Yakarra-pardija-pina:

Insights from a Developmental Approach to Rebuilding

Governance in Aboriginal Communities.

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for

The Lajamanu Community

and

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[1] Yakarra-pardija-pina is a phrase elicited while talking about the concept of resilience. Specifically as applied to Kurdiji and people's desires for their own governance, it means to "bounce back" or to "wake up" after being knocked down.

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Introduction

Over the last several decades, there has been mounting evidence for a strong causal link between governance and positive development outcomes. Research from the United Nations Development Program, the World Bank, the Harvard Project on American Indian Economic Development and the Australian Indigenous Community Governance (ICG) Project all concludes that having effective governance pays a 'development dividend'; that is, it is a powerful predictor of success in economic and community development (Cornell & Kalt, 1995); (see for example Dodson & Smith, 2003; Jones, 2002; D.E Smith, 2005; United Nations Development Program (UNDP), n.d.; World Bank, 1994).

Recent research suggests that the cumulative impacts of government policies over the last decade in the Northern Territory (NT)[2] and Australia more broadly have resulted in a significant 'governance vacuum' in Aboriginal communities and decreased capacity for local Aboriginal decision-making and control (Central Land Council, 2008, 2010; Dillon &

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2. Most notably evident in the Northern Territory Emergency Response (NTER), the abolition of government policy frameworks for self-determination, and the dismantling of the Aboriginal and Torres Strait Islander Commission (ATSIC) and its regional councils by the Australian Government have had major impacts, as has the constant restructuring and recent replacement by the NT Government of community councils by amalgamated regionalised Local Government shires, the uncertainty of funding for local Aboriginal initiatives such as outstations, bi-lingual education, night patrol and women's refuges; all being carried out alongside the erosion of rights gained under the *Aboriginal Land Rights (NT) Act, 1976* (ALRA).

Westbury, 2005; Hunt & Smith, 2008; Northern Territory Emergency Response Review

Board, 2008). This outcome has been exacerbated by the poor internal governance capacity

of governments at all levels (Altman & Hinkson, 2007; Walker, Porter, & Marsh, 2012), who

are struggling to find an effective means to engage with remote communities in the NT in

order to 'close the gap'[3] on entrenched Aboriginal socioeconomic disadvantage.

These external conditions place heavy demands on Aboriginal communities where

there are limited human resource capacities, a multitude of advisory structures, but few

active and resourced community governance mechanisms. One of the local consequences is

that the workload of decision-making and accountability falls onto the shoulders of a few

people who often become disillusioned, while the capacity for collective action is

undermined by failures of government departmental coordination and communication.

Even so, disenfranchised Aboriginal community members in the NT and elsewhere

across Australia continue to look for new ways to be directly engaged in shaping the futures

of their communities — whether those be discrete settlements, outstations, pastoral

stations or fringe camps and neighbourhoods in towns. At the heart of this Aboriginal

persistence is the desire for greater local control and recognition of their own self-

determined ways of governing the things that matter most to them.

The need to identify the 'success conditions' that are critical for effective governance

at the local level has become paramount for governments and Aboriginal people alike.

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3. The phrase 'closing the gap' has become colloquial terminology for the Council of

Australian Government's *Closing the Gap in Indigenous Disadvantage* policy.

https://www.coag.gov.au/closing_the_gap_in_indigenous_disadvantage

Whilst the Indigenous Community Governance (ICG) Project research identified a range of common conditions necessary for exercising effective, legitimate Indigenous governance in Australia, the project also noted that the extent of cultural diversity would lead to diverse governance solutions on the ground; and suggested that was a strength, not a disadvantage (Indigenous Community Governance (ICG) Project, 2006, 2007).

So challenging questions remain: What specific kinds of governing arrangements will work in small remote Aboriginal communities? What areas of their lives do Aboriginal residents want to exercise governance over? And how might governance solutions be nurtured and strengthened in ways that promote resilience and ongoing effectiveness? Furthermore, while there is a mounting body of research evidence about Aboriginal and intercultural modes of governance (see reviews in Cornell & Begay, 2003; D. Smith, 2011) the practice of *how* to go about the initial work and then build governance in a developmental way is in its infancy in Australia, and requires more targeted research, planning, testing and implementation.

To address the question about what kind of practical approaches might work on the ground, in April 2011 the Central Land Council (CLC) embarked on an innovative three-year community governance project. The project was undertaken in partnership with residents of Lajamanu, an Aboriginal community in the Northern Territory of Australia (Map 1) and with the initial support of the Australian Government's Coordinator-General of Remote Service

Delivery[4] (CGRIS), and subsequent departmental backing of the Australian and Northern Territory Governments.

This paper reports on the implementation and insights emerging out of what came to be known as the Lajamanu Community Governance Project (hereafter 'the project') and is an exercise in 'reflection reporting', both for the project's own continuing analytical purposes and as a contribution to wider discussions about what works by way of developmental processes for governance-building in Aboriginal Australia. Given the situation in Lajamanu, this is a paper about "getting started" in building governance from a grass roots cross-cultural perspective rather than about reviewing existing governance arrangements or strengthening a well-established organisational structure. It does,

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4. The Coordinator-General for Remote Indigenous Services was a statutory officer, established under the *Coordinator-General for Remote Indigenous Services Act 2009* with a mandate to monitor, assess, report and advise on implementation of the National Partnership Agreement on Remote Service Delivery, and to drive necessary reforms to close the gap on health, education and employment outcomes for Indigenous Australians in the Remote Service Delivery priority communities. Lajamanu is one of those priority communities. Following a change of government funding for the Coordinator General for Remote Indigenous Services ceased in January 2014. The Department of the Prime Minister and Cabinet has instead taken over responsibility for oversighting the requirements of the National Partnership Agreement on Remote Service Delivery until it expires on 30 June 2014.

however, demonstrate many methodological and practice insights that hopefully can be applied to developmental work in the Indigenous governance arena more generally.

In the first section, the paper sets the political context and gives some background about the Lajamanu community. The following sections describe first the project and its internal structure and then the innovative developmental practices and tools that have been designed and explored by the project are discussed. The fourth section examines the concept of governance generally and as it currently operates in Lajamanu. It then analyses the governance priorities and challenges in Lajamanu and outlines some preliminary solutions being generated by Warlpiri people, The fifth section describes the outcomes of the project and draws out the emerging lessons for developmental practice more broadly . The paper concludes by setting out some early insights that are arising for governance-building more generally.

Policy and Community Background

Project genesis and aims

The CLC project was initiated in 2010 at a time when issues of entrenched Aboriginal socioeconomic disadvantage and perceived community dysfunction were prominent in Australian public and political debate. Significant government policy responses were being rapidly rolled out. The Australian Government announced a 'national emergency' in Aboriginal communities in the Northern Territory in 2007 and implemented a package of measures including the compulsory acquisition of five-year leases over remote communities, the quarantining of half of the payments received by Aboriginal welfare recipients for essential items, and initiatives aimed at restricting access to alcohol and pornography (Altman & Hinkson, 2007).

At the same time, the NT Government proposed the abolition of Aboriginal local government community councils in favour of Regional Authorities and then regionalised Shires (Sanders, 2005; D E Smith, 2008). The early formation of the first three Regional Authorities involved the integration of councils into regional structures. When Shires were promoted as the next NT Government version of regionalisation, it involved the wholesale abolition of the Aboriginal community councils. These councils were also Aboriginal housing organisations responsible for managing remote community housing. The combined impact of the abolition of community housing associations and the taking of the five-year leases by the Australian Government resulted in the wholesale transition of community housing to the NT Government housing agency. As a result, in just two years, remote communities were confronted with profound changes which largely transferred control and power from local Aboriginal people to government entities and non-Indigenous NGOs.

In parallel, governments were also exploring how to overcome gaps in socioeconomic disadvantage by improving service delivery, inter-departmental coordination and community governance-building, and a raft of new policy and programs were introduced. To implement these, government departments entered into more intense 'engagement' with Aboriginal communities, characterised by the installation of Government Business Managers (subsequently rebadged Government Engagement Coordinators) in most remote communities, frequent visits by officers and ministers, and the creation of a multitude of consultative structures on the ground.

By and large, however, these solutions excluded Aboriginal people from genuine decision-making and local control (Dillon & Westbury, 2005; Morgan Disney & Associates Pty Ltd., 2006; Office of Indigenous Policy Coordination (OIPC), 2005; Shergold, 2005; D E

Smith, 2007). There was considerable cross-cultural misunderstanding about exactly what constituted 'effective governance', and how that might be developed and sustained on the ground (Dodson & Smith, 2003; Human Rights Commission, 2012pp.82-88) and there was confusion across governments and departments about who should take responsibility for doing what within Aboriginal affairs .

In response to consistent feedback from a wide range of Aboriginal people about feeling disempowered, the CLC put forward a proposal to the Australian Coordinator-General of Remote Indigenous Services in 2010, offering an alternative approach to the Australian Government's *National Partnership Agreement on Remote Service Delivery* pilot projects (CGRIS 2009).[5]

On the basis of its extensive experience, the CLC identified several communities in Central Australia that were raising concerns about their current governance arrangements and looking for opportunities to improve and/or change those. Lajamanu was short-listed

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5. These projects sought, amongst other things, to promote 'Strong well-governed Indigenous communities and organisations' as part of Local Implementation Plans (LIP) and newly created Local Reference Groups (LRG) in 29 identified communities across Australia, known as Remote Service Delivery (RSD) sites. The Coordinator-General had previously raised concerns about the "general quality and effectiveness" of the LIP and LRG process, in particular with respect to their effectiveness for gaining local Aboriginal input into decision making and governance(Coordinator General for Remote Indigenous Services (CGRIS), 2009).

on the basis of its reputation as a 'strong community', both in traditional Warlpiri terms and in western terms.

Lajamanu in context

Lajamanu is an Aboriginal community of over 600 Warlpiri speakers located in the Northern Territory of Australia. It is 560 kms south-west of Katherine and 880 kms north-west of Alice Springs, on the northern edge of the Tanami Desert.

Map 1: Location of Warlpiri Country.

Map Showing Approximate Area of Warlpiri Country

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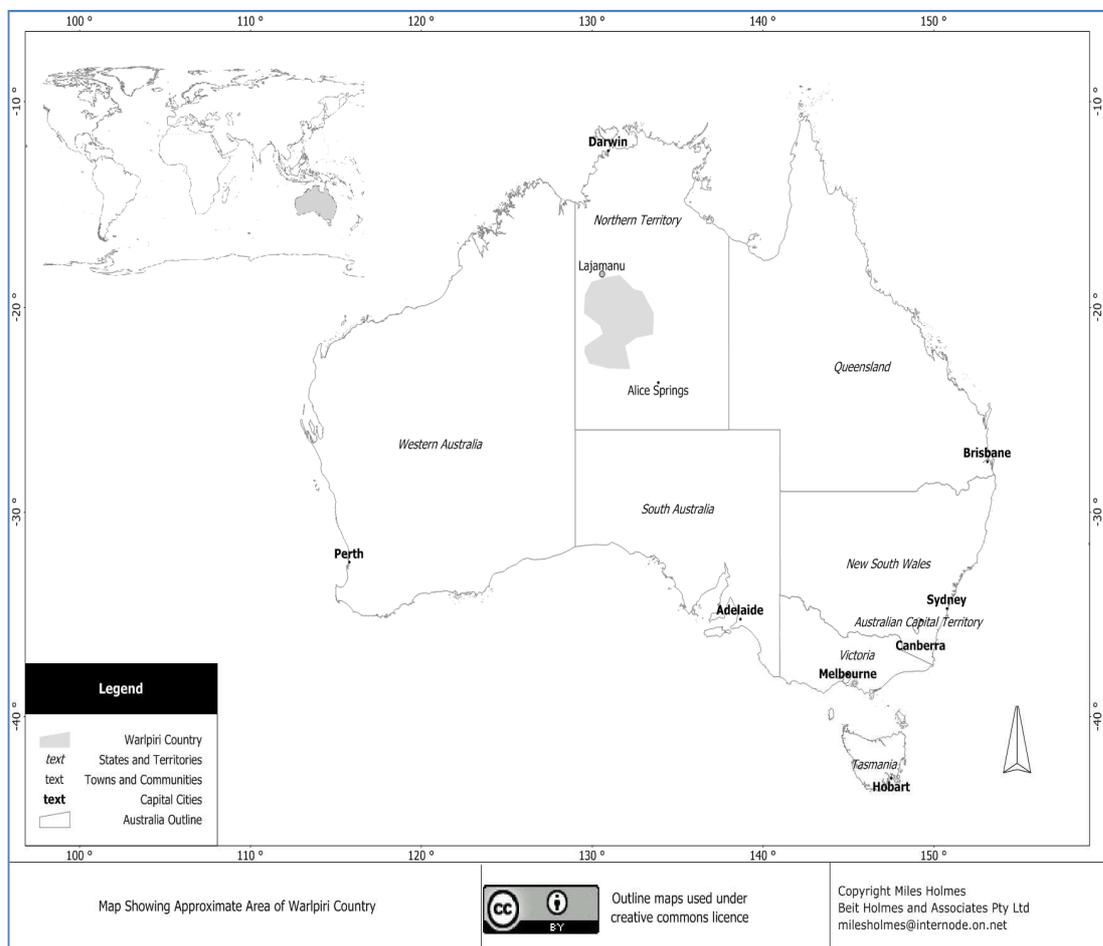
Like many Aboriginal communities in the NT, the traditional land ownership and governance of Lajamanu have been complicated through the historical events of colonisation, Aboriginal migration and legislative change including land rights. Under Anglo-

Australian law, Lajamanu sits within the Hooker Creek Land Trust on Aboriginal inalienable freehold land. Although inhabited by Warlpiri people, Lajamanu is located on the traditional country of Gurindji-speaking peoples to the north. Warlpiri were compelled to settle at Lajamanu in the 1950s during a series of enforced resettlements by the then Welfare Branch of the Australian Government. They now reside there with the acceptance of the Gurindji people with whom they consult on governance and land tenure matters.

The population of Lajamanu was given as 656 residents in the 2011 Census[6] of which 585 (89 per cent) were Aboriginal, with Warlpiri listed as the first household language of over 90 per cent of Aboriginal residents[7]. Amongst Aboriginal residents, the median age was 20 years old, resulting in the youthful extended families that are demographically typical of Australian Aboriginal society today. The median weekly household income was enumerated as $731 and personal median income as $234, with 28.2 per cent of people working full-time and 39.5 per cent working part-time. The median weekly rent per dwelling was given as $20, with an average of six people per household and 2.1 per bedroom.

Table 1: Statistical snapshot of Lajamanu.

Population	
Total Number of Residents	656
Indigenous Residents	586

6.
    http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/UCL721011?opendocument&navpos=220

7.
    http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/ILOC70500601?opendocument&navpos=220

Residents > 15 years of age	407
Median Age	21
Average Household Size	4.5
Employment	
Residents Employed Full Time	67
Residents Employed Part Time	52
Labour Force Participation Rate	32.6%
Income	
Median Family Income ($/week)	544
Household Language	
English	10%
Indigenous	90%
Education	
Year 9 or less	47%
Years 10-12	40%
Unstated	13%

Source: 2011 Census.

This ABS statistical picture can be more fully fleshed out by the CLC's own research and organisational data, and the government baseline data collated for the prioritised Remote Service Delivery communities by the Australian Government. For example (from Roche & Ensor, 2014):

Health: After adjusting for age differences, the observed number of hospital admissions for Lajamanu residents was nearly 12 times the national average for diabetes; 11

times the national average for assault; and twice the national average for avoidable chronic disease between 2003 and 2008.

Environmental Health: In 2009, there were 100 residential dwellings in Lajamanu providing 153 bedrooms. This resulted in an average of 4.84 people per bedroom. 54 per cent of Lajamanu households are considered to be overcrowded, and seven assessed dwellings were deemed in need of significant capital expenditure. This is much higher than the Indigenous national average (14 per cent) and the total national average (3 per cent).

Early Childhood: 55 per cent of Indigenous children in the Katherine Australian Early Development Index region (including Lajamanu) were considered developmentally vulnerable in language and cognitive skills. This compares to a rate for all Australian Indigenous children of 29 per cent, and for non-Indigenous children in Australia of 8 per cent. Of the total births in Lajamanu during the period 2004–2008, 38 per cent were to teenage mothers. This was nine times the equivalent proportion for the Australian population as a whole during this period (4 per cent).

Education: The rate of Indigenous 15–24-year-olds participating in full-time employment or study in Lajamanu (16 per cent) is lower than the Northern Territory rate (26 per cent) and less than half the national Indigenous rate (44 per cent). The average yearly attendance rate at Lajamanu School declined from 60 per cent in 2001 to 53 per cent in 2009. Results for Lajamanu students in the 2009 National Assessment Program–Literacy and Numeracy (NAPLAN) indicate that students are achieving below the national minimum standard in most subjects. For example, less than five per cent Years 3, 5 and 9 participants and 33 per cent Year 7 participants achieved at or above the national minimum standard for

reading. When assessed for numeracy, less than five per cent Years 3, 5 and 9 participants and 17 per cent Year 7 participants achieved at or above the national minimum standard.

Employment: 24 per cent of Indigenous people aged between 15 and 64 years in Lajamanu were employed in 2006. However, when the Community Development Employment Program (CDEP — which no longer exists) is not included this drops to 5 per cent, which is around one-eighth of the national Indigenous rate of non-CDEP employment (42 per cent). According to a data collection by the Northern Territory Government, there were 212 jobs (including vacancies) in Lajamanu in March 2010, of which eight were CDEP positions. Excluding vacancies, there were 197 non-CDEP jobs in Lajamanu in March 2010, of which 117 were held by Indigenous people and 80 were held by non-Indigenous people. Most non-CDEP jobs were in the public sector (104) with the remainder (93) in the private sector. Of the 93 private sector jobs, 56 were held by Indigenous Australians and 37 were held by non-Indigenous people.

Law and Order: A total of 816 offences were recorded in Lajamanu between 2006 and 2009. In total, 23.8 per cent of offences recorded over the three-year period were alcohol related and 18.7 per cent drug or substance abuse related. 95per cent of offences against the person and 70 per cent of public order offences within Lajamanu were alcohol related over the same period. Between 2004 and 2009, 91 people with an address in Lajamanu were imprisoned in Alice Springs and/or Darwin Correctional Centres. These offenders underwent a total of 181 periods of imprisonment during the five-year period. Most of those imprisoned were male, and most were under 40 years of age.

Project Design and Aims: a Developmental Approach to Building Governance

It was apparent from early discussions with the community that many people felt confused, angry and disempowered about their diminished role in decision-making. The CLC emphasised in these early meetings that it did not have any preconceived answers or solutions, but that the proposed governance project would work alongside Lajamanu residents to better understand the governance conditions of their situation and to improve local control within the community.

Accordingly, a key basis of the project was to adopt a developmental approach to building 'a new model for solving the "governance gap" and strengthening community governance' in remote communities by working with 'community residents and traditional owners to create an effective and legitimate community governance mechanism' that could:

(a) ascertain and articulate the aspirations of the diversity of community residents.

(b) provide for a strong community 'voice 'and increased participation.

(c) recognise and build leadership capacity.

(d) ensure government agencies and other organisations, consultations and engagement are targeted and effective.

(e) fulfil the CLC's consultation requirements for matters inside the community including s.19 leasing requests and planning consent processes.

(f) provide a model for successful and legitimate community governance that can be applied more broadly. (Central Land Council, 2012– Governance Project Brief, see also Appendix I)

What is governance?

The root word of governance is the Ancient Greek *kybernan* ('to steer or pilot a ship, direct'), implying not administration or management, but the broader direction and control of organisations and communities (see D.E Smith, 2005; Sterritt, 2002; Stoker, 1998). From this it follows that people are not merely consulted about services or policies, but that they are able to identify and prioritise issues, make informed choices, identify and decide on responses, and hold their decision-makers accountable. It also implies that when they work in collaboration with outsiders, they have a degree of effective control over the input of those outsiders.

Governance is often discussed by governments in Australia in terms of corporate governance and the technical and financial skills required to manage western-style institutions, rather than the deeper processes of group planning and decision-making that lie at the heart of all governance. For this reason, many people, both Aboriginal and non-Aboriginal, tend to miss the fact that many aspects of Aboriginal life are well-governed, particularly things that are often called 'traditional', such as the large logistical events of ceremony and sorry business (mourning rites), but also including contemporary sporting events, festivals, programs and service delivery by community and regional organisations.[8] These are all informed by networked kinship and economic-exchange relations which require complex logistical and political planning, consensus decision-making, implementation skills, and efficient, smooth-functioning governance structures (Ivory, 2008;

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8. See for example, examples provided in Reconciliation Australia's several reports about the governance successes of Aboriginal applicants and winners in the national *Indigenous Governance Awards* at www.reconciliationaustralia.org

Morphy, 2008; D E Smith, 2007). Such processes are evident throughout the country and are not restricted to 'remote' areas.

Governance is also often confused by governments at all levels with 'input' or 'consultation', whereby outside people and agencies define both the 'problems' and 'solutions', and community members then have a chance to be consulted and sometimes mould the solution (or a range of options) with local flavour. However, to be considered legitimate *and* effective, governance requires genuine control over prioritising issues, decision-making and developing solutions, not merely influencing pre-defined, external agendas.

The distinction between meaningful governance and mere consultation has been discussed widely and is particularly relevant as a developmental challenge within Australian Indigenous affairs(Hunt, 2013a, 2013b; D. Smith & Hunt, 2010). More broadly, the implications of this distinction are reinforced by Arnstein's (1969) conceptual analysis which is set out visually in the 'ladder of participation' (Figure 1). The ladder illustrates the level of control citizens have over decisions affecting them in eight ranks, from manipulation at the lowest level to citizen control at the highest; consultation is rated as "tokenistic".

Figure 1: Arnstein's Ladder of Participation (1969:217).

8	Citizen Control		Citizen Power
7	Delegated Power		
6	Partnership		
5	Placation		Tokenism
4	Consultation		
3	Informing		
2	Therapy		Nonparticipation
1	Manipulation		
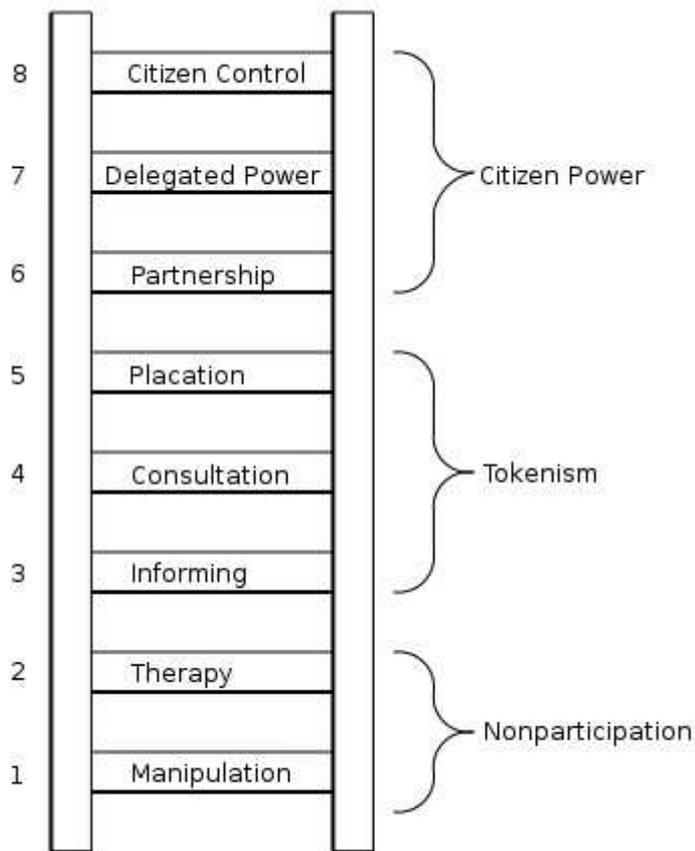
Accordingly, the project has explicitly understood governance to imply a group's (or community's) broader control of, and responsibility and capabilities for, making and implementing rules and decisions, not merely as a set of technical management or administrative skills. Governance is more than simply the regulatory systems and structures that exist to support achieving common goals. It is fundamentally about the links between peoples' core values, relationships and behaviour. In other words, governance is always a cultural matter, for whichever society or group involved. Together, these components form the solid foundation upon which legitimate and effective contemporary governance arrangements can be built. This understanding informed the project's entire develomental framework.

Figure 2: CLC staff discuss the 'ladder of participation' with Kurdiji members in Lajamanu, February 2013.

Aboriginal governance: What works

Between 2002 and 2006, the Australian ICG Research Project was undertaken by the Centre for Aboriginal Economic Policy Research (CAEPR) in partnership with Reconciliation Australia, across 12 Aboriginal communities in remote, rural and urban locations. It captured a robust and comparative evidence-base about the diversity of Aboriginal culturally-based modes of governance. It concluded that to be both effective and credible, contemporary Aboriginal governance arrangements must:

- be based on culturally-relevant design principles and relationships.
- be the result of informed Indigenous consent.
- take into account the diversity of Indigenous culture and circumstances, and hence the diversity of customised governance solutions.

- acknowledge, and be inclusive of, Aboriginal networked governance and the variety of internal relationships and shared connections that form the foundation of governance solutions.

- include networks of leaders who are seen to have authority and credibility by their own groups, who can facilitate and mobilise consensus and transmit governing authority and knowledge through credible succession-planning mechanisms.

- be based on substantive and genuine decision-making powers, backed up by internal accountability and inclusive participation.

- be accompanied by substantial practical and collective capacity to get the things done that matter to Indigenous people.

The ICG Project's findings endorsed similar conclusions about the kind of principles that are prerequisite for rebuilding governance which have been reported by international researchers with Indigenous nations(Begay, Cornell, Jorgensen, & Kalt, 2007; Jones, 2002; Jorgensen, 2007). The ICG Project also found that building such locally credible and effective governance solutions and capacity within groups and communities works best when it is place-based, action oriented, sustained, founded on self-determined priorities and cultural values, and implemented developmentally; that is, in ways that are locally meaningful, based on informed choice, and reinforce resilience over the longer-term.

These research conclusions informed the Australian Productivity Commission's (2009) six key determinants[9] of effective Indigenous governance in its *Overcoming*

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9. These were: governing institutions, self- determination, leadership, capacity building, cultural match and resources.

Indigenous Disadvantage Report, and were adopted in several subsequent reports of the Aboriginal and Torres Strait Islander Social Justice Commissioner (Human Rights Commission, 2012), as well as informing government consideration of policy reforms at national and state levels. Unfortunately, government policy frameworks for Indigenous governance-building have largely floundered since then, retreating to approaches that reduce governance to a narrow focus on service delivery, financial compliance and corporate governance.

A developmental approach in Lajamanu

Accordingly, the CLC decided to adopt a developmental approach as the basis of the project's strategy to rebuilding governance. Such an approach must proceed from a starting point that is considered to be locally appropriate, and build on existing skills and structures. However, there is little research evidence as to what kinds of development practice might prove effective in Indigenous Australia, and specifically in the context of governance. This is largely because the issue of governance rebuilding itself has only recently gained wide consideration in Australia, and thinking about the relevant practice of community development has lagged.[10]

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10. The CLC's creation, and subsequent documentation and evaluation of, a Community Development Unit is a notable exception to this (see Central Land Council, 2009, 2010). In general, Australian and state/territory governments have resisted adopting a developmental approach to their work in Indigenous Affairs. Some NGOs have commenced a broad consideration of the relevance of applying international development practice in Australian communities.

The CLC's overarching approach came from critical thinking within the Land Council, its policy and community development units, and the project team about the concepts of 'governance', 'community development', 'agency', 'capacity', 'participation' and 'resilience' and a growing understanding of how those might apply cross-culturally in Aboriginal Australia and Lajamanu more specifically.

In particular, capacity development at a community level has been approached as involving a combination of people, institutions, resources and organisational abilities, powers and practice that enable a group to reach its own goals over time. Capacity development for community governance rebuilding is the process by which individuals and groups develop their capabilities to do the collective job of governing; in particular, the 'work' of making informed choices and decisions, planning, taking action, and evaluating risks and progress.

In other words, a developmental approach to building governance is more than just a matter of personal development instigated in accordance with external pressures. It draws attention to a group or community's own processes of self-determination, their consideration of the attitudes, values, behaviours and rules they affirm to govern in a contemporary context, as well as identification of existing assets, principles and systems that will lend credibility to agreed governance arrangements. A capabilities perspective includes collective motivation – what people are willing and interested in doing.

Both governance and development are culturally-based practices. Accordingly, key cross-cultural assumptions were identified and incorporated into project planning and methodological documents (see Table 2).

Table 2: Project Assumptions

Primary assumptions:
• that community members want ownership and control of governance.
• that within the community there exists sufficient capabilities and agency to consider and create effective governance.
• that other bodies will engage with the governance 'mechanism'.
• that other bodies will not seek to undermine the governance 'mechanism' and will be at a minimum neutral to it.
• that there is capacity to exercise strong advocacy on behalf of the 'mechanism' once it is formulated (either by the community or the CLC).
Secondary assumptions
• that government policy, in particular as related to Indigenous governance, will not significantly change.
• that the project is capable of judging burden, i.e. that the benefits of the project outweigh the extra demands placed on community members.
• that the project is capable of identifying areas of mystification (within both cultures) and addressing them.
• that the role of co-workers is both appropriate and understood by the CLC, the community and other bodies.
• that governance mapping is a useful and effective tool for promoting thinking about a future governance 'mechanism'.
• that use of the mother tongue will facilitate understanding, empowerment and involvement.

With these assumptions in mind, the CLC adopted four key principles as the base for the project's approach (Governance Project – Project Brief 2012):

1. Local ownership and control

2. Community development approach

3. Recognise the rights of both community residents and traditional owners

4. Collaboration with government and community.

Consistent with a developmental approach and the clear direction of senior leaders at Lajamanu to 'build things up slowly', the CLC and the community now conceive this work within a ten-year timeframe, in addition to the three years carried out to date. The ten-year vision is the reality necessary to nurture the emergence of resilient, legitimate and effective community governance mechanisms. Over time, it is anticipated that the CLC's role will be reduced, with increased governance and administrative capabilities residing in the community, and more collaborative support from a diverse range of external agencies.

Project Structure

Not surprisingly, the governance of the 'governance project' was taken seriously and seen to constitute an important component of the overall developmental approach.

A project worker was employed and commenced in April 2011 and, after a preparatory period in Alice Springs and Lajamanu, began intensive work in Lajamanu in August of that year. He has since spent approximately 70% of project time between 2011 and mid-2014 living in Lajamanu. Community development workers are often left alone without the supports for such critical thinking, and rarely have the time to adapt and change as they go. This is especially the case when governments implement community development-oriented policy and programs, using their own officers who are required to meet departmental implementation timeframes. The project was structured so as to ensure

work in the community took place with critical reflection from a range of perspectives, and that the project remained accountable to community members and the CLC as a whole.

To ensure workable supports to enable a developmental practice to be routinely informed by reflection-action, the CLC established the tiered operational mechanism described below:

Lajamanu residents: Lajamanu residents worked with the project worker based in Lajamanu. Activities were informal and based on progressively considering governance issues as they arose on the ground. Residents were kept informed about the project through frequent discussions with the project worker, as well as more formally through visits by the Project Mentors Group, who explicitly sought community members' feedback on the performance of the project worker and the project as a whole.

Central Land Council (CLC): The CLC policy unit managed the project and was accountable to the Land Council Full Council and the Lajamanu community. The CLC was kept informed of project progress (via the Policy Unit manager) through weekly structured discussions with the project worker.

The Project Mentors Group: This was a group of professionals with expertise in governance, local and international community development, M&E, policy and anthropology that provided critical feedback on project practice and progress, as well as proposed directions. Along with CLC staff, they formed the overall Project Group, who received fortnightly reports from the project worker. Those reports formed the basis of fortnightly teleconferences between the project worker and the Group when progress, concepts, learnings, practical challenges and risks, and future strategies were discussed in detail. Whilst that reporting schedule could be seen as onerous, in fact it proved to be

enormously helpful to the project worker in enabling a flexible finessing of his practice, and in delivering targeted visits and support to the community. It also proved to be useful to the Project overall as it allowed regular monitoring to inform a process of considered innovation and adaptation of the project's own framework and methodology.

The Governance Advisory Committee (GAC): The GAC was slightly more removed from daily and weekly project implementation and reflection, but formed a valuable line of communication out from the community and project to external stakeholders and government. It consisted of representatives of the Australian and NT Governments, CGRIS, Reconciliation Australia, the CLC and an external governance research expert. The GAC met periodically by phone and face-to-face, to discuss project progress, implications for government support and lessons learnt. It also enabled the project worker and Project Mentors Group to remain better informed about relevant government policy initiatives.

Figure 3: Lajamanu Governance Project Structure.
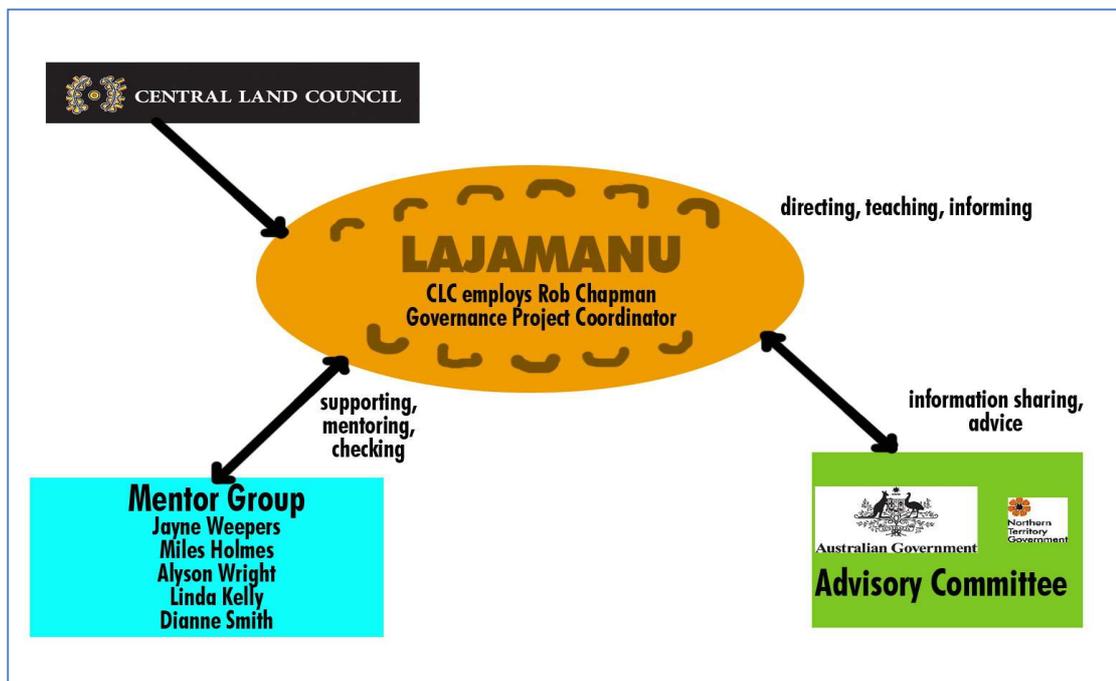
Project Monitoring and Evaluation.

There is surprisingly little literature on the application of community development practice in remote Aboriginal Australia (see Central Land Council, 2009). Campbell et al (2007) undertook a review of community development practice in the field of Aboriginal health and concluded that, while there was likely to be a significant amount of development practice undertaken at the local level, it was not being systematically documented or, more importantly, evaluated. The result is that there is little published evidence about what works and what does not work by way of development practice in Indigenous Australia. International development practice with Indigenous communities is better documented, but is not necessarily directly transferable to remote Aboriginal Australia.

Many programs and initiatives in Aboriginal communities are not monitored or evaluated, or only erratically so, and usually after the project has finished. The best-practice aim of monitoring and evaluation is to improve the chance of successful outcomes by refining implementation progressively and addressing the unintended consequences while they are occurring.

Accordingly, a critical component of the CLC's developmental methodology was that the project would be subject to ongoing monitoring and reflection; including through regular oversight of the Project Group. That group provided mentoring and research updates, as well as critical feedback on field reporting, project planning and implementation and ensured ongoing monitoring of the project at fortnightly intervals. This is a highly innovative aspect of the project and one that worked extremely well. An independent review of the Governance Project (Roche & Ensor, 2014 p. 27) stated that:

> Regular monitoring reports have been produced by the project worker and
> reviewed with a mentoring group comprised of people with experience in

aboriginal policy, indigenous governance, international community development and anthropology. These monitoring reports have produced considerable learning about effective practice, particularly in regards to engaging with people in Lajamanu and facilitating and identifying their existing systems of governance and decision-making. The project methodology has paid close attention to documenting, reviewing and reflecting on the project implementation and outcomes, including regular interviews with community members.

The Project Group also visited Lajamanu on three occasions (individual members have also visited at other times). The first visit focussed on gaining independent feedback from community members on the work-style and role of the project worker, and provided a valuable opportunity for community residents to give their own views and understandings of governance. The second visit (and then another by CLC staff) trialled various visual means of conveying governance concepts, and ways of fostering discussion about the nature and implications of the community's own governance environment. The third, at the conclusion of the three-year period, was for observation of Kurdiji's operations and a discussion about future directions. In total the visits enabled accurate assessments of progress on the ground (see section 9.7). The Mentors Group's input proved invaluable to the ongoing refinement of the project implementation.

Project Practice

In response to the framework described above and local conditions, a number of innovative operational and field methods were designed and trialled. As there was no single agreed model of governance identified by the community at the beginning of the project, it was

essential that a high level of flexibility be maintained so as not to restrict local consideration of priorities and options. The most appropriate approach was felt to be an action-reflection method, which allowed the time and flexibility required for community solutions to emerge, while rigorously documenting and monitoring practice and progress.

A fundamental principle of developmental work is that change must come from the people themselves – outsiders can provide skills, resources and a different perspective, but meaningful, long-term change will only come from within. People must work together to create their own solutions and take responsibility for those decisions and the outcomes. That premise, is also at the heart of defining what 'effective governance' means.

While this may appear simple, in fact social, cross-cultural and historical realities create many impediments. In the Northern Territory, as elsewhere in Australia, there are inherent power differentials between Aboriginal and non-Aboriginal people that must be considered and, to the extent that it is possible, mitigated. In other words, governance development is about power relations and, therefore involves two sides of the power equation not just one; two sets of values and two sets of meanings (many of which are often incommensurable to each other). This requires outsiders to understand both the history and 'present' of the place and people they are working with, to engage closely with their culturally-based worldview, and preferably understand something of their language (or minimally work with an interpreter counterpart).

Making space to understand the local context

A fundamental approach of the project was to understand people's own worldview and perspectives before attempting more substantial facilitative work. As a priority, the project

sought to learn the culturally-based governance and related traditions of Warlpiri people and how those impact upon contemporary arrangements, capabilities and aspirations.

Discussing knowledge that was fundamental to people's sense of self and social values, such as their homelands, kinship relations and social regulation systems (all things that would be described as aspects of 'the Law'), provided an opportunity to learn from Warlpiri about their internal modes of governance, foster more equal power relationships, demonstrate an ability to understand without judging, and allow relationships of mutual trust to slowly build. These aspects of development practice take time and vigilant work, and so are often paid lip-service by external agencies, then ignored. But they proved to be critical foundations for the project worker's effective relationship and engagement within the community.

Addressing power relations

As a first principle, the project found it important to mitigate, as far as possible, the dominant power relations. This is not an easy task for non-Aboriginal people used to wielding power (often unconsciously so), getting things done according to objectives determined at a distance, and having to fulfil external reporting and program timeframes. The developmental practice of the project worker consisted of emphasising people's control over the project direction (often in a myriad of small daily ways where the project worker refused to 'take control' and 'organise things'), and by acquiring and demonstrating knowledge of and respect for, people's worldview, priorities and preferred ways of getting things done.

Before engaging with the wider Lajamanu community, the project worker was introduced to senior people by the CLC staff who had initiated the project. In the first

months he discussed the project's rationale and aims in depth with senior male and female leadership groups, then with younger leadership groups as suggested by the senior people. The project worker frequently emphasised that he was there to support, not suggest or initiate, change that people wanted to create.

He also engaged in discussions about Warlpiri Law, kinship, country, ceremony and language that put him in the role of 'learner', thereby positioning Warlpiri as the 'teachers'. He emphasised that Warlpiri authorities had ultimate control over his work, both through their membership of the Central Land Council and directly on a daily basis. This included his asking permission of senior people to take leave, informing them of his movements in and out of the community, and checking those were acceptable, and emphasising that Warlpiri could talk directly to the CLC Policy Manager or Project Group members if they had any concerns about the performance of the project or its local worker. This was underscored by the Project Group visits which were explicitly about reviewing the project worker's performance and involved many discussions with community members out of his presence.

These two strategies — emphasising local people's control over the project and project worker in practical, genuine ways, and putting the project worker in the role of 'learner' to Warlpiri 'teachers' — formed a continuing foundation for the project methodology. They proved largely successful in mitigating dominant power relations, at least within the project, as evidenced by community members' statements and behaviour (see Appendix X and Kurdiji group Lajamanu, 2013).

Power imbalances are an inherent part of the many meetings which are a large part of Aboriginal community life. The project viewed meetings as a space in which power relations could become more equitable. However, close attention had to be given to non-

verbal power statements such as meeting layout, body language, as well as some novel field

methods as detailed in Box 1.

Box 1: Community Meetings — Notes for dominant cultural groups on developmental practices for participating in meetings.

The primary consideration in reducing the default power imbalances that is evident in most community meetings stems more from issues of membership of a group than individual characteristics. Implicit rather than explicit strategies should be used in the first instance, as explicit strategies tend to reinforce the 'initiative' dynamic of the dominant group.

Implicit strategies involve behaviour or 'messages' that foster control and autonomy within a group; for instance always asking permission to speak at a meeting, asking when people are having a meeting, asking for explanations of processes or decisions so that local intentions and consensus are prioritised, using correct body language, seating oneself amongst the group rather than standing in front, and generally putting oneself in a relatively powerless position.

Explicit strategies involve telling people directly that you are not in charge, that you are not their boss, and that they can make the decisions. The danger inherent in explicit strategies is that, even when telling people they have the answers and can do it, you are putting yourself in a position of power and authority by being the one to give that message. At a certain stage — which has to be judged by the individual and is heavily reliant upon a bank of mutual trust having been created — the benefits of saying this will outweigh the dangers.

Despite protestations of powerlessness, dominated groups and individuals will often

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reinforce their status by manoeuvring the development practitioner into conserving the status quo. This can be difficult to engage with as people's actions can contradict their words, and in many cases people may be unaware of the underlying patterns of their co-dependent behaviour. Suggesting that they actually want to remain within the status quo will be unproductive or even counter-productive, as will directly asking them to confront the reality of their behaviour. It will often be difficult to know what to do, beyond encouraging, as far as possible, situations where local people are actively in control and exercising autonomy. The project found that it took several years for attitudes to shift and that this was based on the accumulation of small practical successes.

The general strategy for the project has been to avoid taking the initiative so that people:

- *truly believe they are in control.*

- *take responsibility for their decisions and actions.*

- *only propose action that they themselves are (primarily) capable of undertaking and/or controlling.*

But 'avoiding taking the initiative' does not mean being completely passive, or even refraining entirely from action in certain circumstances. At times it will be appropriate to actively push discussion about information needed for decision-making or possible action, but this should be based on both a thorough understanding of the group's aspirations and worldview, and on a case-by-case analysis of the relative benefits of doing so.

Practical actions that support developmental outcomes:

- *make initiating meetings the exception, rather than the rule.*

- *wait outside meetings until invited in; (this will often, at first, be resisted by groups used to being without meaningful autonomy).*

- *do not speak unless asked (it will often be necessary to avoid invitations or exhortations to start speaking or control the meeting).*

- *do not determine the format or processes of the meeting (often people may structure meetings in a way they think you will want or will imitate the processes of dominant groups – copying the form not the function. This does not mean you do not prepare for the meeting. Visual tools and other materials should be ready for use as needed).*

The above are rough guides — reality is a lot more messy. Actual responses to actual situations will vary widely, but the bigger question should always be kept in mind: How will my actions contribute to greater autonomy and confidence of the group and its individuals? Once sufficient autonomy and confidence is evident, greater emphasis can be given to effectiveness, and so on, but this should still be largely set by the group. In the governance project, getting to this stage took nearly three years of work and was facilitated by the fact that the project was specifically designed as a developmental approach with appropriate time frames, methodology and deliverables.

Working at people's pace

In order to support and foster local ideas and control, and avoid imposing outside definitions either of problems or solutions, it is essential to work at the pace of local people. In theory, this sounds simple, but in practice, with external pressures (such as those from funding bodies, outside measures of progress and success, and the imperative to 'get things done' within specific timeframes) this is often very difficult for field staff. This project has been far less subject to such pressures than is the norm in the Australian context, so was

able to foster discussion and thought about governance and support local preferences and initiatives without imposing outside imperatives. It also required a more sensitive understanding of exactly what 'going slow' meant from the Warlpiri side; for time is often not the only, or key, meaning.

This process is necessarily slow but in the contemporary Aboriginal context is even slower. As long experience has shown, non-Aboriginal people, despite what is asserted, usually come into the community with preconceived ideas about the action to be taken and set timeframes. A developmental approach to governance requires a continued demonstration that this is not the case, in order for Aboriginal people to take such claims seriously. Again, cross-cultural power differentials intersect with differing approaches to action, with Warlpiri people less prone to want to 'push' action, and having a much stronger preference for consensual decision-making.

In this context, the dominant culture's imperatives are inherently more likely to prevail, so it is vital to allow time and space for people to propose their own actions, even at the price of (initially) minimal action. Warlpiri expect non-Aboriginal people to take charge and will wait a long time for this to happen. Only through repeated experiences of being left alone to take charge will they accept that the non-Aboriginal person isn't going to dominate.

Attitudes are not enough — following through

Warlpiri people in Lajamanu feel that non-Aboriginal agencies and people don't follow through on what they promise. This leads to frequent comments such as 'government never listens', 'we can talk but in the end they will do what they want', and 'white law always changes'. While these are generalisations, arguably such statements are indicative of the Warlpiri attitude to engagement with outsiders, and testimony to a real experience.

Accordingly, new staff will be observed for a period of time and, if people decide they are acting appropriately, they will start engaging with them. As one senior man said when asked what people thought of a new police officer, 'we'll watch him and see, maybe three months'.

The project worker built trust and engagement by creating a clear relationship between his undertakings and his actions. This started in the form of small things such as undertakings to follow up on requests for information, acting as agreed on meeting decisions and, as relationships grew, became more substantial as people observed his behaviour. Equally, the project worker found it important to not promise things that could not be delivered and to be clear about what could and could not be done. Too many non-Aboriginal people want to act as 'Santa Claus', making offers which they either cannot personally deliver, or will not be around long enough to be held accountable for.

Taking a Strengths Based Approach – Supporting Kurdiji

As the project progressed, the Lajamanu Kurdiji group (also known as the Law and Justice Committee) became key to the project as a fledgling but credible structure which could be supported to develop and extend their existing governance role in Lajamnau.

The Kurdiji group is a group of senior men and women from Lajamanu who are actively involved in the governance issues of their community (see Appendix V,). Kurdiji, or shield, is a Warlpiri word and carries the meaning 'to shield, block, protect or ward off'. The shield represents protection of the community and is also an integral part of the initiation ceremonies in which young men and women are taught respect for the Law in order to be fully functioning members of the community.

The group evolved out of the Lajamanu Tribal Council, which was a legally recognised entity with a formal relationship to the then Lajamanu Community Council. In 1997, the Community Council and the Lajamanu Tribal Council wrote to the Chief Minister of the Northern Territory, the Minister for Police and the Minister for Aboriginal Development identifying the need for customary Law and the mainstream justice system to work together and asked for government assistance to establish a forum that could interface with the mainstream justice system and work to bring the 'two laws' together in a practical and meaningful way.

Figure 4: Sign erected at the new Kurdiji Building in 2013.

In 1998, Aboriginal people, together with workers from the Office of Aboriginal Development (OAD), established Law and Justice Committees in Ali-Curung, Lajamanu, Yuendumu and Willowra. In Lajamanu, the Law and Justice Committee was based on membership of the Tribal Council. The OAD facilitated the development of a Lajamanu Community Law and Justice Plan through its Aboriginal Law and Justice Strategy (ALJS),

which was also operating at Ali-Curung and Yuendumu. This Plan was signed by the Territory and Australian Governments and community organisations in 1999. The Kurduju Committee, which was previously known as the "Combined Communities Law and Justice Committee", was established in 2001 with representation from the Lajamanu, Ali-Curung, Yuendumu and Willowra Law and Justice Committees.

The Law and Justice Committees had two primary functions:

- A formal role, acting as an interface with the western law and justice system and working collaboratively on addressing criminal justice issues.
- An informal role, facilitating community dispute resolution and maintaining sound relations between the community and government agencies.

The Law and Justice Committees, as signatories to their Community Law and Justice Plans, were the main community organisations with responsibility for overseeing and monitoring the implementation of government programs and commitments arising from the Plans.

In 2001, responsibility for the ALJS was transferred to the NT Department of Community Development, Sports and Cultural Affairs and then, in 2003, to the NT Department of Justice. The Lajamanu Law and Justice Committee and the overarching Kurduju Committee, along with the other law and justice groups, were, de-funded in late 2003, although they continued to function in various, albeit reduced, capacities.

Following community requests for its reinvigoration, the Lajamanu group reformed as the Kurdiji Law and Justice Group formally in 2010 with the assistance of the North Australian Aboriginal Justice Agency (NAAJA). It is not incorporated. Since then, the group has met before each Lajamanu court sitting to discuss community safety issues and provide

crime prevention advice and pre-sentence reports to the court. The Kurdiji group is routinely involved in informal dispute resolution, with the aim of proactively resolving small conflicts before they turn into larger problems.

Knowing when to act

As discussed above, major policy and program changes over the last decade have created widespread feelings of cynicism and hopelessness amongst many Warlpiri at Lajamanu. This was particularly evident when the Project Group visited in April 2012, when community members expressed deep feelings of powerlessness and demoralisation. These feelings were compounded by people having few ideas about ways to change the situation.

A continuing tension in development practice is deciding what level of active support should be offered: too much and outsiders can take control of the agenda and, particularly with people having a history of disempowerment, power can quickly be usurped or subtly ceded; too little and the outsider is providing little of developmental value to people.

Navigating this tension is one of the most important, but difficult challenges of developmental work. A good understanding of people's worldview and the things they value is a prerequisite to judging when it may be useful to intervene actively, in a way that could be called 'constrained intervention'. That is, where the constraint lies in continuing to ask oneself the questions: 'who is really making the decisions here?'; 'who has the power?'. This approach has been particularly useful in building confidence amongst Kurdiji members.

Box 2: Facilitating the writing of letters.

The project work of facilitating the writing of letters was an example of seeking this balance. The process of the Kurdiji Law and Justice Group writing advocacy letters developed into a

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familiar pattern in the governance project. A topic would be raised by a number of Warlpiri individuals, discussed as a group, the purpose and contents of the letter discussed, a draft subsequently written and read to individuals and small groups, amendments made and a final version agreed, then signed. This usually occurred over several days, even weeks.

During the drafting of one such letter there was little interest in translating the English draft into Warlpiri, with some people thinking it completely unnecessary and a waste of time. However, when a situation arose where a letter was being drafted to address behaviour of Aboriginal visitors, the project worker persisted in trying to get this translation, as he felt that the message would resonate much more strongly in people's own language. When the first draft in Warlpiri was completed, the project worker took it around to community members and read it out — the reaction was immediate and strong. When draft letters were read out in English, people would generally listen, seek clarification and make limited comment. In Warlpiri, people, particularly older people, listened very attentively, were very vocal, interjecting with agreement and comments and breaking into further discussion about the contents of the letter in a very lively way and taking a much more active interest in getting the wording exactly right.

In this case, the project worker continued with a course of action for which there had been previously very little momentum and even some opposition. His assessment of the action was based on contextual knowledge and, in this case, proved correct; since this first letter in Warlpiri, the use of Warlpiri has continued to be enthusiastically supported and spread into other areas including inserting their own Warlpiri 'country names' into their current Anglicised signatures on important documents and letters.

Going slow — building consensus

It is recognised that developmental work takes time and must proceed slowly. However, the project team learnt that to 'go slow' is not merely a reference to the speed of work, rather it is more correctly a reference to the work of generating consensus. Things are ready to proceed only when a collective consensual narrative for action has been created, and when a network of agreement has taken shape around that. This may take a long time to prepare and can only happen as a result of people themselves discussing and deciding. The development practitioner can play only a limited and subtle role in this process; again through constrained intervention and enabling support. Nevertheless, after weeks, or even months of discussion, action can take place surprisingly rapidly.

Furthermore, it can become a model for subsequently reaching consensus about similar issues by using similar processes (such as writing advocacy letters — see Appendix IV). In the case of writing letters, initially, this process was extremely time-consuming, but over time it became a very simple matter – with the same high level of engagement as to the contents and purpose of the letter – as an accepted pattern emerged.

Since the initial letter in April 2011, a number of other letters have been written which have been taken far less time. They were for a range of purposes, such as to the Police Minister regarding the diversion of phones to a Darwin call centre, and an open letter to Warlpiri visitors to leave outside conflict at home when visiting Lajamanu, organising a multi-community meeting about a Liquor Commission review of a roadhouse's liquor permit, to writing to stakeholders to seek further funding for the continuation of the project work.

In another case, the meeting with the Gurindji, long-discussed as important, seemed (to the Project Group) to have been abandoned. Yet it was brought up in a Kurdiji meeting

and the next day a comprehensive delegation travelled to Kalkarindji to meet with the senior leadership. Clearly the issue had been discussed and the necessary consensus arrived at. From there, a complex and sensitive meeting happened with rapidity and surprising ease. In summary, 'go slow', means moving at the pace of local processes which could be slow or quick.

The Lajamanu governance environment: Is more delivering less?

Mapping Governance

An initial focus of the project was to map the baseline governance environment operating in Lajamanu. This included identifying the memberships of most committees and boards that Lajamanu residents were a part of; the linkages between these and external government departments and other agencies, together with developing an understanding of Warlpiri concepts of their own governance groups based on Warlpiri land tenure and family based kinship rule. For example, the project worker used large laminated maps of Warlpiri country on which to draw different families' traditional countries, discuss dreaming tracks, map out the family affiliations of every house on a map of Lajamanu, plot out the committee memberships of Lajamanu, and further document cultural designs related to each family.

This mapping was invaluable as it revealed a complex pattern of local governance and consequences; both intended and unintended.

Figure 5: Children placing their family designs on a map in the approximate position of their paternally inherited country.

Existing and imposed governance

Lajamanu has always been known as a 'strong community', both in traditional Warlpiri and in wider Australian terms, establishing the first community council in the NT, led by the legendary Maurice Luther.[11] Additionally, it was one of the first communities to successfully agitate to become a dry area, had a strong bilingual school and has consistently attempted to engage meaningfully with non-Aboriginal society e.g. see the cultural templates created

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11. See the NTG Dept. of Community Services Lajamanu profile:

    http://www.rdia.nt.gov.au/about_us/regional_services/major_remote_towns/lajamanu/profile

by local people (Pawu-Kurlpurlurnu, Holmes, & Box, 2008), the Milpirri cultural event,[12] and attempts to find ways for Warlpiri and Anglo-Australian law to co-exist (Australian Law Reform Commission, 1986).Over decades, the message from Lajamanu residents has been remarkably consistent: in partnership with non-Aboriginal Australia, Warlpiri people want to engage with the new conditions they find themselves in, but not at the expense of their identity and own ways of governing. In 1968, the eminent anthropologist Bill Stanner summed up this desire eloquently:

> …on the evidence the aborigines have always been looking for two things. A decent union of their lives with ours, but on terms that let them preserve their own identity, not their inclusion willy nilly in our scheme of things and a fake identity, but development within a new way of life that has the imprint of their ideas (Stanner, 1968).

Whilst Warlpiri pride themselves on their history and their strength, the position of Lajamanu residents within the wider governance and socioeconomic environment has always been precarious. While dealing with the social effects of past trauma and the rapidly-changing and confusing demands of the outside world, they have had to strike a balance between maintaining their traditional lifeways and worldview, and adapting to new ways of getting things done. Local residents and outsiders alike often remark how 'strong' Lajamanu is, but local people also often express feelings of powerlessness and vulnerability. This latter view was especially apparent at the beginning of the project work.

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12.   http://tracksdance.com.au/milpirri-2012-pulyaranyi

Governance mapping revealed more clearly some of the underlying causes of such feelings. There was a high level of understanding amongst Warlpiri of some of the governance issues facing Lajamanu, particularly those operating within the community such as the inability to manage alcohol abuse, difficulties in contacting or having positive relations with police, the impact of the NT Government's dismantling their community council, and the bilingual program at the school. But there was a low level of local innovation and capacity to address such changes.

Furthermore, anecdotal evidence from residents to a project team during their visit to Lajamanu in April 2012, reported previously unobserved levels of hopelessness amongst elders in terms of their perceived low ability to have any direct control over their lives and community (CLC Report to Community, 2012, see Appendix IX). The reasons for this are complex. For example, the underlying governing authorities in the community are the old people, guided by Warlpiri values and knowledge. At the same time, most Warlpiri feel that Lajamanu is really owned by *kardiya*[13] (i.e., non-Aboriginal people) who have unilaterally made major changes to the way the community is run, with the result that Warlpiri power to make decisions about Lajamanu is heavily constrained.

Additionally, many people in the middle-aged cohort have a much better understanding of *kardiya* culture than older people, so they are often the ones participating in meetings and negotiations with government and other non-Aboriginal entities, thereby

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13. This opinion was expressed repeatedly during confidential meetings with community residents held during the Project mentoring group trip to Lajamanu in May, 2012.

unintentionally undermining traditional governing roles. Further complicating this fragmentation of authority is the fact that Lajamanu is located on Gurindji land, so that Warlpiri feel several sources of limitation on their authority in Lajamanu. But a major factor which has had significant negative impact upon Warlpiri perceptions of 'who is calling the shots' in the community is the plethora of disconnected, informal governing mechanisms in Lajamanu, created largely by external agencies to service their needs.

Being disempowered through consultation

Alongside traditional Warlpiri governing structures and processes, there sit many outside bodies who have significant power over Lajamanu and its residents (see Appendix II for a list of those operating in 2013). Together, these have formed a complex governing environment for the community. There are three tiers of government (Australian, NT and Local), each having departmental officers working on the ground or visiting, and often creating local committees, reference groups, councils, working groups and boards (for brevity, henceforth referred to under the catch-all 'committee') in order to implement their particular government policies and programs. In addition, there are many other similar committees set up by Aboriginal organisations and NGOs.

Many of these externally created structures have local residents elected as 'board' or 'committee' members so that governments can secure Warlpiri involvement in consultation and decision-making. Almost (but not all) of these committees are advisory in nature and are formulated to facilitate outsiders' work and answer to outsiders' priorities.

For instance, in 2013 these structures included: a Local Reference Group (LRG), which advises the Australian Government's FaHCSIA department[14], through a locally-based Government Engagement Coordinator (GEC), on policy and implementation of the Council of Australian Government's (COAG) *Closing the Gap* framework; there is a Local Government Advisory Board which is designed to give advice to the Central Desert Shire Council; there is a Housing Reference Group which advises the NT Government on matters relating to public housing. There are also locally-controlled organisations, such as the shop (Lajamanu Progress Association), the art centre (Warnayaka Art Centre) and the church, which all have management committees, as well as larger Aboriginal representative bodies, such as the Central Land Council, Katherine West Health Board, and Mt. Theo (Warlpiri Youth and Development Aboriginal Corporation). Other government-funded service deliverers, such as the school, also have their own committees on which local Warlpiri residents are members.

Even the incorporated organisations with formalised Warlpiri control are subject to strong administrative and compliance imperatives through various pieces of legislation and the reporting demands of external funding bodies. They are usually largely staffed by non-

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14. The federal Department of Families, Housing, Community Services and Indigenous Affairs was formed in 2007. As a result of an Administrative Arrangements Order issued on 18 September 2013, the Department of Social Services was established and assumed most of the responsibilities of FaHCSIA; with Indigenous Affairs functions assumed by the Department of the Prime Minister and Cabinet.[3][4][5].

Aboriginal people and can end up being perceived as being out of local people's true control.

The project's mapping review of these existing governing structures (committees, boards, advisory groups, etc.) showed at least 20 locally-based committees and 11 regional committees operating within the community in 2013 (see Appendix II). The adult Aboriginal population of Lajamanu aged over 24 years[15] was 236 (or 40 per cent of the total Aboriginal population), with 106 people, or 45 per cent of the adult population, involved on at least one committee (see Appendix II for membership of committees).

This is an extremely heavy governance workload for such a small community, and one that is not necessarily achieving practically effective or legitimate governance, overall, for Lajamanu. There is a contradictory or counterintuitive outcome from this heavy weight of advisory structures: It appears that in spite of the plethora of bodies formed to give feedback and contribute to decisions, the overall impact on Lajamanu in terms of local perceptions of enhanced control is minimal. Warlpiri do not appear to feel collectively empowered by this number of consultative governing structures. Nor is it clear that such a large number of governance mechanisms does anything to deliver more efficient services or improved socioeconomic outcomes on the ground. Rather, they appear to reproduce the institutional fragmentation of departmental silos down into the community.

15.http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/IARE705006. This is a relevant figure for these purposes as younger adults in Lajamanu have negligible participation in western-oriented governance activities.

A workshop held in Lajamanu by CLC staff in February, 2013, considered the 'ladder of governance participation' (adapted from Arnstein, 1969 see Figure 1) with key community members, asking participants to assign the level of local control they felt they had over key organisations and committees. There was keen engagement in this exercise, with animated discussion amongst local residents. Their response demonstrated visually that Warlpiri perceived levels of control were low for most organisations. Those with the highest ratings of control were the ones with the most formal and actual power, that reflected Warlpiri ways of making decisions and setting priorities.

Meeting fatigue

In addition to this 'committee' governance work, every week there are many other demands for 'community' meetings, consultations, discussion, feedback and research participation, all of which place a very heavy burden on people's time. Almost all of this is unpaid and almost all is only advisory in nature.

As an indication of the burden of consultation placed on community members, the following table illustrates the volume of visits from outside organisations:

Table 3: Agencies, visitors and visitor days for 2010.

Number of agencies visiting Lajamanu	282
Average number of agencies visiting Lajamanu per month	24
Total number of people visiting Lajamanu	565
Total number of visitor days for the year (days stayed in the community)	1,959
Highest monthly number of visitors (October)	85

Source: See table quoted in Commonwealth 2011, reporting data collected by Government Business Managers, particularly their Visiting Officer Notification records.

The expression 'meeting fatigue' is often used by outsiders to describe this complex of factors that discourage local people from attending meetings. But it is more than exhaustion when Warlpiri people describe the burden or burnout caused by such a multitude of meetings. They are also critically reflecting on:

- their lack of decision-making power at a meeting.

- the few genuine roles for them in such meetings, or lack of clarity of their role.

- being 'talked to' rather than actively engaged in the discussions.

- no-one listening or following-up on Warlpiri priorities or issues raised.

- no interpreters and/or limited ability to use Warlpiri language in the meetings.

This has led many people to disengage from a consultative workload that is highly demanding, but also highly disempowering; leading to further pressure on those remaining engaged.[16] The combined result of this is a high level of burden on a small number of community representatives, a fracturing of decision-making, and a lack of meaningful control over key decisions and directions.

The project also collected statements from Warlpiri that indicate that the increased level of service providers in Lajamanu (as a result of being an Australian Government identified RSD site) has led to *lower* levels of participation. Anecdotal evidence suggests that

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16. The project worker has observed a marked decline in the size of community meetings over a decade.

larger numbers of non-Aboriginal people in the community means that it is more difficult for

local Warlpiri to know who does which job, therefore making it harder for them to engage.

As noted below, personal, trusting relationships between the project worker and Warlpiri

(see also Walker, 2010) are critical to effective development work. The Warlpiri response to

their inability to form such relationships with an increased number of non-Aboriginal people

is potentially and actually leading to disengagement. Further research on this topic is

required.

On top of the effects of a dispersion and weakening of local power as a consequence

of the community's fragmented governance environment and its attendant multiple

meetings is the increasing time spent in 'sorry' business (mourning rites) as a result of

higher mortality rates (Musharbash, 2009; Sathre, 2003). This further contributes to a lack

of participation in (weak) advisory bodies and constant community meetings organised by

outsiders.[17]

In short, the governance mapping revealed a high level of burden on community

representatives, a fracturing of decision-making, and a lack of meaningful local control of

key decisions and directions. Despite these complexities, there nevertheless seems to be a

clear Warlpiri preference for culturally-based nodal governance networks that allow all

voices to be heard, and a general desire to have the final say over what happens in their

community. The issue for Warlpiri people and external agencies involved in supporting local

governance development initiatives, is what kinds of governance arrangements will work to

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17. A similar impact of sorry business on the business of community governance and

structures has been noted by Frances Morphy (2008) amongst the Yolngu.

satisfy these preferences, what areas of community life do Warlpiri actively want to govern, how many structures are needed, and what kinds of networked governance will lead to both effectiveness and legitimacy?

Warlpiri governance

Mapping Warlpiri people's own traditional governance highlighted the mismatch between this and their connection with the 'outside' world and their feelings of hopelessness and disempowerment in dealing with non-Aboriginal society. For example, influential Warlpiri cultural systems such as the complex network of family relationships are not integrated into community committees. At the same time, it became evident that there was a deep well of knowledge and system-thinking amongst Lajamanu residents. The mapping technique identified the strength and clarity people had about their own culture and worldview, as well as a clear sense of correct governance within Warlpiri society. It also highlighted people's fears for the future direction of their culture as well as a clear sense of what was considered to be appropriate ways of integrating their culture with that of non-Aboriginal culture, and of the value of their culture in confronting contemporary challenges.

It was clear that, for the most part, people saw their own culture as having the answers to their current situation, but were much less clear on exactly how to draw out those answers and make them practically relevant. They saw it as essential to collaborate with non-Warlpiri people who were educated in the Warlpiri worldview in order to find solutions to these complex problems of cultural credibility and workability.

Warlpiri Law as a Basis for Governance Authority

It is often heard from Aboriginal people that their law is still alive and that they live by it. In Warlpiri English, the term 'law' has a broader range of meanings than in Standard Australian English and includes the concept of 'the correct way to do things' as well as being the basis of people's fundamental worldview.

In working with Warlpiri people, an understanding of the rudiments of 'law' is essential to collaborating in creating meaningful and legitimate structures, but how to apply to developmental work is not always clear. Below we give a number of examples of Warlpiri law's relevance to governance:

Talking to the "right" people

In the initial stage of the project, it was an implicit requirement by everybody in Lajamanu that the project worker talked with, and was seen to be talking with, elders (senior men and women, often with ceremonial as well as political power) and that they authorised his work before it began and as it progressed.

The coordinator already had a long association with Lajamanu, so knew who the senior authorities were. He began by talking with the oldest men and women, explaining that his job was a result of consistent requests by Lajamanu people to the CLC for assistance in developing their own governance arrangements.

After talking with these elders individually and in small groups, under their direction he talked with other senior people, then with a range of people of different ages. This was done in public so people could see that he was talking to those in authority and, as time went on and he spoke to other people, those authorities could observe who he spoke to.

This was done slowly and passively, often waiting for people to talk and waiting for recommendations and invitations. In the background, people were discussing the project

and the coordinator, and making judgements about both. This Warlpiri process of observation and judgement is replicated every day, in ways which are often invisible to outsiders. Being aware that it is happening and not rushing the senior people — although initially slow — will confer legitimacy that will bear fruit in later stages.

This unhurried, public process was very important to establishing credibility both for the project and the coordinator on the ground. Once cultural legitimacy had been established by the elders, then middle aged and younger people who are representatives on the various boards and committees felt safe to begin discussions with the project worker.

Ceremony and power

The project team came to understand there is a strong cross-over between ceremonial leaders and leaders in the secular and cross-cultural sphere. While ceremony can't be discussed publicly, it can be said that knowledge of Warlpiri Law is essential to having respect and authority in other spheres, and in doing governance development work.

The project worker attended ceremony and observed that in most cases, those in power in ceremony had power in the inter-cultural sphere. This confirmed again that local governance solutions must be based on structures that are recognised by local people, such as ceremonial authority, networked group relationships, links to country and so on.

Kinship and its role in governance

Another important part of Warlpiri Law is the rules that form part of the kinship system, which is the system of relationships between all people and things (Laughren, 1982; Pawu-Kurlpurlurnu et al., 2008). Kinship structures are highly resilient and adaptive to the contemporary situation.

As kinship permeates all Warlpiri thinking and regulates social behaviour and relationships, its importance to successful governance cannot be overstated. Kinship norms will restrict certain people from criticising others directly, will give others licence to discipline or restrict wrong-doers and provide avenues for support or censure. The strengths of this check-and-balance networked system are many and have great potential, when used wisely, to make constructive contributions to the designing contemporary governance mechanisms (see examples in Hunt & Smith, 2008; D. Smith, 2011).

Traditional land tenure and governance — Negotiating authority to act

Being able to speak and act with a united voice is one of the basic conditions for exercising governance. One of the challenges that hinder the united voice of many Aboriginal communities comes from their historical mix of residents and traditional land ownership. Lajamanu is typically complex in its 'traditional governance'. It is located on the traditional lands of the Gurindji who primarily live at Kalkarindji and Daguragu, 100 kms to the north, while the residents of Lajamanu are Warlpiri who have their traditional homelands to the south.

As governance authority stems from relationships to land as conferred on Aboriginal people by the Law, there was a feeling amongst Warlpiri that they needed 'approval' or 'agreement' from senior Gurindji leaders at Kalkarindji and Daguragu before they could go ahead and create governance arrangements for making decisions about what can happen 'on top of the land' on which in Lajamanu is located.

Rebuilding Internal Governance

As noted, the project initially identified levels of Warlpiri disempowerment and hopelessness far deeper than previously assumed. The governance mapping resulted in the

project focusing on rebuilding governance in areas where Warlpiri could exercise some immediate control. The project referred to this as 'internal governance' — meaning issues that were internal to the community and to a certain degree within the current governance capacity of the community leaders. Internal governance issues included Kurdiji's own consensus decision-making, adapting cultural structures into Kurdiji administrative processes, managing alcohol and violence in the community, and the explanation and adherence to cultural protocols by Aboriginal and non-Aboriginal people.

'Internal governance' was identified as an appropriate starting point because:

- much Warlpiri governance was already functioning well, such as the running of ceremony, sports weekends, cultural and religious events and could provide confidence and opportunity for reflection.

- the intensity of external demands was so great that people could only hope to be reactive, at best, and had little space to build autonomous decision-making processes.

- community leaders felt a need to be able to effectively govern the issues directly impacting upon Lajamanu before they could respond to broader external governance issues.

- internal issues are community issues that people are familiar with and which they can more easily workshops solutions. Therefore people were more able to effectively respond to those issues (such as reducing the impact of conflict in Lajamanu, addressing substance abuse, and the conduct of visitors in the community) and thereby begin to build their own confidence and legitimacy in the community.

- it is easier to consider and build the ability to control and make decisions over internal community issues than it is to control the wider governance environment or influence external inter-agency issues.

This focus nevertheless continued to be situated within an understanding of the nature of that wider surrounding environment and its particular impacts on the community and its governance. As confidence in Lajamanu grew, the project contributed to the extension of the Kurdiji Law and Justice group's bailiwick to include a range of internal community governance functions and, increasingly, engagement with mainstream organisations and government.

Governing the behaviour of visitors

Supporting the advocacy efforts of Kurdiji through informed participatory processes that maximise the involvement of local people has become one major focus of the CLC governance project work on the ground. This approach has culminated in several initiatives that have been recognised locally as being successful and authoritative actions.

One such action was the decision of the Kurdiji to request visitors from other communities to keep their conflicts outside Lajamanu when they came to visit (see Appendix IV). This was precipitated by worries about trouble from another community affecting a large meeting in Lajamanu. The Kurdiji response took the form of an open letter to community members.

The first version was only finished just before the meeting in question, so few were aware of it and there was a significant disturbance at that meeting. At the next similar meeting, however, after some revision of the text, the Kurdiji group stood in front of the whole meeting, read out the letter in Warlpiri and a number of members then re-affirmed

the message. There was no trouble at this meeting or subsequently and Kurdiji members were extremely pleased about the action they had taken. This event was a turning point in the confidence of the group and has been associated by Lajamanu residents with successfully asserting control over behaviour in their community. One of the local police said it was one of the most impressive community actions he had seen in his whole career.

Kurdiji meet with Gurindji

In March 2013, a delegation of senior Lajamanu men and women travelled to Kalkarindji to speak to senior Kalkarindji and Daguragu residents, in particular Gurindji with particular traditional ties to Lajamanu. The meeting comprised only Aboriginal people (the project worker and a non-Aboriginal resident of Kalkarindji attended but did not take an active part), was conducted in Warlpiri, Gurindji and English, and lasted over 1.5 hours.

The Kurdiji group explained in detail the work they had been doing, in particular their growing confidence as Kurdiji members:

- to stem the tide of Aboriginal people going to gaol.
- in consultation with family members and the community, to differentiate between serious troublemakers and those who'd made an uncharacteristic mistake and so:
  - influence court outcomes
  - enhance community control of responses to crime
  - return some mechanisms of social control to Aboriginal people in the community.
- generally take more responsibility for community life and developing Aboriginal responses to local challenges.

The response to this from Kalkarindji and Daguragu attendees was very positive and they expressed a strong desire to visit Lajamanu to see the work of the Kurdiji and set up a similar process. The Gurindji Traditional Owners endorsed the work of the Kurdiji group in Lajamanu, thereby ratifying the culturally-based authority of Kurdiji to operate. The outcomes of this meeting were reflected in the attendance of senior Gurindji people at the opening of the Kurdiji building two months later (see below).

The Kurdiji building

The space of an Aboriginal community is highly structured, having men's and women's areas, and public and private areas restricted for cultural reasons (sorry business, old burials, ceremony sites). Not surprisingly then, access to space in a small community is a governance issue.

Since the early stages of the project, Kurdiji members had been voicing a strong desire for their own meeting space. It is remarkable that in Lajamanu, which has had a stable core population for a number of generations, there are no non-domestic buildings where Warlpiri have free access, with the notable exception of the church. In their own community people have to seek permission from outsiders, who rarely stay more than a few years, to use buildings such as the council office or learning centre space for meetings.

Kurdiji members wanted a space they controlled, where they could have meetings amongst themselves and with government and outside agencies on their terms. A derelict building, a former community laundry and toilets, was identified, and, in 2012, after the necessary permissions were gained, the Kurdiji put in an application for renovation funds to

the Lajamanu sub-committee of the Granites Mines Aboriginal Affected Areas Corporation (GMAAAC).[18] This is Aboriginal money, used for community projects and is controlled by a committee of Aboriginal people in each of the relevant communities. The GMAAAC process is facilitated by staff from the CLCs Community Development Unit.

The group was successful in getting sufficient funding to comprehensively renovate the buildings and convert the laundry into a meeting area and office. This work was completed in December 2012. After meeting with senior people from Kalkarindji, the building was officially opened in May 2013.

The official opening of the Kurdiji building was seen as an important local statement about Warlpiri authority, successful collaboration and decision-making in the community. But, just as significantly, it represented an important statement about community people's preparedness to invest in their own governance building when it is seen to have such local roots and credibility.

In 2013, the Kurdiji group successfully applied for further Warlpiri money from GMAAAC for ongoing repairs and maintenance (See Appendix X for a copy of the open day booklet).

The trespass incident

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18.   GMAAAC, the Granites Mine Aboriginal Affected Areas Aboriginal Corporation, is the Aboriginal corporation receiving 'affected areas' money under ALRA, arising from mining operations in the Tanami. For simplicity, these monies are referred to in this paper as 'royalty monies', although strictly speaking they are 'areas affected' monies.

The protection of sacred areas from intrusion by unauthorised people is a responsibility taken very seriously. Any failure to ensure the safety of these areas has deep effects throughout the community and more widely across Warlpiri and affiliated groups. Such intrusions remain frequent across the Northern Territory. In Lajamanu a particularly damaging incident occurred in January, 2008, when a policewoman entered a male ceremonial area at the height of ceremonial activity (Anthony & Chapman, 2008). The governance of access to these areas is one of the fundamental duties of the community as a whole, and the senior people in particular, so in June 2013, when a locally-based non-Aboriginal Shire employee was seen driving through a ceremony area with his wife and children, the community were shocked and worried. The speed and effectiveness of the Kurdiji group's response was an indication of the newfound confidence and capabilities of the group to address and remedy wrongdoing in a productive way. In fact, community members later commented that had the Kurdiji been active when the 2008 incident occurred, it would have been sorted out much more quickly.

As a result of Kurdiji members contacting the CLC and the Central Desert Shire, the Shire Chair and acting CEO, along with a senior CLC staff member, visited Lajamanu to meet with the Kurdiji and discuss a way forward. As a result of this, a map and signs clearly showing the restricted areas have been produced and placed at major entrances to these areas. An accompanying booklet gives further detail from Kurdiji members about basic aspects of their law and culture and asserts their governance role in Lajamanu (Appendix VIII). The launch of this booklet was highly regarded by police and other organisations. Warlpiri have since reported a desire to use the booklet in school and as part of emerging cross cultural training courses.

Adapting cultural law to contemporary governance – governing payments

Kurdiji has a small budget for office expenses which is administered via a purchase order system at the Lajamanu Progress association (the shop). In many community situations the dilemma of reaching a consensual decision about relatively small expenditures is often met by vesting a suitable *kardiya* person with authority over expenditure. The *kardiya* approach of forming a committee with a financial officer, secretary, chair, etc., each with their own roles and responsibilities, is observed in the Aboriginal context in form, but is a largely meaningless set of structures.

Instead, the Kurdiji group are experimenting with using their traditional *kirda-kurdungurlu* relationships to delegate spending authority. These roles are an expression of people's relationships with each other (and with the kinship network more broadly) rather than static roles they might fill temporarily. They require collective decision-making and emphasise correct behaviour. Any person is "kirda" (sometimes called boss) for the land of their fathers and father's father, the same person is "kurdungurlu" (sometimes called manager) for the land of their mother's father. Decisions about land, law and ceremony need to be made by the kirda with the oversight of their kurdungurlu. While both sides of this equation must be respectful to each other, there is scope for criticism if things are not being done properly. Kurdiji members are trialling this system to see if it can be adapted to suit the contemporary requirements of responsible financial management. In the context of financial payments the person initiating the payment (notionally the kirda) needs to have it authorised by someone within the Kurdiji who is in the right relationship to be his or her kurdungurlu. As all Warlpiri understand the kinship system intimately everyone can easily

identify the relevant person to co-sign. The Kurdiji have rules for how many kurdungurlu

need to sign depending on how much money is spent.

This work, which required writing down kinship relationships in picture form,

generated renewed interests amongst younger Kurdiji members who requested more

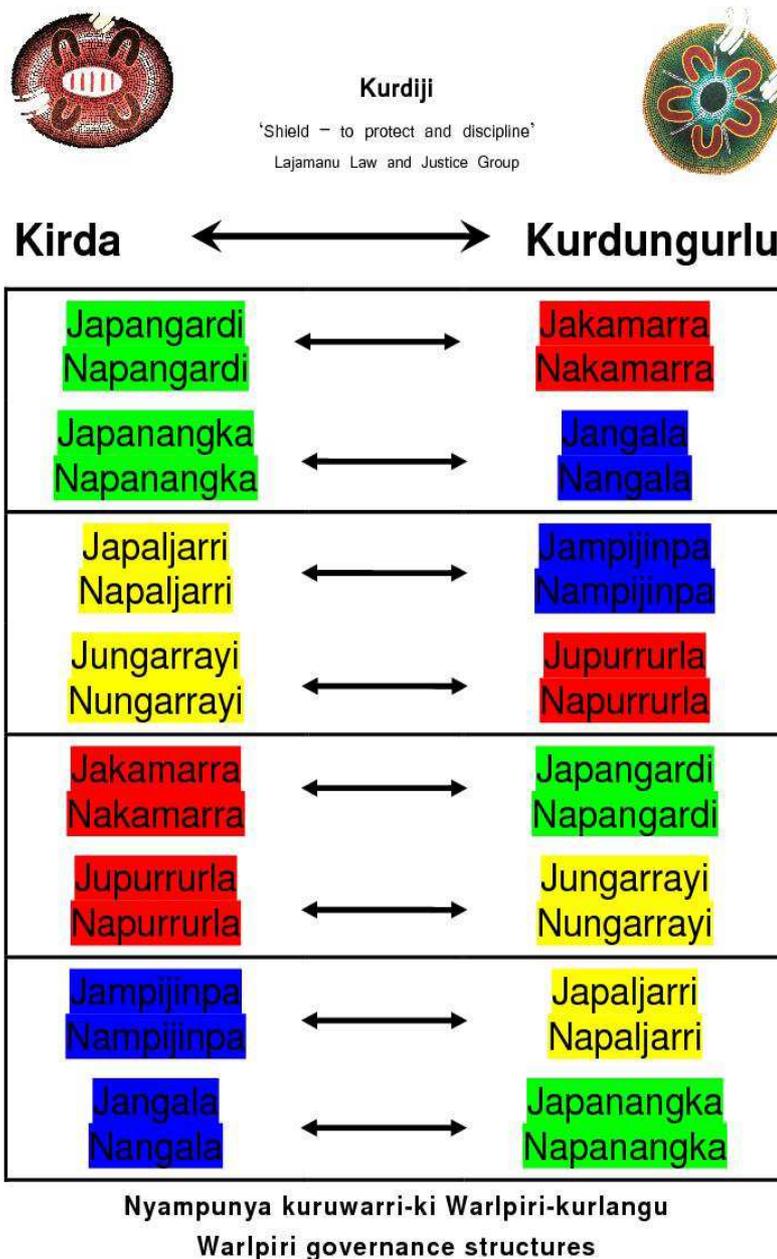information about the ways in which kinship governs community life.

Nyampunya kuruwarri-ki Warlpiri-kurlangu
Warlpiri governance structures

Figure 6: Kirda Kurdungurlu Relationships.

Warlpiri and western governance concepts – worlds apart?

The project worked on identifying Warlpiri words for governance (Appendix VI) concepts as a way to create shared meaning and to foster discussion of deeper concepts.

Part of the project's early focus was on creating shared meanings, which involved learning from both Warlpiri and western traditions, and finding ways to explain each worldview in terms that made sense in the other. The project returned to this focus in January, 2014, and spent some intensive time discussing English-language concepts and words, and their equivalents in Warlpiri. This process clearly documented the differing cultural assumptions between *kardiya* and Warlpiri and highlighted the ineffectiveness of facilitating western-style governance development without first discussing and understanding the fundamentally different governance approaches of both cultures.

There is not space here to discuss the findings in details, but in summary there was a rich body of Warlpiri concepts in areas around law, rules, and sanctions for wrong-doing, but it was much harder to explain in Warlpiri, or find cognate Warlpiri terms, for 'western' concepts like control, planning, accountability, resilience, leading, and responsibility. A preliminary conclusion from these findings is that in areas where people have clearly-defined roles and obligations, with a basis in Warlpiri Law, governance processes are clearer to people. In newly created or redesigned areas of governance, with no established Warlpiri authority or processes involved, or which require individuals to make atomised decisions about their behaviour, there is a paucity of concepts to guide people's behaviour and thinking. However, this preliminary research requires further work and discussion before any general principles can be confidently asserted.

Outcomes and Emerging Lessons

Outcomes

A comprehensive, independent evaluation of the Land Council's development work, including the Lajamanu governance project, took place in late 2013. Key findings about the governance project from that evaluation include:

Kurdiji's role is widely understood in Lajamanu. People of all ages increasingly see Kurdiji as an important way of doing things in a strong 'yapa' way and as such, having local legitimacy and credibility.

Kurdiji is attributed by some observers as contributing to reduced Lajamanu crime rates. Some interviewees associated with the legal system believe that Kurdiji has contributed to a significant reduction in offence rates in Lajamanu through its work in establishing strong governance interventions for managing conflict, violence and alcohol abuse within the community.

Kurdiji is seen by Aboriginal people as beginning to address elements of the governance vacuum. A wide range of interviewees expressed a profound sense of disempowerment as a consequence of the combination of the NTER and abolition of Community Councils as part of the Shire reform process. Kurdiji is being seen as potentially filling that local power vacuum.

The role and approach taken by the Project worker has been critical to Kurdiji's success. A wide range of interviewees including Kurdiji members, community members and service providers indicated that the developmental role of the Project worker has been critical to Kurdiji's success in the last 2 years.

The key assumptions underpinning the Governance Project remain largely valid.

(see Table 2 of this report and Roche & Ensor, 2014 99-102).

Overall, the evaluation review team stated: 'It is clear to the Review Team that the Community Development Unit (CDU) Program and CLC Governance Project have also played a critical role in empowering Traditional Owners and community residents across central Australia within a context of broader disempowerment' (Roche & Ensor, 2014p. 96).

The report concluded that whilst both Aboriginal people and service providers valued outcomes related to health, education and employment, Aboriginal people were more likely to express the view that strengthening culture, and enhancing voice and control, were central to achieving these outcomes. The independent evaluation also endorsed the value of the Project's intensive, routine monitoring of practice and process for identifying emerging insights and risks and adapting the project methodology accordingly.

An important lesson of the project has been the realisation that community governance, when operating from a position of low governance capacity and low collective morale, progresses in very small steps, each of which needs to be recognised and acknowledged. It is particularly important to identify the early small signs of successful governance development, as these are often subtle, processual and easily missed or disregarded. For example, the emerging confidence with 'letter writing' was an important indicator of growing governance capability amongst a small committee.

A Project Mentors Group visit in 2014 recorded more developed (but still subtle) examples of significant changes in governance processes within the Lajamanu Kurdiji group compared to a visit two years earlier:

All three meetings felt significantly different to earlier meetings because Kurdiji members were actively participating and controlling the flow, content of discussions, and direction of outcomes. There was a genuine sense of empowerment and authority; and of being quite serious about their role and responsibilities as Kurdiji members. The three meetings totalled over 11 hours of (unpaid) work by Kurdiji members, with consistently active involvement and enthusiasm. There was a lot of confident self-governance in action, in respect of themselves and their own behaviour, and their ability to initiate action within the community and more widely (Project Mentors Community Report, 2014).

Other examples recorded by the Project Group in 2014 of subtle positive changes which arguably are indications of emerging governance capacity, include:

Capacity for being self-critical and asking the hard governance questions. For example, when people discussed the issue of a letter written to them from the Bagot Aboriginal community in Darwin asking for Kurdiji assistance with Lajamanu people visiting Bagot and causing conflict and social problems, there was a lot of constructive discussion about the different ways they could exercise their authority to help Bagot address the problem. But perhaps more importantly, without any external prompting, committee members were self-analytical about *how* they might successfully enforce different strategies, and the risks if things went wrong. They also were not asking the project worker for solutions; they were raising and discussing the issues amongst themselves.

Running the meeting. There was a healthy balance and interaction with the project worker about the way the meeting was run, with Kurdiji members clearly behaving as if it

was their meeting, not his. In a community where externally controlled meetings are the norm, this was an important sign.

Building cultural legitimacy into governance. This is often cited as a highly valued characteristic of Indigenous self-governance, but is extremely difficult to actually design and do well (with scant research evidence of 'how to' examples). Throughout their three days of meetings, members consistently framed their governance authority and processes in terms of kinship, and how Kurdiji is using the Warlpiri kinship Law to keep on track and maintain its own authority in the community. The meetings provided some important examples.

For example, Kurdiji have been discussing for some time the possibilities of using the *Kirda-Kurdungurlu* model of land owner-manager, to legitimise new ways of governing within the Kurdiji context. At the meeting, they translated that complex Warlpiri system into a practical mechanism for ensuring accountability of their meeting purchase orders. Several Kurdiji members are also now using their Warlpiri names rather than Christian names to sign off letters and other paperwork. This has not been common in the past, and is an indication of their growing cultural confidence in cross-cultural engagement and governing. These small steps are in fact valuable building blocks for governance confidence and capacity, and reinforce the developmental message that 'getting started' often involves subtle processes and wins.

Gender knowledge and relationships. During discussions, several Kurdiji women actively sought out the female Project Mentor Group member to tell her information about kinship. This was in direct response to the Kurdiji men focussing their conversations on transmitting information to the male project team members. The women's enthusiasm

highlighted again the value of having a female co-worker alongside a male. It is also

noteworthy that the Warlpiri gender balance at all three meetings was relatively equal.

Younger people in Kurdiji. It was extremely encouraging to see two younger people

attend and actively participate in the meetings and other discussions (e.g., about petrol

sniffing problems, relationships between Kurdiji and local police). One young man was

unusually vocal and constructive in handling the delicate topic of encouraging older Kurdiji

members to pass on their knowledge to people of his generation. He made several

suggestions throughout the three meetings about how this could be done, and actively

contributed to discussions.

Life after the project funding ends. Compared to the first Project Mentors Group

meeting (attended several years earlier) Kurdiji committee members were noticeably able

to articulate more clearly what they liked about the project worker's style. They were also

proactively considering options to advocate for further funding to extend the project and his

employment.

Commitment to good process. An oft-cited condition of effective governance is the

ability of a governing body to get accurate information, make informed decisions and stay

on top of what is being said/done on their behalf by advisors or staff. It was observed that

Kurdiji members consistently asked for information when they did not have it (both from

project worker and each other), and offered to get local information when needed (e.g.,

inquire amongst families about the extent of petrol sniffing).

There were several important community issues for which possible Kurdiji responses

were discussed and drafted out. People consistently wanted letters and drafts read out in

full, rather than simply having them summarised by the project worker. One incoming letter

for their attention was in very high English and would have been more easily summarised, but members wanted it both read out in full and summarised into plain English.

From a governance perspective, this was an extremely positive request. Members were not just relying on the project worker to give them an accurate précis. They made sure they got the full information and that letters were put into their own words.

The project worker played an important role in this dynamic by constantly reflecting issues back to people, and not suggesting his own wording for drafts. For example, when he was "taking a letter" he would not rely on the words of one articulate Warlpiri but would wait and encourage the group to come to a consensus on the words being put forward. This made for a much slower process, but one that was more empowering and inclusive. In response, people would often return to a sentence over and over until a version was proposed that everyone was happy with.

Members paid attention to due process by insisting that even with a quorum, they wanted to have the full membership sign important outgoing documents. Another example of good process was that during the meetings there was a need for Kurdiji to sign four items. Members were aware that a couple of key members were not present and discussed whether they should wait for more signatures or not.

A vision for Kurdiji. It was clear that a number of members have developed a stronger vision for what Kurdiji could become in the future. They were passionate about it, talking about their dream to help the whole community, to talk and act "with one voice", and to keep growing stronger for Lajamanu. The group also displayed strong ownership of the 'little meeting space' which obviously feels like their own. Members proposed ideas to decorate it with shields.

Emerging Lessons

So precisely how does one go about working on governance-building in a developmental way? Very little developmental work is occurring in Indigenous Australia and almost nothing has been documented in this particular arena. The CLC is committed to building an evidence-base and sharing insights from its own development work. This includes ensuring there are regular, credible and independent processes of monitoring and evaluation. After three years, this project already has some emerging lessons for practitioners and communities starting out on this path.

Power relations: This is an important practice learning from the project which has significant wider implications for external agencies wishing to undertake governance development and other work with Aboriginal people; namely, such work cannot be undertaken in the absence of directly reworking power relationships on the ground. A conscious effort must be made to reverse the power relations which often put mainstream culture, either explicitly or implicitly, in a dominant position That means being prepared to negotiate and surrender areas of power and control to Aboriginal people, at an agreed pace and in accord with acquired capabilities. Assertions of power and 'who is in control' can be as simple as the layout of a meeting, or as complicated as the structure of policies and rules for program grant reporting. The developmental approach itself needs to be created with, and within, the community.

At a local pace: Warlpiri called for the project to 'go slow'. Supporting people's confidence to participate in their own governance-building is a critical condition-precedent for any developmental approach in this area of work The project did start slow, but came to understand that the more important measure of slowness was to work at the pace at which

local people could understand and adapt to change. This is a nuance that has important

consequences for outsiders' engagement in governance work. Initially the pace was very

slow, on a timeframe of years, but once processes were agreed upon, collective action could

be remarkably fast. Part of the implication here is also about not proceeding at such a fast

pace that it outstrips people's own ability to equally participate and exercise local power.

The project is now considering a ten year time frame. That is consistent with the timeframes

reported by other successful Aboriginal organisations (Aboriginal Peak Organisations of the

Northern Territory (APONT), 2013).

Trust and follow-up: There was a need to develop trust and a belief that the work

was 'real', and not simply another short term pilot or externally instigated process of

change. This was achieved through the slow nurturing of good relationships, which were

based on a committed effort to understand issues from a Warlpiri cultural point of view.

Creating trust was also based on long periods of demonstrating accountability; that

is, by doing what was promised, both at a local and organisational level (in other words, the

project had to keep an eye on its own direct accountability back to people at Lajamanu).

Local solutions will be informed by culture: It is clear that governance is not 'one

size fits all' and to expect that Anglo-Australian structures will necessarily fit local needs is to

underestimate the commitment that Aboriginal people have to their own culture and

solutions. The project team believes that cultural solutions *will* be part of developmental

governance work in Lajamanu and most likely other Aboriginal communities. Cultural

processes and values are the foundations which *are* there in communities, and through

which people can draw initial confidence and skills. These processes are not often apparent.

The project found that attention must be paid to understanding local, kinship, language,

law, country, ceremony and the relational networks through which these operate, as it was through these elements that valuable conversations were had about what contemporary solutions might be appropriate.

It is acknowledged that on occasion, cultural prerogatives conflict with the demands of contemporary corporate governance. For example, Anglo-Australia finds it difficult to understand different values on money and family relatedness interpreting them as nepotism and financial waste, while Aboriginal people see the mainstream as having an over-reliance on compliance and regulation as ways of measuring governance effectiveness. An insight from the project that speaks to a developmental practice that works in this regard is that Aboriginal culture is part of the solution, not a 'problem' to be pathologised or quarantined away from governance solutions. Indeed, the lesson from the governance project is that given time and sensitively delivered support, local people have been able to design innovative, culturally credible solutions to problems. For such innovations to become resilient, they need to become embedded in institutions (rules) and structures.

Local advocates and enablers: The Warlpiri have said, 'it is not about black or white, we just need good people.' Good people are required for developmental work. That means innovative and concerned community members are required to take up the challenge of working on the complex cross-cultural aspects of community governance. Conditions need to be created where Aboriginal advocates are identified, and feel safe and empowered to participate. These people need to be paired with sensitive, effective counterpart field workers who have an understanding of power relations and how to undertake, what we have called, constrained intervention. That is a professional style where one continually asks: If I do this, who is in control? Who is gaining power? Who is really making the

decisions? In our experience, project design and mentoring support can greatly assist the process of supporting 'good people' many of whom are already trying to work developmentally in communities, but are constrained by their program structures or organisational attitudes.

Project structure: The governance project trialled an innovative project structure. Fundamentally it was based on expectations and understandings that small steps in confidence and locally credible process are the foundations that must first be achieved before more complex structures emerge. As such, no predictions were made about what the end result might look like. It was understood that this approach would take time; the current project is just beginning what may be a 10 year journey.

To support this long-term timeframe and open-ended approach, a management team was required that had the confidence to protect the project against calls for quicker or more specific action; that is, to support a proper developmental method. The project worker also needed support to manage the inevitable feelings of being overwhelmed by an initially amorphous approach, or wanting to more actively assert suggestions in order to create the semblance of 'something happening'. This was achieved through good CLC management that was committed to the experimental developmental approach, and through the creation of a mentoring team consisting of experts in policy, governance, international community development, and anthropology. Both strategies proved highly successful.

Supporting field staff (and avoiding burnout): Much discussion of the 'Aboriginal problem' focuses on 'dysfunction' within Aboriginal culture and society. However, the problem of high turnover of government policies, programs and staff, both locally-based

and in the leadership of external agencies and departments, is given much less attention, although it is a problem that has been consistently raised by Aboriginal people, academics and government inquiries for decades (see reviews in Hunt, 2008; Indigenous Community Governance (ICG) Project, 2006, 2007). It is a particularly important issue given the importance of relationships and the value of long-term commitment demonstrated in the project's work.

There are many reasons for the high turnover of staff in remote communities, including cultural alienation, remoteness from family and friends, and lack of support from centralised, urban-based offices (see for example Finlayson, 1997; Sanders, 2005). This last factor appears to be under-acknowledged and can take a number of forms, such as unreasonable priorities or demands from head office, a worldview disconnect, and a reduced ability of those working at the centre to learn from the findings in the field.

To avoid this, it's essential that staff in remote communities are well-supported by their departments and organisations. This means not only having regular and meaningful contact between central and remote colleagues and supervisors, but that the insights and feedback of remotely located staff are seriously considered and responded to. Also, as both informal and formal contacts with colleagues and peers are limited, structured feedback and mentoring mechanisms should be made accessible. The project's own 'mentoring group' model had the added value of enabling new staff to benefit from an existing knowledge base in relation to cross-cultural challenges and solutions.

Creating more effective tools: The project worker and team spent considerable time creating a wide range of tools to support the 'governance learning' aspect of the work with Warlpiri people. These included visuals diagrams, videos, mapping of the governance

environment, painting of each group's land-ownership designs, erection of signs, posters, community feedback surveys and newsletters, and conversations where ropes, bottles and coloured chalk were spontaneously used to describe power relationships within the community. Such visual and physical tools were informed by the project worker and team members' growing understanding of Warlpiri people's own governance institutions, systems and structures.

Participation-Reflection: Finally the project found that careful observation and reflection is a precondition in order to identify early signs of change and potential challenges and misdirection. The paper has described the reporting framework which involved project team visits (and meetings) being held in Lajamanu, community feedback documents, and fortnightly reports written by the project worker and reviewed by the management and mentoring team during telephone conference calls.

More simply stated, the project undertook its monitoring and evaluation on a day-to-day basis not at the end of the project. Furthermore reports were primarily about learning not reporting outcomes to management. This has been a fundamental and successful part of the project methodology and arguably is critical for any developmental

Conclusion

The Lajamanu Governance Project raised several important questions as soon as on ground-work commenced. A critical issue for Warlpiri people (and external agencies involved in supporting local governance development initiatives) was what kind of things did Warlpiri actually want to exercise greater control and responsibility over? Another was what existing or new values, capacities, and knowledge were required to inform Warlpiri consideration of

the governance options open to them? And what governance arrangements would work to satisfy their preferences and deliver greater local control? For example, how many structures might be needed, and what kinds of networked governance or other governance styles would lead to both effectiveness and legitimacy?

The critical issue for the project was, having been established on the bases of undertaking a developmental approach, what specific practical techniques and strategies would best work in the context of Warlpiri governance rebuilding?

Warlpiri people approached these issues, first and foremost, from the viewpoint of their cultural values and institutions. 'Our Law never changes, white law is always changing', was a regular comment at Lajamanu. In reality, Aboriginal Law has well-documented areas of flexibility and some white laws don't change, but the statement is intended to sum up a fact of life for people living in remote Aboriginal communities: from their point of view engagement with mainstream projects and policy is a constant merry-go-round of change — of changing staff, changing departmental names, changing programs and interfaces, changing policies and funding requirements. Often the change is dramatic and previous programs are scrapped to make room for the next initiative. One might hope that decades of effort would create a slow and steady improvement in the wellbeing of Aboriginal people. However, improvement will not occur if each new round of effort starts on a different track and does not build on previous foundations.

Effective legitimate governance has been identified as being a powerful predictor of success in economic and community development (see for example Cornell & Kalt, 1995; Dodson & Smith, 2003; Jones, 2002; D.E Smith, 2005; United Nations Development Program (UNDP), n.d.; World Bank, 1994). We argue that resilient governance confidence and

capacity is a prerequisite for any community being able to cope with the constant, externally imposed changes, and to assert their own agendas and priorities.

It may be argued by some that the Lajamanu Governance Project should utilise its resources and energy to proactively advocate for a specific kind of governance structure (for example, a regional authority or revamped community council) and then fill the newly created organisation with Warlpiri people. While this more assertive style may deliver the appearance of more local power in the short term (assuming it is politically possible), the approach is still built on foundations laid by outsiders, and therefore is exposed to the same fate of other externally imposed governance initiatives in Lajamanu. It would not be seen as a locally-owned governance mechanism, and so would fail to win local support, credibility and engagement. Such an approach is also susceptible to being easily overridden by external policy and funding changes — leaving the community in exactly the same position of powerlessness in the face of changing outside agenda.

The Lajamanu governance project trialled a different approach called 'developmental practice' where the focus has been on facilitating informed change and confident decision-making from within the community, so that local capacity can create a degree of resilience against the cycles of community crises and external change. The methodology is time consuming, even more so in Lajamanu where the project discovered that despite a plethora of consultative committees and representation, most Warlpiri felt they had no real control over their community, and few ideas about how to change the situation. That initial situation may well be found in many other Aboriginal communities, and not simply in remote locations.

It has taken three years for the project worker and team to create relationships of trust, to learn together, and to observe the *emergence* of a fledgling locally-controlled and run governance mechanism. That mechanism is vulnerable and requires ongoing developmental support – that is the very nature of getting started on such a complex community initiative. The project is not finished and does not have all the answers. However, in a sphere of operations where there is almost no documentation of 'how to do developmental governance work' it does have some valuable insights and implications. In the long haul of governance development, this paper is about the first steps; about initiating a governance project from scratch in a context that is similar to many other communities across Australia.

The project has observed sufficient improvement to argue that a developmental framework does work in building governance confidence, capacity and solutions. But such an approach has to be sustained. It takes time and cannot be rolled out in the same manner as standard government programs or pilots. But given the lack of outcomes in Indigenous Affairs over the last decade, there are grounds for suggesting that such a seemingly 'long' timeframe might have delivered more robust outcomes if started ten years ago.

Effective governance needs to be locally credible, place-based, action orientated, and founded on self-determined priorities and informed choice (Indigenous Community Governance (ICG) Project, 2006). A developmental approach and related practices can deliver these outcomes. Although such a framework is time-consuming and requires specialist field methods, the approach in Lajamanu has resulted in empowering people, both individually and collectively. We argue that in time these empowered, self-identified, and

locally accountable groups become the bedrock of effective self-governing organisations within a community.

Building governance capacity is the process of people identifying their own problems, thinking through solutions, making informed choices, carrying out effective and culturally-based actions, and taking collective responsibility for the outcomes. The lessons emerging from the project point to the conclusion that a developmental approach to rebuilding Indigenous governance not only appears to work, especially at the initial stages of 'getting started', but that it appears to be eminently suited to Aboriginal preferred ways of working.

Development practice leads to a slow but steady improvement in governance confidence, capacity, and locally-designed solutions. This incremental approach is arguably more conducive to embedding resilience into local governance solutions.

To date, the project and the emerging governance mechanism in Lajamanu have been able to proceed on the basis of focussing on internal Warlpiri issues, strengths, priorities and solutions. To become sustainable, a major challenge for Warlpiri and the project will be to commence a more intensive consideration of the structural options that might further strengthen that mechanism. Another challenge will be for those local solutions and priorities to be recognised and supported by the wider governments, their departments and other agencies who continue to engage with people at Lajamanu on a daily basis.

Appendices

Appendix I – Project Brief and Assumptions

Appendix II – List of consultative bodies and table of representation

<u>Lajamanu bodies</u> (20)

1. AFL committee
2. Church elders group
3. Dialysis Kidney Committee
4. Granites Mines Aboriginal Affected Areas Corporation Lajamanu sub-committee (GMAAAC)
5. Granites/Dead Bullock Soak mine liaison committee
6. HRG (Housing reference group – NT govt)
7. Indigenous Protected Area (IPA) committee
8. Kurdiji
9. LAB (Local advisory Board – Central Desert Shire)
10. Lajamanu Progress Aboriginal Corporation
11. Learning centre reference group
12. LRG (Local reference group – Commonwealth govt)
13. Milpirri committee
14. Northern Warlpiri Sports
15. School council
16. Tanami mine liaison committee
17. Warlpiri Education Training Trust (WETT) Early Childhood reference group
18. Warlpiri Youth Development Aboriginal Corporation (WYDAC, formerly known as Mt. Theo) Lajamanu sub-committee
19. Warnayaka Art and Culture centre
20. Wulaign Homelands council

<u>Regional bodies</u> (11)
21. Central Land Council (CLC) – full council
22. CLC Executive
23. GMAAAC directors
24. Katherine West Health Board (KWHB)
25. Kurra - WETT sub-committee
26. Kurra Directors
27. Mt. Theo (WYDAC)
28. Pintupi-Anmatjere-Warlpiri (PAW) media
29. Tanami Downs GMAAAC committee
30. Warlu (fire) management committee
31. WETT – WpkJ (Warlpiri-patu-kurlangu Jaru) sub-committee

Appendix III – letter/press releases re: police phone diversion

Appendix IV – letter to other communities

Appendix V –Kurdiji background

The Lajamanu Law and Justice Group is a group of senior men and women from the Lajamanu community who are actively involved in promoting respect for law and Justice within their community. It refers to itself as 'kurdiji'[19], or shield, with the sense that the group's function is to 'to shield, block, protect or ward off'. The shield represents protection of the community and is also an integral part of the initiation ceremonies in which young men and women are taught respect for the law in order to be fully functioning members of the community.

The Lajamanu Law and Justice Committee was established in 1998 in response to a joint letter from the former Lajamanu Community Council and the Lajamanu Tribal council to the Chief Minister of the Northern Territory, the Minister for Police and the Minister for Aboriginal Development in September, 1997. They identified the need for Customary Law and the mainstream justice system to work together and asked for government assistance to establish a forum that could interface with the mainstream justice system and could work to bring the "two laws" together in a practical and meaningful way. The Office of Aboriginal Development facilitated the development of a Lajamanu Community Law and Justice Plan through its Aboriginal Law and Justice Strategy (ALJS), which was also operating at Ali-Curung and Yuendumu. This Plan was signed by the Territory and Commonwealth Governments and community organisations in 1999. . The Kurduju Committee, which was previously known as the "Combined Communities Law and Justice Committee", was

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[19] Kurdiji and Kurduju are regional variations of the same word.

established in 2001 with representation from the Lajamanu, Ali-Curung, Yuendumu and Willowra law and justice committees.

The Law and Justice Committee, as signatories to their Community Law and Justice Plans, were the main community organisation with responsibility for overseeing and monitoring the implementation of government programs and commitments arising from the Plans.

Responsibility for the ALJS was transferred to the Department of Community Development, Sports and Cultural Affairs in 2001 and to the Department of Justice in 2003. The Lajamanu Law and Justice Committee and the overarching Kurduju Committee were, along with the other law and justice groups, de-funded in late 2003, although Community Corrections continued the pre-court conferencing aspect of the strategy until 2005. Following community requests for its reinvigoration, the Lajamanu group reformed in 2010 with the assistance of NAAJA. The group now meets approximately every 6 weeks to discuss community safety issues and provide crime prevention advice and pre-sentence reports to the court. The Law and Justice Group is routinely involved in informal dispute resolution, with the aim of proactively resolving small conflicts before they turn into larger problems.

Appendix VI – Governance Words

Appendix VII – Law and Justice Report

Appendix VIII – Community Cultural Protocols and Restricted Area Map

Appendix IX – Central Land Council 2012 Community Feedback Document

Appendix X – Kurdiji Open Day Booklet

Appendix XI – Blank fortnightly reporting template

References

Aboriginal Peak Organisations of the Northern Territory (APONT). (2013). Strong Aboriginal Governance Report: APONT.

Altman, J., & Hinkson, M. (2007). *Coercive Reconciliation: stabilise, normalise, exit Aboriginal Australia*. Melbourne: Arena Publications.

Anthony, T., & Chapman, R. (2008). Unresolved tensions: Warlpiri Law, Police Powers and Land Rights. *Indigenous Law Bulletin 9, 7*(5).

Arnstein, S. (1969). A ladder of citizen particpation. *Journal of the American Institute of Planners, 35*(4), 216-224.

Australian Law Reform Commission. (1986). Recognition of Aboriginal Customary Law Report 31 *Aboriginal Customary Law inquiry* (pp. Paragraph 55.): ALRC.

Australian Productivity Commission. (2009). Overcoming Indigenous Disadvantage. Canberra: Australian Government.

Begay, M., Cornell, S., Jorgensen, M., & Kalt, J. (2007). Development, governance, culture: What are they and what do they do? In M. Jorgensen (Ed.), *Rebuilding Native Nations. Strategies for Governance and Development*. Tucson: University of Arizona Press.

Campbell, D., Pyett, P., & McCarthy, L. (2007). Community development interventions to improve Aboriginal health: Building an evidence base. *Health Sociology Review, 16*(3-4), 304-314.

Central Land Council. (2008). Reviewing the Northern Territory Emergency Response: Perspectives from six communities.

Central Land Council. (2009). The Central Land Council Community Development Framework Retrieved 20 May, 2013, from www.clc.org.au/files/pdf/The_CLCs_Community_Development_framework.pdf

Central Land Council. (2010). The governance role of local boards: A scoping study from six communities.

Coordinator General for Remote Indigenous Services (CGRIS). (2009). Six Monthly Report. Office of the Coordinator General for Remote Indigenous Services. Canberra: Australian Government.

Cornell, S., & Begay, M. (2003). *What is cultural match and why is it so important? Lessons from 14 years of the Harvard Project*. Paper presented at the Building Effective Indigenous Governance conference, Jabiru, Norther Territory.

Cornell, S., & Kalt, J. (1995). Successful Economic Development and Heterogeneity of Government Form on American Indian Reservations. Cambridge, MA.: Malcolm Weiner Centre for Social Policy, Harvard project on American Indian Economic Development, J.F. Kennedy School of Government, Harvard University.

Dillon, M., & Westbury, N. (2005). *Beyond Humbug: Transforming Government Engagement with Indigenous Australia*. West Lakes, SA: Seaview Press.

Dodson, M., & Smith, D. E. (2003). Good governance for sustainable development: Strategic issues and principles for Indigenous Australian communities; CAEPR Discussion Paper No. 250. Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Finlayson, J. (1997). Service provision and service providers in a remote Queensland community, CAEPR Discussion Paper, No. 133. Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Human Rights Commission. (2012). Social Justice Report 2012: Aboriginal and Torres Strait Islander Social Justice Commissioner.

Hunt, J. (2008). Between a rock and a hard place: Self-determination, mainstreaming and Indigenous governance. In J. Hunt & D. E. Smith (Eds.), *Centre for Aboriginal Economic Policy Research Monograph No. 29*

 Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Hunt, J. (2013a). Engagement with Indigenous communities in key sectors, Clearinghouse Issues Paper No. 21 *Clearinghouse Issues Paper 21*. Canberra: Australian Institute of Health and Welfare and the Australian Government.

Hunt, J. (2013b). Engaging with Indigenous Australia – Exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities, Clearinghouse Issues Paper No. 5. Canberra: Australian Institute of Health and Welfare and the Australian Government.

Hunt, J., & Smith, D. E. (2008). *Contested Governance: Culture, Power and Institutions in Indigenous Australia,* . Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Indigenous Community Governance (ICG) Project. (2006). 'The governance environment' in Indigenous Community Governance Project: Preliminary Research Findings: Working Paper no. 31 (pp. 39-48): Centre for Aboriginal Economic Policy Research, ANU.

Indigenous Community Governance (ICG) Project. (2007). Indigenous Community Governance Project: Preliminary Research Findings: Working Paper No 31. Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Ivory, B. (2008). Indigenous leaders and leadership: Agents of networked governance. In J. Hunt, D. E. Smith, S. Garling & W. Sanders (Eds.), *Contested Governance: Culture, Power and Institutions in Indigenous Australia, Monograph No. 29* (pp. 233-262). Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Jones, P. (2002). Maori Governance: Foundations for Indigenous Social Capability, Report of the Social Policy Branch, New Zealand Treasury.

Jorgensen, M. (Ed.). (2007). *Rebuilding Native Nations. Strategies for Governance and Developmen*. Tucson: University of Arizona Press.

Kurdiji group Lajamanu (Producer). (2013). Video statement in favour of extending project funding. Retrieved from http://www.clc.org.au/media/files/keep-our-kurdiji-strong/

Laughren, M. (1982). Warlpiri Kinship Structure. Language of Kinship in Aboriginal Australia. In F. Merlan, A. Rumsey & J. Heath (Eds.), *Oceania Linguistic Monographs* (Vol. 24, pp. 72-85). Sydney: University of Sydney.

Morgan Disney & Associates Pty Ltd. (2006). The Red Tape Evaluation in Selected Indigenous Communities, Final Report for OPIC. Canberra.

Morphy, F. (2008). Whose governance, for whose good? The Layhnapuy Homelands Association and the neo-assimilationist turn in Indigenous policy. In J. Hunt, D. E. Smith, S. Garling & W. Sanders (Eds.), *Contested Governance: Culture, Power and Institutions in Indigenous Australia, CAEPR Research Monograph No. 29,* . Canberra: CAEPR Press.

Musharbash, Y. (2009). Sorry Business is Yapa Way': Warlpiri Mortuary Rituals as Embodied Practice. In K. Glaskin, M. Tonkinson, Y. Mushabarash & V. Bu (Eds.), *, Mortality, Mourning and Mortuary Practices in Indigenous Australia* (pp. 21-36). Ashgate, United Kingdom.

Northern Territory Emergency Response Review Board. (2008). Report of the NTER Review Board October 2008: Commonwealth of Australia.

Office of Indigenous Policy Coordination (OIPC). (2005). New Arrangements in Indigenous Affairs, . Canberra: DIMIA, Australian Governmen.

Pawu-Kurlpurlurnu, W. J., Holmes, M., & Box, L. (2008). Ngurra-kurlu: A way of working with Warlpiri people DKCRC Report 41. Alice Spriongs: Desert Knowledge CRC.

Roche, C., & Ensor, J. (2014). Independent Evaluation of the Central Land Council's Community Development and Governance Programmes: La Trobe University.

Sanders, W. (2005). Dispersal, autonomy and scale in Indigenous community governance: some reflections on recent Northern Territory experience. *Australian Journal of Public Administration, 6*(4), 53-62.

Sathre, E. (2003). *Everyday illness: discourse, action, and experience in the Australian desert.* PhD, Anthropology, Australian National University.

Shergold, P. (2005). [Delivering services to Indigenous Australians - A whole-of-government approach: Presentation to the Australian Government Indigenous Affairs Forum for the Northern Territory, 17 February].

Smith, D. (2011). *Cultures of Governance and the Governance of Culture: Indigenous Australians and the State.* PhD, Australian National University, Canberra.

Smith, D., & Hunt, J. (2010). Understanding & engaging with Indigenous Governance: Research evidence and possibilities for a dialogue with Australian governments. *Journal of Australian Indigenous Issues, 14*(2-3), 30-53.

Smith, D. E. (2005). Researching Australian Indigenous governance: A methodological and conceptual framework: CAEPR Working Paper 29. Canberra: Centre for Aboriginal Economic Policy Research, ANU.

Smith, D. E. (2007). Networked Governance: Issues of Policy, Power and Process in a West Arnhem Land Regional Initiative. *Nigya: Talk the Law, Governance in Indigenous Communities, 1*, 24-52.

Stanner, W. E. H. (1968). *After the Dreaming: Black and White Australians: an Anthropologist's View*. Sydney: ABC.

Sterritt, N. (2002). *Defining Indigenous Governance*. Paper presented at the Building Effective Indigenous Governance conference, Jabiru, Northern Territory.

Stoker, G. (1998). Governance as theory: Five propositions. *International Social Science Journal, 50*(155), 17-28.

United Nations Development Program (UNDP). (n.d.), from http://www.undp.org

Walker, B., Porter, B., & Marsh, I. (2012). Fixing the hole in Australia's Heartland: How government needs to work in remote Australia. Alice Springs: Desert Knowledge Australia.

World Bank. (1994). Governance: The World Bank's Experience, . Washington, D.C.: The World Bank.