

Researching Australian Indigenous Governance: A Methodological and Conceptual Framework

D.E. Smith

WORKING PAPER No. 29/2005

ISSN 1442-3871

ISBN 0 7315 4928 7



CENTRE
FOR ABORIGINAL ECONOMIC
POLICY RESEARCH

SERIES NOTE

The Centre for Aboriginal Economic Policy Research (CAEPR) was first established in March 1990 under an agreement between The Australian National University (ANU) and the Aboriginal and Torres Strait Islander Commission (ATSIC). Since January 1999, CAEPR has operated as a University Centre and is funded from a variety of sources including the ANU, Australian Research Council, Department of Immigration, Multicultural and Indigenous Affairs, and the Department of Family and Community Services. CAEPR's principal objective is to undertake high-quality, independent research that will assist in furthering the social and economic development and empowerment of Aboriginal and Torres Strait Islander people.

CAEPR's aim is to be a world-class centre undertaking research on Indigenous economic development issues that combines academic excellence with policy relevance and realism. In Australia, CAEPR is currently the only dedicated research centre focusing on Indigenous economic policy issues from a national perspective. The Centre's publications aim to examine government policy, influence policy formulation, and inform public debate.

The CAEPR Working Paper series was established in 1999. Working Papers are often work-in-progress reports and are produced for rapid distribution to enable widespread discussion and comment. They are available in electronic format only for free download from CAEPR's website:

[<www.anu.edu.au/caepr/>](http://www.anu.edu.au/caepr/)

Enquiries may be directed to:

The Centre for Aboriginal Economic Policy Research
Hanna Neumann Building #21
The Australian National University
Canberra ACT 0200
Telephone 02-6125 8211
Facsimile 02-6125 9730

As with all CAEPR publications, the views expressed in this Working Paper are those of the author(s) and do not reflect any official CAEPR position.

Professor Jon Altman
Director, CAEPR
The Australian National University
October 2005

Cover page images courtesy of the Australian Institute of Aboriginal and Torres Strait Islander Studies and CAEPR staff members.

CONTENTS

Figures.....	ii
Abbreviations.....	iii
Abstract	iv
Acknowledgments.....	iv
Executive Summary	v
1. Introduction	1
2. Project research aims and questions	1
2.1 The focus of research	1
2.2 Key research issues and questions	2
3. The methodological framework	5
3.1 The underlying concerns.....	5
3.2 Indigenous collaboration and action research.....	5
3.3 Key components of the methodology	6
3.4 The research techniques.....	7
4. Governance—A concept in need of critical investigation	8
4.1 The many meanings of ‘governance’.....	8
4.2 The normative dimension of governance	11
4.3 The attributes of strong Indigenous governance	12
5. The ICG Project’s approach to ‘governance’.....	13
5.1 Governance as an internal process.....	13
5.2 Governance is about power	14
5.3 Governance ‘institutions’ and ‘organisations’	14
5.4 The ‘governance environment’ and ‘subsidiarity’.....	15
5.5 Governance evolves.....	17
5.6 Legitimacy and culture match	17
5.7 The relevance of cultural match in Australia	18
5.8 Governance—an organising perspective	20
6. Assessing governance.....	21
6.1 Principles and indicators.....	22

7. The ICG Project's approach to 'community' and 'regions'	23
7.1 Why focus on communities?	23
7.2 What is a community?	24
8. The community case-study approach	25
9. The comparative framework for analysis.....	28
10. Research dissemination	29
Notes	31
References	32

FIGURES

Fig. 1. The concept of governance	15
Fig. 2. Indigenous community organisations: Inter-cultural brokers with different authorising environments	21

ABBREVIATIONS

AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ANU	The Australian National University
CAEPR	Centre for Aboriginal Economic Policy Research
CHINS	Community Housing and Infrastructure Needs Survey
ICG	Indigenous Community Governance (Project)
IOG	Institute of Governance (Canada)
JCPA	Joint Committee of Public Accounts
NGO	non government organisations
RCAP	Royal Commission on Aboriginal People (Canada)
UNDP	United Nations Development Program

Research for this publication was undertaken as part of the Indigenous Community Governance Project.

ABSTRACT

This paper sets out the methodological and conceptual framework for the Indigenous Community Governance (ICG) Project on Understanding, Building and Sustaining Effective Governance in Rural, Remote and Urban Indigenous Communities. The paper describes the Project's research aims, questions, and techniques; explores key concepts; and discusses the ethnographic case-study and comparative approaches which form the core components of the methodological framework.

As an applied research project, the paper also considers the methodological issues inherent in participatory research, and for the dissemination and application of research findings within Indigenous and policy arenas. The framework draws on the multi-disciplinary expertise of the project team in areas such as anthropology, political science, demography, policy and legal studies, linguistics, and community development.

ACKNOWLEDGMENTS

This paper incorporates information from an earlier draft scoping paper co-authored by Diane Smith and Will Sanders for Reconciliation Australia in 2002. It also draws on the original research grant application submitted by the Centre for Aboriginal Economic Policy Research and Reconciliation Australia to the Australian Research Council in 2002.

The research project to which this paper refers is funded by a grant from the Australia Research Council, and additional financial and other support from Reconciliation Australia, the project's industry partner. The research also receives financial sponsorship from the Northern Territory and Western Australian Governments, the Federal Government, and the Desert Knowledge Cooperative Research Centre.

Earlier versions of this paper have benefited from the feedback provided by members of the Indigenous Community Governance Advisory Committee at the project's first committee meeting in Perth in 2005. Valuable comments have also been provided by Janet Hunt and Sarah Holcombe from the ICG Project. Ongoing discussions with Fred Chaney, Stephen Cornell, Jason Glanville, Neil Sterritt and Neil Westbury have made an important contribution to the issues raised in the paper.

EXECUTIVE SUMMARY

This paper sets out the methodological and conceptual framework for the Indigenous Community Governance (ICG) project on Understanding, Building and Sustaining Effective Governance in Rural, Remote and Urban Indigenous Communities. The paper sets out the Project's research aims and questions, and the conceptual issues and research techniques involved.

The Project's approach to the term 'governance' and related concepts of 'community', 'region', 'governance environment', 'institutions' and 'organisation' are outlined. The paper assesses the impact of the normative conceptualisation of governance as 'poor' and 'good', and considers the methodological issues involved in researching the varied 'languages of governance'. Issues concerning what might constitute meaningful and valid criteria and principles of 'effective' or 'good' Indigenous Australian governance are also considered.

The methodological issues inherent in implementing a participatory approach to the research are considered. The methodology is designed to support a collaborative community-based approach which includes working with and training (where appropriate) community researchers. The ICG Project has adopted a strong applied research focus, working with organisations and their leaders to identify the shortfalls and assets in their governance power, resources and capabilities, and to identify practical solutions for implementation and wider dissemination.

Overall, the methodological approach is designed to:

- elicit valid and meaningful information about the great diversity of conditions and attributes of Australian Indigenous community governance arrangements;
- help elucidate the culturally-based foundations of Indigenous governance;
- promote comparative analysis and insights from different community locations and varied governance arrangements; and
- support the applied contribution of the research by generating broadly relevant principles of what constitutes effective, legitimate Indigenous governance, and by identifying innovative practices and transferable lessons.

At the heart of the Project is a focus on:

- the key governing bodies operating within different types of 'communities';
- the cultural systems within which Indigenous governance is embedded; and
- the wider 'governance environment' (local, regional, state, territory and national) within which Indigenous governance operates.

A fundamental question for the Project has been how to approach the concept of 'community' itself. A related issue has been to establish a valid sample of 'communities'. The ICG Project defines a 'community' as a network of people and organisations linked together by a web of personal relationships, cultural and political connections and identities, networks of support, traditions and institutions, shared socioeconomic conditions or common understandings and interests.

For Project research purposes, 'community' is taken to refer not only to a discrete geographic location or settlement, but also to a 'community of interest', a 'community of identity', a voluntary 'community of association', and to a political, policy or administrative community.

These wider forms of community are more than just residential locations, interpersonal networks, or collective identities. They take on social patterns, functions and structure through interaction with their constituent populations, other communities and the surrounding environment. The Project uses the term 'cultural geography of governance' to describe these sociological aspects of Indigenous 'community'. This paper sets out the bases on which the Project has sought to include a sample of such community types across remote, rural and urban locations.

Over a period of several years at different locations across Australia, ICG Project researchers aim to investigate the issues and questions related to:

- the concept of governance;
- the diversity of governance arrangements at the community level;
- emerging models of governance;
- cultural foundations, geography and match;
- the scope of control and power;
- institutional form and effect;
- resources and resource governance;
- the nature and impact of the 'governance environment';
- effectiveness of governance; and
- governance capacity development.

The Project's overarching methodology provides common guidance to all researchers. The methodological framework has the following core components:

- case studies of participating Indigenous communities and organisations;
- case studies of the 'governance environment';
- case studies of the 'governance of Government';
- comparative analyses of the case studies;
- identification and testing of meaningful criteria and principles of 'good' Indigenous governance;
- identification of innovative practice and transferable lessons;
- a community research collaboration strategy; and
- a communication and reporting strategy.

In order to deliver on the Project's multiple aims, a range of research techniques are being employed by researchers, including:

- data review, consolidation and analysis;
- mapping the governance environment;
- ethnographic methods;
- compiling governance histories;
- developing governance profiles of organisations;
- compiling leadership life histories;
- governance strategic risk assessment;
- policy and service delivery assessment;
- developing a research field manual;
- field interviews; and
- small-group surveys, community meetings and focus groups.

Part of the methodology for the Project includes developing appropriate mechanisms to disseminate research conclusions to Indigenous leaders and participating communities, other Indigenous communities, government agencies, the research partners, and the public. A number of these strategies are described in the paper.

1. INTRODUCTION

This paper sets out the methodological and conceptual framework for the Indigenous Community Governance (ICG) Project on Understanding, Building and Sustaining Effective Governance in Rural, Remote and Urban Indigenous Communities.

Researching governance is challenging because of its complex nature, overlapping dimensions, different cross-cultural meanings and expressions, and the multiple agents involved. Given these characteristics, and the paucity of comparative research on Indigenous governance in Australia¹, this methodological framework is itself experimental. The framework is likely to be refined over the course of the research—through ongoing guidance from the ICG Project Advisory Committee, from the participation of community organisations and research collaborators, and through the input of government and non-government agencies engaged with the Project.

The methodological approach is designed to:

- elicit valid and meaningful information about the diverse conditions and attributes of Australian Indigenous community governance arrangements;
- help elucidate the culturally-based foundations of Indigenous governance;
- promote comparative analysis and insights across different community locations and governance arrangements; and
- support the applied contribution of the research by generating broadly relevant principles of what constitutes effective, legitimate Indigenous governance, and by identifying transferable lessons and innovative Indigenous practice.

The methodological framework draws on the multi-disciplinary expertise of ICG Project team members and community research collaborators, in areas of anthropology, political science, demography, policy and legal studies, linguistics, and community development. The benefit of such an approach is to counter what Rowse (2001: 111) has called an 'unfortunate discipline-based division of labour in studies of Indigenous Australian's political activism'.

2. PROJECT RESEARCH AIMS AND QUESTIONS

2.1 THE FOCUS OF RESEARCH

At the heart of the Project is a focus on:

- the key governing bodies operating within 'communities';
- the cultural systems within which Indigenous governance is embedded; and
- the wider 'governance environment' (local, regional, state, territory and national) within which Indigenous governance operates.

2.2 KEY RESEARCH ISSUES AND QUESTIONS

Over a period of several years at different locations across Australia, the Project aims to investigate the following issues and questions:

- (a) **The concept of governance.** If the concept of 'governance' is to be a useful organising perspective for bringing together core issues and dimensions for analysis, then its many different meanings and uses need to be clearly articulated. For example; is 'governance' a cross-cultural category? What is the language of governance being used in policy contexts, and in Indigenous contexts? What do the terms 'community governance', 'regional governance', and the 'governance environment' mean? How are 'cultural legitimacy', and ideas of 'good' and 'bad' governance being conceptualised, both in Australia and in the international governance literature? The aim here is to unpack the conceptual underpinnings of the Indigenous and non-Indigenous categories and, if possible, extricate more universal principles.
- (b) **The diversity of governance arrangements at the community level.** This will involve investigating the specific circumstances of community governance arrangements, including their different cultural, political, social, economic, demographic, legal, policy and service delivery settings. The 'governance histories' of each participating Indigenous organisation and its community will be documented. Important research questions here are: What are the specific dimensions and attributes of governance on the ground? What are the influential conditions, relationships, institutions, and processes involved? What is the form and role of local leadership? How do these influence governance effectiveness and legitimacy? What works and what doesn't work? What conditions facilitate or impede the practice of governance on the ground?
- (c) **Emerging models of governance.** What kinds of organisational structures and systems of representation have been established or are emerging in communities? Are there underlying principles which inform different governance solutions? To what extent are these emerging models based on protecting localised autonomy or exploring governance structures at a greater regional scale? What issues of scale emerge as organisations struggle to develop and maintain effective capacity, continuity of staffing, and to deliver outcomes for their members? Are there ways of simultaneously addressing and balancing issues of autonomy and scale (e.g. through aggregation, dispersed subsidiarity, or decentralisation)? How are some organisations and communities achieving such a balance? Is it possible to expand the scale of governance beyond the local, by particular mechanisms of representation and accountability?
- (d) **Cultural foundations, geography and match.** The current form and role of traditional systems of Indigenous governance in local, community and regional arrangements. How do organisations operate across inter-cultural governance domains? Are there areas of match or mismatch? What does the concept of 'cultural match' mean for Indigenous Australians and others engaged in practical efforts to design governance arrangements? What processes do Indigenous organisations have in place to deliver both culturally-based internal accountability, and external accountability to other stakeholders? How are Indigenous governance structures and processes responding to the culturally heterogeneous composition of many contemporary communities?

Another central research question here is what are, or what might constitute, the most effective and relevant Indigenous units for community governance? In other words, who constitutes the 'self' in self-determination at the local level? What are the Indigenous bases of collective identity, relevant boundaries and units for governance? Does a cultural geography of governance facilitate or impede

political representivity? The project will explore this 'cultural geography' of governance in each community, including its scale, relationships, institutions, values and logic.

- (e) **Scope of control and power.** What is the extent of Indigenous self-determination at the community and organisational level? What sources and forms of jurisdiction, power, authority, and control do governing bodies have to make and exercise laws, resolve disputes, or carry on public administration and community development? What types of dependence and independence do they exhibit? To what extent is the organisation or group actually exercising power and control at the local level and 'calling the shots' in wider environments (e.g. regional, state or federal)? To what extent can they assert and exercise informed choice?

What forms of Indigenous leadership operate in organisations and in the community? What kinds of power do they exercise? How have leaders been chosen? Are there contending expectations of Indigenous leaders? What impact do government policy, service delivery, funding and prevailing jurisdictional arrangements have on the scope of Indigenous governance control and power at the community level?

- (f) **Institutional form and effect.** What institutional 'rules of the game'—values, norms, traditions, regulations, rules, codes of conduct, constitutions, policies, etc.—support Indigenous governance at the community level? Are there contending expectations of these? What is the extent of constituents' and outsiders' confidence in and support of these? What is the extent of constituents' participation and voice in community governance arrangements? To what extent do the institutional modes used by organisations reflect local culturally-based ideas of what constitutes legitimate or 'proper' governance. To what extent do institutional modes facilitate practical capability and outcomes? Do they contribute to, or impede, Indigenous peoples' capacity to self-determine?

- (g) **Resources and resource governance.** What cultural, human, technological, economic, financial and natural resources or assets do communities and their organisations have at their command? What resources are absent or under-developed? How are resources made available or delivered to the community? How are resources managed and used?

In conjunction with this, the project will test a related hypothesis—namely, that sustainable economic performance within communities and regions is a governance issue. To what extent do governance arrangements contribute to, or impede, sustainable economic development in each community? What kinds of governance instruments might be established in order to capture community and regional development aspirations in all their diversity.

- (h) **The nature and impact of the 'governance environment'.** Indigenous governance operates within a complex environment that stretches across community, regional, state, territory and federal levels. Power, authority, resources and decision-making are distributed unevenly across these layers of the governance environment. What is the position of Indigenous organisations and communities within this wider governance environment? What are the influential relationships, networks, organisations, agents and stakeholders which have an impact upon local Indigenous governance arrangements? Do they support or hinder community governance? Do Indigenous groups and organisations have mechanisms for managing those impacts, and for resolving conflict with external entities?

How does the 'governance of governments' affect Indigenous governance arrangements on the ground? For example, what is the nature and impact of state/territory and federal government policy and funding frameworks? What is the relationship between government service delivery arrangements, and the effectiveness of community governance? Do governments have 'downward' accountability, communication and agreement-making mechanisms which support Indigenous governance-building on the ground? Are there government policy, funding and service delivery frameworks which might better support Indigenous governance initiatives?

- (i) **Effectiveness of governance.** A central research issue concerns the effectiveness of governance arrangements in meeting Indigenous peoples' objectives, in facilitating representation, participation and legitimacy, and in meeting external demands. How can the effectiveness of Indigenous governance be evaluated? What might constitute valid and meaningful measures (qualitative and quantitative), and from whose perspective?

The following questions are examples of this issue. Is the governing body an effective deliverer of services to its constituents? Has it contributed to improving social, economic, and cultural resources and outcomes for its constituents? How effectively does it obtain and use government funds, and use its own resources? What is the breadth of ownership, commitment and responsibility throughout the organisation? Has it played a significant role in changes (positive or negative) to local or regional control over resources, and in strategic decisions? Do members of the community view the governing body as an effective vehicle for community management and self-determination? Are there differences between the internal and external perceptions of effectiveness? Are some governance structures and processes more effective in some places, or for certain functions, than others? And what are the 'costs' to communities of 'ineffective' governance?

- (j) **Governance capacity development.** A central hypothesis here is that building and sustaining strong, legitimate Indigenous governance needs to be founded on both clear power authority and practical capability. The first requirement raises issues of jurisdictional devolution and resourcing. The second involves developing the human, institutional, organisational and resource capacities of Indigenous groups for genuine self-determination. This will require a long-term commitment to community development for governance.

What do the terms 'capacity-development for governance' and 'governance building' mean? What kinds of powers and responsibilities, jurisdiction, and resources are required to support Indigenous governance-building initiatives? What community skills and assets are already available and required to support the process? How can these be strategically mobilised? If the critical community and regional capacities for governance are not well-developed, how can they be? And how is governance to be conducted in the meantime? What tangible commitments and policy approaches are required from governments, non-government organisations (NGOs), and the private sector in order to support governance-building at the local level?

Where are innovative experiments in local and regional governance happening? Are there broad principles of Indigenous governance which might have relevance for application by different types of communities and cultural circumstances? How can these principles and lessons assist other communities, organisations, leaders and policy makers in their efforts to support Indigenous governance-building?

3. THE METHODOLOGICAL FRAMEWORK

3.1 THE UNDERLYING CONCERNS

The methodological framework is designed to promote research that meets community-based, scholarly and policy concerns.

On the scholarly side, Project researchers are interested in understanding how Indigenous governance operates in all its diversity at the local level—its cultural foundations and principles, what is working, what is not, and why. One goal is to instil greater analytical rigour and content into academic and public debate in Australia. The research team wants to better understand the relationship between the effectiveness of governing arrangements in communities and issues of institutional form, scale, power, autonomy, legitimacy, representation, and accountability.

On the policy side, the methodological approach is based on the conviction that high-quality research can have significant value to Indigenous agencies and governments concerned with supporting community 'governance building'. A comparative approach forms the basis of the Project methodology. This should enable broad principles and transferable lessons to be identified, which may in turn inform the development of more enabling government policy and service delivery frameworks.

On the community side, the project is applied and collaborative—it aims to make research 'count' on the ground. The methodological framework is designed to support a collaborative community-based approach which includes working with and training (where appropriate) community researchers. The Project will work on practical initiatives with organisations and leaders to identify the shortfalls and assets in governance power, resources and capabilities, and to identify successful experiences for wider dissemination.

3.2 INDIGENOUS COLLABORATION AND ACTION RESEARCH

The researchers and partners in the ICG Project are sensitive to the history of western research, whereby research sometimes became an adjunct of colonisation, with little knowledge exchange or consideration of local capability-development. This has served to marginalise local Indigenous knowledge by external parties controlling, defining and thus owning it.

The impact on Indigenous peoples of this epistemological paradigm has been discussed by several scholars (Arbon 1992; Bin-Sallik 1990; Rigney 1997; Taylor 2005; Tuhawa`i-Smith 2001). The innovative methodology designed for the ICG Project recognises this history and attempts to implement an alternative approach—namely, a collaborative research partnership at the local level, which makes a practical contribution.

A core component of the research methodology is Indigenous collaboration and participation. This goes beyond consultation, where Indigenous community members and leaders are merely the informants. For the purposes of the Project, 'participation' is defined as the mobilisation of individuals, families, groups, and representative community organisations to take an active role in the planning, conduct and application of the research being carried out in their community (Rahnema 1999; Rifkin 1986). In the Project, participating organisations and groups are research partners and research facilitators, driving the specific research questions that are relevant to their particular community and region. Project researchers are also collaborating with individual Indigenous research counterparts, who are working as co-authors on surveys as linguists and interpreters, and in the documentation and analysis of data.

This does not discount a key element of the ICG Project's research agenda that seeks hard, independent baseline data across field sites for comparative purposes, and to generate broad principles of governance across communities. The collaborative framework for the research asks the partners to work together in an ongoing discussion about the local research agenda, about what kinds of data are needed, how that data can best be obtained, about ownership of data, and how application of research findings can add value to local governance initiatives. The engagement of Indigenous collaborators in defining the research issues in each case study acknowledges the critical importance of Indigenous people exercising their authority to make decisions and develop solutions.

The ICG Project Advisory Committee adds another dimension to the research partnership. Indigenous members of the Committee provide strong guidance for the overall research direction and key research questions. They also act as advocates of Indigenous governance initiatives, and of the Project research findings with governments and communities.

The iterative research approach to engaging Indigenous collaborators is informed by international approaches to social and community development, the basic purpose of which is to enlarge people's choices and empowerment. Fundamental to this is building human capabilities—the range of things that people can do, or be, in life. One of the most basic of these capabilities is to be able to participate in the life of the community in all its diverse forms. In this sense, effective community participation ultimately underpins effective Indigenous governance. The Project aims to add value locally through such a collaborative and practical research partnership.

3.3 KEY COMPONENTS OF THE METHODOLOGY

To meet these fairly ambitious goals, the ICG Project has created an overarching methodological framework to provide common guidance to all researchers.

The framework has the following key components:

- (a) Case studies of participating Indigenous communities and organisations. These will be undertaken in a sample of different 'types' of Indigenous 'communities' in urban, rural and remote locations. Researchers will work with the same communities and organisations over several years so that the dynamic and unique aspects of local governance can be documented over time.
- (b) Case studies of the 'governance environment'. A sub-set of case studies will focus more widely on the governance environment of particular communities and their organisations. These will identify key players, factors and relationships which impinge directly on Indigenous governance legitimacy, effectiveness and outcomes.
- (c) Case studies of the 'governance of government'. A sub-set of case studies will focus on the changing policy, service delivery and funding strategies operating across different levels of government. The goals and rationale of strategies which target Indigenous governance will be analysed and their impacts on the ground investigated.
- (d) Comparative analysis of the case studies. This will be based on a set of core research questions and issues. This will enable the Project to test the hypotheses identified above, and to generate insights into the general principles and factors at work in contemporary Indigenous governance.
- (e) Identifying and testing meaningful criteria and principles for evaluating what constitutes 'effective/ ineffective', 'poor', 'good', and 'legitimate' Indigenous governance in Australia.

- (f) Identifying innovative practice and transferable lessons to be disseminated widely to Indigenous communities and others.
- (g) A community research collaboration strategy. This aims to engage Indigenous organisations and community residents as active researchers in the case studies.
- (h) A communication and reporting strategy. This is designed to disseminate the research findings within communities, to governing bodies and leaders; as well as to government policy makers, service deliverers, and other researchers.

To support these components of the methodology, the ICG Project has built up a multi-disciplinary team, bringing together researchers with professional expertise in political science, anthropology, demography, geography, development studies, and economics. Project researchers will work alongside community research collaborators with expertise in local culture, business development, social organisation, language, history and local politics.

3.4 THE RESEARCH TECHNIQUES

The ICG Project's empirical tools need to be flexible to suit different community environments and research foci, while at the same time enabling valid comparative analysis and the generation of policy and practical conclusions.

In order to deliver on the Project's multiple aims, a variety of research techniques are being employed by researchers, including:

- (a) Data review, consolidation and analysis. This involves the collation of available community and regional demographic and socioeconomic indicator data. These profiles will provide an information baseline for analyses over subsequent years.
- (b) Mapping the governance environment. This involves the identification of the surrounding organisations and agents (Indigenous, non-Indigenous, government, private sector, NGOs) within which community governing bodies operate, and the cross-cutting relationships, powers, functions, networks and alliances creating that environment.
- (c) Ethnographic techniques. These include participation observation, language analysis, documentation of decision-making and other governance events, structural and institutional analysis. These will be used to document the culturally-based Indigenous concepts, world views, norms, behaviours, relationships and gender issues underlying Indigenous systems of governance and contemporary governance practice. These techniques emphasise an emic approach (i.e., looking at things from the point of view and values of a range of 'insiders'). These same ethnographic techniques will also be employed to document the cultural values, logic, behaviour and language of 'insiders' within government.
- (d) Governance histories. These will be recorded for key governing bodies and communities, and will include timelines and influential individuals and events (statutory, political, cultural, leadership, strategic and developmental).
- (e) Governance profiles of organisations. These will uniformly document the goals, structures, institutions, functions and operation, corporate dimension, decision-making, accountability and representation processes, planning and outcomes for individual organisations.

- (f) Leadership life histories. These will track individual leaders' development, experiences and roles (for both men and women); identify individual ideas and practices of leadership; and document the impact of changes in leadership and succession on the life cycles of organisations and their governance effectiveness.
- (g) Governance strategic risk assessment. This tool will map the governance assets, resources and capabilities that are available and being exercised, and any shortfalls; the internal and external priorities and demands; and the fit between an organisation's strategic goals and its governance capacities. It will facilitate the generation of potential criteria of 'effectiveness' and 'legitimacy' (elaborating both Indigenous and non-Indigenous views).
- (h) Policy and service delivery assessment. This maps the goals, logic and implementation of government policy and service delivery frameworks. It will facilitate assessment of the extent to which frameworks facilitate or impede the development of effective, legitimate governance.
- (i) The Research Field Manual. This provides researchers with a checklist of common issues and broad questions about Indigenous governance. All Project researchers will investigate these common issues. The manual will enable a more uniform, consistent approach to the collection of core governance data, and provide the basis for the comparative analysis of issues across all participating communities.
- (j) Field interviews. Informal interviews will be carried out with the wide range of people involved with, served by, or supporting community governing bodies, and will include people involved in the wider 'governance environment' at regional, state, territory and national levels.
- (k) Small-group surveys, community meetings and focus groups. These techniques will elicit local perceptions, views, and solutions about governance arrangements.

4. GOVERNANCE—A CONCEPT IN NEED OF CRITICAL INVESTIGATION

4.1 THE MANY MEANINGS OF 'GOVERNANCE'

The etymology of the term 'governance' can be traced to the classical Latin and ancient Greek words for the 'helmsman' and the 'steering of boats'. Over time this meaning has been applied to societies and political systems where it has been defined as the 'art of steering societies and organisations'.

The search for a clearly articulated concept of 'governance' has only recently begun in Australia. While the term has rapidly transferred into bureaucratic thinking, government policy making, service delivery, and Indigenous political agenda, there is a lack of critical analyses and hard evidence about it, and confusion over its actual meaning. Unrealistic expectations are being generated that 'governance' will be the 'quick fix' for all problems at the community level. Some stakeholders expect improved service delivery and local accountability, while ignoring the issues of jurisdictional power and self-determination. As a result, there is something of a fashionable backlash, with the term being described as a 'buzzword' or little more than 'pouring old wine into a new bottle'. It is a cause for concern that these varied views are becoming entrenched without sufficient Australian content having been applied to the concept.

The term 'governance' has been in common use in the world of international aid, banking, and third-world development for some time. In this context it has become synonymous with western democratic, neo-liberal ideas of what is supposed to constitute 'good' governance. Today, the concept is 'used by groups with very different ideological persuasions, for a number of different and often contradictory ends' (de Alcantara 1998: 106).

There have been numerous definitions and approaches to governance, which are usefully reviewed by Kooiman (2003). However, to date, there are only a few field research case studies focused on the concept of 'Indigenous governance' (see Cornell et al. 2000; de Alcantara 1998; Dodson and Smith 2003; Hylton 1999; Jones 2002; Kalt 1996; Plumptre & Graham 1999).²

The ICG Project aims to investigate the concept under Australian conditions. To commence that process, some of the meanings of the term 'governance' already employed in the international arena are summarised below (see Kaufmann, Recanatini & Biletsky 2002; Kooiman 2003; also Stoker 1998 for more detailed definitional analyses).

(a) 'Governance' is not the same as 'government', although governance is certainly an aspect of how governments operate. Rather, the concept of governance blurs the boundaries between and within the public and private sectors (Stoker 1998). In politics, the concept of 'government' is usually predicated on some related concept of 'the state' and a degree of centralisation of power and decision-making. 'Governance' focuses our attention outside the more formal realm of government, onto the wider set of actors and networks—those individuals, agents, organisations, private sector interests, and non-government organisations involved in delivering services, representing groups and negotiating resource allocation. The term 'governance' directs our attention to the interaction of self-organising networks at many different levels, and to the relative power and relationships between them, and between these networks and governments.

The Institute of Governance (IOG) in Canada suggests that confusing the term 'governance' with 'government' has constrained the way in which problems with policy and practice are conceived and addressed (Plumptre & Graham 1999). For example, the confusion in terminology leads to policy issues being defined implicitly as a problem of government, with the onus for fixing them seen to rest with the government. This can restrict the range of strategies that seem to be available to deal with problems—generating a 'top-down' approach to reform. In short, definitional confusion related to governance has important practical and political consequences.

(b) Self-government and sovereignty. 'Self-government' is taken to mean having jurisdictional control and a mandate (i.e., having the constitutional or judicial right, power, and authority to administer the law by hearing and determining controversies, and by exercising those powers over the members of a group, its land and resources. 'Governance' is about having the processes and institutional capacity in place to be able to exercise that jurisdiction through sound decision-making, representation and internal accountability (Sterritt 2002).

'Jurisdictional authority' can be exercised over public institutions, territory, expenditure and revenue-raising capacity, and over policy and functional areas such as tax, law-making, health, education, housing, essential services, social security, and economic development. In Australia, Indigenous self-government is absent as a unified cohesive form of jurisdictional authority (Sanders 2002; Smith 2002). Nevertheless, Indigenous Australians involved in local government do have access to a form of jurisdiction. A number of commentators have also noted that there are jurisdictional aspects to the Indigenous rights and interest recognised under the *Aboriginal Land Rights (NT) Act 1976* and *Native Title Act 1993* (see Langton 2002; Pearson 1997; Reynolds 1998). In Australia, the policy of 'self-determination' could have provided a foundation for self-regulating local governance. However, it appears to have been relegated to highly constrained forms of decision-making over discrete service delivery and administrative functions (Smith 2002).

(c) Governance as the 'minimal state'. This use of the term 'governance' emphasises the potential for self-regulation in society, and for the establishment of systems of decentralised jurisdictions. Here the concept is used politically, to redefine and limit the potential scope and form of public intervention and action by the state. This meaning of the term is often employed in conjunction with the idea of 'participatory governance' where a

plurality of local actors and constituents engage more directly in the establishment and exercise of decentralised or dispersed governance. Often this is linked to the exercise of multi-level governance, and raises issues of subsidiarity and jurisdictional devolution (Smith 2004; Westbury & Sanders 2000).

(d) Corporate governance. Increasingly, the concept of governance is being used in new public management theories referring to private sector ways of operating in the public sector. The importance of corporate governance is often emphasised in these theories, referring to modalities of organisation and management of economic, statutory and administrative functions. In Australia, there has been a tendency to focus on this aspect of Indigenous governance.

(e) Resource governance. An allied meaning is expressed in the term 'resource governance', referring to 'the principles, institutions and practices a society and its members employ to use shared resources' (Caulfield 2003: 121). This is an aspect of governance which has been reasonably well researched amongst some Indigenous Australian groups.

(f) Global governance. More recently, with the creation of the European Economic Union and the establishment of free-trade agreements and other international conventions, there are issues of global governance in international relations. The technological tools required for global governance (such as 'eGovernance' and telecommunications) are emerging as issues with implications at the sub-national, regional and community levels.

(g) Indigenous governance. In recent times there has been a growing recognition of the specific qualities and conditions of Indigenous governance throughout the world. Innovative forms of governance are being designed and established by different Indigenous groups in many countries. These have been given impetus by land rights struggles, treaty negotiations, self-determination policies and legislation, and through arenas such as the United Nations World Council of Indigenous Peoples. Some contemporary international Indigenous governance arrangements have statutory and jurisdictional bases, although many do not.

The commonalities underlying the different meanings

The term 'governance' is multivalent—at times it is used as an analytic concept, a theoretical proposition, or a normative concept, to refer to a specific policy, a process, to structures, or to a political environment. But these different meanings and uses have important commonalities. In each, there is:

- consideration of the main institutional spheres (the state, market, and community) as being interconnected, rather than neatly separated and spatialised;
- a focus on the wider field of players and relationships, not simply on 'government';
- the idea of some form of cooperation as a mechanism of legitimisation and a guarantee of effectiveness;
- the attention to concrete systems of action and decision making;
- the foregrounding of power and choice;
- the idea that governance effectiveness can be evaluated against benchmarks and principles; and
- a slowly growing recognition that governance, and evaluations of its effectiveness, are the product of culturally-based values, systems and traditions.

The ICG Project will explore the extent to which these commonalities inform the operation of Indigenous governance in Australia.

4.2 THE NORMATIVE DIMENSION OF GOVERNANCE

The operation of governance has a direct impact on the wellbeing of individuals, groups and communities. It is not surprising, therefore, that the concept of 'governance' has increasingly been framed in terms of a normative assessment of its effectiveness. In other words, governance functionality is evaluated as 'bad', 'good', 'effective', 'ineffective', 'corrupt' etc. The World Bank was an early international instigator of this approach, proposing universal indicators of 'good' and 'bad' governance which it used to evaluate the performance of third-world governments (World Bank 1994).

The downside of that approach is that it promotes the term 'governance' as a tool for imposing western ideals of democracy, participation, representation and accountability. Those ideals are not easy for western democracies to attain, let alone societies with very different political and world views. In multi-cultural and minority populations, imposed concepts and processes of governance can have profound destructive consequences.

The United Nations Development Program (UNDP) (n.d.) has developed the following set of principles for good governance which are claimed to have universal recognition, but which will have local solutions.

- (a) Legitimacy and voice (or participation)—where all men and women should have a voice in decision-making either directly, or through the legitimate institutions that represent their intention. Good governance mediates differing interests to reach a broad consensus on what is in the best interests of the group.
- (b) Fairness—where all men and women should have opportunities to maintain and improve their wellbeing, and have their human rights respected. Legal frameworks should be fair and enforced impartially. Everyone should be entitled to a hearing.
- (c) Accountability—where decision-makers in government are accountable to their members, as well as to the public and institutional stakeholder. Governance processes, information and policies should be transparent (i.e., directly accessible to those concerned together with enough information to understand and monitor decision-making arrangements).
- (d) Direction—where leaders and constituents have a broad and long-term perspective of their cultural, social and economic development and a sense of what is needed for such development. This strategic direction is developed with an understanding of cultural and historical complexities. Governance-building is a journey requiring both short-term and long-term approaches.
- (e) Performance—good governance systems produce goods, services and outcomes that meet the needs of their constituents. The institutions and processes of governance try to be responsive to constituents and stakeholders, and produce results while making the best use of resources.

Importantly, governance is not culture-neutral. Assessments or principles of what constitutes 'good', 'strong' or 'legitimate' governance, 'ineffective' or 'bad' governance, are informed by culturally-based values and traditions. In other words, there are cultural determinants of leadership, of what constitutes representation, participation and accountability. The rule of law for Indigenous people is grounded in traditional law and values. There is a 'two-way' accountability for Indigenous organisations—internally to their members and community residents, and externally to government funding bodies.

The IOG has argued that 'there is plenty of room for different traditions and values to be accommodated in the definition of 'good governance' (IOG n.d.). If 'good governance is about achieving desired results and achieving them in the right way' (IOG n.d.), then the 'right way' is largely shaped by the cultural norms and values of the organisation or society.

For Indigenous groups, however, their governance power and jurisdictional control is also subject to many external conditions imposed by the wider societies in which they live. The conditions for both poor and good governance can therefore be perpetuated from within and from without.

Furthermore, a growing body of international research suggests that recognising the culturally-based parameters of good governance should not be taken as a bland acceptance of cultural relativism. There may be universal principles of 'good' governance that do apply across cultural boundaries (see IOG n.d.; Cornell et al. 2000; Cornell & Begay 2003; Dodson & Smith 2003; Sterritt 2002; UNDP n.d.). As a consequence, the question of 'whose values and norms take precedence in determining what constitutes the 'right way' to govern?' has become an area of considerable contestation.

4.3 THE ATTRIBUTES OF STRONG INDIGENOUS GOVERNANCE

There is a small body of research in Australia that investigates the interaction between 'traditional' Indigenous and 'settler society' systems of governance.³ More recently, there has been a growing body of international evidence which identifies a set of prerequisite conditions needed for strong Indigenous governance in contemporary contexts.

In a presentation to the first national Indigenous Governance Conference, convened by Reconciliation Australia in Canberra, Neil Sterritt (2001, 2002), a Gitksan leader from Canada, characterised strong Indigenous governance as having four main attributes or dimensions:

- (a) Legitimacy—the way structures of governance are created and leaders chosen, and the extent of constituents' confidence in and support of them;
- (b) Power—the extent of acknowledged legal, jurisdictional and cultural authority and capacity to make and exercise laws, resolve disputes and carry on public administration;
- (c) Resources—the economic, cultural, human, technological and natural resources needed for the establishment and implementation of governance structures; and
- (d) Accountability—the extent to which those in power must justify, substantiate and make known their actions and decisions.

Evidence to the Royal Commission on Aboriginal Peoples (RCAP) in Canada suggests that these four attributes are expressed through First Nations institutions and processes such as the centrality of land, individual autonomy and shared responsibility, the role of women, the role of elders, the role of family and clan, leadership and traditional accountability, and consensus in decision-making (RCAP 1996).

The Harvard Project on American Indian Economic Development (Cornell 1993; Cornell & Kalt 1995) identified a similar set of prerequisites to that of Sterritt. On the basis of long-term research amongst over 60 Native American Indian tribal governments in the United States of America, the Harvard project researchers identified three overarching preconditions for strong Indigenous governance:

- (a) 'De facto sovereignty' or 'self-rule': genuine decision-making power where the tribal government effectively held the reins of power over strategic decisions, the allocation of resources, and related governing processes.
- (b) Effective governing institutions: de facto sovereignty or decision-making power is not sufficient by itself. Groups must also be able to exercise their authority effectively. To do this they must be able to put in place non-politicised representation and dispute-resolution mechanisms, constrain corruption and opportunistic behavior by politicians and leaders, build capable bureaucracies, and so on.

- (c) 'Cultural match': for governing institutions to be effective, they must be legitimate in the eyes of the people they serve. To be legitimate they must wield power and authority in conformity to Indigenous conceptions, shared beliefs, and agreed rules. And importantly, the form those rules take must be based on Indigenous choice and informed consent.

In summary, the available research proposes four preconditions for strong and effective Indigenous governance:

- (a) power (de facto sovereignty or self-rule);
- (b) resources;
- (c) effective governing institutions and accountability;
- (d) legitimacy and culture match.

'Poor' governance, on the other hand, has been reported to be generally characterised by 'corruption, favouritism, nepotism, apathy, neglect, red tape, selective representation, and self-serving political leaders and public officials' (Knight et al. 2002). For Indigenous societies, 'poor' or 'ineffective' governance is likely to occur where some or all of these preconditions are missing, under-developed or ill-matched.

These prerequisites for strong governance which have been identified in international Indigenous contexts, have implications for researching Indigenous Australian governance arrangements. For example, to what extent are such preconditions relevant here? What are the constraints on their growth amongst Indigenous Australian groups? What other attributes or conditions of governance might be locally relevant in Australia?

This body of research conclusions and associated questions informs the research approach of the ICG Project.

5. THE ICG PROJECT'S APPROACH TO 'GOVERNANCE'

The ICG Project adopts the term 'governance' as a central concept that needs to be problematised and systematically investigated. The complexity of the term is difficult to capture in a simple definition. The Project has developed a preliminary operational definition that links its internal social dimensions to the wider political environment.

5.1 GOVERNANCE AS AN INTERNAL PROCESS

For the purposes of the ICG Project 'governance' means:

...the dynamic processes, relationships, institutions and structures by which a group of people, community or society organises to collectively represent themselves, negotiate their rights and interests, and make decisions about:

- how they are constituted as a group—who is the 'self' in self governance;
- how they are going to manage their affairs and negotiate with outsiders;
- who will have authority within their group, and about what;
- what their agreed rules will be to ensure authority is exercised properly;
- who will enforce the decisions they make;
- how their decision-makers will be held accountable; and
- what arrangements and entities will be the most effective for implementing their decisions and accomplishing their ends.

Governance is as much about people, relationships and process, as it is about structures.

Many small Indigenous groups have informal processes of governance which are not exercised through externalised organisations. But if a group of people is too large to make all the necessary decisions, they may create organisational structures, hierarchical systems or other arrangements to facilitate decision making. This might include delegating some areas of decision-making and responsibilities to an entity, whilst retaining other aspects of governance under their immediate social control.

From this definitional perspective, we can see that Indigenous community councils and organisations have governance; extended Indigenous families and clans have governance systems; Indigenous law and ceremony is about governance; local community health clinics and stores have governance; homeland associations, women's councils and land councils have governance; native title claimant groups and traditional owners have governance; and Indigenous businesses and regional service delivery organisations have governance.

The ICG Project places this definition of governance within a political context.

5.2 GOVERNANCE IS ABOUT POWER

Social systems, groups and organisations do not exist in isolation. In every society, power and control are distributed across many layers and multiple actors. Some of those individuals and groups are more powerful than others. The uneven dispersal of power involves jurisdictional, statutory, historical, human rights, resource, capacity, age and gender dimensions.

In other words, the governance of an organisation or group of people involves addressing influential factors that have their source in the wider governance environment, not just within its own internal arrangements.

Fundamentally governance is about power, jurisdiction, control and choice—its about the relative scope and extent of power, who has influence, who makes the decisions and 'calls the shots', and how decision-makers are held accountable, both internally and externally (Plumptre & Graham 1999).

Western models of the state usually assign governments superordinate public power and jurisdiction within a territorial boundary. In Australia, Indigenous systems of governance have their own political processes, and Indigenous groups have sought to negotiate a space for these within the complex jurisdictions of federalism.

The Project aims to investigate the wider dimensions of power, legitimacy, resources and accountability at work in the exercise of Indigenous governance (Fig. 1).

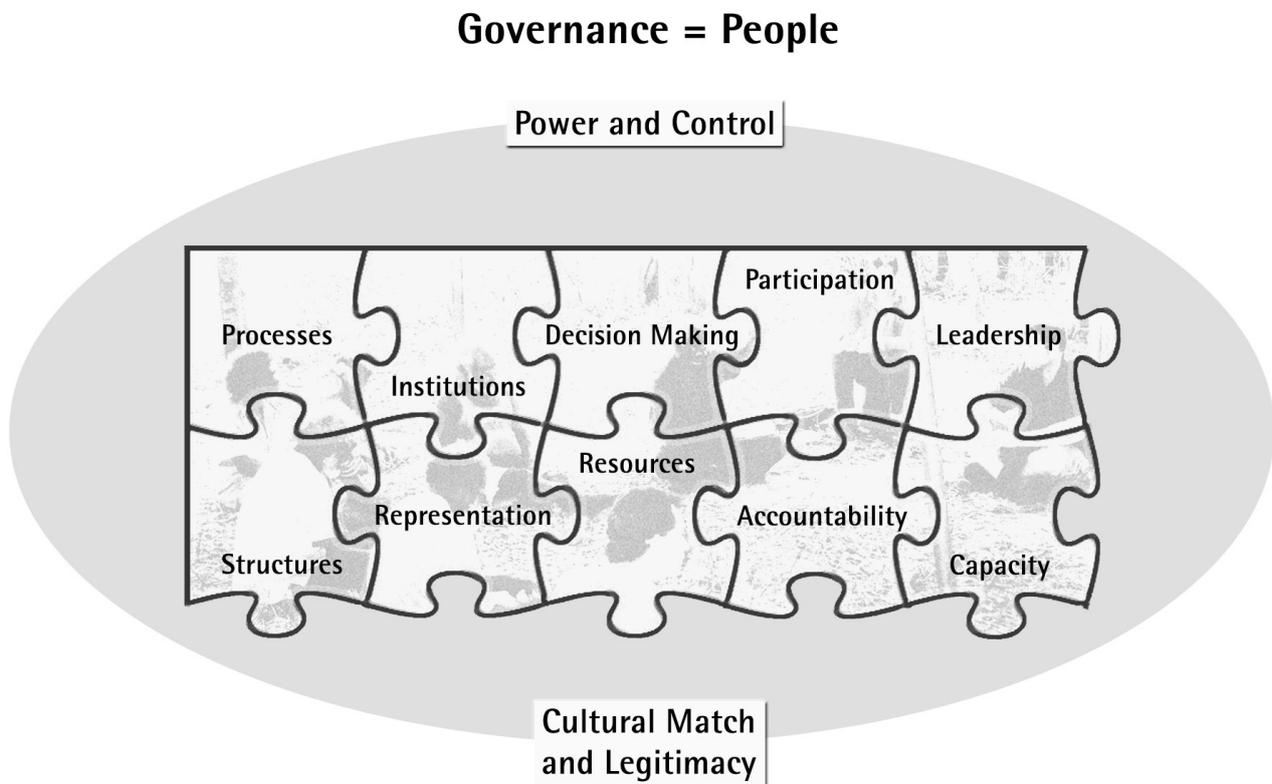
5.3 GOVERNANCE 'INSTITUTIONS' AND 'ORGANISATIONS'

Governance processes are exercised through organisations and institutions. The ICG Project adapts a widely-used definition of the term 'institution' provided in Cheema (1997):

Institutions consist of cognitive, normative and regulative structures and activities that provide stability and meaning to social [cultural and political] behaviour (Cheema 1997: 13).

Cornell (2002) describes institutions as the 'rules of the game'; 'the way things are, and are to be done'. Examples of institutions include the legal and judicial system, political systems, constitutions, policies, regulations, taboos, kinship systems, behavioural and gender norms, religious beliefs, and ceremonial systems and values.

Fig. 1. The concept of governance



Institutions are often longer-lasting and more influential on people's behaviour than organisations. They are especially influential in determining the extent to which the organisation of governance is judged to be proper and legitimate.

'Organisations' ... 'are composed of groups of individuals who come together to pursue agreed objectives that would otherwise be unattainable, or that would be attainable but only with significantly reduced efficiency and effectiveness' (Cheema 1997: 14).

Formal organisations are structured, meaning that they involve a division of labour, and the allocation of functions and resources into different units of different size, composition and hierarchical order.

The ICG Project approach to governance encompasses both its institutional and organisational dimensions, and how these are reproduced and given legitimacy within different cultural systems.

5.4 THE 'GOVERNANCE ENVIRONMENT' AND 'SUBSIDIARITY'

The concept of the governance environment refers to the aggregate of surrounding things, agents, conditions, influences, networks and relationships within which Indigenous governance arrangements operate. Indigenous governance can be said to operate not only within a community governance environment, but also within a wider regional governance environment and, in turn, within State and Federal governance environments.

The principle of subsidiarity is used to capture the nature of the relationships between the layers of the governance environment. Subsidiarity means that particular issues, functions and procedures should be handled by the most competent and appropriate authority available (Smith 2004: 17). This means, for example, that no higher

centralised level or scale of political aggregation should undertake functions or tasks which can be performed more effectively at an immediate or local level. Conversely, centralised forms of government should undertake initiatives which exceed the capacity of individuals or communities acting independently. Subsidiarity is ideally, or in principle, one of the features of Australian federalism.

Subsidiarity also informs Indigenous Australians' traditional governance arrangements. In Indigenous societies, different forms of power, authority and decision-making are dispersed across social, gender, age, religious, land-owning and political categories. Individuals and groups negotiate their governance arrangements across these complex sets of overlapping rights, interests and alliances.

(a) At the community level.

Extended families form the backbone of communities. They are not simply visible as domestic and economic units, but are also 'families of polity'—that is, jural constructs of 'enduring and central importance to the conduct of Aboriginal business' (Sutton 1998: 60).

The governance 'business' of extended families includes the transmission of land ownership, leadership, cultural property rights, group knowledge and collective identity. The senior members of some extended families are closely identified with the establishment and operation of incorporated community organisations, thereby linking familial descent-group identity to organisational identities and political representation.

In other words, extended families not only have a form of internal governance, they also permeate other layers and aggregations of governance at the community level. Some Indigenous community organisations have jurisdictional status as forms of local government under state or territory legislation. Others operate under different statutory program frameworks established to facilitate the delivery of a range of services.

The result is that communities have different layers of formal and informal governance arrangements, representing sometimes distinct, sometimes overlapping constituencies. The efflorescence of community organisations owes much to Indigenous preference for highly localised forms of representation, but arguably a negative impact has been to distort the already fragmented polity that characterises traditional Indigenous governance systems (Pearson 1997; Yu 2002).

(b) At the regional level.

This complex picture of community governance is situated within a wider regional environment that consists of other communities, organisations, agencies and actors. These have different program, financial, service delivery, social and developmental links into communities. Some have offices and agents located within major 'hub' communities. Others have officers who travel to communities for visits and meetings. Some implement services and program funding according to state and federal government policies. Others deliver regionally customised services to communities.

Families from particular communities are often related to families in other communities, forming regional networks. Larger clan groups and 'companies' of related groups also mobilise themselves regionally for ceremony, trade, funerals, and negotiations at regional levels (see Ah Kit 2003; Morphy 1999). Some senior community residents are also members of the governing boards of influential regional organisations (both Indigenous and non-Indigenous). These connections and relationships create a complex genealogy of governance between families, groups, communities and regions (Smith 2004: 17–8).

(c) At the State and Federal levels.

Indigenous community governance is directly affected by state and territory jurisdictional and administrative boundaries, and by different government statutory and policy frameworks. Services are delivered by a multiplicity of government departments, delivering a range of programs into communities which often overlap but are tied to separate funding and reporting arrangements. The 'state', in the form of territory, state and federal governments, is tangibly present on the ground—in the form of government officers, agency offices, and often through direct program and funding delivery to community organisations.

The consequence for community-based governance is that organisations are linked to programs, policies and funding arrangements administered by multiple government departments which retain financial authority, and determine accountability conditions and implementation. In 1997 for example, Queensland's Joint Committee of Public Accounts (JCPA) reviewed the financial accountability requirements for Indigenous Community Councils in that state, and reported that some Councils had to deal with upwards of 40–50 different grants (JCPA 1997: 27; see also Australia Institute 2000).

In reality these layers are not neatly bounded, exclusive environments. Rather they are permeable and penetrate each other. Actors and organisations are networked into webs of cross-cutting relationships, alliances and opposition. Some decision-making processes and systems of representation extend across the layers. Accordingly, it is more accurate to speak of an overarching 'governance environment' with fluid, interacting dimensions. This wider governance environment affects the operation of community organisations on a daily basis, and poses substantial challenges for Indigenous governance at the local level. The ICG Project aims to map out the dimensions and connections within the governance environment, and investigate its impacts on community governance.

5.5 GOVERNANCE EVOLVES

Governance is not static. Every society has a right to change—to develop its institutions, values and rules in a manner it regards as internally legitimate, and to do so according to its own informed choice. Governance arrangements need to evolve to meet changing conditions and challenges; whether internally or externally instigated.

Building governance is essentially a developmental issue; it is about institution building, and mobilising the leadership, knowledge, skills and resources of a group of people. What appears to matter for outcomes from 'governance building' is that it is under Indigenous control, and is a product of informed Indigenous choice and design.

5.6 LEGITIMACY AND CULTURE MATCH

Governance is a product of culture—different societies build different systems of governance.

When systems of governance interact, competing values and expectations arise. A central focus of the Project methodology is the investigation and analysis of Indigenous principles, values and concepts underlying their systems of governance. Indigenous people are designing and testing different organisational models to represent their rights and interest within the wider governance environment, and in doing so are having to consider questions of legitimacy and cultural match.

The concept of 'cultural match' has recently been introduced into Australian debates by the Harvard Project research team (see Cornell 1993, 2002; Begay, Cornell & Kalt 1998; Kalt 1996). It has found both resonance and resistance in Australian debates about the complex issues of legitimacy, culture, and power relations.

According to the Harvard team, cultural match means institutions that:

... embody values that Indigenous peoples feel are important; reflect their *contemporary* conceptions of how authority should be organised and exercised; are generated through Indigenous efforts; and therefore have the support of those they govern ...

It is not an appeal to *tradition*; it is an appeal for *legitimacy*... In some cases, this may mean Indigenous communities have to rethink their ideas of how to govern and invent new ways that better meet their needs ... What matters is not that things be done in the old ways. It is that things be done in ways—old or new—that win the support, participation and trust of the people, and can get things done. Some will be old. Some will be new (Cornell & Begay 2003: Powerpoint presentation; author's italics).

Sterritt (2002) characterised 'legitimacy' as consisting of the way structures of governance are created and chosen, and the extent of constituents' confidence in and support of them. Clearly, amongst Indigenous groups, legitimacy will depend on the whether a cultural match has been achieved. But legitimacy also has external dimensions. It can be undermined or endorsed according to the extent to which those in power must justify and make known their actions to those 'outside' (Coles 1999, 2004; Martin & Finlayson 1996).

For Indigenous groups, legitimacy will require the design of inter-cultural institutions, based on a 'two way process of adaptation and innovation' (Smith 2004: 26). It will be derived from two authorising environments—that is, from the Indigenous and the non-Indigenous systems of governance in which community organisations are immersed. In other words, an organisation must not only have a cultural mandate and support, it must also be able to get the job done.

5.7 THE RELEVANCE OF CULTURAL MATCH IN AUSTRALIA

The concept of 'cultural match' is poorly understood in Australia, and its potential usefulness in local conditions has received only preliminary attention (see Martin 2004; Martin & Finlayson 1996; Smith 2004; Westbury & Sanders 2000).

The Harvard research has been undertaken primarily with Native American Indian populations whose reservations are largely culturally homogeneous (although there are some Indian nations who have been forced to live and work together on the same reservation lands). 'Cultural match' in the Australian context will need to address significantly different cultural, political and historical contexts to those in the United States of America. Indigenous Australian communities are more culturally heterogeneous in their residential populations than many Native American Indian reservation groups and New Zealand Maori. There may be more relevant parallels to be found with some Canadian and Alaskan communities, where there are similar 'multi-layered sets of institutions in which decision-making power, governing functions and economic activities are dispersed among diverse entities' (Cornell et al. 2000: 6).

There are a number of factors to be considered. Importantly, culture match is not a matter of force-fitting one system or structure of governance into another. Nor is it the same as being 'culturally appropriate'. It will not be achieved by trying to resurrect a romanticised vision of past governance. There may be aspects of Indigenous culture that are not amenable to, or easily integrated into the 'culture' of western corporate governance.

Democratic principles of representation and participation, which emphasise the individual over the collective do not resonate well with Indigenous concepts of social and territorial organisation (see Martin & Finlayson 1996; Rowse 2001; Smith 1976).

In Australia, early colonial officials, researchers and commentators attempted to 'force-fit' the relatively fluid systems of Indigenous governance into formal structures based on Victorian English social-evolutionist concepts of government and law. Under that prevailing thinking, Indigenous Australian societies were characterised as being at the lowest point of civilisation, entirely lacking in law and order, leaders, systems of arbitration and dispute resolution, land ownership and so on (see Smith 1976). They were effectively consigned to the governance equivalence of *terra nullius*. Not surprisingly, Indigenous groups rarely regarded the foreign structures and concepts of governance imposed by the British colonists as being legitimate.

Today, a wealth of Australian research can be analysed to reveal several core principles of Indigenous systems of governance. These can be summarised as follows:

- inalienable traditional jurisdiction over land, resources and cultural property;
- a cultural geography of governance—evident in territorial, political and ceremonial communities;
- spiritually-based system of law and authority—no separation between religion and governance;
- a dispersed, fragmented polity—informed by a subsidiarity of power, authority, and decision-making;
- dispersed accountability—with both collective and individual dimensions;
- collective resource governance—linked to systems of law and subsidiarity;
- flexible processes of aggregation and disaggregation of scale (people and territory);
- hierarchically-based authority and knowledge systems—with controlled acquisition and dissemination of information;
- asymmetrical age- and gender-based participation and authority;
- a localised focus on extended families of polity—with overlapping networks, rights, interest and responsibilities;
- a 'relational autonomy' of governance—where demands of kin relatedness versus personal and group autonomy are in dialectic tension;
- leadership as stewardship and context specific—emphasising a processual and relational approach to politics;
- consensual decision-making—evolutionary and open-ended; and
- institutions based on the value of 'radical conservatism'—where innovation and creativity are couched in terms of continuity and religious agency.

Today, Indigenous governance in Australia is the product of attempts to mesh these culturally-based guiding principles, with the need for organisational structures that deliver services, administer programs and grants, and satisfy external demands for financial accountability. Most Indigenous organisations operate as inter-cultural brokers and look to two different authorising environments (Fig. 2).

The bottom line for Indigenous governance is the need to create both culturally-legitimate and practical arrangements. Getting to a cultural match that has both internal and external legitimacy is not easy. It will require time, hard-headed decisions, and will not come about through externally imposed solutions. Initial models will need to be monitored and refined over time.

The ICG Project's focus on detailed case study research and comparative analysis will encourage a more systematic exploration of the process and models emerging.

5.8 GOVERNANCE—AN ORGANISING PERSPECTIVE

The concept of governance pinpoints some important historical and contemporary issues facing Indigenous Australians, issues which until now have been tackled in a piecemeal manner. There has been considerable research and policy consideration of issues such as Indigenous community financial management, the role of community boards and committees, corporate practice, the role of traditional law, political representation, accountability, property rights, funding mechanisms, resource management, service delivery, enterprise development, and so on. More often than not, these have been treated as largely disconnected matters, or as location-specific conclusions, when in fact they are inter-related aspects of the much bigger governance picture.

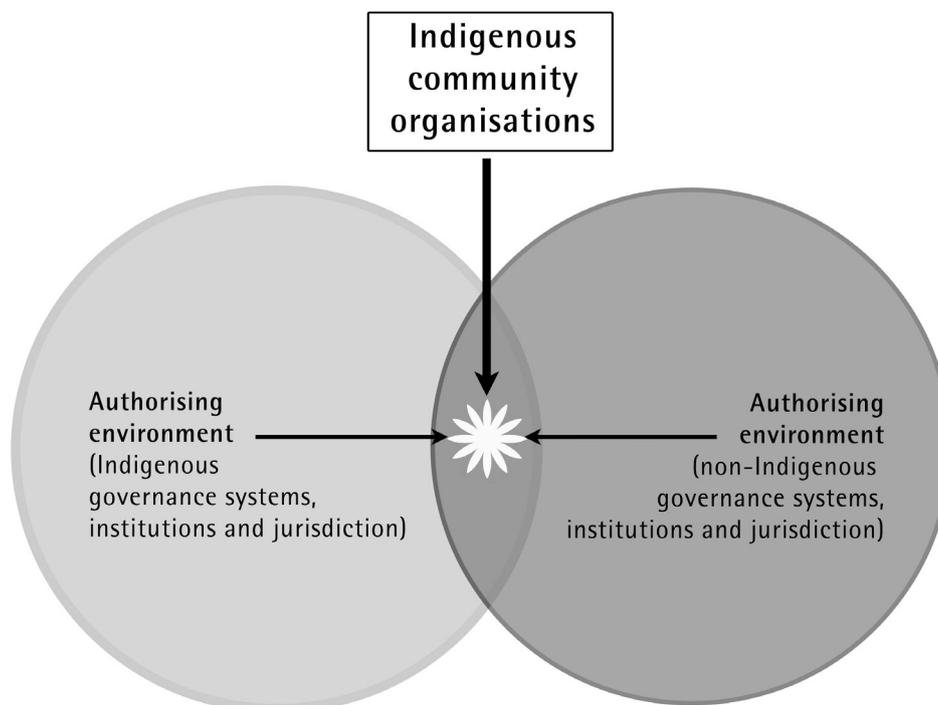
The concept of governance could provide us with a valuable organising perspective, or frame of reference for bringing together related issues into a more cohesive, insightful analysis providing it is given some research rigour (see Judge, Stoker & Wolman 1995; Stoker 1998).

The value of the concept in Australia derives from its focus on the wider field of players in the 'governance environment', not simply on 'government'. It emphasises that the main institutional spheres (e.g. state, market and community) are interconnected, not neatly separated. It enables us to think holistically about the nature and impact of the wider governance environment on the everyday operation of community governance.

Used rigorously, the concept of governance should assist practical action, precisely because it integrates within a single analytic framework what were previously compartmentalised dimensions of Indigenous political life. Its power as a concept derives from its focus on issues of power and choice, and attention to concrete actions and decision-making events. It enables us to better explore the different cultural geographies of Indigenous identity, representation and authority. It encourages us to analyse the Australian complexities underlying the question: 'Who constitutes the 'self' in Indigenous self-governance?'

Governance is useful as an organising perspective because it highlights the need for 'governments' to develop a more integrated approach to their policy making, service delivery and funding roles in this wider field of governance. The concept prompts us to develop a policy-relevant language with which to discuss community and regional governance. It also focuses on methods of evaluating the quality of governance and the need to design relevant indicators or measures of effectiveness and legitimacy. The concept of governance affords a connection between theoretical propositions about inherent rights to self-determination, and the hard practice of achieving it in workable form on the ground.

Fig. 2. Indigenous community organisations: Inter-cultural brokers with different authorising environments



6. ASSESSING GOVERNANCE

One of the aims of the ICG Project is to investigate what constitutes effective and legitimate governance. The issue is fraught with problems of interpretation and practical implementation. There are many different meanings given to the concept of governance, and different modes of discourse about it, often using incommensurable language. Alongside the policy discourse about governance, there is a statutory, corporate, management, and Indigenous discourse—each with its own logic, principles and criteria. When these discourses about governance engage, competing views and priorities quickly emerge.

Just as governance is a culturally-based concept, so too are the criteria, indicators and measures of what constitutes 'good' and 'poor' governance. However, a growing body of international research also warns that recognising cultural difference should not be reduced to a crass cultural relativism—there may be universal principles of good governance that apply across all societies; albeit with local solutions.

Many Indigenous organisations now have a sense that governance matters, and especially the significant ramifications of poor governance. Some organisations are starting to evaluate their own arrangements and performance, but have trouble improving on their existing approach, and assessing the merits of their efforts and arrangements.

6.1 PRINCIPLES AND INDICATORS

To assist these endeavours, the Project will investigate and test what might constitute meaningful and valid principles, or descriptors, of the quality of governance, in the hope that they might prove useful in governance capacity development. There is considerable international literature on methods of evaluating the quality of governance, and the validity, usefulness, and cultural relevance of indicators (Cheema 1997; Jabes 2002; Kaufmann, Recanatini & Biletsky 2002; Knack & Kugler 2002; World Bank various years).

The ICG Project has drawn on this literature, but its methodological approach for assessing governance is based on the following important parameters in developing and using principles and criteria of good governance:

- they are not a magic checklist, but an ideal that people can work towards;
- no society or government in the world has fully attained them;
- they have important cultural foundations that will determine how they play out in practice;
- they overlap and sometimes reinforce each other;
- judgement and balance need to be used in their application;
- they require both qualitative and quantitative evidence;
- Indigenous and non-Indigenous views and expectations need to be investigated; and
- practical, simple measures need to be identified that can be used by leaders, organisations and governments.

With these parameters in mind, the Project proposes to focus on eliciting possible principles and criteria which capture the following key dimensions of governance, and provide a starting point for assessing governance in practice:

- (a) Power—its scope and exercise;
- (b) Cultural geography and legitimacy—how workable cultural legitimacy is designed, refined and sustained;
- (c) Leadership—how leaders and decision-makers (male and female) are selected, monitored, held accountable and replaced;
- (d) Decision-making—processes, consensus orientation, events and outcomes;
- (e) Organisational performance—how governance structures and goals are established and reviewed, organisational capacity to formulate and deliver policies and services to meet need for transparency, and for stability, innovation and risk management;
- (f) Strategic direction—how communities and organisations develop long-term perspective of their social, economic and cultural development along with a sense of what is needed for such development;
- (g) Participation and voice—the extent of involvement in decision-making; the respect of Indigenous constituents and of the state, for Indigenous governance institutions;
- (h) Accountability—internal and external, including the control of corruption and rent-seeking behaviour;
- (i) Resource governance—the extent and management of resources and economic development;

- (j) The 'governance of government'—government's capacity to formulate and implement enabling policy and service delivery frameworks; funding mechanisms; downwards accountability;
- (k) The governance environment—the relationships with external parties, impact of wider regional, state and national environment; and
- (l) Governance capacity development—processes for, relevance and outcomes.

The diversity of Indigenous Australian culture, and the different historical, statutory and economic circumstances of communities, suggests there will not be a 'one size fits all' model of 'good Indigenous governance'. At the same time, Indigenous Australians share many cultural traits, face common structural obstacles, and experience similar high levels of disadvantage. In other words, while the local solutions will be different, there might be common underlying guiding principles of how to build effective governance. This means that the different models of governance might all be assisted by identifying common underlying principles that are relevant in Australian conditions.

7. THE ICG PROJECT'S APPROACH TO 'COMMUNITY' AND 'REGIONS'

7.1 WHY FOCUS ON COMMUNITIES?

In the absence of what Bern and Dodds (2000: 164) termed 'a compelling model of political representation' in Indigenous Australia, there continues to be heated debate amongst about who constitutes the 'self' in self-determination and governance at the local level. Suggestions range from individuals, to extended families, clans and collectivities of clans, geographically-based communities and their representative organisations, regional networks of organisations, and traditional alliances and networks. All these different units of governance have been developed and funded in Australia, but in a haphazard and poorly coordinated manner. As a consequence, competing representative voices have been created on the ground.

For many reasons, Indigenous 'communities' are a logical starting point for thinking about the local practices and outcomes of Indigenous governance in Australia. There are, however, conceptual and analytic problems with term 'community'. Many geographically-based communities are artificial constructions of colonisation to which different Indigenous groups were sometimes forcibly relocated. Most are not culturally homogeneous or politically cohesive. Many communities are a complex mix of residents with different cultural and historical ties, and include traditional owners and claimants of the land on which the community has been physically built, people married to traditional owners, other Indigenous groups who have no land ownership ties but strong residential attachment to the place, and non-Indigenous residents. These groups have different, often overlapping rights and interests. High rates of mobility amongst some also make for a changing balance in the composition of communities.

Indigenous issues of legitimacy and constituency can be highly fraught in such circumstances. The people identified as having the traditional 'right' to exercise authority (e.g. to 'talk for' land, to 'speak for' different family groups) may not be the same people who are the elected authorities representing a whole community. How leaders and organisations are to be held accountable by a mixed constituency poses considerable difficulties (see Ross 2003). Nevertheless, communities have also become, as Peters-Little (2000) writes, 'an integral part of ... people's heritage and are fundamental to Aboriginality'. Many Indigenous Australians now identify their family ties, personal histories and political affiliations with individual communities, or regionally-linked communities. Certain families are now attached to particular community organisations. By these means, family and kinship institutions become entangled in community governance structures.

Importantly, community populations (and therefore communities themselves) do not operate in isolation; they are enmeshed in wider regional networks and alliances. Regional representative organisations have been established on the bases of links between such connected communities. And major 'hub' communities have developed to deliver services to outlying smaller 'satellite' communities. Increasingly, smaller communities are facing funding and resource difficulties in sustaining separate systems of governance at a small scale.

Indigenous leaders are increasingly questioning the scale at which governance can be effectively and legitimately developed. The ICG Project has decided to focus on systems of governance (both informal and formal) operating within 'communities', and on the wider governance environment (local, regional state and national) within which community governance operates.

A fundamental question for the Project has been how to approach the concept of 'community' itself, given these historical and cultural complexities. A related issue has been how to establish a valid sample of 'communities' for the purposes of the research project.

7.2 WHAT IS A COMMUNITY?

The ICG Project defines a 'community' as a network of people and organisations linked together by a web of personal relationships, cultural and political connections and identities, networks of support, traditions and institutions, shared socioeconomic conditions or common understandings and interests.

The term 'community' can therefore refer to:

- (a) A discrete geographic location—comprising, for example, a spatial territory or residential location such as a neighbourhood, city, rural town or district, an outstation, or discrete remote settlement.
- (b) A 'community of interest' or 'community of identity'—comprising a network of people or organisations whose membership might be cultural or historical rather than geographic. For example, a clan, language group or urban group might be residentially dispersed but nevertheless share a strong collective identity and form a 'community of identity', as will a set of genealogically or ceremonially linked outstations which are spread out across a region. A voluntary collaboration or union, or a set of organisations which together represent the interests of a broad set of people, form what might be called a 'community of interest'.
- (c) A political, policy or administrative community—comprising, for example, a state authority or a federation; a service population or electoral ward, or a policy network of individuals.

Communities are more than just residential locations, interpersonal networks, or collective identities. They take on social patterns, roles, functions and organisational structure (Loomis 2002; Sutton 1998), and assume particular forms through interaction with their constituent populations, other communities and the surrounding environment. Communities can be composed of diverse groups, competing interests and rights; but they can also be reasonably homogeneous.

The 'cultural geography of governance' refers to these wider sociological aspects of 'community'. This term has been developed by the Project in order to widen our research focus beyond the obvious geographic boundaries of discrete communities, to include the cultural units and more permeable social collectivities which are often viewed by Indigenous people as being the more legitimate bases for the 'self' in 'self-governance'. These cultural and social forms of Indigenous community are evident across remote, rural and urban locations.

According to Community Housing and Infrastructure Needs Survey (CHINS) data, there are approximately 1,300 discrete Indigenous communities in Australia. Of these, 80 are located within larger non-Indigenous population centres and the remainder are geographically separate from other population centres. Only 149 have a population of 200 people or more (there are only 30 discrete Indigenous communities in Australia with populations over 500 people). The majority—close to 80 per cent—have populations of less than 50 people. Approximately one-third of Indigenous Australians live in remote or very remote locations in these discrete communities. The remainder are scattered across urban and metropolitan locations forming Indigenous 'communities of identity' (see Peters-Little 2000: 412; Sutton 1998). These urbanised and regionalised 'communities of identity' retain strong cultural and historical identities.

Arguments for collective self-governance are often felt to be most persuasive where Indigenous people are concentrated geographically (Hawkes 2001: 156). But these situations do not exhaust the realities and possibilities of governance in Australia. Other types of Indigenous 'communities of identity' have demonstrated the desire for devolved jurisdictions and greater self-rule for a membership which is not defined by residence in one location.

The ICG Project aims to carry out research in a range of 'community' types in order to identify the diversity of governance arrangements which Indigenous people are designing and have established. This sampling of community types will also facilitate investigating what constitutes meaningful units, boundaries and assessments of governance under different conditions.

8. THE COMMUNITY CASE-STUDY APPROACH

To obtain culturally-informed and accurate empirical data on these diverse aspects of Indigenous governance, the Project has adopted a case-study method, using a sample of community types.

Case studies consist of field-based research in different types of communities, with a focus on key governing organisations and their cultural contexts. But certain case studies will also focus in more detail on the relationships between community organisations in a regional context, and on case studies of government policy and service delivery frameworks.

In-depth field research in several communities will enable Project researchers to:

- (a) drill down and unpack specific governance histories and arrangements;
- (b) investigate the commonalities and differences in governance on the ground;
- (c) focus on a particular aspect of governance that appears especially significant in one community (e.g. resource governance, leadership, law and order, regionalised governance, urban governance); and
- (d) identify underlying attributes and influential causal factors.

For that purpose, Project researchers will each carry out periods of fieldwork with the same community, over a two or three year period. Using an ethnographic case-study approach and a range of research techniques outlined earlier, a research baseline will be established in the first year which is 'thick' in description and understanding. This baseline will then be built on over subsequent years.

There are a number of advantages in the case study approach. It enables researchers to focus on the micro-dimensions of governance, on its social and cultural processes, and on its actual practice, and thereby build a deeper understanding of a particular instance of governance (General Accounting Office 1990: 79). A case study

conducted over the longer-term will provide greater assurance as to which factors have more traction in building effective governance. Important conditions, consequences and causal relationships are less likely to be overlooked when they have been widely canvassed with different groups and interests.

Selection of community case studies for the Project has been determined by a combination of variables:

- (a) Community self-selection. Firstly, case-study research is time consuming and resource intensive. It needs significant engagement and support from community leaders and governing organisations, as well as from the researchers. Communities have to see, and receive, value from participating in the research. The success of the applied research rests on the active engagement and collaboration of communities and their leaders. The Project has therefore been responsive to community organisations and leaders who have expressed an interest in participating in the Project over a period of time. To that extent, there is a degree of self-selection from communities themselves.

Researchers have also had ongoing discussions about the research with community organisations and leaders, and have been negotiating permission, clearances, roles and responsibilities, and issues of confidentiality with them. This preliminary negotiation phase has been fundamental to the rest of the Project and could not be rushed. All Project researchers must have ethical clearance from their respective university research ethics committees, and the informed consent of participating community governing bodies before proceeding.

- (b) Existing relationships with communities. Some Project researchers have long-standing relationships with specific communities, organisations and leaders. Given that the research focuses on sensitive issues, the Project requires a high level of trust between researchers and community governing bodies. There are clear benefits in working with communities where researchers have already built up relationships of trust and culturally-informed communication.

There may be a 'familiarity effect' at work in such established relationships. This could promote a sampling bias, or a certain 'protectiveness' or blinkered view on the part of the researcher in their analysis. Overall, however, the potential methodological difficulties of 'long familiarity' are outweighed by the depth of knowledge, relationships and understanding which some Project researchers have with particular communities.

- (c) Representative 'types' of communities. In order to fully explore the diversity of conditions of Indigenous governances, and generate broadly relevant research conclusions, the Project has sought to include a sample of community types. The communities included are 'representative' of particular political, economic, statutory and cultural conditions, and display important governance variations. Another variable considered in this sampling has been the need to include communities from remote, rural and urban locations in the sample.

Communities participating in the research are representative of an important set of these variables. For example, case studies include communities:

- that are urban 'communities of identity' (see above);
- of different population size;
- operating in a 'hub and spokes' or regionally-linked relationship;
- which are more and less culturally homogeneous;

- with different land-tenures, and resource rights and interests;
- which are representative of a 'special governance interest'; such as local government or dispersed regionalism;
- where organisations are long-established, or an emerging governance model;
- where 'extreme' outcomes are evident; for example of both best- and worse-case practices; and
- where the impact of the wider governance environment, and government policy and service delivery, are particularly evident.

(d) Advice and recommendation. Suggestions about potential community case studies were also provided by the Project's research partners, by Indigenous leaders and organisations, and government officers.

As a consequence of the considerations above, the Project currently anticipates working with several communities and organisations which have a range of characteristics, as indicated below:

- Wadeye (Northern Territory)—large remote community and outstations; Aboriginal Northern Territory Land Trust; a new regional governance structure with jurisdiction as a local government;
- Anmatjerre (Northern Territory)—small remote community and outlying camps; some Northern Territory Land Trust; Indigenous and non-Indigenous governance issues;
- Yirrkala (Northern Territory)—well-established homelands and representative associations, large hub community and nearby mining town of Nhulunbuy; Aboriginal Northern Territory Land Trust; history of major political and governance initiatives;
- Maningrida (Northern Territory)—large remote community; multiple influential representative organisations; large network of outstations; Aboriginal Northern Territory Land Trust; governance training established;
- Fitzroy Crossing (Western Australia)—remote town; influential economic development organisations; culturally heterogeneous; native title issues;
- Noongar (Western Australia)—metropolitan and rural town-based population; regionally dispersed community of identity; emerging regionalised governance arrangements; native title claim negotiations;
- Wiluna—remote community; shire-based governance; major mining developments, major service delivery and community development issues;
- Coen (Queensland)—rural town; shire council arrangements; developing Indigenous organisational bases for governance; native title and park management issues;
- Newcastle (New South Wales)—metropolitan and regionally networked Indigenous population; major economic development initiatives; established organisations with stable governance arrangements;
- Torres Strait Islands—regional authority governance; culturally-based island organisations; major cultural groupings; and
- 'Policy and administrative communities'—within the Western Australia, Northern Territory and Federal governments.

9. THE COMPARATIVE FRAMEWORK FOR ANALYSIS

The main approach to researching Indigenous issues in Australia to date has been through case studies—usually as one-off exercises and from a single disciplinary perspective. Case-studies have tended to consist of in-depth fieldwork with a single community, a residential outlier or, more often, a sub-group within a community. There have been a few exceptions, where larger numbers of case studies have been undertaken under the umbrella of a single research project.

However, while past research findings from detailed ethnographic case studies have often been insightful in regard to local issues, they have lacked comparative validity and broader application for policy purposes. The conclusions of research in one community or with one group are rarely seen to be relevant or valid for other types of communities and groups.

The Project has therefore adopted a comparative methodological approach, in tandem with its case studies, in order to overcome the perceived limitations of the case-study approach for policy application. The conduct of multiple case studies will provide in-depth description and analyses of important differences between Indigenous cultures across the country. However, a key hypothesis of the Project is that there are also important common structural, political, cultural and economic conditions experienced by all Indigenous groups. A related hypothesis is that there might also be common underlying principles and criteria for building and assessing effective governance, and that these could be broadly relevant to all Indigenous governing bodies—no matter where they are located. Through a comparative approach, the Project aims to identify these underlying principles and extrapolate transferable lessons.

The development of a comparative approach to analysis is particularly challenging in a governance environment that is as complex and diverse as that of Indigenous Australia. In order to promote a valid basis for comparison across communities, a field manual of core 'headline' dimensions and attributes of governance has been developed by the Project team. This field manual builds on Project researchers' previous experience, and draws on the national and international literature. Each researcher will report annually on their findings. The field manual will probably be refined as the Project progresses.

Each Project researcher will investigate the issues listed in the field manual, along with their own community-specific lines of inquiry. The purpose of the manual is to:

- (a) facilitate the collection of information on a standard set of governance issues across different communities;
- (b) promote a reasonably consistent approach by researchers to identifying influential 'differences' and commonalities' in factors and conditions across those communities;
- (c) enable analysis of the extent to which there are shared causal relationships between different governance arrangements and development outcomes; and
- (d) test possible valid benchmarks and principles of governance effectiveness.

The field manual directs the collection of research data under the following headings_(under each there are a subset of questions and issues):

- the research process;
- the conditions of community governance;
- dimensions and impacts of the governance environment;
- the dimensions of organisational governance;
- governance concepts and perspectives in the community;
- scope of the organisations control and power;
- leadership and succession;
- who is the 'self' in community self-governance;
- governance legitimacy;
- relations with, and participation of members;
- Institutional modes of governance;
- corporate governance and decision making processes;
- sources of conflict and dispute resolution;
- organisational resources and socioeconomic development;
- overall effectiveness and evaluation of governance;
- governance capacity and development;
- transferable lessons, principles and better-practice; and
- implications for government policy, funding and service delivery.

10. RESEARCH DISSEMINATION

Governance building is a formidable challenge. Comparative case study research offers a link between rigorous research analysis on the one hand, and the formulation of recommendations and options for practical follow up on the other. The ICG Project not only aims to undertake high-quality research—it aims to make the research 'count' by informing the work of Indigenous organisations, leaders and government agencies in their practical efforts to build more effective governance.

To ensure the Project serves the needs of Indigenous communities on the ground, ICG Project researchers will undertake regular meetings and consultation with Indigenous leaders and organisations, other researchers, and senior government representatives. The guidance of the Project's Advisory Committee is critical to these efforts.

The Project intends to progressively disseminate its research findings in a range of accessible formats—to the participating Indigenous organisations, leaders, governments, research partners and other parties. Strategies for dissemination include not only written reports, but also face-to-face community meetings, briefings, workshops, and discussions. To facilitate this strategy:

- (a) the Project has produced an information flier which provides an overview of the research process and contact details for researchers;
- (b) CAEPR has devoted a section of its web page to the Project. This will enable people to access all Project publications and current news in one location;
- (c) a *Community Governance Newsletter* has been initiated to provide regular updates and ideas to participating communities and more widely. The Newsletter includes reports from community research collaborators and organisations;
- (d) the Project publishes a series of *ICG Project Papers* which can be accessed on the CAEPR website. Published papers, reports and seminars prepared by the Project team will be made available in this manner;
- (e) the Project team presents public seminars and papers, and conducts specialist workshops in communities and with other stakeholders; and
- (f) the Project regularly reports to its collaborating Indigenous organisations, to its international Advisory Committee and to its funding sponsors.

Building 'governance' is essentially a developmental issue—it is not just about getting the structure right. The best research in the world will have little value on the ground unless there is a preparedness to commit to follow-up action by organisations, leaders and government agencies.

A significant barrier in Australia is the lack of meaningful governance training and experienced trainers, and the lack of a developmental approach to 'governance building'. Apart from the Australian Indigenous Leadership Centre, there is no national Indigenous organisation which delivers governance training and capacity building to communities and their organisations on the ground. There is no coordinated government approach to Indigenous governance training at either the national or state and territory levels. These are major gaps which will significantly hinder progress.

Just as Indigenous capacity for governance is a critical issue, so too is the capacity of Australian governments to deliver coordinated policy, funding and program support that will support community efforts to build stronger governance. New approaches to Indigenous governance will require governments to re-think the way they carry out community development and capacity building for governance.

NOTES

1. While there are several excellent ethnographic accounts of Indigenous traditional governance systems operating in particular communities and regions, there are very few comparative studies (see, for example, Nettheim, Meyers & Craig 2002; Sullivan 1995; Wolfe 1989).
2. See also papers from the 'Building Effective Indigenous Governance' conference held in November 2003 available from <http://www.governanceconference.nt.gov.au> .
3. For Australia, see Berndt 1965; Hiatt 1986; Meggitt 1964; Myers 1986; Sharp 1958; Stanner 1965; Sutton & Rigsby 1982; Williams 1987; and the review by Keen 1989.

REFERENCES

- Ah Kit J. (The Hon) 2003. *Building Stronger Regions—Stronger Futures Strategy*, Minister for Community Development, Sports, Culture and Arts, Northern Territory Government, Darwin.
- Arbon, V. 1992. 'Collaborative research', in C. White (ed.), *National Aboriginal and Torres Strait Islander Higher Education Conference Proceedings*, University of Southern Queensland, Toowoomba.
- Australia Institute 2000. *Resourcing Indigenous Development and Self-Determination*, Unpublished report to the ATSI National Policy Office, Strategic Development Team, Aboriginal and Torres Strait Islander Commission, Canberra.
- Begay, M., Cornell, S. and Kalt, J. 1998. *Making Research Count in Indian Country: The Harvard Project on American Indian Economic Development*, Malcolm Wiener Centre for Social Policy and Harvard Project, J.F. Kennedy School of Government, Harvard University, Cambridge, MA.
- Bern, J. and Dodds, S. 2000. 'On the plurality of interests: Aboriginal self-government and land rights', in D. Ivison, P. Patton and W. Sanders (eds), *Political Theory and the Rights of Indigenous Peoples*, Cambridge University Press, Cambridge.
- Berndt, R.M. 1965. 'Law and order in Aboriginal Australia', in R.M. Berndt and C.H. Berndt (eds), *Aboriginal Man in Australia*, Angus and Robertson, Sydney.
- Bin-Sallik, M. 1990. *Aboriginal Tertiary Education in Australia: How Well is it Serving the Needs of Aborigines?*, South Australian College of English, Adelaide.
- Caulfield, R. 2003. *Resource Governance, Arctic Human Development Report*, University of Alaska Fairbanks, USA, available at <<http://www.svs.is/AHDR>>.
- Cheema, G.S. 1997. *Reconceptualising Governance*, Management Development and Governance Division, United Nations Development Program, Discussion Paper 2, New York.
- Coles, D. 1999. 'The marriage of traditional Aboriginal and Western structures in local government', Research paper prepared for the Department of Community Development, Sports, Culture and Arts, Northern Territory Government, Darwin.
- 2004. 'Representative authorities: towards representative structures and service delivery to meet the Northern Territory's needs', Paper presented to the *Sustainable Economic Growth for Regional Australia* conference, 6–8 September, Alice Springs.
- Cornell, S. 1993. *Accountability, Legitimacy and the Foundations of Native Self-Governance*, Malcolm Wiener Centre for Social Policy and Harvard Project, J.F. Kennedy School of Government, Harvard University, Cambridge, MA.
- 2002. 'What is institutional capacity and how can it help American Indian Nations meet the welfare challenge?' Paper prepared for the symposium on *Capacity Building and Sustainability of Tribal Governments*, Washington University, St Louis.
- and Begay, M. 2003. 'What is culture match and why is it so important? Lessons from 14 years of the Harvard Project', Paper presented to the *Building Effective Governance* conference, 4–7 November, Jabiru, Northern Territory.
- , Fischer, V., Grant, K., Morehouse, T. and Taylor, J. 2000. 'Native self-governance, political institutions, and economic development in Alaska', Paper presented to the *Western Regional Science Association Annual Meetings*, 28 February, Kauai Hawaii.

- and Kalt, J. 1995. *Successful Economic Development and Heterogeneity of Government Form on American Indian Reservations*, Malcolm Weiner Centre for Social Policy, Harvard project on American Indian Economic development, J.F. Kennedy School of Government, Harvard University, Cambridge, MA.
- de Alcantara, C.H. 1998. 'Uses and abuses of the concept of governance', *International Social Science Journal*, 155: 105–13.
- Dodson, M. and Smith, D.E. 2003. 'Good governance for sustainable development: Strategic issues and principles for Indigenous Australian communities', *CAEPR Discussion Paper No. 250*, CAEPR, ANU, Canberra.
- General Accounting Office 1990. 'Case study evaluations', Program Evaluation and Method Division, US General Accounting Office, Washington.
- Hawkes, D.C. 2001. 'Indigenous peoples: Self-government and intergovernmental relations', *International Social Science Journal*, 167: 153–61.
- Hiatt, L. 1986. *Aboriginal Political Life*, The Wentworth Lecture 1984, Australian Institute of Aboriginal Studies, Canberra.
- Hylton, J.H. (ed.) 1999. *Aboriginal Self-Government in Canada: Current Trends and Issues*, Purich Publishing, Saskatchewan.
- Indigenous Community Governance (ICG) Project 2004. *Annual Report*, CAEPR, ANU, and Reconciliation Australia, Canberra, available at <<http://www.anu.edu.au/caepr/governance.php>>.
- Institute of Governance (IOG) n.d. <<http://www.iog.ca/boardgovernance/>>.
- Jabes, J. 2002. 'On the futility of governance indicators: Lessons from countries in transition', Unpublished paper presented to the 'Assessing good governance' panel at the International Institute of Administrative Sciences second international conference, November, New Delhi.
- Jones, P. 2002. *Maori Governance: Foundations for Indigenous Social Capability*, Report of the Social Policy Branch, New Zealand Treasury, available at <<http://www.treasury.govt.nz>>.
- Joint Committee of Public Accounts (JCPA) 1997. *Review of Financial Reporting Requirements for Aboriginal and Island Local Government Councils*, Canberra.
- Judge, D., Stoker, G. and Wolman, H. 1995. 'Urban politics and theory: An introduction', in D. Judge, G. Stoker and H. Wolman (eds), *Theories of Urban Politics*, Sage, London.
- Kalt, J.P. 1996. 'Statement on the Harvard Project on American Indian Economic Development', before the United States Senate Committee on Indian Affairs, J.F. Kennedy School of Government, Harvard University.
- Kaufmann, D., Recanatini, F., and Biletsky, S. 2002. *Assessing Governance: Diagnostic Tools and Applied Methods for Capacity Building and Action Learning*, Discussion Paper, World Bank, New York.
- Keen, I. 1989. 'Aboriginal governance', Review paper in J.C. Altman (ed.) *Emergent Inequalities in Aboriginal Australia, Oceania Monograph No. 38*, University of Sydney, Sydney.
- Knack, S. and Kugler, M. 2002. 'Constructing an index of objective indicators of good governance', Unpublished paper PREM Public Sector Group, World Bank, October, New York.
- Knight et al. 2002, cited in Local Government Association of the Northern Territory 2003. 'Submission', to the Standing Committee on Legal and Constitutional Affairs into An Examination of Structural Relationships in Indigenous Affairs and Indigenous Governance within the Northern Territory, Darwin.
- Kooiman, J. 2003. *Governing as Governance*, Sage Publications, Erasmus University, Rotterdam.

- Langton, M. 2002. 'Ancient jurisdictions, Aboriginal polities and sovereignty', Paper presented to *Indigenous Governance: Understanding and Implementing Good Governance for Indigenous Communities and Regions* conference, 3–5 April, Reconciliation Australia, Canberra.
- Loomis, T. 2002. 'A framework for developing sustainable communities', Discussion Paper, Department of International Affairs, Ministry of Social Development, New Zealand.
- Martin, D. 2004. 'Governance, cultural appropriateness, and accountability within the context of indigenous self-determination', Paper presented to the Academy of Social Sciences workshop *Aborigines, Culture and Economy*, 3–4 December, Department of Anthropology, University of Sydney, Sydney.
- Martin, D. and Finlayson, J. 1996. 'Linking accountability and self-determination in Aboriginal organisations', *CAEPR Discussion Paper No. 116*, CAEPR, ANU, Canberra.
- Meggitt, M. 1964. 'Indigenous forms of government amongst the Australian Aborigines', *Bijdragen tot de Taal, Land, en Volkenkunde*, Vol. 120: 163–78.
- Morphy, H. 1999. 'The Reeves Report and the idea of region', in J.C. Altman, F. Morphy and T. Rowse (eds), *Land Rights at Risk? Evaluations of the Reeves Report*, CAEPR Research Monograph No. 14, CAEPR, ANU, Canberra.
- Myers, F. 1986. *Pintupi Country, Pintupi Self: Sentiment, Place and Politics among Western Desert Aborigines*, Smithsonian Institution Press and Australian Institute of Aboriginal Studies, Washington and Canberra.
- Nettheim, G., Meyers, G. and Craig, D. (eds) 2002. *Indigenous Peoples and Governance Structures: A Comparative Analysis of Land and Resource Management Rights*, AIATSIS, Canberra.
- Pearson, N. 1997. 'The concept of native title at common law', in G. Yunupingu (ed.), *Our Land is Our Life: Land Rights—Past, Present, Future*, University of Queensland Press, Brisbane.
- Peters-Little, F. 2000. 'The community game: Aboriginal self-definition at the local level', *AIATSIS Research Discussion Paper No. 10*, AIATSIS, Canberra.
- Plumptre, T. and Graham, J. 1999. *Governance and Good Governance: International and Aboriginal Perspectives*, Unpublished report, IOG, Ottawa.
- Rahnema, M. 1999. 'Participation', in W. Sachs (ed.), *The Development Dictionary: A Guide to Knowledge as Power*, Witwatersrand University Press, Johannesburg.
- Reynolds, H. 1998. 'Sovereignty', in N. Peterson and W. Sanders (eds), *Citizenship and Indigenous Australians: Changing Conceptions and Possibilities*, Cambridge University Press, Cambridge.
- Rifkin, S. 1986. 'Lessons from community participation in health programmes', *Health Policy and Planning*, 1 (3): 240–9.
- Rigney, L.I. 199. 'Internationalisation of an Indigenous anti-colonial cultural critique of research methodologies: A guide to Indigenous research methodology and its principles', *Journal for Native American Studies*, WICAZO Review, Fall edition 14 (2): 109–21.
- Ross, D. 2003. 'Aboriginal customary authority and decision making: The key roles of traditional owners in creating legitimate and capable governance', Paper presented to the *Building Effective Indigenous Governance* conference, 5–7 November, Jabiru, Northern Territory, available at <<http://www.indigenousgovernance.nt.gov.au>>.
- Rowse, T. 2001. 'Democratic systems are an alien thing to Aboriginal culture...!', in M. Sawer and G. Zappala (eds) *Speaking for the People: Representation in Australian Politics*, Melbourne University Press, South Carlton, Victoria.

- Royal Commission on Aboriginal People (RCAP) 1996. *Report: Restructuring the Relationship*, Vol. 2, Pt. 2, Canada Communication Group Publishing, Ottawa.
- Sanders, W. 2002. 'Towards an Indigenous order of Australian government: Rethinking self-determination as Indigenous affairs policy', *CAEPR Discussion Paper No. 230*, CAEPR, ANU, Canberra.
- Sharp, L. 1958. 'People without politics', in V. Ray (ed.), *Systems of Political Control and Bureaucracy in Human Societies*, Proceedings of the 1958 Annual Spring Meeting of the American Ethnological Society, University of Washington Press, Seattle.
- Smith (von Sturmer), D.E. 1976. *Past Masters Now: A Study of the Relationship Between Anthropology and Australian Aboriginal Societies*, Unpublished Honours Thesis, University of Queensland, Brisbane.
- Smith, D.E. 2002. 'Jurisdictional devolution: Towards an effective model for Indigenous community self-determination', *CAEPR Discussion Paper No. 233*, CAEPR, ANU, Canberra.
- 2004. 'From Gove to governance: Reshaping Indigenous governance in the Northern Territory', *CAEPR Discussion Paper No. 265*, CAEPR, ANU, Canberra.
- Stanner, W. 1965. 'Aboriginal territorial organisation: Estate, range, domain and regime', *Oceania*, 36 (1): 1–26.
- Sterritt, N. 2001. *First Nations Governance Handbook: A Resource Guide for Effective Councils*, Prepared for the Minister of Indian and Northern Affairs, Canada.
- Sterritt, N. 2002. 'Defining Indigenous governance', Paper presented to the *Building Effective Indigenous Governance* conference, 4–7 November, Jabiru, Northern Territory.
- Stoker, G. 1998. 'Governance as theory: Five propositions', *International Social Science Journal*, 155: 17–28.
- Sullivan, P. 1995. Beyond native title: multiple land use agreements and Aboriginal governance in the Kimberley', *CAEPR Discussion Paper No. 89*, CAEPR, ANU, Canberra.
- Sutton, P. 1998. 'Families of polity: Post-classical Aboriginal society and native title', in *Native Title and the Descent of Rights*, National Native Title Tribunal, Perth.
- and Rigsby, B. 1982. 'A people with 'politicks': management of land and personnel on Australia's Cape York Peninsula', in N.M. Williams and E.S. Hunn (eds), *Resource Managers: North American and Australian Hunter-Gatherers*, Westview Press, Bolder, Colorado.
- Taylor J. 2005. 'When systems collide: On the enumeration of Indigenous Australian populations', Plenary paper presented to the International Association of Official Statistics' Satellite Meeting on *Measuring Small and Indigenous Populations*, Te Papa Tongarewa/Museum of New Zealand, 14–15 April, Wellington.
- Tuhiwai-Smith, L. 2001. *Decolonising Methodologies: Research and Indigenous Peoples*, Zed Books, London.
- United Nations Development Program (UNDP) n.d. <<http://www.undp.org>>.
- Westbury, N. and Sanders, W. 2000. 'Governance and service delivery for remote Aboriginal communities in the Northern Territory: Challenges and opportunities', *CAEPR Working Paper No. 6*, CAEPR, ANU, Canberra, available at <<http://www.anu.edu.au/caepr>>.
- Williams, N. 1987. *Two Laws: Managing Disputes in a Contemporary Aboriginal Community*, Australian Institute of Aboriginal Studies, Canberra.
- Wolfe, J. 1989. *That Community Government Mob': Local Government in Small Northern Territory Communities*, NARU, ANU, Darwin.
- World Bank 1994. *Governance: The World Bank's Experience*, The World Bank, Washington, DC.

World Bank (various years). Governance and Anti-corruption Country Diagnostic Reports (various countries), <http://www.worldbank.org/wbi/governance/diag_surveys.htm>

Yu, P. 2002. 'Aboriginal rights and governance: A Kimberly perspective', Paper presented to the *Indigenous Governance: Understanding and Implementing Good Governance for Indigenous Communities and Regions* conference, Reconciliation Australia, 3–5 April, Canberra.