2 CULTURE AND GOVERNANCE

CULTURE AT THE HEART OF STRONG GOVERNANCE

Culture lies at the heart of governance. It informs a group's rules and values about what is the 'right way' of exercising power and governing—and what is the 'wrong way'.

Aboriginal and Torres Strait Islander people put their culture at the heart of their governance.

Despite the impacts of colonial settlement and diversity of communities across Australia, Aboriginal and Torres Strait Islander people continue to share many common cultural values and traditions to govern themselves. These include:

- family connections and support
- kin relationships, mutual responsibility and sharing of resources
- respecting law and the authority of elders
- attachment to 'country' and the role of traditional owners in making decisions about their lands.

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"Law and culture is what makes governance strong. It comes first. We come together to keep us strong and then we can look after the organisation."
James Marriwal, Member of the West Arnhem Land Shire Transitional Committee

BUILDING AND MAINTAINING CULTURAL LEGITIMACY

Having cultural legitimacy in your governance arrangements means having rules, structures and processes that:

- are informed by an understanding of your own cultural traditions
- embody the values and norms that are important to you
- reflect your contemporary ideas about how power and authority should be shared and put into practice
- are generated through your people's own efforts, and have the support of the people being governed.

TIPS **Embedding cultural values in your governance**

If you want your community-based organisation to be culturally legitimate and accountable to its diverse members, you need to:

- clarify exactly what kind of governance you want to have and what role you want cultural values to have in your organisation
- know the different cultural groups of your members and the wider community, as well as their interconnections and their different rights and interests
- consult with the leaders and members of these groups to understand their concerns and priorities
- be open, fair and honest in dealings and decisions with leaders and their groups
- respect different land ownership rights and interests
- understand the governance history of the community and how that has shaped its current governance arrangements and problems
- be clear about which cultural values, rules, relationships and processes will be part of strengthening your organisation's governance, and which ones are not appropriate or might undermine it
- be clear about how cultural rules and values will be implemented within your organisation—for example, you may want to focus on the way leaders are chosen, how decisions are made, what behaviour is expected of board and staff members, the conditions of work and how you feed information back to members.

Indigenous Culture, Laws, Rules and Forms of Accountability

Indigenous Organisations

Non-Indigenous Culture, Laws, Rules and Forms of Accountability

TWO-WAY GOVERNANCE

"It's really all about two laws—Yolngu and Balanda … although Yolngu law has stability, stays the same, the Balanda law changes all the time and can wipe away our rights with the stroke of a pen. When the two meet, unless there are special measures made to help each law speak to each other and understand each other, we can get it very very wrong."

-Galarrwuy Yunupingu, Third Vincent Lingiari Memorial Lecture, 20 August 1998, Darwin

Aboriginal and Torres Strait Islander people are trying to live under two laws: their own and those of non-Indigenous Australia.

This means that Aboriginal and Torres Strait Islander people need to maintain the internal effectiveness and legitimacy of their governance— the support of the people who share the same values—and be able to get things done for them.

But they also need to be effective and credible with external stakeholders (like funding bodies or governments) that play an important role in their nation, community or organisation.

Finding the balance between Indigenous cultural expectations and non-Indigenous requirements means building governance that works well 'two-ways'.

THE GOVERNANCE ENVIRONMENT

Indigenous groups and organisations are part of a wider governance environment made up of other organisations, groups, communities, businesses, companies, governments, economic forces and laws. They all interact with and influence how well governance works.

It is important to be take charge of your own agenda and control what you can locally.

That means working out how to deal with those things that are stopping you from achieving your goals. Most importantly, it means making strategic use of what you do have—your culture, resources, networks, people, skills and knowledge.

For more information, please see the Indigenous Governance Toolkit: **toolkit.aigi.com.au**

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