

CAPACITY BUILDING
INQUIRY
Submission No. 8

Inquiry on Capacity Building in Indigenous Communities

A submission to the House of Representatives Standing Committee on Aboriginal and Torres
Strait Islander Affairs

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Introduction

The terms of reference for this inquiry are directed at improving the delivery of basic services to Aboriginal communities. The underlying premise is that Aboriginal people are themselves best placed to deliver services within their communities, but will require leadership training and other forms of capacity building to fulfil this role. Forms of community governance may also require change. There is an apparently lesser interest in the manner in which government agencies with roles in service delivery engage with Aboriginal communities.

These are interesting and important ideas, but perhaps unnecessarily narrow in their focus. Aboriginal and Islander people living in different places live very different lives, and maintain customary practice in many ways and at many levels. However, the terms of reference emphasise their status as mendicants, as recipients of services from others. This seems an undesirably constrained view of options to improve community well being. A more inclusive and positive view of the options might present Aboriginal people as full and vital members of the Australian community, who have a great deal more to contribute towards meeting national goals, if serious efforts are made to properly support expanded contributions. Issues of governance, capacity building and leadership might be more explicitly linked to enhancement of those contributions, rather than directed mostly to mitigate disadvantage through better delivery of basic services.

This submission deals with one of those positive options: the critical role of Aboriginal people as managers of natural resources in northern Australia. This issue is of particular interest to the ARC Key Centre for Tropical Wildlife Management. Our objectives include improving capacity in wildlife management and conservation in tropical Australia, in part through enterprise based on the use of native species of plants and animals. Much of our research is done in collaboration with Aboriginal traditional owners and land managers. We seek to link biophysical science with social science and Indigenous knowledge to address issues of biological, economic and social sustainability of resource management systems. We have formed a number of important links to achieve integration, including joint studies with the ANU Centre for Aboriginal Economic Policy Research.

Natural resource management in northern Australia

North Australian landscapes are important foci for conservation of rare and endangered species (Woinarski and Braithwaite 1990). Tropical savannas remain structurally intact over large areas, suggesting that they may be less in need of active conservation management than the more obviously damaged landscapes of southern Australia. Unfortunately, this impression is false: many species of fauna are in decline throughout much of their range, including sites within conservation reserves (Franklin 1999; Woinarski et al. 2001). Endemic plants are at severe risk in the unique sandstone environments of the Top End and the Kimberleys of north-west Australia. These changes have been attributed to impacts of grazing and of poorly-managed fire (e.g. Woinarski 1999).

Feral animals and exotic plants are already abundant in north Australia and continuing to spread, posing new and growing challenges for land managers. Some exotic grasses are thought to have the potential to fundamentally alter the savannas by displacing woody vegetation (trees and shrubs) (Bowman 1999). All of these influences demand active

intervention, rather than the prevailing passive response of retreat to formal parks and reserves. Unlike the situation in much of the rest of the world, problems arise from or are exacerbated by too few people living on country to actively manage resources (Whitehead 1999).

The net result of these problems is that Australia is failing to advance its goals to improve the standards of biodiversity conservation and natural resource management. Those goals derive initially from ratification of a range of international treaties (e.g. the Convention on Biological Diversity, the World Heritage Convention, the Convention on Wetlands of International Importance (Ramsar)), but have since been comprehensively debated by the Australian community and agreed in a series of linked national strategies and Federal, State and Territory legislation.

Aboriginal people and natural resource management

The Federal Parliament has enacted legislation that sets as a core goal, application of the skills and knowledge of Aboriginal people to biodiversity conservation and resource use. Specifically, relevant objects of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBCA) are, *inter alia*:

- “to promote a co-operative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples; and
- to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia’s biodiversity; and
- to promote the use of indigenous peoples’ knowledge of biodiversity with the involvement of, and in co-operation with, the owners of the knowledge.”

I am aware of no coherent steps to achieve these objectives in northern Australia. There is certainly no comprehensive Northern Territory nor Federal plan to do so. Representation of a few Indigenous people on advisory boards on biodiversity conservation/resource use or management boards for national parks cannot be reasonably construed as satisfying these objectives. Aboriginal knowledge and practice is not readily packaged and passed on to others for execution (Yibarbuk et al. 2001), but depends rather on an ongoing process of interaction with the land that links custom with new experience and training of new practitioners. These legislated objectives can only be achieved by providing incentives for Aboriginal people to remain active on country, and tangible support to meet new demands that require supplementation of customary practice.

Customary practice in land and wildlife management that contributes to achievement of national resource management goals may include, but is not confined to:

- (1) living on country at outstations and associated seasonal camps for extended periods (Altman 1987; Yibarbuk et al. 2001);
- (2) continuing high levels of hunting and gathering activity, including the use of fire to facilitate access to preferred species and to promote abundance of preferred species (Lewis 1985; Yibarbuk et al. 2001);
- (3) moving regularly through country to exploit shifting, seasonally abundant resources (Altman 1987);
- (4) utilising the customary economy as a significant component of community income, including the sharing of food with family and language group members; and

(5) conducting ceremony and ritual associated with these activities.

This suite of activities will deal effectively with many obligations to country, especially creating fine scale patterns of burning, maintaining wildlife habitat diversity and reducing risk of destructive wildfire.

In addition, regular movement through country will provide supplementary benefits in early detection of weed and feral animal problems. Whilst these issues may or may not be dealt with directly by outstation groups, they will provide the "intelligence" needed to plan and execute control operations before they require massive investments. An infestation of *Mimosa pigra* on the Oenpelli floodplain that was allowed to become established, subsequently required expenditure of several millions to achieve a measure of control and still requires regular follow up. An outbreak on the Tomkinson River floodplain detected early by Aboriginal owners active on their country was eradicated at a cost of several thousand dollars. These supplementary, non-customary weed and feral animal control activities may be performed by more formally organised land and wildlife "Rangers", like the Djelk Rangers of Maningrida (Altman & Cochrane 2002). Such groups often include younger men and women with fewer customary responsibilities (and hence more time to devote to non-customary work) and greater past and contemporary access to formal education and training relevant to the use of chemicals and associated equipment.

Customary managers also have an important role in management of resources used by Aboriginal people in their engagement with the market economy. For example, stems of trees and other plants are used for arts and crafts and so provide employment for many Aboriginal people (e.g. 300-400 produce for Maningrida Arts and Culture). The work is not only financially rewarding and supports the maintenance of culture (BAC 2001), but is an increasingly important component of the north Australian tourism experience and of the international marketing of a very distinct element of Australian culture (Wright 1999; Wright and Morphy 2000).

Senior Aboriginal land owners have expressed concern (with no prompting or intervention from management authorities) at the potential for local over-harvest of some species used in arts. Individuals have proposed to reduce risk by exercising customary authority over use of resources from their lands. The ability to exercise this level of control and so ensure long term sustainability of the arts industry is dependent on knowledge of the dynamics and distribution of the resource and the authority to assert ownership and responsibility. Neither capability derives from an external recognition of leadership, or capacity as a facilitator of essential service delivery. Work done by the Key Centre suggests that uniform over-harvest for commerce, and hence a threat to species status is improbable for most resources presently proposed for commercial use. But for heavily used items, there is often a risk of local over-harvest and hence a threat to sustainability of local enterprise or customary use (Whitehead et al. in review). A more detailed study with the ANU Centre for Aboriginal Economic Policy Research, developing methods for local monitoring and management that will satisfy regulatory authorities, is presently under way. Regulatory authorities in sparsely populated, infrastructure poor northern Australia lack the capacity to deal with such localised problems. Management will require new partnerships with local people already in possession of customary authority: the necessary authority will not derive from external imprimatur.

Given observations of this sort, and the mandate for partnerships between Government and Indigenous people reflected in the EPBCA, it is surprising that there has been no explicit linkage between these obligations with initiatives like the drafting of “National best practice guidelines for advancing reconciliation” by relevant Ministerial Councils (e.g. Anon. 2002). Consistent with your committee’s terms of reference, the emphasis is almost exclusively on Aboriginal people as recipients of services, rather than active partners in developing and implementing improved resource management and conservation practice. If the Commonwealth intends to implement the EPBCA, an explicit connection of its goals with the interests of this Inquiry and the COAG reconciliation agenda would seem a useful step.

Significance of the resource management role

In a sparsely populated region of the continent where Aboriginal people make up a large proportion of our small population, the Aboriginal peoples of north Australia have a critical role to play. They are major landholders living close to severe problems that are presently not being dealt with effectively. They clearly possess the skills needed to deal with many of these issues. Indeed, in parts of Arnhem Land that have been close to continuously occupied by Aboriginal people, biodiversity values and other measures of ecological integrity are high and the declines that afflict other parts of the savannas are less pronounced (Yibarbuk et al. 2001).

Unfortunately, many Australians take a very narrow view of conservation and good resource management practice and the ways in which it is legitimately achieved. For conservation, they focus on uninhabited parks and reserves as the apex of conservation practice and the set asides they represent as the best way of protecting exploited resources. In contradiction to this idea, we have indicated that many of the most severe problems in northern Australia result from the absence of humans from large parts of the landscape. Trust in a few sparsely-staffed reserves is unwise. It may be necessary for Government to offer some leadership in new approaches to conservation and land management and to review the often arbitrary, over-prescribed and counterproductive regulatory regimes that constrain options to move beyond the orthodox in land use and achieve sustainability (Whitehead 2000).

Morton and others (1995) have developed a concept of land stewardship. Stewardship (caring for lands owned by others) is an inappropriate term to use in connection with Aboriginal land owners. However, an important core idea is that people deriving an income from the land by using some components of the natural resource base can also act as managers and protectors of many other values, given appropriate incentives. Incentives for Aboriginal land managers to see themselves as acting on behalf of other Australians are presently few, partly because customary practice is yet to be widely recognised by the public or Government as conservation management work because it includes consumptive use, and because there has been limited access to the resources needed to go beyond the customary to meet new challenges or resource management opportunities.

Indeed, costs to individuals who commit themselves to maintaining remote lands are high, chiefly in the loss of access to amenities that most Australians take from granted. People who give priority to caring for their land and wildlife are also likely to be considered by some elements of the wider Australian community as failures or bludgers. For example, your inquiry appears to be based on the assumption that successful Aboriginal people – those with leadership skills and the “capacity” and desire to make a contribution to their community -

should seek administrative roles in delivery of basic services. They should aspire to a responsibility to receive services from others and reliably and accurately keep the records of disadvantage and dependency. To give emphasis to this role and make it a sole or even primary focus of policy development can be interpreted as an anticipation of failure of more ambitious schemes or an unwillingness to tackle seriously broader, longer-term solutions to the difficult problems of remote and Indigenous Australia.

Becoming skilled administrators is surely not the only or necessarily the best way for individuals or groups receiving Government support to demonstrate reciprocity (Pearson 1999), to engage with the formal economy, and to make contributions to family groups, outstations, larger discrete communities and the wider Australian society. Active implementation of the EPBCA can add to options for Aboriginal people to provide, and be seen to provide, valuable services to other Australians. Reshaping perceptions of the place of Aboriginal people in the wider Australian society and the range of legitimate options for engaging with the market economy will not be done simply or quickly, but shifts in attitudes built on the status that a larger land management role would bring, could in itself be an important step in reducing Aboriginal disadvantage (Altman and Cochrane 2002).

Supporting customary and non-customary resource management

Organisations like the Northern Land Council (Caring for Country Unit) have proposed that enterprise based on local use of native plants and animals might provide some of the financial capacity needed to support conservation activity on country. The arts and crafts industry is an example of a potentially larger suite of possibilities. That industry has taken 30 years to build and it still depends on a measure of external public support (Altman 2000). Other industries based on wildlife probably face as many or more market and regulatory barriers than do arts and crafts, and are therefore likely to take at least as long to produce major returns. This is not to suggest that such efforts are ill-advised. Many Aboriginal groups wish to pursue such options and are devoting considerable efforts to their development. However, it would be unwise to expect too much, too soon, especially in the absence of a broader strategy to support community aspirations and activity on country. The constraints faced by Aboriginal people in northern Australia are not exclusively social, but include the real biophysical limitations of the land they have regained, severe locational disadvantage of isolation from potential markets, and lack of infrastructure (Altman 1990).

Support to maintain land management capability presently derives chiefly from direction of Community Development Employment Projects (work for the dole) funds to relevant areas by some Aboriginal organisations, and environmental funding programs within the Natural Heritage Trust. These efforts are necessarily piecemeal, and provide no conceptual or operational framework for enhancing and assessing the contribution of Aboriginal people to national goals.

Failure to seriously pursue the obligations set out in the EPBCA may derive from difficulties in operationalising concepts. Specifying targets and measures of performance in resource management present difficult challenges in any context (Whitehead et al. 2000a), but are doubly difficult when working across cultures (Whitehead et al. 2000b). Overcoming such obstacles will require a level of commitment and persistence that has yet to be brought to bear. There is arguably as great or greater need to build capacity to deal with these issues within

relevant parts of State, Territory and Federal bureaucracies as to emphasise capacity building among Aboriginal people.

Part of the problem is the difficulty of meeting reasonable requirements for accountability in use of public funds while keeping monitoring and reporting requirements within bounds that are acceptable to Aboriginal participants. Intensive scrutiny of the manner in which desired resource outcomes are achieved would require intrusion into most aspects of the participants' lives, including those that are most central to the culture. Ill-considered processes would put at risk the very attributes that the EPBCA and other expressions of intent purport to value and seek to support.

Under these circumstances, the role of Aboriginal organisations is critical. Altman and Cochrane (2002) have discussed the difficult role of these "hybrid" institutions. They must engage simultaneously and effectively with the formal structures and processes of Federal, State and Territory agencies. In addition, they must understand and respond to the customary practices and needs of Aboriginal people maintaining close connections with country and hence distancing themselves both physically and culturally from mainstream processes. Rather than leaders in the commonly understood sense, people who adopt the roles that your Committee is investigating are perhaps better viewed as intermediaries, who link customary society with the demands of the bureaucracy and market economy, but in the process buffer it against clumsy intrusion. Institutions like the Caring for Country Unit of the Northern Land Council and the Bawinanga Aboriginal Corporation at Maningrida offer a capacity to "translate" the aspirations of Aboriginal people and their customary leaders into forms that are accessible to representatives of the bureaucracies and markets and *vice versa*. In my experience, they have been remarkably successful in aligning disparate interests and bridging remaining gaps, despite limited funding to support this resource management and conservation role.

In other places I have proposed what could be described as large (regional) scale experiments in natural resource management (e.g. Whitehead 2000), which would provide the experience apparently needed to go beyond rhetoric about recognition of the contribution to national goals. Briefly, the features of such trials would include:

- (1) Aboriginal organisations negotiate with Government to establish broad but explicit conservation and resource management goals for a specified region.
- (2) Goals are operationalised, again in negotiation with Government, in terms of hypotheses about relationships between desired outcomes and the management regimes thought necessary to achieve them.
- (3) Monitoring systems capable of measuring performance in terms of agreed outcomes are developed jointly by Aboriginal organisations and Government agencies.
- (4) Monitoring, organised to be performed chiefly by Aboriginal people and make use of existing mechanisms, may include measures of operational performance (e.g. areas subject to management in accordance with plans, incidence of wildfires etc) as well as ultimate conservation outcomes.
- (5) Levels of financial, training and administrative support needed for communities to contribute to agreed regional goals and provide monitoring data are estimated, and sources of funding identified. Training and educational programs are integrated with monitoring activity.
- (6) Agreements between Indigenous organisations and communities and Government are prescriptive about outcomes and ways of measuring them, but not in detail of methods

used to achieve them. Accountability occurs at the level of the relevant Aboriginal organisation.

- (7) Governments agree to adopt a facilitating and problem-solving role in regard to regulatory structures, rather than permit inappropriate regulation to constrain outcomes.
- (8) Costs of implementation and quality of conservation outcomes are quantified in agreed ways, with analysis to take account of context, including recognition that in the absence of such initiatives, welfare costs would need to be met in any event.
- (9) Social benefits, such as improvements in economic status, employment and health, are measured simultaneously and included in the analysis of effectiveness of conservation and resource management agreements.
- (10) Costs and performance are compared across different management regimes, and with other approaches to resource and conservation management on parks and reserves and other relevant landscapes.

In order to demonstrate the role of Aboriginal resource management systems in conservation and high standards of resource use, details of the outcomes from such trials would need to be readily available to the public. Achieving such transparency and presenting outcomes in forms that are regarded as relevant by all participants will no doubt be a challenging experience. But it could, if sensitively managed in collaboration with properly-resourced Aboriginal organisations, be an important demonstration of reciprocity, perhaps more compelling to urban Australia than better management of basic public services.

Avoiding occupational ghettos

In northern Australia, those best qualified to maintain and promote application of Aboriginal land management are often older people with English as a second, third or fourth language and little formal education. Many may not match the profile for a leader in the development and implementation of new models for delivery of essential services, whatever that profile might be or by whom determined, nor indeed consider such a role as appropriate or desirable. But their contribution to the regional hybrid economy (Altman 2001), to identity, to self-esteem and to self-reliance is no less critical because they do not seek engagement of the sort envisaged in your terms of reference. Valuing and demonstrating existing capacity and its relevance to the wider Australian society will have a number of local, regional and national benefits.

This proposal should not be taken to imply that land and natural resource management is or should be the only or even the dominant role for Indigenous people in Australian society. But a genuine commitment to recognise, celebrate and actively support a major and growing contribution, especially in remote areas, should be a vital part of the mix. That mix would also include enterprise development based on native species that is compatible with conservation objectives and facilitates their achievement, because it provides both opportunities and incentives for a wider cross-section of the community to be active on their country, thinking about its condition and acting to protect it.

Recommendations

That the inquiry:

- (1) Acknowledge that Indigenous people already provide important services to Australia in conservation and natural resource management over a significant part of the continent.
- (2) Recognise that this important contribution and other existing or emerging options for engagement with the market economy depend on existing customary practices and capacities as much or more than the administrative roles on which the inquiry apparently focuses.
- (3) Accept that these customary and supplementary non-customary capacities should be valued and strengthened, in addition to the development of additional capacities in essential service delivery.
- (4) Agree that these customary capacities and their supplements and the associated contributions to the national good can be best valued and acknowledged by formally supporting a major role for Indigenous people in conservation and resource management in northern Australia.
- (5) Accordingly, encourage real steps to implement the objectives of the *Environmental Protection and Biodiversity Conservation Act 1999* regarding the core role of Indigenous people in conservation and sustainable use of natural resources.
- (6) Acknowledge that given existing deficiencies in formal education structures and performance, supplementary capacity-building will in the short to medium term depend on well-designed "on-the-job" training.
- (7) Accordingly, support implementation of large-scale trials to demonstrate the existing and potential contribution of Indigenous communities to regional and national conservation and natural resource management goals. Support incorporation of training and educational programs in large-scale trials to build capacity in customary and supplementary skills.

In putting forward these recommendations, I am conscious of the complex and difficult task your Committee faces, and have no wish to complicate it further. However, I consider that an important opportunity to advance both Indigenous interests and the national interest is presently receiving too little attention.

I would be happy to provide additional information should it be required.

Peter Whitehead
Director
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