Kalahari Desert.* Cambridge University Press, Cambridge.

Silberbauer, GB 1994, 'A Sense of Place', in E Burch, & JL Ellanna, (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 119 – 147.

Sillitoe, P 2002a, 'Participant Observation to Participatory Development: making Anthropology Work', in P Sillitoe, A Bicker, & J Pottier (eds), *Participating in Development. Approaches to Indigenous Knowledge,* Routledge, London and New York, pp. 1-24.

Sillitoe, P 2002b, 'Globalizing indigenous knowledge', in P Sillitoe, A Bicker, & J Pottier (eds), *Participating in Development. Approaches to Indigenous Knowledge,* Routledge, London and New York, pp. 108 – 139.

Sillitoe, P, Bicker, A & Pottier, J (eds) 2002, *Participating in Development. Approaches to Indigenous Knowledge,* Routledge, London and New York.

Silverman D 1993, *Interpreting Qualitative Data: Methods for Analysing Talk, Text and Interaction*, Sage, London.

Silverman, D 1997, *Qualitative Research: Theory, Method and Practice,* Sage, London.

Singer, P 1991, *Animal Liberation*. 2nd ed. New York: New York Review of Books. Originally published in 1976.

Singer, P 2000, *Writings on an Ethical Life,* Fourth Estate, London.

Smart, B 1988, *Michel Foucault,* Routledge, London.

Smith, AJ 1987, *An Ethnobiological Study of the Usage of Marine Resources by Two Aboriginal Communities on the East Coast of Cape York Peninsula, Australia*, Ph.D. Thesis, James Cook University, Townsville.

Smith, A & Marsh, H 1990, 'Management of traditional hunting of dugongs [*Dugong dugon* (Muller, 1776)] in the Northern Great Barrier Reef, Australia', *Environmental Management,* vol. 14, pp. 47–55.

Smith,G 1998, *A Progress Report on the Hopevale Hunting Management Plan Guugu Yimmithirr Bama Wii, Community Strategy for the Management of Traditional Hunting,* GBRMPA CLU.

Smith, L T 1999, *Decolonizing methodologies: research and indigenous peoples,* University of Otago Press, and Zed Books, Dunedin, NZ.

Smith, C & Ward, G 2000a, *Indigenous Cultures in an Interconnected World,* Allen and Unwin, NSW.

Smith, C. & Ward, G 2000b, 'Globalisation, decolonisation and Indigenous Australia., '*Australian Aboriginal Studies* 2000/ 1&*2*, pp 3-9.

Smyth, D 1993, *A Voice in All Places, Aboriginal and Torres Strait Islander Interests in the Coastal Zone,* Consultancy Report to the Coastal Zone Inquiry, Resource Assessment Commission, Commonwealth of Australia, Canberra.

Smyth, D 1997, 'Recognition of Aboriginal maritime culture in the Great Barrier Reef Marine Park: an evaluation,' in D Wachenfeld, J Oliver & K Davis (eds) *State of the Great Barrier Reef World Heritage Area Workshop Proceedings*, GBRMPA Workshop Series No. 22, GBRMPA, Townsville, pp 496 – 502.

Smyth, D 2001a, 'Indigenous People's Use and Management of Marine Environments,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp. 60-74.

Smyth, D 2001b, 'Joint Management of National Parks,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp.75-91.

Smyth, D & Muir, B 2001, *Representing Sea Country, Aboriginal Involvement in the Great Barrier Reef Marine Park Authority's Representative Areas Program*, Smyth and Bahrdt Consultants, Queensland.

Smyth, D & Sutherland, J 1996*, Indigenous protected areas: conservation partnerships with indigenous landholders*. Canberra: Biodiversity Group, Environment Australia.

Southern Great Barrier Reef Sea Forum 1997, *Minutes: Dugong Strategic Action Planning meeting* Magnetic Island, unpublished.

Southern Great Barrier Reef Sea Forum 1998, .*Sea Forum Declaration of Issues and Aspirations,* ATSIC.

Southern Great Barrier Reef Sea Forum 1999, *Aboriginal Involvement in the management of the southern Great Barrier Reef,* ATSIC Discussion paper, Brisbane.

Southon, M 1998, 'The Sea of Waubin: The Kauareg and Their Marine Environment,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia*, University of Sydney, pp.219-239.

Sponsel, LE 1989, 'Farming and Foraging: A Necessary Complementarity in Amazonia?', in: S Kent (ed.), *Farmers as Hunters:  The Implications of Sedentism*, Cambridge University Press, Cambridge, pp. 37-45.

Spradley, J 1979, *The ethnographic interview,* Fort Worth: Harcourt Brace Jovanovich College Publishers.

Spradley, J 1980, *Participant Observation*, Holt, Rhinehart and Winston, New York.

Spriggs M 2000, 'Can Hunter-Gatherers Live in Tropical Rain Forests? The Pleistocene Island Melanesian Evidence,' in P Schweitzer, M Biesele & RK Hitchcock, (eds) *Hunters and Gatherers in the Modern World*, Berghahn Books, New York, Oxford**,** pp 287-305.

Staniukovich, MV 2000, 'Peacemaking Ideology in a Headhunting Society: *Hudhud*, Women's Epic of the Ifuago,' in Schweitzer, PP, Biesele, M & Hitchcock RK (eds), *Hunters and Gatherers  in the Modern World,'* Berghahn, New York and Oxford, pp.399-412.

Steering Committee for the Review of Government Service Provision (SCRGPS), 2003, *Overcoming Indigenous Disadvantage: Key indicators 2003,* Report to the Productivity Commission, Canberra.

Stevens, S (ed.) 1997a, *Conservation Through Cultural Survival,* Island Press, Washington.

Stevens, S 1997b, 'New Alliances for Conservation' in S Stevens (ed.), *Conservation Through Cultural Survival*, Island Press, Washington.

Stevens, S 1997c, 'Consultation, Co-Management and Conflict in Sagarmatha (Mount Everest) National Park, Nepal', in S Stevens (ed.), *Conservation Through Cultural Survival*, Island Press, Washington.

Steward, JH 1955, *Theory of culture change: the methodology of multilinear evolution,* University of Illinois Press, Urbana.

Stewart, J 2002, *Hopevale Community Rangers Summary Report, January-April 2002,* Hope Vale.

Stokes, T 2002, *Email Transcript of Meeting held Thursday 28 November 2002*, Townsville.

Stokes, T & Dobbs, K 2002, *Fauna and Flora of the Great Barrier Reef World Heritage Area*, Unpublished report to Great Barrier Reef Marine Park Authority, Townsville: 54.

Strehlow, TGH 1965, 'Culture, Social Structure, and Environment in Aboriginal Central Australia', in RM Berndt & CH Berndt (eds), *Aboriginal Man in Australia*, Angud and Roberston, Sydney, pp. 121-145.

Suchet, S 2001, 'Challenging "Wildlife Management", Lessons for Australia from Zimbabwe, Namibia and South Africa,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford University Press, Melbourne, pp.123-135.

Sullivan, P 1998, 'Salt Water, Fresh Water and Yawuru Social Organisation,' in N Peterson & B Rigsby (eds) *Customary Marine Tenure in Australia*, University of Sydney, pp.96-108.

Sultan, R, Josif, P, Mackinolty, C, Mackinolty, J 1995, *Ecopolitics IX: Perspectives on Indigenous Peoples Management of Environment resources*, Northern Land Council, Darwin.

Sutherland, J 1995, 'Representations of indigenous peoples' knowledge and practice in modern international law and politics', *Australian Journal of Human Rights*, vol. 2, no. 1, pp.39-57.

Suzuki, D & Knudtson P 1992, *Wisdom of the Elders: Sacred Native Stories of Nature,* Bantam Books, New York and Toronto.

Swartz, J 1995, *Which way? Have your say!* Regional Workshops for the review of management of the Great Barrier Reef Marine Park Far Northern Section and the proposed State Cape York Marine Park, Report December 1995. GBRMPA, DEH, CYLC.

Sweeney, D 1993, 'Fishing, hunting and gathering rights of Aboriginal peoples in Australia', *UNSW Law Journal*, vol. 16, no. 1, 1993, pp. 97-160.

Talaue-McManus, L, Yambao, AC, Salmo, GS & Aliňo, PM 1999, 'Bolinao, northern Philippines: Participatory planning for coastal development, in D Buckles (ed) *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,,* International Development Research Centre, Ottawa, pp.151-162.

Tatz, C 1999, *Genocide in Australia,* Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Testart, A 1982, 'The Significance of Food Storage Among Hunter-Gatherers: Residence Patterns, Population Densities and Social Inequalities', *Current Anthropology*, vol. 23, no. 5, pp. 523 – 537.

Testart, A. 1988, 'Some Major Problems in the Social Anthropology of Hunter-Gatherers', *Current Anthropology*, vol. 29, pp. 1-31.

The Lutheran 1977, *Ngalan Gataygu - The Sun is Rising, Ninetieth Anniversary of the Hope Vale Mission,* November 14th 1977.

The Lutheran 1986, *Centenary at Hope Vale*, September 29 1986.

Thompson, D 1934, 'The dugong hunters of Cape York,' *Royal Anthropological Institute Journal*, vol. 64, pp. 237-62.

Tindale, N 1929, *Journal of a Museum Trip to Cape York Peninsula, North Queensland, by Norman B. Tindale, Nov, 1926 – March 1927*, Adelaide, South Australia.

Tonkinson, R 1988, 'Idoelogy and domination in Aboriginal Australia: a Western desert test case, in T Ingold, D Riches, & J Woodburn (eds) *Hunters and Gatherers Vol II. Power, Property and Ideology*, Berg Press, Oxford, pp 150 – 165.

Tonkinson, R 2000, 'Gender role transformation amongst Australian Aborigines', in P Schweitzer, M Biesele, & RK Hitchcock, (eds), *Hunters and Gatherers in the Modern World*, Berghan Books, Oxford, pp. 343 – 361.

Toupal, RS, Zedeňo, MN, Stoffle, RW & Barabe, P 2001, 'Cultural landscapes and ethnographic cartographies: Scandinavian-American and American Indian knowledge of the land,' *Environmental Science and Policy* vol. 4, pp. 171-184.

Toyne, P. & Johnston, R. 1993, 'Reconciliation, or the new Dispossession? Aboriginal land rights and nature conservation', *Habitat Australia*, vol. 19 no. 3, pp 8-10.

Treseder, L, Honda-McNeil, J, Berke, M, Berke, F, Dragon, J, Notzke, C, Scramm, T, & Hudson, RJ 1999, *Evaluating Eden (EE 02) - Northern Eden: Community based wildlife management in Canada*, International Institute for Environmental Development (IIED), London.

Trigger, D 1986, 'Blackfellas and Whitefellas: the concepts of domain and social closure in the analysis of race relations', *Mankind* vol.16, no. 2, pp 99-117.

Trigger, D 1992, '*Whitefella comin.' Aboriginal responses to colonialism in northern Australia,* Cambridge University Press, Sydney.

Trigger, D 1997, 'Mining, landscape and the culture of development ideology in Australia', *Ecumene: a journal of environment, culture, meaning*, vol. 4. no. 2, pp161-180.

Trigger, D 1999, 'Nature, work and `the environment': contesting sentiments and identities in the southwest of Western Australia', *The Australian Journal of Anthropology* vol. 10, p 2, pp. 163-176

Trigger, D 2000, 'Aboriginal Responses to Mining in Australia: Economic Aspirations, Cultural Revitalisation and the Politics of Indigenous Protest,' in P Schweitzer, M Biesele and RK Hitchcock (eds), *Hunters and Gatherers in the Modern World* Berghahn, New York, Oxford, pp. 192 - 206.

Trigger, D 2003, *Disputed Territories: Land, culture and identity in settler societies,* Hong Kong University Press.

Tropical Savannas Centre for Cooperative Research (TSCCRC) 2001, Caring for Country: *Aboriginal Groups form Alliance to save Traditional Knowledge,* in Savannah Links Issue 19 July – September 2001.

Tsey, K 2001, 'Making research more relevant to the needs and aspirations of Indigenous Australians: the importance of research capacity development', *Aboriginal and Islander Health Worker Journal*, vol.25, no.1, pp. 19-24.

Tuffin, K & Howard, C 2001, 'Demystifying discourse analysis: theory, method, and practice', in A McHoul, & M Rapley, *How to analyse Talk in Institutional Settings. A Case Book of Methods*, Continuum Press, London, pp.196 – 206.

Tufto, J, Sother, B-E, Engen, S, Swenson, J & Sandgren, F 2006, 'Harvesting strategies for conserving minimum viable populations based on World Conservation Union criteria: brown bears in Norway', *The Royal Society*, Vol. 8, S-746 51, Uppsala, Sweden.

Turnball, CM 1978, 'The politics of non-aggression', in A Montague (ed.), *Learning non-aggression*, Oxford Uni Press, New York, pp 161 – 221.

Turnball, CM 1981, 'Mbuti Womanhood', in F Dahlberg (ed.) *Woman the Gatherer*, , Yale University press, pp208-19.

Turnbull, CM 1983, *The Mbuti Pygmies:  Change and Adaptation*, Holt, Rinehart and Winston, New York.

Tyler, S 1999, 'Policy Implications for Natural Resource Management', , in D Buckles (ed.) *Cultivating Peace: Conflict and Collaboration in Natural Resource Management,* World Bank Institite, Washington USA, pp 263 – 281

UNCED 1992, *Agenda 21, Chapter 26, Recognising and strengthening the role of Indigenous people and their communities*, online resource, viewed July 6 2003, <http://www.un.org/documents/ga/confl15126-1annex1.htm>

UNCED 1993, *Convention of Biological Diversity, Secretariat for the Convention of Biological Diversity*, online resource, viewed July 6 2003 <http://www.hreoc.gov.au/social_justice/info_sheet.html>

United Nations 1982, *United Nations Convention on the Law of the Sea (UNCLOS) 1982*, (Montego Bay, 10 December 1982).

United Nations, 1992, *The United Nations Framework convention on Climate Change (UNFCCC),* Rio de Janeiro.

United Nations Development Program (UNDP) 2004, 'Human Development Index' in United Nations Development Program, *Human Development Report 2004*, Oxford University Press, New York, pp. 139 -142.

United Nations Environment Programme (UNEP) 1996a *Convention on Biological Diversity, Subsidiary Body on Scientific, Technical and Technological Advice, Knowledge, innovations and practices of indigenous and local communities,* Second Meeting, Montreal, 2-6 September 1996, Note by the Secretariat, UNEP/CBD/SBSTTA/2/7, 10 August 1996.

United Nations. Environment Programme (UNEP) 1996b, *Convention on Biological Diversity, Conference of the Parties to the Convention on Biological Diversity Knowledge, innovations and practices of indigenous and local communities: implementation of Article 8(j)*, Third Meeting, Buenos Aires, Argentina, 4-15 November 1996, Note by the Executive Secretary, UNEP/CBD/COP/3/19, 18 September 1996.

University of Melbourne VicHealth Koori Health Research and Community Development Unit 2000, *We don't like research ... but in Koori hands it could make a difference*, Centre for the Study of Health and Society, University of Melbourne.

University of Tasmania 1997, *Ethical Guidelines for Research Projects and Teaching Exercises Using Human Subjects*, Hobart, online resource, viewed October 20 2003, <http://www.admin.utas.edu.au/Academic/Acservices/ethics/ethics.html)

Uniyal, VK, & Zacharias, J 2001, 'Periyar Tiger Reserve - building bridges with local communities for biodiversity conservation' in *ICDPS: Working with Parks and People in Parks,* vol. 11 no 2 WCPA, IUCN.

Vala, I, Van Djik, TA, & Diaz-Diocartetz, M (eds) 1987, *Approaches to Discourse, Poetics and Psychiatry,* John Benjamins Publishing, Philadelphia.

Valli Moosa, M. (2003). *Transboundary Protected Areas commonly called Transfontier Conservation Areas: The Southern African Experience*, online resource, viewed October 20 2003, <www.environment.gov.za/Documents/Documents/2003Jul29_4/TFCAMinistersPres entation.pdf>

Van der Sluys, C 2000, 'Gifts from the Immortal Ancestors: Cosmology and Ideology of Jahai Sharing', in P Schweitzer, M Biesele, & RK Hitchcock (eds), *Hunters and Gatherers in the Modern World*, Berghan Books, Oxford, pp 427 – 455.

Van Djik, T 1985, *A Handbook of Discourse Analysis,* Orlando Press, London.

Van Djik, T 1987, 'Elite Discourse and Racism,' in I Vala, TA Van Djik & M Diaz-Diocartetz, (eds) *Approaches to Discourse, Poetics and Psychiatry*, John Benjamins Publishing, Philadelphia.

Van Djik, T 1990, *Discourse and Society: A Journal*, Sage Press.

Van Djik, T 2001, 'Multidisciplinary CDA' in RWodak & M Meyer, *Methods of Critical Discourse Analysis*, Sage, London, pp. 94 – 120.

Van Djik, T (ed.) 1997, *Discourse Studies and Multidisciplinary Introduction,* Sage, London.

Vermeulen, S 2005, *Participatory Learning and Action (53) – Tools for Influencing Power and Policy,* IIED, London.

Virtanen, P 2003, 'Local Management of Global values: Community-Based Wildlife Management in Zimbabwe and Zambia', *Society and Natural Resources*, vol.16, pp. 179 – 190.

Von Bremen, V 2000, 'Dynamics of Adaptation to the Market Economy among the Ayoréode of Northwest Paraguay,' in P Schweitzer, M Biesele, & RK Hitchcock (eds), *Hunters and Gatherers in the Modern World,'* Berghahn, New York and Oxford., pp.275-286.

Wachenfield, DR, Oliver, JK, & Morrissen, JI 1998, *State of the Great Barrier Reef World Heritage Area,* GBRMPA.

Walker, P 2003, 'Colonising research: academia's structural violence towards Indigenous peoples', *Social Alternatives* vol.22, no.3, Third Quarter 2003, pp. 37-40.

Walker, B, & Abel, N 2002, 'resilient rangelands: adaptation in complex systems', pp. 293-313 *in* L. Gunderson & C. S. Holling, (Eds), *Panarchy: understanding transformations in human and natural systems*, Island Press, Washington D.C., USA.

Walsh, F & Mitchell, P (eds) 2002, *Planning for Country: Cross-Cultural Approaches to Decision-Making on Aboriginal Lands*, IAD Press, Alice Springs.

Walsh, P, & White, J 1999. What will it take to monitor forest elephant populations?, *Conservation Biology,* Vol. 13, No. 5, pp.1194–1202.

Watanabe, H 1983, 'Occupational Differentiation and Social Stratification: The Case of Northern Pacific Maritime Food-gatherers', *Current Anthropology*, vol. 24, no. 2 pp. 217.

Weatherall, A Taylor, S & Yates, S 2001, *Discourse Theory and Practice,* Sage, London.

Wells, M, Brandon, K, Lee Hannah, L 1992, *People and Parks: Linking Protected Area Management with Local Communities, Biodiv. Ref. SB486.M35 W45 1992,* Washington, DC: World Bank, World Wildlife Fund, U.S. Agency for International Development.

Wells, M, Guggenheim, S, Khan A, Wardojo, W, & Jepson, P 1999, *Investing in Biodiversity; A Review of Indonesia's Integrated Conservation and Development Projects,* The World Bank, Washington.

Wenzel, G 1991, *Animal Rights Human Rights: Ecology, Economy and ideology in the Canadian Arctic,* University of Toronto press, Toronto

Wenzel, G 2005, 'Nunavut Inuit and Polar Bear: The Cultural Politics of the Sport Hunt,' in N Kishigami & JM Savelle (eds) *Indigenous Use and Management of Marine Resources,* The National Museum of Ethnology, Osaka, pp. 363-390.

Whitehouse J F 1993, *A review of the Great Barrier Reef Marine Park Authority: report to DEST,* Dunhill, Madden and Butler, Sydney.

Wilkie, D, Starkey, M, Abernethy. K, Nstame Effas, E, Telfer, P & Godoy, R 2005, 'Role of prices and wealth in Consumer Demand for Bushmeat in Gabon, Central Africa', *Conservation Biology*, Vol. 19, No.1, p.268

Williams, A 2001, 'Community attitudes to researchers', *Aboriginal and Islander Health Worker Journal* vol.25, no.1, Jan - Feb 2001, pp. 25-26.

Williams, R 1995, '"Who's listening and who's learning ?" Aboriginal and Torres Strait Islander Knowledge of Turtle and Dugong in the Great Barrier Reef Marine Park Region,' in R Sultan (ed.) *Ecopolitics IX: Perspectives on Indigenous People's Management of  Environment Resources*, NTU.

Wilshusen, P 2003a 'Exploring the Political Contours of Conservation. A Conceptual View of Power in Practice,' in SR Brechin, PR Wilhusen, CL Fortwangler & PC West (eds) *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp.41-58.

Wilshusen, P 2003b, 'Territory, Nature and Culture. Negotiating the Boundaries of Biodiversity Conservation in Colombia's Pacific Coastal Region,' in SR Brechin, PR Wilshusen, CL Fortwangler & PC West 2003, *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp. 73 - 89.

Wilshusen, P, Brechin, S, Fortwangler, C & West, P 2002, 'Re-inventing a Square Wheel: In Critique of a Resurgent "protection Paradigm" in International Biodiversity Conservation', *Society and Natural Resources*, vol.15, pp.17 – 40.

Wilshusen, P, Brechin, S, Fortwangler, C & West, PC 2003, 'Contested Nature: Conservation at the Turn of the Twenty-First century', in SR Brechin, PR Wilshusen, CL Fortwangler & PC West, P 2003, *Contested Nature. Promoting International Biodiversity with Social Justice in the Twenty-First Century,* State University of New York, pp. 1-25.

Wodak, R 1996, *Disorders of Discourse,* Longman, London.

Wodak, R 2001a, 'What CDA is about – a summary of its history, important concepts and its developments,' in R Wodak & M Meyer, *Methods of Critical Discourse Analysis,* Sage, London, pp. 1-14.

Wodak, R 2001b, 'The discourse – historical approach in R Wodak & M Meyer, *Methods of Critical Discourse Analysis,* Sage, London, pp. 63  - 94

Wodak, R (ed.) 1997, *Gender and Discourse,* London, Sage.

Wodak, R (ed.) 1989, *Language, Power and Ideology: studies in political discourse,* Benjamin Publishing Press, Philadelphia.

Wodak, R & Meyer, M (eds) 2001, *Methods of Critical Discourse Analysis,* Sage, London.

Woenne-Green, S, Johnston, R, Sultan, R, & Wallis, A 1993, *Competing Interests: Aboriginal Participation in National Parks and Conservation Reserves in Australia - A Review*, Australian Conservation Foundation. Fitzroy, Victoria.

Wohling, M. 2001, 'Ngaparrtji Ngapparrtji Nintilpayi: Reciprocal Thinking in Indigenous Land Management,' in R Baker, J Davies & E Young (eds) *Working on Country - Contemporary Indigenous Management of Australia's Lands and Coastal Regions,* Oxford University Press, Melbourne.

Wohling, M 2002, 'Stories about listening' in F. Walsh & P. Mitchell (eds.) *Planning on Country:  Cross Cultural Approaches to Decision Making on Aboriginal Lands*, Jukurrpa Books, Australia.

Woodburn, J 1982, 'Egalitarian Societies', *Man* (New Series) vol. 17, pp. 431-451.

Woodburn J 1988, 'African hunter-gatherer social organisation: is it best understood as a product of encapsulation?' in T Ingold, D Riches & J Woodburn (eds) *Hunters and Gatherers 1: History, Evolution and Social Change,* Berg, Oxford, pp. 31- 64.

Worboys, G, Lockwood, M, & De Lacey, T 2001, *Protected Area Management, Principles and Practice*, Oxford University Press.

World Commission on Protected Areas (WPCA) 1982, *IIIrd IUCN World Parks Congress, Parks for Development,* Bali Indonesia.

World Commission on Protected Areas (WPCA) 1992, *IVth IUCN World Parks Congress, Parks for Life,* Caracas, Venezuela.

World Commission on Protected Areas (WPCA) 1997, *Protected Areas in the 21st Century: from Islands to Networks* , Albany, Australia.

World Commission on Protected Areas (WPCA) 2003, *Vth IUCN World Parks Congress, Benefits Beyond Boundaries,* Durban, South Africa

World Commission on Protected Areas (WCPA), and the Commission on Environmental, Economic, and Social Policy (CEESP) of the World Conservation Union (IUCN) 2000, *The Theme on Indigenous and Local Communities, Equity, and Protected Areas (TILCEPA)*, online resource, viewed 24 November 2004, <http://www.iucn.org/themes/ceesp/Wkg_grp/TILCEPA/TILCEPA.htm#wcc>

World Conservation Congress (WCC) 1996, *CGR3. RES 081 Indigenous Peoples, Protected Areas and the CBD Programme of Work*, IUCN.

World Conservation Congress (WCC) 2004, *RES 068 Mobile Peoples and Conservation*, *081 Indigenous Peoples, Protected Areas and the CBD Programme of Work*, IUCN.

World Conservation Monitoring Center (WCMC) and IUCN Commission on National Parks and Protected Areas 1994, *The 1993 U. N. list of National Parks and Protected Areas of the World, Biodiv. Ref. SB481.A1 U54 1993*, Gland, Switzerland.

World Wildlife Fund for Nature (WWF) 1996, *WWF Statement of Principles on Indigenous Peoples and Conservation in conserving biodiversity within indigenous peoples' lands and territories, and in promoting sustainable use of natural resources,* online resource, viewed 4 July 2004, <http://www.panda.org/about_wwf/what_we_do/policy/people_environment/indigen ous_people/statement_principles/preamble/index.cfm>

World Wildlife Fund for Nature (WWF) 2001, *Participation and Indigenous Peoples*.

Yesner, DR 1981, 'Archaeological Applications of Optimal Foraging Theory: Harvest Strategies of Aleut Hunter-Gatherers', in B Winterhalder & E Smith, (eds), *Hunter-Gatherer Foraging Strategies*, Chicago.

Yesner, DR 1984, 'Population Pressure in Coastal Environments: An Archaeological Test', *World Archaeology,* vol. 16, no.1, pp. 108-27.

Yesner, D 1994, 'Seasonality and Resource Stress Amongst Hunter-Gatherers: Archaeological Significance', in E Burch, & L Ellanna, L (eds) *Key Issues in Hunter-Gatherer Research*, Berg Press, Oxford, pp 151 – 169.

Yesner, DR 1996, 'Archaeological Signatures of Sociaopolitical Complexity Among High Latitude Maritime Hunter-Gatherers', in DA Meyer, PC Dawson & DT Hanna (eds.) *Debating Complexity; Proceedings of the 26th Annual Chacmool Conference*,Archaeological Association University of Calgary, Calgary.

Yost, J & Kelley 1983, 'Shotguns, 'Blowguns and Spears: The analysis of Technological Efficiency', in RB Hames & WT Vickers (eds), *Adaptive Responses of Native Amazonians*, Academic Press, New York, pp 198 – 224.

Young, E, Ross, H, Johnson, J, & Kesteven, J 1991, *Caring for country: Aborigines and land management,* AGPS, Canberra.

Zann, L & Sutton, P (eds) 1995, *State Of the Marine Environment Report for Australia*. GBRMPA, Townsville.

Zbicz, DC 1999, 'The Nature of Transboundary Cooperation', *Environment*, vol. 41, pp. 15-17.

Zingerli, C 2005, 'Colliding understandings of Biodiversity Conservation in Vietnam: Global Claims, National Interests, and Local Struggles', *Society and Natural Resources*, vol. 18, pp. 733 – 74.

## Acts Cited

*Aboriginal Land Rights (Northern Territory) Act 1976*

*Aboriginals Protection and Restriction of the Sale of Opium Act 1897* (Qld)

*Animal Care and Protection Act 2001 (*Qld*).*

*Commonwealth Electoral Act 1962* (Cth)

*Community Services (Aborigines) Act 1984* (Qld).

*Community Services (Torres Straits Islander) Act 1984* (Qld).

*Coastal Protection and Management Act 1995* (Qld).

*Environment Protection and Biodiversity Act* 1999 (Cth).

*Environmental Protection Act 1994* (Qld).

*Fauna Conservation Act 1974 (*Qld*).*

*Fisheries Act 1994* (Qld).

*Great Barrier Reef Marine Park Act 1975 (*Cth*).*

*Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982* (DOGIT) (Qld).

*Marine Parks Act 1982 (*Qld*).*

*Marine Parks Act 2004 (*Qld*).*

*Native Title Act 1993 (*Cth*)*

*Nature Conservation Act 1992, (*Qld*).*

*Nature Conservation Regulations Act 1994 (*Qld*)*

*Queensland Torres Strait Islanders Act 1971*

*Queensland Aborigines Act 1971*

***Key Legal Decisions cited***

*Commonwealth v Yarmirr, Yarmorr v Northern Territory, 2001, (*HCA 56 11 October 2001)

*Mabo and Others v. Queensland* (No. 2) 1992175 CLR 1 F.C. 92/014).

*Yanner v Eaton 1999, HCA 53, 7 October 1999.*

**Individuals Cited in Thesis (pers. comm.) (in alphabetical order).**

The Honourable Virginia Chadwick, Chair, Great Barrier Reef Marine Park Authority (GBRMPA).

Hope Vale Elder, Elim Beach, Hope Vale, Queensland.

Mr. James Innes, Manager, Policy and Research, Great Barrier Reef Marine Park Authority (GBRMPA).

Professor Helene Marsh, James Cook University, Townsville, Queensland.

Mr. Joe Morrison, Coordinator, Northern Australia Aboriginal and Islander Land and Sea Management Program (NAILSMA), Charles Darwin University, Darwin, Northern Territory.

Mrs Priscilla Gibson, Hope Vale Aboriginal Community, Hope Vale, Queensland.

Mr. Chicka Turner, Manager, Indigenous Policy and Liaison Unit, Great Barrier Reef Marine Park Authority (GBRMPA).

**Appendix 1**
Hope Vale Plan
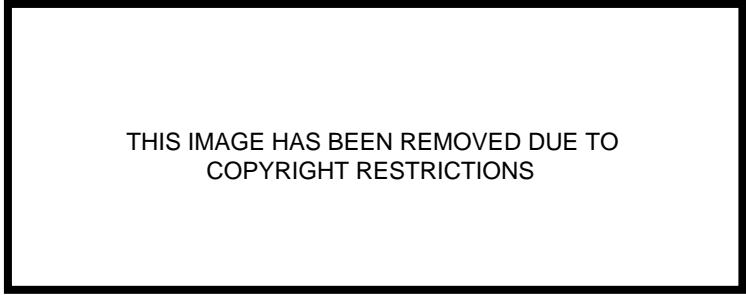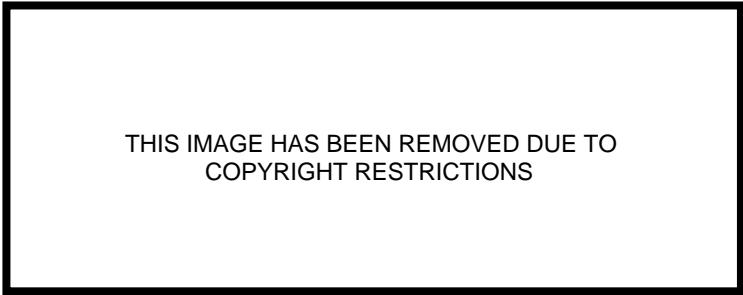
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**Appendix 2**
**Research Protocol**

# *Research Agreement*

# *Hopevale Aboriginal Community*
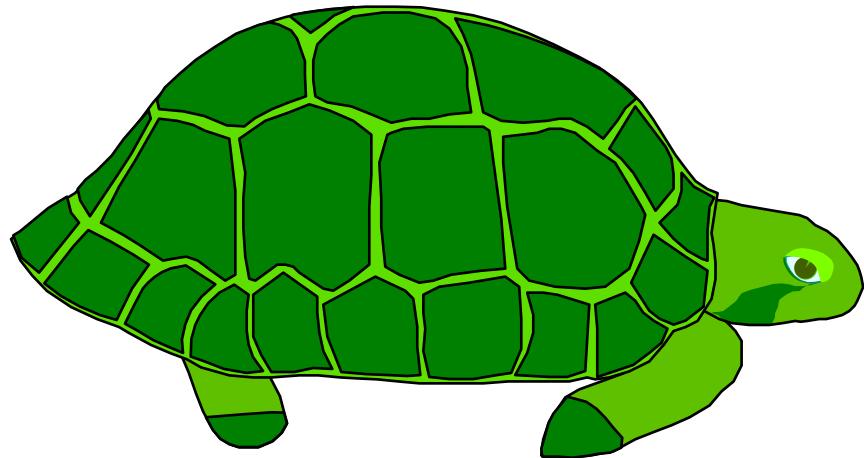


**2001**

# Research Agreement

Between

**Hopevale Aboriginal Council , and Hopevale Traditional Owners**
On behalf of the Hopevale Community

And

**Melissa Nursey-Bray**
CRC Reef Research, James Cook University

This agreement made this            day of          2001, between Hopevale Aboriginal
Council, a body incorporated pursuant to the Aboriginal Councils and Associations Act
1975 of the first part, Hopevale Traditional Owners of the second part and Melissa
Nursey-Bray (hereafter 'the researcher') of the third part.

Note; From now on in the agreement Hopevale Council and Hopevale Traditional
Owners will be referred to collectively as *Hopevale Community* unless otherwise
specified. Please see attached appendix for list of traditional owners

## Introduction

This is a research agreement – the written rules and regulations for both Hopevale and
researchers so both sides have a clear understanding of what is expected of them.

## It covers:

- The aims and purposes of the research
- The time/framework of the research project
- The method of the research
- Principles of research

This research project is to be conducted with a view to completion by the researcher of  a
doctoral thesis which is to be registered with the James Cook University, and is funded
by the CRC Reef Research Townsville, with supporting funds from James Cook
University and the Pew Foundation.

Melissa has had discussions with the members of Hopevale Community with a view to
her undertaking a research project as set out in this research agreement. She has obtained
written and verbal permissions to proceed.

## Project Title (draft – see attached outline)

*Conflict, Co-option, or Co-management? : Eating our Words*
*Towards Indigenous Marine Hunting Planning and Management: North Queensland,*
*Australia*

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**Aims and Purposes of the research**

- To work within the Hopevale Community to document the perspectives/discourses on marine hunting, management and planning, focussing in particular on turtle and dugong hunting: and consider their implications for management.

- To compare the Hopevale perspective on marine hunting, management and hunting with other indigenous views/discourse, and with 'agency' or 'green' perspectives/discourse in order to consider their implications for management

- To collect a number of inter-generational and family based oral histories about hunting, management and planning in Hopevale

- To document the social and economic values of marine hunting

- To document the links between the history of the Lutheran mission and the history of hunting

- To develop community based policy and management recommendations on hunting for co-management initiatives and programs to submit to the Great Barrier Reef Marine Park Authority and others.

- To document indigenous hunting management and planning processes, focussing on the recent Turtle and Dugong Hunting initiative, and its ongoing implementation

- To aim to undertake all of the above using the plan's vision as a foundation aim for all of the research: "To develop and implement controlled and sustainable hunting practices that will minimize the impact on and contribute to the protection and survival of dugong (Girrbithi) and Turtle (Ngawiya) for the enjoyment and use by future generations"

**Timeframe**

This project was started in October 2000, and will finish at the maximum by October 2003.

**Method**

The methods used in this project will include:

*Qualitative Interviewing* – interviewing people about hunting, management and planning

*Participant Observation* – through living in Hopevale for a period, especially during part of the hunting seasons, and observing daily life, adding to the information about the subject area

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*Oral Histories* – Gathering information through documenting individual and family histories about the history of hunting

*Archival research* – looking at Church and other archives to try and get more information on the history of Hopevale and other relevant information for the project

*Literature reviews* – reading articles and books on the areas of hunting and management and planning, on a wide scale (local to international) so as to context the research at Hopevale.

*Focus meetings* – a number of meetings will be held during the project to either (i) get or give  information, (ii) get permissions (iii) as needed and requested by the community

**Principles of research – general**

- It is understood that the research will at all times seek to ensure that the project operates within appropriate cultural parameters, and that its outcomes are of benefit to the community, and does not at any time impair indigenous aspirations or goals

- It is understood that the researcher will at all times act upon reasonable suggestions and directions from the community regarding the research.

- It is understood that the researcher will not use the results of the research publicly without Hopevale Community or community approval (ownership and copyright notwithstanding)

- It is understood that Hopevale community can terminate participation in the research if the research contract is breached, or broken without reasonable cause

- Any documents, materials, photographs, film or video that are products of this project may be publicly used subject to Hopevale Community approval

- The researcher may need to use formal or technical English in her study, If so, a clear summary of the project and document must be provided to Hopevale for its approval.

- Hopevale Community will decide in conjunction with the researcher, how the research materials will be presented to Hopevale in their final form.

- The researcher must give a copy of all information collected during the research project to Hopevale Community.

- Ownership, publication and public use of the documents will be according to the provisions below, and as agreed to between the Hopevale Community and Melissa Nursey-Bray.

- The researcher contract can be revised and re-negotiated at any time, as long as both parties are agreeable.

- The researcher must abide by all decisions made by the Hopevale Community and the conditions of the research agreement.

- The researcher must discuss all research methods with Hopevale Community, making sure it understands all the consequences as well as the benefits of these methods.

- The researcher agrees to complete her project (as contracted) unless some extremely serious and unforeseen situation arises.

## Native Title

It is understood that all written information will be free of references to places, people and information that could compromise Native Title dealings

## Research Assistants

The researcher is responsible for co-ordinating the research, training any research assistants if required, all data gathering, data analysis and preparation of written reports.

When research assistants are used, it is the job of the researcher to explain the research, the research agreement, and the researcher obligations to Hopevale.

When research assistants are needed, they will be selected for their appropriate skills, community standing and whether they are male or female (if necessary)

## Cultural Observance

All research must be conducted in a way that is culturally appropriate and minimizes any disruption to Hopevale Community or community.

If Hopevale Community thinks that the research at any time is not suitable or appropriate, then it will help the researcher find methods that will be more suitable.

Access to information and people should be conducted in an appropriate and culturally responsible manner.

It is acknowledged by Hopevale Council that Melissa Nursey-Bray will work with traditional owners , and obtain permission from them personally ( either verbal or written), to proceed with the project where and when appropriate

It is acknowledged by Hopevale Council that Melissa Nursey-Bray will work with the Turtle and Dugong Hunting Management Council and take direction from them as to project development where and when appropriate

**Reporting**

The researcher must make a verbal report on the progress of the research to Hopevale Community three times a year. This report should be part of a monthly written reporting process, which is to be available upon request.

The researcher must report to Hopevale Community whenever requested to do so.

The researcher will verbally update the Ranger Coordinator of the Hopevale Community Land and Sea Management Unit as appropriate or requested by the Hopevale Community.

The researcher will report to traditional owners on the project whenever required to do so, and written monthly reports will be available and sent to all interested traditional owners.

The researcher will report to the Turtle and Dugong Hunting Management Council on the project whenever required to do so, and written monthly reports will be available and sent to the Council

**Study procedures**

The researcher will aim at all times to ensure her research does not overlap, but complement the work undertaken by the Land and Sea Management Unit, and liaise with the Ranger Coordinator, the Hopevale Community and Academic Supervisors to ensure that this is the case.

It is understood that community participation in the project may involve interviews. Information may be recorded on audio tape. The interviews will be transcribed.

It is understood that the researcher will undertake to jointly review the transcription with each interviewee, in order to identify any errors, and also to identify information that is not to be made available publicly.

Audio tapes of interviews with confidential information will be returned to the interviewee, and that information will be erased from the transcript.

On the basis of this review, an edited text will be generated containing only information that may be made available to the general public.

It understood that the information not designated as private may be used to develop Melissa Nursey-Bray's Ph.D. It is understood that all respondents will have the opportunity to review and approve all individual quotes used in the thesis.

External researchers  wishing to participate in the publication of any of the information collected through the duration of the researchers thesis, will be required to obtain permission from both Hopevale Community and Melissa Nursey-Bray.

**Copies of Information**

Where interviews are involved it is understood that respondents will receive the original audio tape, and copy of transcript.

It is understood a copy of audio tapes and transcripts will also reside with the researcher, but that use of the information on them is strictly proscribed according to this research agreement.

It is understood that photographs, videotapes, and other visual documentation taken in the course of research development will be subject to the same process of review, and once approved will be available for the same purposes.

It is understood respondents have the right to keep their identity confidential. Names may or may not appear on record in the thesis, according to the approvals given by said individuals.

**Participation Protocols**

It is understood all participation in this project is voluntary and accepted between all parties at all times

It is understood that without prejudice or question, interviewees and/or Hopevale Community have the right to request clarification, additional information about, or withdraw from participation from the project at any time.

It is understood that if Hopevale Community has any concerns about the project that it will contact the researcher in the first instance, and then the researcher supervisors. If concerns are not alleviated, then Hopevale will be able to put the matter before the James Cook University Research Ethics Committee for resolution.

**Products of research**

The researcher will provide Hopevale Community and the Turtle and Dugong Hunting Management Council with a copy of all research reports, thesis or any other documents (interim, seminar papers etc), whether or not they intended for publication

All documents and materials must be carefully checked and approved by Hopevale community before being published or used publicly.

The researcher will provide clear and plain English summaries of all work produced

Hopevale Community in conjunction with the researcher will decide how the research materials are to be presented to Hopevale in their final form

Copies of all work will also be made available at any time to interested traditional owners

**Storage**

The researcher may keep copies of all original materials collected in the duration of the research, unless Hopevale Community refuses the researcher permission to copy all or part of any such information

The researcher must make available all information collected during the research project to the Hopevale Community, and provide originals for storage. Confidential material may not be kept by the researcher unless specifically requested or instructed to do so, and a decision will be made by Hopevale as to whether or not to destroy, or delete this material.

Copies of all information will be stored for safe keeping at a place decided by Hopevale Community, after the completion of the project.

**Ownership, Copyright and Publication**

All information collected by and arising from this project in Hopevale Land and Sea Country (as defined by Hopevale) shall be joint intellectual property of the Hope Vale community, and the CRC for Reef Research.

However, it is also understood and acknowledged that all information in the thesis pertaining specifically to Hopevale cultural tradition is the sole intellectual property of Hopevale Aboriginal community, and its use and publication is only to be undertaken subject to the approvals and review process established in this research agreement.

It is understood that Melissa Nursey-Bray retains copyright and publication rights to her P.hD thesis per se.

With other reports and publications written or co-written, by either the researcher or Hopevale Community, it is understood that while authorship will be in accordance with academic conventions concerning authorship, the process of writing and publication must occur within the context of observing correct protocol regarding indigenous intellectual property rights.

Access to information arising from the research project, (whether within or without the thesis), by third parties, for the purpose of education, training, publication or preparation of other reports must be undertaken only with the written consent of both the researcher and Hopevale Community.

All products arising from third party access to project information must establish and/or acknowledge co-authorship either with the researcher or Hopevale (or both) in acknowledgement of the research done.

Prior to the publication of any part of the project material or its disclosure to or with a third party, the researcher undertakes to consult with Hopevale Community and relevant community members or agencies in order to establish permissions to proceed. The researcher will also clearly identify any confidential or restricted material to determine

the conditions of access and other restrictions on the use of the material by herself, or any other person or body corporate

## Access for Examination

All drafts of research work, or any other product deriving from the project that is produced prior to final presentation, will not be discussed within or released to the wider community without prior consent of both Hopevale and the researcher.

Where the researcher considers it necessary, for the purposes of successful examination of her thesis that her supervisors have access to any or all of the materials generated during the research, Hopevale will not withhold permission for such access. However, access must occur in each case, with the prior knowledge and consent by both researcher and Hopevale. Moreover the supervisor and researcher must do all the things necessary to ensure that they do not divulge any confidential, or restricted material. This must be agreed to in writing.

Prior to the completion of the final draft of her thesis the researcher shall seek the views of Hopevale Community and comply with any reasonable directions given by them in relation to the contents of the final thesis.

The researcher shall draw the attention of CRC Reef and James Cook University to any restrictions imposed on the project by Hopevale Community pursuant to this agreement, and in relation to the access to, or use of any information contained in the final thesis which is registered with the university.

Supervisors will not give third party access to the completed thesis except as per release agreements arrived at between the researcher and participant communities at the time.

*This research agreement, between Hopevale Aboriginal Council, and Melissa Nursey-Bray, outlining the principles of research, conduct and project development for the purposes of completion of Melissa's research project is hereby witnessed, acknowledged and agreed to in writing by all parties following: -*

*Turtle and Dugong Hunting Management Council: -*

*Traditional Owners: -*

*This research agreement, between Hopevale Aboriginal Council, and Melissa Nursey-Bray, outlining the principles of research, conduct and project development for the purposes of completion of Melissa's research project is hereby witnessed, acknowledged and agreed to in writing by all parties following: -*

……………………

Mr. Philip Deemal
Chairman
Hopevale Aboriginal Council
*Date:*

…………………….

Mr. Don Richmond
Council Clerk
Hopevale Aboriginal Council
*Date:*

…………………..

Mr Victor Gibson
HVAC Councillor
*Date:*

………………

Mr Sam Yoren
HVAC Councillor
*Date:*

………………

Mr. Gary Yoren
HVAC Councillor
*Date:*

…………………

Mrs June Pearson
HVAC Councillor
*Date:*

……………………

…………………….

Mr. Herman Bambie
HVAC Councillor
*Date:*

Mr Mark Rosendale
HVAC Councillor
*Date:*

*This research agreement, between Hopevale Aboriginal Council, and Melissa Nursey-Bray, outlining the principles of research, conduct and project development for the purposes of completion of Melissa's research project is hereby witnessed, acknowledged and agreed to in writing by all parties following: -*

……………………….

………………………………

**Mrs. Priscilla Gibson**
Marine Coordinator
Land and Sea Management Unit
Hopevale Aboriginal Council (Researcher)
*Date:*

**Ms. Melissa Nursey-Bray**
Chief Investigator
CRC Reef Research,
James Cook University
*Date:*

……………………………

……………………….

**Professor Helene Marsh**
Academic Supervisor
James Cook University
*Date:*

**Professor Helen Ross**
Academic Supervisor
University Of Queensland
*Date:*

………………………..                                    ………………….

Associate Professor                                   Mr. James Innes

Steve Turton, TESAG                                    Project Task Associate
Cairns campus                                         Manager, Social Science
James Cook University                                 Great Barrier Reef
                                                      Marine Park Authority

Date:

                                                      *Date:*

Research Proposal Outline
Methodology: Fieldwork Schedule
Melissa Nursey-Bray
PhD candidate, CRC Reef, JCU

Aim: This research project undertakes to examine and document the discourse of indigenous planning processes and perspective's, particularly as they relate to hunting and hunting management, and the  relationship of these processes to marine park management generally, and co- management initiatives specifically.

Location: Hopevale and Yarrabah Aboriginal communities

In particular this project aims to gather information that will explore the following research questions: -

**Research questions: -**

(i)     What are the discourses on hunting and planning, and species management held by Hopevale and
        Yarrabah?
(ii)    How do they affect or have affected the processes of planning adopted or being developed for hunting management by the indigenous communities of Hopevale and Yarrabah?
(iii)   What is the complementarity /dissonance between discourses and processes
        about hunting/planning: between and within these communities?
(iv)    What are the discourses about hunting /planning held/conceived by
        non indigenous interests, and relative to current discourse about conservation and species
        management?
(v)     What is the complementarity /dissonance between discourses and processes
        on hunting/planning: between non-indigenous and indigenous communities?
(vi)    What are the implications of all of the above for marine park
        management and co-management initiatives in the Great Barrier Reef Marine Park, generally?

Community participation in the project will be developed as an interactive and collaborative research process which will include the negotiation of the context of research, the development of research agreements and an interative process of interpretation, feedback and field work support.

Fieldwork will undertake to gather information relating to these research questions through a combined process of participant observation (Spradley:1980,Jorgensen:1989), qualitative interviewing, following mental modelling (Abel&Ross et al:1998, Craik:1952),symbolic interactionism theory
(Craib:1984,Phillips:1985), oral history techniques (following historical-comparative research theory, Neuman 2000)and discourse analysis (as both a methodological and

analytical tool).Purposive and snowball sampling techniques will be employed to select interviewees.

In particular the following dynamics will be explored and used as the frameworks within which to gather information in the areas desired. These areas are chosen upon consideration of the most appropriate (and therefore most productive and useful) way to elicit information about hunting and planning.

(i)     Intergenerational insights, through series of intergenerational interviews on the life histories of community members with a focus on hunting in that       context. This will be undertaken through a series of oral history interviews, across generations butwitin same families, to ascertain an insight into "a slice of hunting history' and document the articulation of what hunting means

(ii)    Establishing a social and institutional context in order to gauge broader understandings of hunting processes and perspectives. This will be completed through a historical -comparative approach combining documentary analysis with nterviews.

(iii)    Exploration of the dynamic between the process of management and planning and expectations : the relationship of each to the other and to themselves (the 'green/black' dynamic for want of a better term). This process will document crucial information on the differences between perspectives which will be used as the basis  for discussion on c0-management. Mental modelling and symbolicinteractionism theory will be used to elicit this discourse

(iv)    Exploring the impact of and role of structural vs clan alignments inhunting and hunting management. This will be achieved through a series of qualitative interviews with the groups and individuals  of different agencies within Hopevale and Yarrabah that address land and sea management initiatives. Its aim is to ascertain (i) the differences and impact of the dynamic between individuals acting as historical/traditional owners in hunting/planning business, and (ii) their role as designated authorities in niche groups focussing on hunting/planning business as part of their charter.

**Fieldwork will be conducted in three phases:-**

(i)     Establishment, re-establishment of myself, myself as researcher, aim of project, what participants will get out of it, negotiating the terms of the research etc

(ii)    Actual Fieldwork
        Jan-Feb 2001: Hopevale
        March - April 2001: Yarrabah
        Ongoing: - Interviews with non indigenous groups and persons

(iii)    Follow up
        The follow up stage has four important aspects -
        (a) To give feedback on information already gathered, establish gaps consolidate return etc
        (b) Start iterative process of writing up, community interpretation, amendment more write up etc
        (c) To establish protocols, agreements for use of information, its release etc
        (d) To produce products useful to the community on this issue

**Conclusions**

Conclusions will be discussed within a theoretical outline that relates the use of discourse as an enabling tool to environmental management and planning. The information on indigenous hunting and planning, perspectives and management will form the core and substance of the thesis within this context.

**Outputs**

(i)      A PhD
(ii)     Possible publications
(iii)    Series of community based products and/or acceptable outputs derived from research
(iv)    Possibly new, or initiated planning programs in one or both of the communities
(v)     Management outcomes - to be discussed as appropriate

**Ideas of questions to ask people re hunting.**
**Melissa Nursey-Bray PhD project. DRAFT**

**Theme – about hunting and fishing**

Do people in your family go hunting or fishing, who, where, how?
Why do they (you) go?
What is the most important reason for going?
Do the women assist in the hunt at all?
How, why?

Do all clan groups hunt?
Are there different hunting estates? How many?
How has it all changed from when you were young?
Who did you learn from? (Hunter only)
What weapons do you use?
Do you think hunting is a right for you as an Aboriginal person?
Do you think you should be able to hunt?
What does 'traditional' mean to you?
Do you think Hope Vale people should have to hunt using 'traditional' means?
What is culture?, what does 'culture' 'cultural' mean to you?

**Theme: Hunting this year?**

Have you caught anything yet this year?
Why/why not
What did you catch?
Where did you catch it?
How much did the trip cost?
Did you share the meat?
How was it distributed? Who decided?
Do you eat all or part of it?
What bits don't you eat?
What other things do you catch?
What other sea food do you eat?
Can you tell me about your last hunting trip?

**Theme – Social and Economic Values**

Do you eat turtle/dugong meat?
Why/why not?
Do you use /collect dugong oil?
What for, in what ways?
Do you use turtle shell for anything?
In what ways, what for?

**Theme– Management of hunting**

Do you think Hope Vale community needs to control hunting of dugongs and turtles by Hope Vale people?
Why/why not?

What is a Plan?
Were you consulted about the Hope Vale Turtle and Dugong Hunting Management Plan?
Have you read a copy of the Hopevale Turtle and Dugong Plan?
If not would you like a copy, and we can talk about it later?
If so, what do you think about it? What are its strengths?
How do you think it could be changed/added to, built on?

What is the most important thing to do to make community planning and community resource management processes and programs successful?
Do you think there is a difference between whitefella/blackfella planning during : mission times
: now?
How, why?

Do you know or have you heard of the Great Barrier Reef Marine Park Authority? (GBRMPA)
What role do you think GBRMPA or such an agency should play in turtle and dugong hunting by Hope Vale people?
What role does it play?
What do you think of its role?
What do you think management agencies want?
What do you want from management agencies?

What does co-management mean to you?
Is what GBRMPA is doing co-management?
Why/why not?
If you could say anything at all to the managing agencies about hunting what would you say to them?

Do you think the community needs rangers?

How do you feel about the allocation of permits?
Are there other ways of giving out permits, or other systems you think might work?
Do you think people should be penalized if they go against the plan?
How?
What do you think of the penalties already in the plan?
What penalty would stop you?

**Theme – Conservation issues**

What do you think a 'greenie' is?
What do you think greenies want for Aboriginal hunting of dugongs and turtles?
What does conservation mean?
Are you, or do you consider yourself a conservationist, or environmentalist or 'greenie'

How and why?
Do you know what an endangered species is?
What does this mean to you?
Do you know if dugongs and turtles are endangered species?
What do you think about hunting dugongs and turtles as endangered species?

**Theme: the future**

If you were in charge of the Management plan, what would you do?
If you were in charge of hunting what would you do?
What is your vision for hunting in the future?
Can you draw it!?

**Appendix 3**

**CD of other products (community benefit) from time of candidature, including booklet of photos returned to Hope Vale from Lutheran Archives, posters of plan and other products, and copy of article pubished based on PhD.**

For copies of this CD please email Melissa Nursey-Bray at m.nursey-bray@amc.edu.au or ring 0437 738 635.

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# Appendix
# 3

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**Appendix 4**

**Relevant web links**

*Further information and links re socio-economic conditions of Indigenous peoples in Australia*

Can be found at website:
http://www.hreoc.gov.au/social_justice/statistics/index.html

The National Centre for Aboriginal and Torres Strait Islander Statistics (NCATSIS) within the Australian Bureau of Statistics (ABS) http://www.abs.gov.au/ is the single most important source of data about Indigenous peoples in Australia. They collect data through both Indigenous-specific and general surveys, including:

- The **Census of Population and Housing**, which take place every five years, the most recent being in 2001 and the next in 2006. Although this is not an Indigenous-specific survey, the 2001 Census form was completed by approximately 410,000 people who identified as Indigenous, making it the most comprehensive survey undertaken of Indigenous peoples in Australia. Disaggregated results are available, with comparisons to the non-Indigenous or total population. Publications titled *Population Characteristics, Aboriginal and Torres Strait Islander Australians* (with ABS Series cat. 4713.0 - 8) summarise the main findings at national and State/Territory levels.
- The **social surveys** are the largest Indigenous-specific surveys undertaken by the ABS. The **National Aboriginal and Torres Strait Islander Survey** (1994) and the National Aboriginal and Torres Strait Islander Social Survey (2002) are discussed throughout this web-page.
- The **Community Housing and Infrastructure Surveys** (CHINS). The first CHINS took place in 1992, with follow-ups in 1999 and another in 2001. It is anticipated that further CHINS will occur. These have two specific aims. One, to assess the state of the housing stock of Indigenous housing authorities, and two, to assess the housing and Infrastructure in 'discrete' Indigenous communities - defined areas whose population is 50% or more Indigenous. The latter is the most useful because it sheds light on the conditions under which approximately 108,000 Indigenous peoples live in Australia (about 1 in 4 people) most in remote areas. The results are published in an ABS series with cat. no. 4710.0 *Housing and Infrastructure in Aboriginal and Torres Strait Islander Communities, Australia.*
- The **National Health Surveys** have been taking place since 1995 and have included an Indigenous identifier. From 2001, the surveys have had an Indigenous component, although the sample sizes are relatively small. These are intended to take place every 3 years. Results from these are published in ABS series cat. no. 4806.0 *National Health Survey: Aboriginal and Torres Strait Islander Results.*

- The **National Health Survey Results** and other data gathered from administrative data sets (hospital records, birth and death certificates and so on) gathered by the Australian Institute of Health and Welfare (AIHW) are published in a joint ABS/AIHW publication series cat. no. 4704.0 *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Population.* These are released every second year, the most recent in 2003.
- Other ABS surveys include the **National Drug Strategy**, **Household Survey** (1998), the **Labour Force Surveys** (1994 on), and the **Australian Housing Survey** (1999). All of these have Indigenous components.

**Recent publications and websites with significant data collections/information** about Indigenous issues include:

- The Steering Committee for the Review of Government Service Provision's report http://www.pc.gov.au/gsp/reports/indigenous/keyindicators2003/ Overcoming Indigenous Disadvantage: Key Indicators 2003. It is a particularly useful source of comparisons of the socio-economic conditions of Indigenous compared to non-Indigenous peoples in Australia, and will be updated annually
- The http://www.aic.gov.au/ Australian Institute of Criminology, which publishes a variety of statistics and monographs relating to Indigenous peoples and criminal justice processes, including deaths in custody.
- The http://www.aihw.gov.au/ Australian Institute of Health and Welfare, which publishes significant data on child protection, health and welfare. This includes through the biennial Australia's Health and Australia's Welfare publications, as well as The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Population
- The http://www.dewrsb.gov.au/ Commonwealth Department of Education and Workplace Relations, which publishes quarterly statistics on Indigenous employment outcome
- The http://www.dest.gov.au/ Department of Education, Science and Training, which publishes an annual report to federal Parliament on outcomes in Indigenous education
- The Productivity Commission's Report on Government Services (the Blue Book), including the Indigenous Compendium; LINK http://www.pc.gov.au/publications/index.html]
- The http://www.anu.edu.au/caepr/ Centre for Aboriginal Economic Policy Research (CAEPR), which conducts wideranging analysis of Indigenous economic issues and statistics;
- http://www.cgc.gov.au/IFI_Pages/ifi_final_report_complete.htm The Commonwealth Grants Commission's Report on Indigenous Funding 2001.
- http://www.menzies.edu.au/ Menzies School of Health Research
- http://www.immi.gov.au/indigenous/index.htm Department of Immigration, Multiculturalism and Indigenous Affairs

# Appendix 5

**Overcoming Research Challenges: Appropriate Cross Cultural Research in Australia**

Melissa Nursey-Bray

Appendix

5

**Introduction**

The Maori scholar Smith (1999, p1) states that;

> research' is inextricably linked to European imperialism and colonisation. When mentioned in many Indigenous contexts, it stirs up silence, it conjures up bad memories, it raises a smile that is knowing and distrusting

While I had a previous and long-standing relationship with Hope Vale community as a consultant and trainer, the notion that I, a white female, was to embark on a PhD project relating to hunting turtle and dugong raised more than a knowing smile; it initially excited the ire of the community. Some community members went so far as to remark that I was getting the doctorate "on the back of blackfellas". This experience gave a poignant immediacy to the challenge of working with Hope Vale and began an ongoing journey by myself into the challenges of undertaking research within Indigenous contexts that would be both academically rigorous and cross culturally appropriate. This paper outlines the steps that I, guided by the community, undertook to meet this challenge, concluding with some reflections on what this means for non-Indigenous researchers working in similar fields[86].

**The Project**

(i)     to document the values and perspectives (including social, economic and cultural) of Indigenous community members in relation to the issue of Indigenous hunting, planning and management;

(ii)    to document the values and perspectives (including social, economic and cultural) of management agency members (primarily GBRMPA and Queensland Marine Parks) in relation to the issue of Indigenous hunting, planning and management;

(iii)   to document the differences and similarities between these values and perspectives (including social, economic and cultural) and their implications for management.[87]

# My Approach

1.  An initial definition of academic and community based methodological parameters, principles and criteria;
2.  The development and implementation of a research protocol with the community;
3.  Identification and Implementation of culturally appropriate methodologies
4.  The identification and delivery of community benefits from the project.

I have described these parameters at length in my methods chapter, so will not repeat these sections, however, I did outside to the development of my research protocol, have

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[86] I have received permission from Hope Vale Shire Council to relay my experience in this Appendix.
[87] For detailed examples of the types of questions asked please refer to Appendix 1 where the types of questions asked are detailed as part of the research agreement and protocol process

to address certain issues and confronted certain challenges. What these were, and how I addressed them are highlighted below.

**Methodological Constraints and Challenges**

As discussed as a white, female researcher working in an Indigenous male dominated domain, I faced gender, ideological and race challenges in building credibility as a researcher on hunting. Moreover, my prior involvement in the development of the Hope Vale Plan was pivotal in determining the way I conducted this research and provided me with privileged insight into many issues. My long-standing and personal association with Indigenous peoples of the Cape York, including a long-standing personal relationship with an Aboriginal man from northern Cape York, meant the community had preconceived notions about my ideological affiliations. Community members made presumptions about me they would not necessarily have made about a researcher new to Hope Vale. These factors also coloured my interpretation of events.

Key to resolving these issues was my combined use of academic and community mechanisms to balance my approach. My use of rigourous qualitative methodologies and the application of discourse analysis enabled me to approach information I collected with a more objective eye. In the first instance I directly discussed these questions with Elders and key community members and questioned whether I as a white female doing work on hunting which is 'men's business', should proceed with the project. The response I got was cultural permission to proceed so long as my focus was the planning not the hunt *per se*; as one Elder noted "men do the hunting, and women do the planning, so long as yo not going out on boat with us, it will be Ok'.

I also ensured I had a series of Indigenous mentors, both within and without the community who offered me ongoing advice and support during the entire period. These mentors were both male and female, from Hope Vale and from previous work. Specifically, they included Priscilla Gibson from Hope Vale, and Leah Talbot, and Melissa George, Indigenous women working in the field but not connected to Hope Vale. Arnold Wallis (a Wuthathi man and friend of long standing, Robbie Deemal (Cape York Land Council and Balkanu) and Phillip Rist (Girringun) all provided long standing advice to me both in relation to hunting, gender relations and Indigenous politics. I also ensured I developed relationships with key elders in the community, in this case Eddie Deemal, and others, all of whom gave me good advice when needed. In particular I encouraged (successfully!), the practice of 'growling' , which is a form of rebuke. As such, I always knew where I stood, and was given the opportunity to make amends if I had made any cultural gaffe.

*Cross Cultural Research*
My research was clearly located within a cross cultural context. One key difficulty or challenge was ensuring that the way I presented Indigenous information was 'interpretive' rather than 'constitutive of' Indigenous values and knowledge. I transparently acknowledge that I did the analysis, despite giving Indigenous views 'voice' through replicating quotes verbatim in the text of Chapters 8 and 9. Thus, the work does not purport to be representative of Indigenous voices, rather I have put my own voice alongside theirs. This approach may or may not have resonance with

Indigenous researchers, but is the mechanism I chose as the most effective middle ground. Nonetheless, I acknowledge that this thesis is constrained by the conscious and unconscious biases I, bring to the research as a member of another culture. As T rigger reflects on his work at Doomadgee, (1992, p 5) 'participation observation activities like watching, listening or asking questions cannot operate apart from assumptions and constraints of the discourse of the participants own culture…A researcher from a different background, perhaps with a different personality, may well have constructed quite a different story'.

*Confidentiality*

The subject of Indigenous hunting in Australia is a highly contentious, political and personal domain as discussed in Chapter 4. Given my long standing relationship with Hope Vale, and my work on this issue, the community vested me with a high level of trust. I was privileged to be privy to large quantities of confidential information about the patterns of hunting and numbers harvested, despite my known affiliation with conservation groups. Nonetheless, there were a number of occasions that I found very challenging; and I was often confused as to my actual versus perceived responsibility as the recipient of this information. Sometimes I received information from both Elders and young hunters about the same incident or issue, but with different caveats on its use. I had to make some judicious decisions about what to include in the thesis; choosing cultural appropriateness over 'full fact disclosure'. I do not believe this undermines the strength of the information I have presented, as the two approaches are consistent.

This dilemma highlights the difficulty of reconciling the understandings of research as an advocacy tool, the understanding of Hope Vale members, rather than a scientific tool that is designed to build knowledge that will inform management. It also highlights differences in knowledge understandings; the scientific paradigm operates on the assumption that knowledge is a common pool resource and should be publicly available, whereas Indigenous knowledge systems privilege certain groups and individuals depending on the subject matter. These differing assumptions affected the conduct of my research at Hope Vale. For example, Hope Vale respondents did not consider all knowledge given to me in the research process should or could be used in a public domain. These differing assumptions also meant that I often spent much time working out whom in the community was the appropriate person to give me the information I needed.

*Relationships*

During my times at Hope Vale, I developed relationships with different people and groups. These relationships were critical to my research success. However, I acknowledge that the information I collected reflected the intensity and scale of my relationships with different groups. I made attempts to redress this situation by consciously ensuring I interviewed and kept in formal contact with at least one member of each of the 37 clan groups within Hope Vale. Nonetheless, while I 'formally' interviewed a wide sample of clan groups and the community, it would be naïve to presume I obtained an *equal* insight into all these groups. My known affiliation with certain clan groups over others influenced my dealings within the community generally; I was excluded from some information bases but secured detailed entry to others. This situation was further exacerbated by the fact that I also had known connections to staff at the Cape York Land Council, and Balkanu, many of whom I had previously worked and

maintained ongoing relationships with. As these Agencies had a high profile history of conflict and collaboration, as well as personal clan connections with the different clan groups at Hope Vale, these politics influenced how people at Hope Vale saw my relationships with staff within them, and thus occasionally affected my own relations on the ground.

### *Personal v. Political*

Personalities and emotions also influenced my research, especially the challenge of delineating the personal from the professional. For most people in Hope Vale, the personal *is* the political, and there is little differentiation between professional and personal arenas. It was hard for the community to differentiate my roles as researcher and acquaintance/friend. In stark contrast, it was much easier to make this delineation in exchanges with Agency staff generally made a clear distinction between the personal and professional roles. The emotive contours surrounding the Indigenous hunting domain, often obfuscated and charged the responses I received on the issue of hunting. Indigenous hunting of turtle and dugong was an issue where all respondents shared personal *and* professional views. Discourse analysis proved very useful in helping illuminate some of the 'unspoken' or 'silent understandings'. Nonetheless, it was not always clear to me how to differentiate between the personal and professional in my analysis of information.

## Summary

Undertaking research in an Indigenous context brings with it additional challenges. As a white female researcher with my own history undertaking a project on a contentious topic, I faced many of these. This section has outlined some of the ways I addressed these challenges and I hope provide some insight into how future researchers can approach this type of research. Ultimately, as in most things, if the process is enacted with true respect and acknowledgment of difference, most problems can be resolved and research effectively concluded.