



AIATSIS

AUSTRALIAN INSTITUTE OF ABORIGINAL
AND TORRES STRAIT ISLANDER STUDIES

Untangling Indigenous governance: the need for coordination and collaboration

Indigenous governance building: beyond compliance

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Indigenous Governance Building Forum and Survey

In 2014 AIATSIS and AIGI conducted a survey and held a national forum to:

- map current Indigenous governance initiatives
 - identify gaps in current initiatives, research, practical resources and policy.
- highly interactive
 - series of presentations
 - panel from PM&C



Indigenous governance practitioners, researchers, trainers, leaders, regulators, facilitators and bureaucrats at the Forum in the AIATSIS library

A major commitment to developing Indigenous governance expertise including amongst young Indigenous people, largest demographic in Australian Indigenous societies.

What is governance?

- financial management and legal compliance
- a number of formal and informal Indigenous and non-Indigenous mechanisms, structures, and engagement processes forming a unifying framework of:
 - traditional laws and customs and rights
 - relationships with others including with governments and private sector
 - legislation, institutional frameworks and constitutions
 - jurisdictional functions
 - leadership and representation
 - members' participation and voice
 - decision-making and dispute resolution

Why is Indigenous governance important?

- determines success or failure of many organisations, corporations and projects – also internationally
- self-determination, nation building, well being, sustainable livelihoods, economic development, vehicles for affirming the collective identities and aspirations of First Nations peoples
- estimated 8000 to 9000 Indigenous organisations (most incorporated) – diversity in purpose, size, scale, and potential cost of compliance requirements
- needs far outweigh levels of funding and research
- urgent to assess practical effectiveness of existing initiatives in supporting innovative and sustained place-based approaches to Indigenous governance

Is Indigenous Governance Different?

- many saw a distinct modality with unique requirements in a challenging intercultural environment:
 - responding to ‘western’ legislative and policy demands as well as to Indigenous cultural and social priorities (not always inconsistent)
 - challenges for Indigenous leaders in governing complex networks of kin collectively while also realising the individual autonomies of all involved
 - nation-building and self-determination
 - Indigenous governance and the governance of governments intertwined
 - in the interactions Indigenous agency draws on its own cultural priorities and often constructs new solutions and meanings
 - while principles and issues may be the same as mainstream they can manifest differently

Untangling Indigenous governance

- complex intercultural, socioeconomic and bureaucratic environment in which Indigenous organisations are embedded at a range of scales
- ‘organisational’ and ‘corporate’ governance
- authorising environments - amalgams of compliance, financial management, regulatory, legislative and policy requirements, and Indigenous cultural traditions, priorities and practices
- perceived proliferation of Indigenous incorporated organisations including RNTBCs - multitude of intersecting authorising environments and scales of governance – need for economies of scale

The governance of governments

- impacts of the governance of governments - approaches related to electoral cycles rather than comprehensive ongoing policy development
- changes to policies, departmental structures, programs, guidelines and staff make it difficult to sustain Indigenous commitment, planning and engagement with government
- Indigenous Advancement Strategy (IAS) has caused substantial ongoing difficulties
- governments need to:
 - refocus on Indigenous people determining their own futures and governance
 - build intercultural competency of Australian Public Service (APS) staff to effectively engage with Indigenous people
 - be transparent and allow research into their own governance practices applying the same standards of ethical research recommended for Indigenous research.

Indigenous governance design

- single solutions and frameworks are simplistic if not counterproductive
- no template but also shared values, conditions and preferences to inform customised structures and rules:
 - networks of extended family relationships, associations with places and traditional countries and cultural priorities in daily lives
 - government-imposed jurisdictional boundaries, policy and legislative requirements (including corporation membership rules and decision-making)
 - cutting across Indigenous priorities giving rise to conflict and fragmentation of groups

National and Local Indigenous Governance Principles

- principles informed by UNDRIP (others such as AXS and IBA)
 - mutually reflecting and informing locally developed principles
 - accounting for range of interests including:
 - cultural diversity, levels and kinds of competencies, and sectoral or subject specific requirements
 - existing assets and capabilities
 - local priorities and needs including cultural
 - the broader governance environment of legislative and policy requirements
- to be reflected in:
 - Indigenous governance capabilities framework for governments and indigenous people
 - national Indigenous governance training curriculum
 - evaluation frameworks

National Indigenous Governance Training Curriculum

- reflecting national Indigenous governance principles in:
 - an accredited, competency-based curriculum including in schools and extended into universities addressing:
 - compliance and other corporate requirements
 - decision-making, conflict resolution and negotiation etc including establishing local and regional conflict management services

Customising Tools, Training and Principles

- understanding the meaning of culture
 - not 'ossified'
 - not a list of 'authentic things' to be transported with ease
 - not imagined past practices which have no contemporary meaning
 - involves reconciling differences in perspectives about priorities, processes and practices within and across Indigenous groups
- reflecting governance principles in design in terms of priorities and values of everyday lives – eg What would transparency or accountability look like on the ground? What issues do they raise?
- small number of trainers, researchers and facilitators with the necessary skills particularly Indigenous practitioners including
 - experience
 - understanding of the diverse range of Indigenous governance contexts, learning styles, communication preferences, and cultural institutions
 - specialised intercultural communication skills

Evaluating Indigenous Governance

- need participatory models reflecting principles to show:
 - the benefits of effective governance including across a range of sectors, contexts, scales, and perspectives
 - how to measure 'collective impact'
 - how to integrate the range of sectoral and industry evaluation methodologies with market-based and social measures
 - the impacts of governance of governments
- economic participation, corporate responsibility and compliance approaches can undermine other Indigenous values including accountability to communities and members represented

What else can be done?

- governance-building as an integral part of funding any program or native title agreement
- intergenerational planning approaches to account for gender and youth demographic, transfer of knowledge and youth involvement
- sharing of Indigenous governance materials, training resources, tools, articles, research and stories through a clearing house (using a dedicated portal)
- support for:
 - range of communication strategies
 - practice networks
 - regular local, regional, state or territory and national forums (such as an annual Indigenous governance conference) including young people, to share stories and solutions
- governance diagnostic and implementation tools developed in collaborations between Indigenous organisations and communities, governments, researchers and practitioners

‘I am not in need of advancement’

- deficit-based public narrative including around Indigenous governance
- common misunderstanding that self-determination has been tried and failed
- reflected in the IAS (don't send kids to school, are violent, and won't work)
- need enabling ‘asset’ narrative:
 - recognising interconnections between self-determination, political objectives of nationhood, Indigenous governance, and socioeconomic and cultural development outcomes
 - emphasising strengths of Indigenous culture, traditions and experiences as foundations for improving governance outcomes
- economic development pathways essential to changing narratives from deficit- to asset-based and not depending on government

Building Indigenous governance: no excuses

- whole-of-community and whole-of-system approaches in which governments and Indigenous people are willing to review practices and rationalise and streamline initiatives for efficiency
- cooperation, coordination and collaboration between and amongst Indigenous communities and organisations and governments at all levels (and private industry where implicated)
- rationalising and coordinating partnerships, leadership, representation, decision-making processes and Indigenous governance networks
- agreed outcome and accountability measures, joint funding arrangements, cooperation between and reliance on the capacities of multiple organisations, departments and stakeholders - often proved difficult to secure and sustain

FUND SUGGESTED INITIATIVES