

# People, place and partnerships: A native title model for reframing the self-determined governance of development

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## Abstract

This paper argues Indigenous self-determined development is fundamentally a governance issue. It suggests that neither land rights nor native title determinations alone will deliver sovereignty, self-government status, or a guarantee of development outcomes. Rather those goals rely on the perseverance, governance capabilities, vision and hard work of Indigenous groups themselves, to translate often erratic rights and recognition into tangible realities. Furthermore, native title and land rights are not available to all Indigenous people in Australia. And for those who have secured such rights, many of their related agreements are poorly implemented and monitored.

The paper considers this continuum of rights, asking what happens to Indigenous groups with no native title or land rights. What are the development consequences for groups who have weak agreements, or none at all? Or for groups who hold a jigsaw puzzle of different legally constrained rights, or who emerge from protracted litigation with significant potential opportunities, only to find their collective and organisational governance are not fit for the purpose of getting development happening, let alone sustaining desired outcomes? What are the development prospects for land-owning groups whose members are fractious and demoralised from antagonistic legal processes, or who are scattered widely and don't have sufficient resources to meet together to build a shared vision for a better future?

Answers to these questions are critical, for such circumstances are the reality for many of First Nation groups and communities across Australia today. The paper examines the development obstacles, opportunities and aspirations of Indigenous groups in these diverse situations. It unpacks Western discourses of development that prioritise progress as 'constant improvement' and economic success, then explores the often different Indigenous understandings of what constitutes 'development', 'outcomes' and 'sustainability'. A direct connection is then made to the dilemmas First Nations face in building their collective self-governance and mobilising it for the purposes of self-determined development.

These issues are brought into focus through a case study describing the initiative of one Native Title Representative Body (NTRB) in Queensland - to do things differently by designing a unique practice model of *People, Place and Partnership* (PPP). The model advocates an organisationally integrated, multi-pronged strategy to better support native title claimants and holders in diverse circumstances, 'to leverage their native title rights so as to promote their own resilience and reliable prosperity in the modern world'. Its driving force is a 'complex theory of change' where native title is 're-imagined as a vessel that is capable of navigating a course to different shores', and for exploring 'how recognised rights can be deployed within a broader Indigenous policy landscape' (Kevin Smith 2022, 5).