



Palgrave Studies in
World Environmental History

MORAL ECOLOGIES

*Histories of Conservation,
Dispossession and Resistance*



EDITED BY

*Carl J. Griffin, Roy Jones,
and Iain J. M. Robertson*



Palgrave Studies in World Environmental History

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Iain J. M. Robertson
Editors

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and Resistance

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CONTENTS

- 1 Moral Ecologies: Histories of Conservation, Dispossession and Resistance** 1
Carl J. Griffin, Roy Jones and Iain J. M. Robertson

- Part I Conservation as Dispossession**

- 2 Politics of Conservation, Moral Ecology and Resistance by the Sonaha Indigenous Minorities of Nepal** 37
Sudeep Jana Thing

- 3 Global Ecologies and Local Moralities: Conservation and Contention on Western Australia's Gascoyne Coast** 59
Roy Jones, Joseph Christensen and Tod Jones

- 4 From Activists to Illegally Occupying Land: Aboriginal Resistance as Moral Ecology in Perth, Western Australia** 83
Shaphan Cox and Christina Birdsall-Jones

- 5 Ghosts in the Forest: The Moral Ecology of Environmental Governance Toward Poor Farmers in the Brazilian and US Atlantic Forests** 99
Scott William Hoefle

Part II Conservation as Occupation

6	Crimes against Cultures: How Local Practices of Regulation Shape Archaeological Landscapes in Trowulan, East Java	129
	Tod Jones and Adrian Perkasa	
7	Of Necessary Work: The <i>Longue Durée</i> of the Moral Ecology of the Hebridean <i>Gàidhealtachd</i>	159
	Iain J. M. Robertson and Mary MacLeod Rivett	
8	Demographic Fluidity and Moral Ecology: Queenstown (Tasmania) and a Lesson in Precarious Process	189
	Pete Hay	
9	‘Fearless, Free and Bold’: The Moral Ecology of Kelly Country	217
	Graham Seal	
10	Squatting as Moral Ecology: Encroachment and ‘Abuse’ in the New Forest, England	235
	Carl J. Griffin	
11	A “Moral Ecology” of Afrikaner Settlement in German East Africa, 1902–1914	265
	Thaddeus Sunseri	
12	Afterword: On Moral Ecologies and Archival Absences	289
	Karl Jacoby	
	Index	299

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LIST OF FIGURES

Fig. 2.1	The Karnali river delta and the Bardia National Park (BNP), mid-western lowland Nepal (<i>Source</i> Author using ArcGIS)	39
Fig. 2.2	<i>Kaftbans</i> , and lineage-based allocations of gold panning areas (not to scale) (<i>Source</i> Author’s field notes)	43
Fig. 3.1	Gascoyne Coast, showing Shark Bay and Ningaloo Coast World Heritage Areas (<i>Source</i> Joseph Christensen)	61
Fig. 5.1	Remaining “visible” primary forest in 1920 (a); planted and regenerated forest in 1993 (b)	106
Fig. 5.2	Brazilian biomes and political map	109
Fig. 5.3	Organic cropping in bottomlands and forest regeneration on slopes (<i>Source</i> Author, field research, 2013)	117
Fig. 6.1	A personal collection of small statue heads. 2016 (Photograph by Tod Jones)	139
Fig. 6.2	Sabar. A bronze bust of the artist. Date unknown (Photograph by Tod Jones with permission of Hariadi Sabar)	142
Fig. 6.3	Bajang Rau in Trowulan, Mojokerto, East Java, Indonesia (Photograph by Tod Jones)	147
Fig. 6.4	The Buddhist Wihara in Trowulan (Photograph by Tod Jones)	148
Fig. 6.5	Rice drying in front of the Watu Ombo shrine, Trowulan, East Java	149
Fig. 6.6	Candi Brahu, a reconstructed Buddhist temple at Trowulan, East Java (Photograph by Tod Jones 2017)	150
Fig. 7.1	Location map (Courtesy of Anne Campbell)	163
Fig. 8.1	Locations of Queenstown and Upper North Esk	195
Fig. 8.2	The derelict balcony of Hunter’s Hotel from which King O’Malley delivered fiery political speeches	199



Moral Ecologies: Histories of Conservation, Dispossession and Resistance

Carl J. Griffin, Roy Jones and Iain J. M. Robertson

I go back my full life knowing about it [the common] ... my father before him as well, went right, back. So he was very protective of it in his day ... What his idea was ... It's a piece of limestone grassland, basically, and that's what it should still be ... our common was in the condition that it is now because of the way ... it has been looked after. One of the biggest differences between all my life and all my father's life—and his father, but we won't go on to that...¹

If we thought for some reason it [the common] was getting a little bit dodgy, and there were one or two places where the grass did grow, because the cattle couldn't get to them, because it was down the bank, and if it was really ripping through it, we would put a bit out ourselves. We'd say, "We'll keep that edge back, away from the wood," or whatever.²

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The practice of burning the grassland on the common of the Gloucestershire parish of Sheepscombe ended in the early 1980s. As the common-side cottages of the small villages nestled in the valleys north of Stroud, immortalised in Laurie Lee's *Cider with Rosie* (1959),³ were sold to those who sought a rural idyll away from the soot and noise of the city, the established, vernacular ways of managing the common fell into disuse and even disrepute. The customary winter practice of burning the old, dead grass on the local commons to encourage new growth did not meet with the approval of those who wanted clean air and calm, rather than the ash, smell and seeming chaos of the common ablaze. Approval for this practice was similarly withheld by the forebears of English Nature, the organisation which became officially involved in the management of the common in 1984: burning was not something allowed in a National Nature Reserve or a Site of Special Scientific Interest. But it was, in the words of one long-time resident, the regime of burning and the grazing of cattle that "kept the common a common ... Burning and grazing together was excellent."⁴ So, when the commoners stopped commoning, the end of burning and grazing allowed the grassland to slowly become scrub, and the scrub to become woodland. Intervention, in the form of scrub clearance and the lopping of trees, therefore became necessary in order to preserve grassland habitats. Or, to put it another way, in the attempt to conserve the local commons, they effectively stopped being commons. A vernacular, informal and unwritten way of managing the common as a space which had sustainably supported the commoners for generations, gave way, in the name of conservation, to a new way of managing the common emanating from statute and national policy.

This issue, in microcosm, embodies the arguments, ideas and conflicts that define this book. The case studies that follow demonstrate how and, to some extent, even why elite conservation schemes and policies can often inscribe customary and vernacular forms of managing common resources as variants of banditry—and how and why the 'bandits' fight back. Our inspirations are many but foremost is a volume which will surely go down as one of the classics of early twenty-first century historical writing: Karl Jacoby's endlessly suggestive and powerful *Crimes against Nature: Squatters, Poachers, Thieves and the Hidden History of American Conservation*. First published in 2001 and, as a revised edition in 2014, Jacoby's book ostensibly rests on a simple hypothesis: namely that the early history of the conservation movement in the United States was premised on denying the customary practices of those who lived in

areas newly inscribed as national parks and labelling many of their land use and survival practices as ‘crimes against nature.’ Simply put, and in line with Jacoby’s subtitle, dwelling without deeds in these parks was now to be an illegal squatter; to take game to eat was to poach; and to take wood and other biotic and mineral resources to fuel and build homes was to steal. The denial and inscription of these practices suggested that they were *Crimes against Nature* not only because of shifts in the law and federal policy but also because they were carried out supposedly indiscriminately and with no regard for the sustainability of these now hallowed and protected spaces. And yet, Jacoby shows how these alleged plunderers of the environment not only acted in ways which we might understand to be sustainable but also used community sanctions against those who did abuse their unwritten, vernacular laws of place, or what Jacoby calls their ‘moral ecology.’⁵

Our starting contention, following Jacoby, is that the language and practices of conservation often dispossess poor indigenous peoples and settlers representing their lifestyles and livelihoods as threats to the sustainability of the land, and that such peoples therefore resist by continuing to live their everyday lives as they had always done, frequently in defiance of the new laws and regulations of ‘conservation.’ We use the word ‘starting’ deliberately. What follows, both in this introduction but more importantly in the thematic chapters, further develops and challenges this definition. Indeed, this book presents an extension and application of Jacoby’s approach and conceptual framework, taking moral ecology beyond the specific study of the early days of the US national parks and applying and testing it in a variety of spatial, temporal and cultural contexts. It takes both a global stance and a temporally deep perspective, examining the complex ways in which local custom and state and even international claims to conservation and their resultant attempts to restrict and dispossess collide in a variety of contexts from the early eighteenth century to the past in the present. Intriguingly, moral ecology as a concept is worn lightly in *Crimes against Nature* and is only explicitly articulated on two separate pages.⁶ If, therefore, our aim in this collection is to test the validity of moral ecology beyond its original context, it is also, at heart, an attempt to extend and to firm up this most suggestive of concepts. Collectively, we aim to do this in three key ways. First, we examine several forms of dispossession which have been enacted in the name of conservation and attempt to understand their

histories, not least in terms of the manner in which past policy decisions underpin contemporary ways of being and conflict. Second, this collection examines those acts of being in place by local populations which, to draw on the phenomenology of Martin Heidegger, serve to resist the discourses and schemes of elite conservation by asserting, as anthropologist Tim Ingold would have it, the right to dwell.⁷ Finally, our aim to bring moral ecology more into the light of academic scrutiny is predicated upon bringing our chapters into dialogue with each other and, more fundamentally, with the progenitor of the concept, Karl Jacoby.

In so doing, we do not claim that all conservation schemes represented clandestine—or even overt—attempts to dispossess. Many conservation schemes, past and present, have undeniably been socially and ecologically well-intentioned and carefully constituted. Nor are we claiming that conservation per se always privileges environmental and material worlds before human ones. Indeed, examples abound of conservation schemes either instigated to protect threatened and marginalised populations or to preserve access, something now given force in the UNESCO-WIPO World Forum on the Protection of Folklore and its advocacy for the protection of ‘intangible cultural heritage.’⁸ Rather, we seek to demonstrate the remarkable depth and persistence, across space and time, of how the languages and practices of conservation, and of how attempts to prevent ‘abuses’ and ‘spoil’, have been used to dispossess. In doing so, we also highlight the centrality of claims for the purification of space by race and class, a practice especially evident in the making of settler colonialism.

This, then, is a book about a world all too readily lost in the shadows. Our concern is with the murky subtexts of rational and scientific management principles *and* with the popular responses thereto, both clandestine and dramatic acts of protest and everyday forms of resistance, and therefore with James Scott’s ‘hidden transcripts’ of the poor.⁹ It is also necessarily a book about ‘commons,’ those spaces in which resources—in this context ‘natural’ resources—are held and managed in common rather than being subject to the exclusive and exclusionary doctrines of private or state property rights. We use inverted commas here deliberately: for while commons were—and, in many places, continue to be hard, material entities—this noun has long since transcended these (literally) grounded signifiers. In part in response to Garret Hardin’s provocative ‘tragedy of the commons’ thesis, and to broader concerns about renewed forms of dispossession and privatisation, ‘commons’ has

become an adjective, a concept and a metaphor for a far broader range of relationships over the use and regulation of commonable things material and conceptual (on which more below).¹⁰

This collection brings together historians, geographers, anthropologists, archaeologists, folklorists and critical heritage studies theorists united by a shared interest in ‘commons,’ offering a range of different approaches and insights to Jacoby’s moral ecology and drawing upon a diverse ‘archive’ embracing official documents, oral testimonies and material culture. What follows in this introductory chapter establishes the argument of the book and grounds the diverse individual chapters, with a flushing and fleshing out of Jacoby’s ‘moral ecology’ concept. At the same time, however, we weave into this explication a detailed discussion of the influences that underpin moral ecology—both as explicitly attested in *Crimes against Nature* and more broadly—drawing on the foundational works on rural resistance by E. P. Thompson, Eric Hobsbawm and James Scott, on environmental history, and, critically, on the subaltern studies movement.¹¹ We adopt this integrated approach here in part to locate Jacoby’s concept of moral ecology more firmly within the literature to which it clearly belongs. We also relate this concept to the new protest studies literature, a body of work which, to its detriment, has hitherto given little attention to moral ecology.¹² In part, we take this approach to our narrative because although the story of the development of moral ecology intersects with the historiography of rural resistance only infrequently, it does so at important ‘moments’ in that story. Finally, this introduction maps out the themes and structure of the book, introducing and lacing together the arguments of the separate chapters.

MORAL ECOLOGY: CONCEPT AND ROOTS

The intellectual trajectory underlying moral ecology is a fascinating one. Jacoby’s concept is first apparent in an embryonic form in a paper on “Class and Environmental History” published in the journal *Environmental History*.¹³ Here, Jacoby signals his interest in the early icons of the North American conservation movement by offering a case study of what he sees as a class war in the nascent Adirondacks Park. To approach class in this way—through the lens of environmental history—was an important innovation. Even by the late 1990s, the topic of class relations had rarely surfaced in the work of those who wrote on the American conservation movement. There was, Jacoby has argued,

a certain blindness to class differentiations in this context. Further, the intellectual closeness between early environmental history and the conservation movement acted to obscure the ways in which conservation schemes, whether intentionally or not, might act to dispossess the indigenous and settled poor.

Fascinatingly, and seemingly in the face of his earlier paper, *Crimes against Nature* began, as the author relates in his preface, as a conventional work of American environmental history, an analysis of the ‘wilderness cult’ that developed in late nineteenth-century America.¹⁴ And, in many ways, his book remains firmly rooted in the pantheon of environmental history, the doctoral thesis, from which the book emerged, being supervised by no less an environmental history luminary than Bill Cronon.¹⁵ Moreover, Jacoby’s central theme of conservation and its temporal framing—the key moments in the making of the environmental movement—are located at the very heart of the Nashian environmental history project.¹⁶ Indeed, to read the endnotes, and the acknowledgements, is to read a who’s who of American environmental history.¹⁷

It is clear, however, that Jacoby was dancing to a different tune. Simultaneously, he was listening to the siren calls of the cultural turn and of the history from below movement.¹⁸ What emerged in his subsequent writings is an environmental history told differently, a novel collision with many of the very different concerns of social history, not least class, conflict and criminality. Importantly, however, *Crimes against Nature* emerged virtually alongside Bill Cronon’s provocation around the culture (to eschew the word ‘nature’) of ‘wilderness.’ In taking a similarly cultural turn, Jacoby too saw that social and environmental relations were both irreducibly interwoven with and have given rise to “the material reality that we call nature”.¹⁹

None of this is to say that, before that point, environmental history was acritical. Indeed, the defining contribution of Cronon’s work is to bring a critical sensibility to environmental history.²⁰ Nor is it to say Jacoby broke entirely new ground in studying the social unrest that conservation policies and practices so often wrought. As Jacoby put it himself: “Having begun this study with the sense that I was voyaging alone into uncharted territory, I have been pleased to encounter several fellow explorers of conservation’s hidden history along the way.”²¹ Rather, it is to note that Jacoby’s conceptual influences transcended the environmental history canon. For while, as Donald Worster suggested, “Environmental history [in the US] was... born out of a moral purpose,

with strong political commitments behind it,”²² Jacoby’s different and antithetical ‘morals’ challenged the elitist, exclusionary morality of early conservationism which failed to see any worth in the lives and lifeworlds of those who were captured within and around the physical and conceptual boundaries of the Adirondack Park.²³ Consequently, for many Adirondackers, the most striking feature of conservation was its reconceptualisation of many long-standing local practices as crimes: hunting as ‘poaching,’ the cutting of trees as ‘timber theft,’ foraging as ‘trespassing.’²⁴

If the notion of moral ecology is never actually given this name in his initial paper, it is present in embryonic form. Everyday resistance to the imposition of new values from without and above is exposed, as is local and communal support for such practices and the refusal to abandon those activities which had been criminalised. This resistance is tempered, however, by the recognition of clear bounds to acceptable practice and attempts (if not always successes) at internal regulation. The strong vein of archival material tapped in this early exploration of moral ecology flows ever more strongly in *Crimes against Nature*. It is in Jacoby’s book-length treatment where the concept emerges fully formed as a specific attempt to explain the dwelt experience of conservation as locally practised and to write an environmental history from below.

Beyond question, when historians of any hue pull back the curtain on the ‘shadow world’ of the subaltern, as Jacoby does in his story of conflict that centred on resource utilisation, their debt to the history from below movement is profound. Moral ecology is no exception to this. With the touchstones of the concept readily acknowledged by Jacoby, the moral belief system of the rural poor, accessed via the rereading of elite documents and inspired by the subaltern school of Indian studies, saw their activities captured under the category and concept of social crime. Jacoby has adopted perspectives rooted in a movement which originated partly in the historians group of the British Communist Party and partly in the pages of the journal *Past and Present*. To unashamedly re-use one of the most frequently deployed quotations by those who seek to write the experiences and perspectives of ordinary people, here are the intellectual and political origins of a project which sought

...to rescue the poor stockinger, the Luddite cropper, the “obsolete” handloom weaver, the utopian artisan and even the deluded follower of Joanna Southcott, from the enormous condescension of posterity.²⁵

The formidable figure, intellect and oeuvre of Edward Thompson sit at the centre of moral ecology. In drawing Thompson's moral economy into dialogue with the concept of social crime, Jacoby both follows a well-trodden path and brings together the founding fathers of protest studies: Thompson and Eric Hobsbawm. Thompson sees, in English eighteenth-century crowd actions, the assertion of a moral universe and economy as against the very different world view of the then hegemonic political economy. It is this sense of the moral, simply understood as the popular consensus over the right and proper way of behaving, acting and believing across society and social relations, that is the wellspring of moral ecology. So it is that, having issued the initial critiques that environmental history had hitherto been little concerned with the social and the demotic, and that conservationists and historians had been too quick to view all acts of opposition as malice-laden evidence of rural backwardness and deviance,²⁶ Jacoby draws on Thompson's concept of moral economy as offering the ideal definition and model for 'recreating' the "moral universe that shaped local transgressions of conservation laws." In "glimps[ing]" into "the pattern of beliefs, practices and traditions that governed how ordinary rural folk interacted with the environment." Here we see a complex and consistent value system, a vision of nature 'from the bottom up' that offers a radically different take on the forms and purposes of human–environment entanglements.²⁷ In asserting this, Jacoby is not only drawing on Thompson's seminal studies of the shared values of the eighteenth-century English crowd in relation to the fair retailing of foodstuffs but he is also inspired by Thompson's analysis of the battle between vernacular resource use and the imposition of state will in the Crown forests of southern England. It is the great strength of moral ecology that, even though Thompson's moral economy has arguably been subject to more scrutiny and has been transposed to a greater number of contexts than any other concept ever penned by a social historian, it draws also on *Whigs and Hunters*, the central thesis of which has hitherto been less influential outside Britain.²⁸

Thus Jacoby's work—a telling of the ways in which customary practices in a settler society were reinscribed as offences against conserving natural things—while it is inevitably similar to Thompson's analysis of the forests of Berkshire, Hampshire and Surrey, develops these ideas to bring moral economy and social crime into dialogue. This is indeed something of an innovation since, in the early protest historiography, these issues

were treated somewhat separately. The identification and classification of practices made illegal by the policing state, but regarded by rural workers as being part of their customary code ('social crime') was pioneered by Eric Hobsbawm.²⁹ In a series of influential essays, Hobsbawm began the work which established a number of key parameters that frame the concept.³⁰ These include law breaking as a more-or-less deliberate act of resistance, with the criminal as a conduit for widely held social grievances. This points to a second framing element, that of the existence of wide community support for the transgressive act—an element introduced into the oeuvre in the pages of the ground-breaking *Albion's Fatal Tree*.³¹ Critical here, for moral ecology, was the assertion, expressed most clearly by John Rule, that this sanction came from communally held beliefs that such acts, though reinscribed as illegal, were not in fact criminal.³² Finally, and the most important element that has fed into moral ecology is the recognition that social crime involved the criminalisation of hitherto customary behaviours, rights and beliefs. Consequently, and central to the formulation of moral ecology, was the revelation, in the pages of *Albion's Fatal Tree*, that activities such as poaching, wood-taking, sheep-stealing, smuggling and coastal 'wrecking' all embodied an element of social dissent which was carried out with the support of the working community and in defiance of the law. Crime, as any critical legal theorist will concur, was and is socially defined.

It is at this point, however, where the study of rural defiance, dissent and disturbance rather ground to a halt. Much subsequent effort was expanded on delineating protest's multifarious trajectories and diverse geographies in a stately gavotte that has been charged by one of the current authors as more closely resembling "two steps forward; six steps back."³³ Until comparatively recently, the consequences of this Brownian motion-like activity have been the ossifying, if not actually the withering away, of any prospects for greater conceptual innovation in the field of protest studies.³⁴

By contrast, moral ecology carries clear echoes of wider and growing debates in the humanities and social and environmental sciences concerning the relationship of indigenous and poor settled peoples to the land and to other biotic resources. In this way—by turning to the cultural meanings of nature—Jacoby draws attention to the position of rural subalterns in, to borrow David Featherstone's phrase, "the contestation of particular relations between humans, animals and spaces."³⁵

Indeed, the perspectives of subaltern studies feature large in *Crimes against Nature*—even if the ‘unofficial mind’ that Jacoby’s counter-narrative exposes is that of conservation’s practices and consequences—“the attitudes of country people towards nature.” By contrast, the original subaltern project was concerned with “how to reconfigure or rewrite the problem of class relations within a social formation which could not be described as a fully developed industrial economy.”³⁶

These diverse threads constitute the warp and weft of moral ecology as it met top-down scientific conservation in the differing and conflicting social enrolments of the non-human: plants; animals; technologies. These assemblages—to draw on the concept of Gilles Deleuze and Félix Guattari—of all these things were articulated and legitimised in bottom-up protests through claims to the natural right of subsistence and to custom.³⁷ The upshot was that “country people often spun a web of local use rights that held the natural world in a tight embrace” and from which materialised a set of beliefs and practices that appropriated natural resources for purposes of basic subsistence. In short, rural folk sought to “impose a common rights doctrine from below.”³⁸

A further, and perhaps final, thread from which Jacoby wove moral ecology is captured in Timothy Beatley and Kristy Manning’s view that “a sustainable community ... nurtures a sense of place by understanding and respecting its bioregional context ... [it] ... respects the history and character of those existing features that nurture a sense of attachment to, and familiarity with place.”³⁹ For Jacoby, sustainability is rooted in a vernacular and quotidian view of nature which, in turn, interacts with community, its socio-economic norms and practices, and with both place and taskscape—a space of human activity defined and bounded by the practices performed therein—to form the bedrock of moral ecology. A shared understanding of the interactions of ecology, economy and society, forged over generations, modulates the ecological base to local lifeworlds, and prescribes and frames sustainable and context-specific resource utilisation practices. Moral ecology, in short, embraces a set of vernacular “beliefs, practices and traditions that governed how rural folk interacted” with their local environments.⁴⁰

For the encroaching bureaucratic state and its early leisured practices of elite hunting, it was the whole apparatus of moral ecology that lay beyond their bounds of acceptability. Conservation’s ambition was therefore to (re)define, delimit and proscribe vernacular and indigenous ways of being in the world. In order to achieve this, the instigators of

conservation movements enacted new laws by which to prosecute the newly criminalised, thereby concretising a set of fundamental oppositions around laws, beliefs and values in which both sides were seeking to buttress “what kind of society they should inhabit and how this society should relate to the natural world around it.”⁴¹

Sitting alongside this conceptual framing, Jacoby’s preferred method was to allow demotic views and resistances to emerge in these lifespaces.⁴² He turns, in short, to three weighty case studies of conflict between moral and managerial beliefs and that is where we must follow him. In the Adirondacks, Yellowstone and the Grand Canyon, time and time again, local inhabitants found what they understood as legitimate ways of utilising the natural world proscribed and what they understood as their hunting and fishing areas sealed off. In the Adirondacks, moreover, it was the growth of private parks which presented the greatest challenge to their lifespaces, physically enclosing the best grounds over which rural folks would roam and out of which was fashioned their individual and collective biographies and their environmental relations. One such vernacular practice involved grass burning to encourage a spring flush.⁴³ These fallow fires were swiftly reinscribed as arson. But the resultant significant growth in their number following reinscription was, Jacoby asserts, something more than simply a criminal response or revenge, it was the means by which Adirondackers asserted their, and the forest’s, freedom from state management.⁴⁴

These nuanced insights into the moral ecology of the rural poor continue in Jacoby’s Yellowstone. Here, poaching is revealed as being both multi-faceted and as considerably more morally ambiguous than most other studies allow. In particular, the practice could be contested from within the poaching community: there were, in short, acceptable and unacceptable poaching performances. Perhaps the best example of this nuanced understanding is found in Jacoby’s approach to communal support for criminal activities, a foundation stone of the notion of social crime.⁴⁵ As laid out by David Hay in his study of eighteenth-century poaching on Cannock Chase in the English Midlands, “a wall of silence” would greet estate keepers when seeking information, but they faced word spreading “like lightning” when they came to serve a search warrant. By contrast, Jacoby shows that there were clear limits to communal support and that, when given, it could be provided grudgingly or even under coercion.⁴⁶

This subtle reworking of the interactions of customary right, economy, society and culture as expressed through social crime, continues

with Jacoby's third case study, which offers his clearest example of moral ecology as a sustainable approach to resource utilisation from below. The Grand Cañon Forest Reserve was created in 1893, with the local Havasupai people almost overnight being reinscribed as squatters and poachers, although it took some time for this policy to be enacted on the ground. The Havasupai used the Grand Cañon plateau on a seasonal transient basis, a lifespace and a timeframe that did not fit well with rational and managerialist conservation discourse. In fact, such was the disjuncture between these two ways of interacting with the Grand Cañon environment that it took a number of years before the Havasupai apprehended the fact that their nomadic lifespace had been proscribed. To this they resisted in a number of interlocking ways. Havasupai claimed 'prior right' to resource utilisation, based on the fact that both Indian and deer had been there before the white man and were part of well-established assemblages of the human and non-human. Confusingly to them, this prior right was only secured by the continuous *performance* of those rights. To fail to use this—overwintering in the traditional places or hunting deer—meant that the right had ceased to exist, an idea without meaning to the Havasupai. Conversely, the hunt and other cultural forms carried deep meaning for them. Havasupai environmental practices and performances—lifespace and identity—were thus inextricably intertwined and buttressed by a vernacular moral ecology.⁴⁷

Further, Jacoby demonstrates that, for the Havasupai, a successful hunt both relied on significant preparatory rituals and delineated the passage into manhood. On one level, to hunt drew the natural and supernatural even closer together—with 'game shamans' playing a pivotal role—but, on another level, the distribution of any kill among the community reinforced ties of kin and obligation.⁴⁸ What is revealed by these case studies is layer upon layer of informal, local and quotidian interactions and assemblages, not static but rather constantly evolving, between indigenous peoples, settlers and the non-human. These interactions, from which emerged a moral ecological taskscape, were, at the same time, mutually supportive and constitutive but were also delimited by a "bounded, circular, jealously possessive consciousness."⁴⁹

MORAL ECOLOGY: PARALLELS

The great strength of *Crimes against Nature* is that it offers a convincing example of the critically important interdisciplinary conversations between the social and environmental sciences; between historical

geography, and environmental, social and cultural histories. This is the ground upon which the current volume rests and which, with significant insights from subaltern studies, has reinvigorated and propelled forward the study of protest histories. It was a missed opportunity, therefore that, until very recently, the field of protest studies has ignored the possibilities offered by Jacoby's monograph and by his articulation of moral ecology in particular. This interaction, notwithstanding clear indications of the power and utility of these broader conversations, did emerge at about the same time as *Crimes against Nature*, in the work of Jeanette Neeson and Brian Short in particular.⁵⁰ Both have placed the sustenance of the body and the culture of plebeian households at the centre of their analyses and have convincingly shown how critical the maintenance of common rights was thereunto. What emerges from their work is an appreciation of everyday lives as the taskscape, as something enmeshed with landscapes and the senses:

within which to work, to court and socialise ... a space within which land-owners, tenant farmers, cottagers and landless labourers were bound in a mutuality of exchange ... dependent upon a local discourse concerning exactly what could and could not be undertaken on the Forest activities which were socially recognised, which were part of the landscape, and which ... gave a sense of belonging to a community.⁵¹

Perhaps even more than Short's analyses, Neeson's work on commons and commoners is an important step out of the blind alley into which protest studies had turned by the late 1980s. To break the mould, to convincingly turn away from the old shibboleths and to pay full respect to the protestors and their motivations, has required commentators to engage with the 'infrapolitics' of conflict and resistance. In this, there are elements of a broader trend in protest studies away from a monocular focus on overt disturbance and towards the work of James C. Scott and what Michael Braddick and Walter term, in their *Negotiating Power in Early Modern England*, as the tactics by which the relatively powerless seek to defend their interests.⁵² Indeed, the impact of James C. Scott's twin conceptualisations of everyday forms of peasant resistance and of hidden transcripts has been profound.⁵³ These emerge in a body of work, which weaves together cultural and political anthropology and political theory to explore the exigencies and conflicts that inhere to rural life. This initiative has injected considerable intellectual energy and a new dynamism and vigour into intellectual engagements with socially

criminal behaviours and the study of peasant resistance more generally. As with Jacoby, Thompson and much of the history from below movement more generally, Scott's body of work developed out of a concern to understand the transitions to capitalism in agrarian social relations and the resultant resistances to this shift. An additional underlying concern lies with recovering the agency and ideologies of the rural poor. Ultimately, however, Scott's formulation of everyday forms of resistance derives from his understanding of class relations and from the probability that the rural poor and their masters mutually recognised the advantages of avoiding open confrontation. It is here that Scott follows Thompson and foreshadows Jacoby in foregrounding custom and usage and the everyday 'weapons of the weak' such as "foot-dragging, dissimulation, desertion, false compliance, pilfering, feigned ignorance, sabotage."⁵⁴

Once the mould had been broken, even though the gaze of new protest historians failed to alight on moral ecology, it did turn to the possibilities offered by both environmental histories (more generally) and subaltern studies.⁵⁵ Perspectives that have been drawn together in the work of Ramachandra Guha, who has repeatedly shown the critical reliance of the Indian rural poor 'past and present' on the sustainable use of ecological resources in their communities. In such contexts, issues of sustainability are key: the idea that, without the need of outside regulation and forms of control, such communities carefully protect, and indeed must protect, that which is needed to carry on the future life of the community.⁵⁶ Against this, attempts to impose outside regulations and rules restricting demotic uses of biological resources—what Arun Agrawal has called 'environmentality,' the technologies of environmental governance—have been a persistent theme in recent protest scholarship, fusing understandings of environmental management with ideas of privatisation ('enclosure') and forms of colonial and state dispossession.⁵⁷ This is not to say that all such work has focused entirely on ideas of one-way control; for instance Adil Najam has shown how systems that were initially in conflict can be resolved to mutually beneficial environmental ends.⁵⁸ Rather, and in common with Jacoby, it is to acknowledge that top-down, external and elite environmental schemes, whatever their intentions, invariably generate conflict and can thereby provoke resistance to such attempts at dispossession from those we ought to recognise as internal subalterns. This is certainly the subtext, if not the actual text, of recent work on the processes of those acts of dispossession and privatisation that

comprised the English enclosure movement. Additionally, as McDonagh and Griffin suggest:

It is important to note that the lessons learnt from enclosing rural England were directly applied in the carving up and making private property of those sovereign states the British Empire colonised. In this way, privatisation and colonisation are intertwined in land, and struggles against privatisation and colonisation similarly rooted in the soil of the dispossessed.⁵⁹

Attempts to ‘thicken’ our understandings of enclosure (broadly defined) and the responses thereto by rural subalterns form the core of a literature that aims to entangle environmental, social and cultural histories and geographies of dispossession and resistance.⁶⁰ The most significant strand of this way of writing, moreover, is that which draws a recognition of hybridity and of the dynamic and constitutive role of nature/culture relations into the discussion.⁶¹ Thus hedges and trees come to be recognised as actants in the enclosure drama, with the latter understood as being the ‘living capital’ of those instigating major socio-economic change in the English countryside. In this view, attacks on trees became forms of everyday resistance to these changes by those who had been denied access to these resources, with both flora and fauna inducing a cultural myopia within eighteenth- and early nineteenth-century state silviculture schemes.⁶² In one instance, the capabilities and roles of both mice and rabbits in oppositional assemblages of the non-human and human simply passed unrecognised.⁶³

In all this, finally, the ground has been laid for the successful and overdue return of moral ecology back home. For too long, Jacoby’s study of the shadow world of North American conservation has remained in the shadows of protest studies. Illustrative of this is the fact that, while one of the most important recent contributions to the perspectives embraced by this volume—Featherstone’s study of the Irish eighteenth-century peasant protest movement—explores and expands the utility of subaltern political ecology, a way of thinking that finds its way into *Crimes against Nature*, Jacoby’s arguably more persuasive and appropriate concept was not even offered up as a comparator. This certainly cannot be said for students of dispossession and resistance beyond Britain and Europe. Here, even though *Crimes against Nature* rather glosses over the constitutive and dynamic roles of the non-human, something this

volume intends to do something about, its influence has been profound. It is therefore to a consideration of these influences of and parallels to Jacoby's original that we now turn.

MORAL ECOLOGY: ROUTES

An interest in the heterogeneous associations of humans and non-humans is one of the many threads which *Crimes against Nature* shares with the contemporary upsurge in 'commons' research and with a turn to the study of popular responses to green development. Indeed, while Jacoby both explicitly and implicitly drew on a wide range of concepts and approaches, it is important to note that his work intersects with a yet broader set of literatures. At the time of writing, *Crimes against Nature* has been cited 679 times on Google Scholar, an admittedly crude measure and metric but one that conveys the extent of the uptake and impact of Jacoby's study.⁶⁴ Perhaps more telling still is that a qualitative analysis of these citations suggests that Jacoby's book has been influential in a wide variety of contexts broadly captured as: work on US national parks; conservation and development; US environmental history; world environmental history; hunting; and rural crime today. While the book's influence on work on US national parks and wider American environmental history is easily understandable, its wider global influence is telling. This influence is not writ explicitly in terms of the concept of 'moral ecology' (only 28 of the 667 citations mentioning moral ecology explicitly), but rather in terms of the broader argument that elite conservation schemes act to dispossess, swapping one set of vernacular 'conservations' for legally defined and centrally enforced ones. In this vein, we should perhaps pick out, not for any critical purpose but simply to illustrate the sheer timeliness of Jacoby's work, José E. Martínez-Reyes's *Moral Ecology of a Forest*. This work seeks to explore the human and cultural dimension of forest biodiversity and, although it does not go as far as many of the recent works which seek to make the nature/culture binary problematic, there are clear hints in this direction. For Martínez-Reyes, moral ecology is about the mutually constitutive relationships between local peoples and their environments, where "their history, identity, spiritual beliefs, (and) communion with other species are rooted."⁶⁵ His central concern, however, is with their interactions with external forces—commercial and central governmental—and with the struggles that result therefrom "over how the Maya Forest ... should be preserved, or how

it can be exploited.” In short, his thesis focuses on the pressures and conflicts generated by the neoliberalisation of nature as it meets indigenous and vernacular environmental beliefs. This is a clash around colonialism—“the coloniality of nature’ in which the history of colonial relations subordinates place-based indigenous knowledge while privileging Western institutionalised ways of knowing nature.”⁶⁶ We recognise the value of this approach but, we argue, this emphasis on the interplay between conservation claims and market imperatives involves a very different set of dynamics to those at the heart of this book.

Similarly, Martínez-Reyes claims, for his moral ecology, an “ontological political ecology perspective” in order to write an environmental anthropology that combines ontological and dialectical concerns of place, nature and landscape with a critical reading that political ecology provides.⁶⁷ In so doing, he is reducing moral ecology to a valuable, but nevertheless limited, means of categorising the Maya Forest lifeworld. He defaults to political ecology to do the heavy conceptual lifting. In so doing, Martínez-Reyes is keying into a by-now diverse and influential field of study that offers some clear parallels with moral ecology as a concept rather than a simple category. Indeed, as Jacoby acknowledges, moral ecology, in part, draws upon aspects of political ecology through the shared lens of Marxian understandings of political action, even if the former pays increasingly less attention to matters of class and other intersections of difference, moving instead much more firmly in the direction of conservation science. *Crimes against Nature* more persuasively reveals its links to environmental history through the interweaving of class with the cultural. Thus, both epistemologically and more prosaically for matters of space, this is not the place for a review of political ecology. It has been done better elsewhere.⁶⁸ But, whatever the debt Jacoby’s formulation owes to the perspectives wrought by political ecology, a fundamental and convincing difference remains. Moral ecology insists both on a singular focus on those issues and actors often otherwise hidden from environmental history and on beliefs, practices and performances otherwise ignored by protest studies. It is in this singularity that its power to persuade and enlighten can be found.

However, it would be foolhardy to claim a uniqueness for moral ecology. There are clear parallels between Jacoby’s thesis and many other like-minded works on similar topics from across the globe and with those who have drawn far more explicitly on *Crimes against Nature*. One who falls into the latter category is Pete Hay, whose initial concern was to