

Six Reasons *Not* to Engage: Compromise, Confrontation and the Commons

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Abstract

Environmental advocates have experienced a frustrating honeymoon with deliberative governance during the past two decades. Across Australia, environmentalists are turning from collaborative governance in favour of community action and mobilisation. This strategic reorientation is evident in national and international efforts to halt dangerous climate change, the successful community-led campaign to control land clearing in Queensland and in grassroots campaigns to halt the release of genetically engineered food crops. It is also reflected in the obstacles to effective community engagement in regional natural resource management planning exercises currently occurring around Australia.

Environmental policy processes are increasingly framed around claims of environmental democracy. Plans, strategies and decisions are considered legitimate and their prospects of successful implementation purportedly enhanced if community members are actively involved in policy setting. This involvement takes the form of consultative committees, public hearings, submissions and other community engagement mechanisms. Recent research suggests conservation groups prioritise strategies other than community engagement in the forms most commonly practised for six rational reasons. They appear to consider community engagement an inadequate basis for conserving the commons because of the: (1) lack of true consensus and reciprocal compromise in multi-stakeholder decision-making; (2) inability to recognise and deal with conflict; (3) capture of the community engagement discourse by power elites in government and industry; (5) inequity and inequality of access to community engagement and decision-making processes; and (6) failure by government agencies to involve stakeholders in all phases of an adaptive management cycle. These explanations for non-engagement highlight opportunities for government, industry and community to enhance collaborative environmental strategies.

Community engagement for natural resource management

The title of this paper echoes Hardin's (1968) narrative that describes the dilemma faced by herdsmen who graze their cattle on a shared public field. Sustainable management of the available pasture relies upon restraint by herdsmen not to stock too many cattle or exceed the field's carrying capacity. The tragedy in Hardin's scenario is that human nature predicates that the commons will not be equitably or sustainably shared, but contested, exploited and depleted. This notion has more recently been interpreted in terms of ecological footprint. Each

member of the human population exerts a footprint through consuming resources and generating waste. Citizens in the minority world, including Australians, typically have ecological footprints that far exceed the earth's capacity and limit opportunities for citizens in the majority world to meet their present and future needs.

Community engagement is commonly offered as one solution to this dilemma. To gauge the ascendance of community engagement ideals in environmental management practice and research, try a Google search for the words partnership, collaboration and environment. Your search will yield more than 1.5 million results. Through community engagement and deliberative governance, citizens can theoretically enhance their prospects of determining how best to sustainably manage the commons. At a global level, this conviction is evident in the pronouncements that emerged from the United Nations Conferences on Sustainability and Development (or Earth Summits) convened in 1992 and 2002. In closing the second Summit in Johannesburg, UN Secretary-General Kofi Annan (Annan 2004) summarised delegates' confidence that sustainability would be advanced through partnerships that involved voluntary multi-stakeholder initiatives. The UN has subsequently built a database that describes more than 300 such initiatives (Earth Summit 2002). The Earth Summits have also promoted community engagement through Agenda 21 and Local Agenda 21, which outline strategies for maximising community involvement in sustainability initiatives, and National Councils for Sustainable Development, which explicitly engage non-government entities in policy development (Dovers 2003, p. 8). These institutional arrangements provide for broad community involvement in decisions and actions that affect them.

Confidence in community engagement as a panacea for just, democratic and sustainable governance is underscored by the adoption of community engagement policies and strategies by state government agencies during the past decade (e.g. Queensland Government 2003, Carson and Gelber 2001, Western Australian Government 2003) and by the many conferences on the subject, including International Association for Public Participation annual gatherings, 'Beyond Declarations: Working Partnerships for Sustainability' 2005 National Conference and this joint UN–Queensland Government conference.

Community engagement is a standard feature of Australian policies and institutional arrangements for environmental governance and natural resource management. The Australian Government is relying on community engagement as an integral element of the National Action Plan for Water Quality and Salinity (or NAP) and the Natural Heritage Trust (NHT). These two national schemes are described as the "biggest action programs directed to environmental, social and economic sustainability in Australia's history" and are, "based on partnerships between levels of community and Government, working together" (Australian Government 2004). Together, the NAP and NHT will provide in excess of \$4 billion for sustainable land and water management during this decade, channelling these funds through

regional, multi-stakeholder, 'community-led' organisations. This preferred funding model is informed by more than twenty years' experience in collaborative natural resource management (Head 2004), including inter-sectoral forums, taskforces, committees and the Decade of Landcare (the 1990s) when environmental funding was directed through multi-stakeholder and community-based organisations.

Research in this field tends to reify the merits of community engagement. Environmental governance through decentralised, inclusive and dialogic entities (rather than government agencies alone) is typically considered dynamic, responsive to community needs and values, proactive and trust-building (Henton et al. 2000; Wondolleck and Yaffee 2000). Moreover, this approach is considered cost-effective (Head 2004), a sound basis for identifying and resolving conflicts (Bellamy and MacDonald 2004), and a considered response to historical failures in natural resource management such as the Murray Darling Basin tragedy (Aslin and Brown 2002).

Grounds for scepticism

To question the intrinsic and operational merits of community engagement in this context is a heresy. My background in the community sector as an environmental advocate and my more recent research experience examining environmental governance arrangements that aim to realise the claimed benefits of community engagement encourage me to question these assumptions. There is ample evidence that some stakeholders consider current community engagement practices adequate to conserve the commons. There is also evidence that community-based organisations are pursuing conservation objectives through mechanisms other than community engagement, with positive biophysical (if not social) outcomes. Recent and ongoing Australian case studies (Whelan 2002; Whelan and Oliver 2003, 2004a, 2004b; Whelan and Lyons 2004) suggest six reasons why environmental advocates may choose to eschew community engagement in favour of more effective conservation strategies.

1. *Consensus and compromise*

The herdsmen's goal of maximising personal gain, like democracy, entails reciprocal compromise. Intergenerational equity or the ability for future generations to meet their needs is dependent upon intra-generational equity. As soon as one of us grazes more than our fair share of cattle or overstocks the commons, both forms of equity are out of reach.

Forms of deliberative governance such as multi-party committees, advisory groups and the regional natural resource management entities established under NAP/NHT arrangements provide part of the answer to this tension. They create a structured environment within which divergent and, perhaps, competing interests can be expressed and mediated: a space for negotiation and deliberation. While these terms tend to be used interchangeably, Baccaro

(2002, p. 5) highlights the significant difference between negotiation, which inevitably entails trade-offs such as partial environmental degradation, and deliberation, which he defines as:

“exchanging reasons on the desirability or undesirability of various possible collective choices. These reasons are backed by appeals to principles and/or generalizable interests...The proposal that withstands criticism and wins the contest of ideas becomes the collective choice of the group as a whole.”

This approach to environmental decision-making is extremely rare in practice. It is much more readily observed that particular interest groups dominate committees through numbers, political influence and tactical sophistication. Decisions are more likely to be made through majority voting than consensus, and chairs are rarely truly independent or especially skilled. Stakeholders are not necessarily motivated by principles of guardianship and the promotion of sustainability as suggested by Kingma and Beynon's (2000) prescription for 'effective' natural resource management. On the contrary, the strong representation of industry organisations on the boards of regional NRM organisations suggests these groups' decisions will also be influenced by short-term economic imperatives. Finally, even when community engagement actually ensures representation by a wide range of interests, there is an observed tendency for multi-stakeholder groups to avoid conflict. Poncelet (1998, p. 6) notes that facilitators may attempt to reconcile disparate views by seeking common ground, steering away from practices and discourses that depart from the goal of 'dialogue', constraining or evading debate and avoiding disharmony. He considers dominant partnership models to be distinctly non-adversarial and beyond dichotomies such as 'good guys' versus 'bad guys' and 'winners' versus 'losers'. Yet the range of environmental values and interests drawn together through community engagement clearly encompass diametrically opposing positions.

These patterns in group behaviour mitigate against environmental management decisions that provide the highest level of conservation. Majority decisions and consensus through exhaustion or brinkmanship result in decisions that may offer some level of environmental protection but fall well short of the precautionary principle, which is both widely held and enshrined in environmental legislation and policy. In every instance of compromise, the biosphere upon which life depends loses out. The trade-off is an indirect 'loss' for human stakeholders, but has immediate impacts on the natural systems they are managing. Relationships, trust, norms and other indicators of social capital may be enhanced, but this is no surrogate or substitute for biophysical sustainability.

2. Conflict produces results

A second rational reason for environmental advocates to look beyond community engagement in the quest for sustainability is provided by evidence that confrontational strategies have protected the environment.

Despite Princen's (1994, p. ix) assertion that the action of non-government organisations (NGOs) has been "absolutely essential to most international environmental action", there is considerably less attention paid by sustainability researchers to the actions of environmental NGOs than those of industry and government stakeholders. Australian civil society includes a vibrant environment movement and a growing number of advocacy organisations which seek to "influence the social and political decisions of an institutional elite" and promote outcomes which "benefit a broader range of society than just (their) own members" (Powell 1987 p. 297). In their history of the Australian environment movement, Hutton and Connors (1998) depict an evolving and divergent array of advocacy groups that have pursued conservation objectives through research, community education, lobbying, networking, electoral politics and direct action. An important trend they observe is environmentalists' reliance on advisory committees, boards, submissions, "polite deputations", well-researched lobbying and letter-writing to achieve their goals. The "closure or inadequacy of these traditional institutional processes" since the 1980s has radicalised conservationists and convinced many to relocate their debates with government from private meetings and parliamentary hearings to the "public space of civil society" (Hutton and Connors 1998, p. 90).

This strategic (re)orientation in the environment movement is also shaped by attitudes toward social institutions and environmental values. The discourse of environmental modernisation which "views existing political, economic and social institutions as the most appropriate structures for addressing issues of environmental protection" (Hajer 1995, p. 25) is clearly reflected in contemporary NGO tactics. These beliefs, combined with dependence on government grants, convince environmentalists to participate actively in government-initiated deliberative governance processes. The peak environmental NGOs in each Australian state (the conservation councils) each employ several staff members who do little else than comment on draft policies, participate in committee meetings and prepare submissions. By contrast, the 'survival' discourse described briefly by Hutton and Connors is reflected in the direct action tactics of groups including Greenpeace, and the 'Wilderness, No Compromise' slogan of the Wilderness Society.

Three case studies, necessarily summarised here, illustrate the capacity of community mobilisation to create "constructive confrontation with government authorities" (Kingma and Beynon 2000, p. 66) which stands in sharp contrast to community engagement. The first case study is the campaign by the Queensland Conservation Council, the Wilderness Society, the Worldwide Fund for Nature and the Australian Conservation Foundation to secure the conservation of native vegetation on leasehold and freehold land in Queensland. These organisations successfully pushed the Queensland Government to adopt vegetation management legislation, effectively conserving as much as twenty million hectares of remnant vegetation. Interviews with activists central to this campaign (Whelan and Lyons 2004) revealed their decision to reject deliberative governance mechanisms in favour of

community mobilisation. Until 2000, conservationists actively participated in government committees, commissioned research, developed policy positions and lobbied government-initiated committees for their adoption. Between 2000 and the campaign's denouement in 2004, these environmental advocacy groups redirected their energy to raising awareness in targeted constituencies and mobilising concern through tactical electoral politics. This decision was based on consensus in the sector that community engagement exercises were, in one activist's words, "time consuming, and in the service of legislation that's flawed, and cannot possibly deliver on your objectives...so why would you put your effort into it?" (Whelan and Lyons 2004, p. 7).

A second case study that illustrates the potency of community action is Greenpeace's 1998 to 2004 campaign against the Stuart oil shale project in Central Queensland. Southern Pacific Petroleum's plans to extract oil from shale (rock) drew criticism from a range of community and environment groups. The proposed industrial process involved an open cut mine to extract rock, which would then be crushed and heated to 500°C to extract oil. Opponents of the project were concerned the project would discharge contaminated water, involve mining activity in the Great Barrier Reef World Heritage Area, increase Australia's greenhouse emissions by up to 200 per cent (Greenpeace 2004) and lead to ocean warming and coral bleaching. Emissions from the plant were blamed for illness in the local community. The Queensland and Australian governments unambiguously supported the project. Government intervention to help facilitate the plant included excise relief and research and development grants, as well as funds to offset the \$11 million cost of a new wharf in Gladstone harbour (Wilson 2005). A Freedom of Information search by Greenpeace revealed that the Commonwealth Department of Industry, Tourism and Resources had offered an additional subsidy of \$36 million in 2002 if the project owner Southern Pacific Petroleum took legal action against Greenpeace.

Despite this explicit government support for the project, community engagement activities were initiated. And despite having cause to doubt the sincerity of the government agencies that initiated these activities and their autonomy to heed community concerns, civil society groups including Greenpeace participated. Over 20,000 people wrote to the Queensland Government opposing the development of shale oil. Twenty-seven environment, tourism and fishing groups made a joint submission expressing opposition to the project (Greenpeace, 2004). One hundred local residents initiated legal action against the energy companies involved, seeking \$12 million compensation for health impacts and diminished property values. Greenpeace initiated or supported many of these actions, as well as making presentations to senate inquiries and lodging a formal complaint to the Australian Stock Exchange.

Activists did not, however, trust that the mechanisms of community engagement or consultation would provide adequate opportunities for influence. Throughout the six-year campaign, Greenpeace organised regular direct action encounters with the oil shale plant operators and investors, including blockading shipments of shale oil to refineries.

US investors withdrew funding in 2003 and Greenpeace no longer considered the project viable (and wound down their campaign) by late 2004. The case study highlights the difficult strategic decisions faced by environmental advocates, and especially the importance of balancing the competing demands of community engagement and community mobilisation. The campaign included tactics associated with both approaches. Its ultimate success is difficult to attribute to just one or the other.

The third community campaign that suggests community sector rejection of community engagement as an adequate basis for environmental governance is the international campaign against genetically engineered (GE) food and crops. Current institutional arrangements to regulate the release of GE crops in Australia provide several opportunities for community engagement. The Office of the Gene Technology Regulator regularly invites submissions on planned GE crop trials. The Food Standards Authority of Australia and New Zealand actively seeks public comment on its decisions to approve the use of GE ingredients in manufactured foods. The ministers of agriculture in most Australian states convene advisory committees with community representation to consider issues relating to GE crops and state and national wheat boards include community (grower) representation. Finally, media outlets such as the *Sydney Morning Herald* conduct community surveys through their websites to assess and report on community attitudes toward genetically engineered food and crops.

GE activists actively participate in these formal community engagement opportunities and proactively initiate additional spaces for dialogue including public seminars and parliamentary briefings. Recent interviews with GE activists and campaign analysis suggest that few, if any, campaign victories can be attributed causally to these activities. GE activists have turned to an array of community action tactics that fall well outside the widely accepted definition of community engagement. During 2004, anti-GE groups organised regular mobilisation events including street theatre, hanging banners in prominent locations and local supermarket demonstrations. One such action, held at a supermarket in downtown Melbourne, involved over 70 non-aligned activists who surveyed and persuaded shoppers, placed stickers on products containing GE ingredients, pranced in chicken suits and created congestion at checkouts by asking for an assurance that products were not contaminated with GE ingredients. On other occasions, GE activists staged direct action encounters at the corporate headquarters and feed mills of Australia's leading poultry companies to encourage the company to import non-GE soy meal for chicken feed. National media interest was generated

when Greenpeace's GE activists aboard the Rainbow Warrior blockaded Port Kembla harbour to block the passage of the Rhein, a ship carrying 100,000 tonnes of genetically engineered soy. In the same week, activists wrote "Stop GE imports" in ten metre letters on the Rhein while it was docked in Brisbane and delivered supplies of organic (non-GE) soy to a feed mill operated by Inghams, Australia's largest poultry company.

These activities, combined with overwhelming community opposition to unlabelled GE food products, led Inghams and three other Australian poultry companies to reject GE soy in early 2005. This decision represents the achievement of an important GE campaign objective. Community, environmental and public health organisations involved in the GE campaign should interpret this breakthrough as evidence that community action is an important priority to complement their participation in government-initiated community engagement.

3. Community engagement: A wolf in sheep's clothing

A third explanation for community sector reservation about community engagement is that this discourse has been applied to decision-making processes that fall well short of the democratic ideals appropriately associated with community engagement. At times, expressions such as community engagement, consultation, partnership and collaboration are used to describe top-down, decide-announce-defend approaches to environmental management. Community engagement activities are frequently conducted after political support for specific outcomes has already been announced. The expression 'partnership' is applied to governance arrangements that clearly maintain or entrench power differentials between government agencies and non government organisations.

The evolution of the Natural Heritage Trust, one of the nation's most significant exercises in community engagement and regionalisation, highlights the potential for a mismatch between rhetoric, actions and consequences. During the first five years of this environmental fund, recipients of government support were selected by panels with strong community representation (NNRMTF 1999, p. 30). The second phase of the scheme relies on regional organisations to determine priority natural resource management interventions. Although the scheme is consistently described by the state and national funding agencies as 'community-led', the bilateral agreements between these two levels of government make it clear that while significant responsibility for NRM has been devolved to community-based organisations, this is accompanied by only limited power. Under these arrangements, government bodies retain the authority to endorse and fund regional plans.

Furthermore, the transition from the first phase of this scheme to the second involved a lengthy hiatus during which community groups that had relied on government funding languished. Many of these groups, including extensive networks of 'carers' (landcare, bushcare and waterwatch groups), no longer have the capacity to engage meaningfully in

either decision making or on-ground environmental projects. Government failure to genuinely share power with regional NRM organisations, or to maintain funding for groups that facilitate community engagement in environmental governance, suggests a lack of “credible commitment” to sustainability that would entail a “demonstrable agenda of appropriate and believable reforms within policy and institutional systems” (Dovers 2003, p. 16).

The credibility of community engagement rhetoric is further undermined by the observation that in some developing countries decentralised governance has, in some instances, “entrenched the dominance of local elites, deepened authoritarianism in governance, and even increased intolerance toward minorities” (Lane et al. 2004).

4. Some people are more equal than others

In theory, professionally conducted community engagement activities provide all stakeholders with adequate opportunities to present their preferences and aspirations and for these to be carefully noted in decision making. An advisory group, for instance, established to provide representative input on matters that trigger community concern, should satisfy all parties’ desires to be heard. In practice, this is rarely the case and additional or alternative opportunities for influence are available to the more powerful stakeholders and those able to mobilise capital, political influence or community action (Ewing 2003).

The opportunism and determination of interest groups was illustrated in the shale oil and GE case studies discussed previously. It is also illustrated in the decision-making processes that culminated in significant decisions about transport planning in South East Queensland. In the mid 1990s, the Queensland Government’s Integrated Regional Transport Plan for the region was developed. The community engagement activities culminating in this plan were touted as both extensive and effective. Every household in the region received information about the draft plan, and community forums to solicit community input were well attended. The plan committed the Queensland Government to establish a ministerial advisory committee with representatives for each of several ‘communities of interest’ identified through stakeholder workshops. However, shortly after the committee’s inauguration, the trucking industry, automobile insurance association and other powerful stakeholders stopped attending meetings and exerted their policy influence through less public channels. The consensus support for light rail and integrated transport planning established by the remaining parties carried little influence with the minister. Some of the most important transport decisions, such as the Queensland Government’s considerable fuel subsidies and the construction of freeways were not brought to the Committee for deliberation, let alone open to public comment.

These and similar experiences of community engagement activities contribute to community sector disillusionment and ‘consultation fatigue’. Some NGOs have adopted policies to

determine the conditions under which they will participate in consultation or engagement activities. The Brisbane-based Rivermouth Action Group (RAG 2005), for instance, insists on input to the terms of reference for consultation, adequate time to consider relevant information, access to independent legislative advice, sitting fees and inclusion of a 'do nothing' option in all development considerations.

5. Community engagement takes energy

Active participation in community engagement activities requires time, stamina and considerable personal and economic resources. Government agencies and industry groups possess and commit these resources. Their representatives on advisory committees and boards are typically well-paid professionals whose expenses are reimbursed. Community and conservation delegates, on the other hand, are generally volunteers and often meet their own costs to participate — transport, meals, photocopying and costs incurred in communicating with their constituents. Community engagement can be seen as a process of attrition whereby those left standing exercise greatest influence. These stakeholders will rarely represent conservation. The process logically favours economic and resource-exploitative interests.

The decision by Greenpeace in the oil shale campaign to invest in both insider (deliberative) and outsider (community action) processes is not generally available to environmental NGOs. If the Queensland conservationists working to legislate land clearing had actively participated in the dozens of consultative committees established to implement the vegetation management legislation adopted in 2000, they would have had no time or energy to educate and mobilise the community. Instead, they rejected these processes as 'time-wasting' and successfully pushed for replacement legislation that would both ensure a higher level of conservation and reinstate the responsibility of Government agencies rather than rely on consensus politics in each region (Whelan and Lyons 2004).

6. Community engagement rarely encompasses the full policy cycle

The sixth and final reason to question the adequacy of prevailing community engagement exercises is that policy processes, in the environmental domain at least, tend to more actively engage community groups and concerns at the plan making stage, and relatively less frequently at the plan implementation and plan evaluation stages of the policy cycle.

Increasingly, many environmental management agencies have embraced the principles and practices of adaptive management. Lee (1993, p. 9) differentiates between adaptive management and traditional government-controlled environmental management approaches by acknowledging that uncertainty is inevitable and that:

“Adaptive management takes that uncertainty seriously, treating human interventions in natural systems as experimental process. Its practitioners take special care with information. First, they are explicit about what they expect, so that they can design

methods and apparatus to make measurements. Second, they collect and analyze information so that expectations can be compared with actuality. Finally, they transform comparison into learning — they correct errors, improve their imperfect understanding, and change action and plans. Linking science and human purpose, adaptive management serves as a compass for us to use in searching for a sustainable future.”

The anticipated benefits of adaptive management include institutional and social learning (Henton et al. 2001, p. 9) and the potential for community members to reconsider both policy problems or goals and their social construction (Dovers 2003, p. 12). Studies of institutional arrangements for environmental governance, including a “three-decade review of policy and institutional development for Australian resource and environment management, undertaken by a large, multidisciplinary team” (Dovers and Wild River 2003) highlight the importance of organisational persistence and longevity in maximising these forms of learning. The researchers concluded that persistence allows “sufficient time for policy and institutional ‘experiments’ to be run and lessons accrued”. Similar conclusions are drawn by Wondolleck and Yaffee (2001) in their studies of enduring collaborative environmental organisations and Lane et al. (2004) who note that the broad array of social and ecological issues, and the time lag between implementation and measurable change, means we cannot be certain of outcomes: ‘the jury is still out’.

Social learning and other benefits of adaptive management rely on community engagement throughout the entire policy cycle: plan making, implementation and evaluation. This is infrequently the case.

Conclusion

The environmental management stakes are high and extend to the ecosphere upon which human society depends. It is generally agreed that centralised forms of governance have failed to deliver outcomes that could be described as sustainable and that communities expect to be meaningfully involved in making decisions that affect them. Natural resource management and community engagement researchers point to a range of additional benefits of deliberative environmental governance.

The obstacles to whole-hearted community sector participation in government initiated community engagement activities identified here should not be interpreted as either comprehensive or insurmountable. Community engagement should not be dismissed simply because it has not been done well. Left unchecked, these explanations for non-engagement can maintain and even compound contemporary institutions’ inability to conserve the commons. Stakeholders may refrain from entering into or continuing debates and withhold their views and opinions (Poncelet 1998, p. 6) that could offer the hope of sustainable futures. By pursuing alternative strategies to communicate their environmental priorities and

preferences, non-engaged stakeholders may undermine the social and institutional learning crucial to long-term sustainability.

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