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**Submission Of: Daniel May**

### Your Details

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What is your submission based on? I am making this submission based on my professional knowledge, qualifications or experience or on behalf of a group or organisation

What is your area of professional expertise?

If you are lodging your submission on behalf of a group or organisation, what is the name of the group or organisation?

### Your Submission

In your experience, what areas of the bushfire emergency response worked well?

[see attached document]

In your experience, what areas of the bushfire emergency response didn't work well?

[see attached document]

In your experience, what needs to change to improve arrangements for preparation, mitigation, response and recovery coordination for national natural disaster arrangements in Australia?

[see attached document]

Is there anything else you would like to tell the Royal Commission?

[see attached document]

Do you agree to your submission being published? Yes I agree to my submission being published in my name

Supporting material provided:

Daniel May Bushfires Royal Commission Submission 2020.4.24.pdf

## 2019/20 Bushfires Royal Commission Submission

Daniel May

[REDACTED]

I am a non-Indigenous, late-stage PhD Candidate in the School of History at the Australian National University. For the past 5 years I have been researching the history and politics of Indigenous burning practices in Australia and the United States of America. As such my submission will largely address Term of Reference (g)

“any ways in which the traditional land and fire management practices of Indigenous Australians could improve Australia’s resilience to natural disasters”.

I would be happy to speak with the Commission in more depth about any matters or elaborate upon my submission. This submission represents my own individual views, not those of any organisation I am affiliated with, nor do I claim to speak for Australia’s Indigenous peoples.

### Historical background

There is strong evidence that prior to European contact, most (and probably all) Indigenous Australian societies used fire systematically. This was not limited to simplistic portrayals that ‘they set fires to hunt’; there is good evidence that this use of fire shaped and engineered vegetation distribution.<sup>1</sup> However, it is fair to say that the evidence is strongly disputed as to whether this burning was uniform, and it is likely that some areas were subject to very little burning. This takes nothing away from any recognition of the sophistication and efficacy of Indigenous burning as a decision to withhold fire can indicate just as much sophistication and planning as a decision to apply fire. Most vexingly, the areas that tend to be the most disputed (eg the mountain ash forests of Victoria, the High Country of south-eastern Australia) also tend to be highly valued in contemporary Australia (agriculturally, environmentally, for timber, residentially, etc).<sup>2</sup> There is strong evidence that high-intensity bushfires still occurred in the pre-colonial period, implying that pre-colonial burning practices were unable to prevent some occurrences.<sup>3</sup> This does not undermine any arguments based on efficacy or legitimacy

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<sup>1</sup> Bill Gammage, *The Biggest Estate On Earth: How Aborigines Made Australia* (Crows Nest: Allen & Unwin, 2011).

<sup>2</sup> Tom Griffiths, “How Many Trees Make a Forest? Cultural Debates about Vegetation Change in Australia,” *Australian Journal of Botany* 50 (2002): 375–89; D. M. J. S. Bowman, “Tansley Review No. 101: The Impact of Aboriginal Landscape Burning on the Australian Biota,” *New Phytologist* 140, no. 3 (1998): 385–410.

<sup>3</sup> This says nothing about the frequency of such events. See Tom Griffiths, *Forests of Ash* (New York: Cambridge University Press, 2001); David Ashton, “Fire in Tall Open Forests (Wet Sclerophyll Forests).,” in *Fire and the Australian Biota*, ed. A. Malcolm Gill, R. H. Groves, and I. R. Noble (Canberra: Australian Academy of Science, 1981), 339–66.

of Indigenous practices – instead, it reminds us that humanity can never be entirely in control of nature, and thus our management today and in the future must be based upon resilience and redundancy.

In Australia, the fire practices of Indigenous Australians have been hopelessly conflated and entangled with the highly controversial politics of prescribed burning. In the wake of the Black Friday bushfires, graziers seeking fresh growth for stock and foresters seeking to protect timber crops of mountain ash argued over the necessity of prescribed burning, all in the name of safety.<sup>4</sup> In the wake of the Dwellingup bushfires, Royal Commissioner G.J. Rodger found that farmers and settlers seeking greater freedom to burn to clear pasture had “little real knowledge” of forests policy, despite vociferous criticism of WA Forests Department policy.<sup>5</sup> In the wake of the 2009 Black Saturday bushfires, prescribed burning was hopelessly entangled with the broader issues of logging of native timber, climate change, and grazing on the Victorian High Country.<sup>6</sup> Authority over fire represents the power to shape landscapes, and thus questions of prescribed burning policy must always consider historical and contemporary political contexts.

It has been common for non-Indigenous Australians to draw upon concepts of Indigenous burning in these debates – a trend that continues today. This is often mischievous and knowingly inaccurate. The Commission must be prepared to separate these issues and question the self-interest and assumptions being made by all voices. Not all fire practices are identical. Claims of continuity between pre-colonial Indigenous Australians and settler Australians must be critically assessed. Dismissals based on irrelevance must be interrogated. We may not be able to separate fire management from contemporary Culture Wars, but we would be blind to pretend this entanglement is not present.

## The importance of framing

It is generally assumed that Indigenous burning ceased as a consistent practice across much of Australia following colonisation – but how we understand this historical event will shape how we understand Indigenous burning in the present and future. In some areas, Indigenous burning was not

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<sup>4</sup> Chris Soeterboek, “‘Folk-Ecology’ in the Australian Alps: Forest Cattlemen and the Royal Commissions of 1939 and 1946,” *Environment and History* 14, no. 2 (May 1, 2008): 241–63.

<sup>5</sup> G. J. Rodger, “Report of the Royal Commission Appointed to Enquire into and Report upon the Bushfires of December, 1960 and January, February and March, 1961 in Western Australia. The Measures Necessary or Desirable to Prevent and Control Such Fires and to Protect Life and Property in the Future. And The Basic Requirements for an Effective State Fire Emergency Organisation” (West Australian Parliament, 1961).

<sup>6</sup> Daniel May, “To Burn or Not to Burn Is Not the Question,” *Inside Story*, January 17, 2020, <http://insidestory.org.au/to-burn-or-not-to-burn-is-not-the-question/>; Stephen J. Pyne, *The Still-Burning Bush* (Melbourne: Scribe Short Books, 2006); Griffiths, *Forests of Ash*; Stephen J. Pyne, *Burning Bush: A Fire History of Australia* (New York: Henry Holt and Company, 1991).

'lost' but rather was violently and directly suppressed as it threatened colonial agriculture.<sup>7</sup> The suppression or modification of fire regimes was a tool of colonisation. In other areas, while the *practice* may have largely ceased, contemporary Indigenous Australians say the *knowledge* lives on. The nature of colonisation varied over different time periods and across the continent, so there is no reason why the results of colonisation upon Indigenous fire management would be identical today.

The Commission's Terms of Reference refer to "traditional" practices, but there is strong evidence that this framing of Indigenous Australian burning can be counterproductive for serious contemplation of Indigenous burning. The aspect of 'traditionality' can and has been weaponised against Indigenous environmental practices (including burning). Many practitioners of Indigenous burning today utilise modern technology (eg drip torches, helicopter ignition, GPS technology, four wheel drives).<sup>8</sup> A better framing is "cultural burning" or "cultural fire management practices".<sup>9</sup> This allows for technological and environmental change within these practices. This in no way undermines the 'legitimacy' or 'authenticity' of these practices. Indigenous Australian technology significantly evolved even over the Holocene, and the Pleistocene-Holocene transition would have caused significant environmental changes. Instead, reframing burning away from 'traditional' grants these practices a future. Indigenous burning is almost always framed in the past tense – the Commission has an opportunity to move beyond this.

### How Indigenous burning might contribute

One of the foremost ways in which Indigenous Australians could contribute to fire management would relate to adoption, integration, or – preferably – direction of contemporary burning practices. It might be the case that local Indigenous groups might possess specific knowledge of fire (such as when to burn, what ecological indicators indicate readiness to burn, consequences of burning, and so on). This can be called the 'methods' argument. There is great potential for this, but to be successful it would need to be attentive to local ecological nuances and constructed on an ethical political basis. Schemes that either 'blackwash' or appropriate the rhetoric of Indigenous burning will fail. Schemes that do not integrate the underlying cultural framework of Indigenous burning will fail. Schemes are not designed on a truly cross-cultural and collaborative basis, that do not share power over fire, or do not allow for Indigenous leadership and direction, will fail.

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<sup>7</sup> Pyne, *Burning Bush*; David Jefford Ward, "People, Fire, Forest and Water in Wungong: The Landscape Ecology of a West Australian Water Catchment" (Doctoral thesis, Curtin University of Technology, 2010).

<sup>8</sup> Some Indigenous practitioners are dissatisfied with the adoption of some of these technologies.

<sup>9</sup> See for instance Federation of Victorian Traditional Owner Corporations et al., "The Victorian Traditional Owner Cultural Fire Strategy," 2019; Timothy Neale et al., "Walking Together: A Decolonising Experiment in Bushfire Management on Dja Dja Wurrung Country," *Cultural Geographies* 26, no. 3 (2019): 341–59.

Government-directed programmes that seek to ‘restore’ or integrate Indigenous burning practices have a surprisingly long history in Australia. Perhaps the longest running effort has occurred under the ‘joint management’ policies of Kakadu National Park. Former Park manager and anthropologist Chris Haynes has detailed how the bureaucratic and leadership structures of the Park, and the general boundaries of cross-cultural communication, have severely hampered the Park’s fire management, despite genuine goodwill from all parties.<sup>10</sup> This experience teaches that any integration of Indigenous burning cannot consider Indigenous practices solely in terms of methodological contributions.

Non-Indigenous Australians have occasionally lamented that Aboriginal relationships to fire have much to teach us about comfort and sophistication in the use and management of fire (this can be called the ‘relationship’ argument). These are not new claims. As has been well established, many European explorers and settlers grasped the significance of pre-colonial Indigenous burning in shaping the lands.<sup>11</sup> In the modern era, in the wake of the 1983 Ash Wednesday bushfires, the chair of a Federal Inquiry sought to understand the tragedy through Indigenous frameworks, saying “in Kakadu we know that the Aboriginals there see a fire-ravaged area and say ‘That is good management’”.<sup>12</sup> In the wake of the 2009 Black Saturday bushfires, such claims were suggested by historian Tom Griffiths and fire scientists Mark Adams and Peter Attiwill.<sup>13</sup> This argument is compelling, but it would be unproductive and frankly absurd to ask Indigenous Australians to share their ways of knowing fire without appreciating the ethical, historical, and cultural framework that underpins Indigenous burning practices today.

Finally, the most robust way to improve Australia’s resilience to future disasters is to address the factors driving disaster risk – quite obviously, this means addressing anthropogenic climate change. The Commission will be in possession of far more sophisticated evidence demonstrating the link between anthropogenic climate change and bushfires, so I will not dwell on this. Suffice to say that ignoring the demonstrably significant risk that disasters will intensify due to anthropogenic climate change would be irresponsible and negligent.

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<sup>10</sup> C.D. Haynes, “Realities, Simulacra and the Appropriation of Aboriginality in Kakadu’s Tourism,” in *Indigenous Participation in Australian Economies: Historical and Anthropological Perspectives*, ed. I. Keen (Canberra: ANU E Press, 2010), 165–85; Chris Haynes, “The Value of Work and ‘Common Discourse’ in the Joint Management of Kakadu National Park,” *The Australian Journal of Anthropology* 28, no. 1 (April 2017): 72–87; C.D. Haynes, “Seeking Control: Disentangling the Difficult Sociality of Kakadu National Park’s Joint Management,” *Journal of Sociology* 49, no. 2–3 (June 1, 2013): 194–209.

<sup>11</sup> Pyne, *Burning Bush*; Gammage, *The Biggest Estate on Earth*; Griffiths, “How Many Trees Make a Forest?”

<sup>12</sup> “Bushfires and the Australian Environment, 1983-1984: Transcript of Evidence. Reference: Environmental Impact of Bushfires: Official Hansard Report” (Canberra: Government Printer, 1984), 135.

<sup>13</sup> Tom Griffiths, “‘An Unnatural Disaster’? Remembering and Forgetting Bushfire,” *History Australia* 6, no. 2 (2009): 35.1-35.7; Mark Adams and Peter Attiwill, *Burning Issues: Sustainability and Management of Australia’s Southern Forests* (Acton, ACT: CSIRO Publishing and Bushfire CRC, 2011).

There is great potential for Indigenous Australians to directly contribute to emissions reduction efforts. In the tropical north of Australia, schemes have developed which fund fire management over Indigenous lands to generate greenhouse gas abatement; lower-intensity fires are lit to restrict the spread of higher-intensity fires which would otherwise generate far more emissions. The West Arnhem Land Abatement Project is the flagship programme of these efforts, and generated average annual emissions reductions of 30-40%.<sup>14</sup> Estimates for the potential expansion of savannah burning across Australia project that it could result in the annual offset of up to 5 to 10 MtCO<sub>2</sub>eq (not all of this would be from Aboriginal land);<sup>15</sup> Australia's annual emissions in 2017 were 530.8 MtCO<sub>2</sub>eq, with a current policy goal to reduce these emissions by 26-28% by 2030.<sup>16</sup> These schemes have also generated a host of cultural, social, and economic benefits.<sup>17</sup> The Royal Commission should recommend an expansion of these schemes, driven by stable and effective climate policy, as significant emission reduction efforts from Australia will improve Australia's disaster resilience directly (by slowing global climate change and reducing the extent of damaging high-intensity fires) and indirectly (by increasing Australia's diplomatic capital for global climate negotiations).

## Conclusion

To conclude, there is enormous potential for the environmental practices of Indigenous Australians to contribute to Australia's fire management and improve its resilience. There is strong evidence that in the last two decades, awareness of Indigenous burning practices among the broader Australian community has significantly proliferated.<sup>18</sup> This suggests that measures allowing for greater Indigenous fire contributions would enjoy broad public support. This must occur within a policy and cultural framework that is locally based, ecologically nuanced, and attentive to the historical and contemporary politics of fire. Indigenous Australians must have a leadership role in this framework. The choice to grasp the firestick doesn't just simply equal more hazard reduction burning. It means the use of fire to engineer and shape landscapes over decades and centuries. It means comfort with

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<sup>14</sup> Jeremy Russell-Smith et al., "Managing Fire Regimes in North Australian Savannas: Applying Aboriginal Approaches to Contemporary Global Problems," *Frontiers in Ecology and the Environment* 11, no. s1 (August 2013): e55–63.

<sup>15</sup> Russell-Smith et al., 61.

<sup>16</sup> Commonwealth of Australia, "National Inventory by Economic Sector 2017," 2019. With a current policy goal of reducing emissions by 26-28% by 2030, savannah burning clearly represents a substantial potential contribution to this effort.

<sup>17</sup> Peter J. Whitehead et al., "The West Arnhem Land Fire Abatement (WALFA) Project: The Institutional Environment and Its Implications," in *Culture, Ecology and Economy of Fire Management in North Australian Savannas: Rekindling the Wurrk Tradition*, ed. Jeremy Russell-Smith, Peter J. Whitehead, and Peter M. Cooke (Collingwood: CSIRO Publishing, 2009), 336; The Department of Prime Minister and Cabinet commissioned an analysis that confirmed these benefits, see Social Ventures Australia, "Warddeken Indigenous Protected Areas (IPA) Social Return on Investment Analysis" (Department of the Prime Minister and Cabinet, 2015).

<sup>18</sup> Billy Griffiths and Lynette Russell, "What We Were Told: Responses to 65,000 Years of Aboriginal History," *Aboriginal History* 42 (2018).

the deliberate use (and where appropriate, withdrawal) of fire. It means acceptance of the inevitability of some firestorms, regardless of the best policy plans. If, despite the violence of colonisation, Indigenous Australians choose to share their fire knowledge with Commonwealth or State governments, that would represent a tremendous gift. The Royal Commission has a fantastic opportunity to establish the policy and cultural framework through which this could occur.

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