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INDIGENOUS SELF-GOVERNANCE AND 'NATION' BUILDING: CONSIDERATIONS FOR A STRATEGIC SELF-ANALYSIS TOOL

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Indigenous self-governance and 'nation' building: Considerations for a strategic self-analysis tool

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Abstract

Australian Indigenous governance operates in a high-pressured environment that is a jigsaw puzzle of jurisdictions, powers, policies, structures, and legal and funding mechanisms at local, regional and national levels. This can undermine the ways that Indigenous peoples wish to collectively govern themselves and their 'nation building' aspirations, leaving little time or energy to reflect on where they are at or want to be in the future. Without a collectively created picture of the future to guide decision-making, opportunities for desired benefit can be lost, and the imposed agenda of outsiders becomes dominant.

CAEPR and the Australian Indigenous Governance Institute (AIGI) are working with First Nation partners in the *Indigenous Governance of Development: Self-Determination and Success Project* to explore issues involved in creating a practical tool which land-owning groups can use to strengthen their governance rebuilding efforts, and assess whether they are on track.

The paper considers a range of issues in designing an inward-looking, self-reflexive tool for these groups to think about their futures, rather than one which is focused on corporate organisational governance. The design of the tool is an integral part of the project's research methodology to make the research count. In the future, AIGI will host the proposed tool as part of its online Indigenous Governance Toolkit, making it accessible to other groups and able to be updated.

Keywords: self-determination, self-governance, development, nation building, strategic self-analysis tool.

Acknowledgments

Acronyms

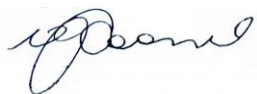| AGMP	Aboriginal Governance and Management Program
AIGI	Australian Indigenous Governance Institute
ANU	Australian National University
APONT	Aboriginal Peak Organisations of the Northern Territory
BCAFN	British Columbia Assembly of First Nations
CAEPR	Centre for Aboriginal Economic Policy Research
ICG	Indigenous Community Governance Project
IGD	Indigenous Governance of Development Project
IWGIA	International Work Group for Indigenous Affairs
FPIC	free, prior informed consent
NNI	Native Nations Institute
NGO	Non-government organisation
ORIC	Office of the Registrar of Indigenous Corporations
PBC	Prescribed Bodies Corporate
SDG	Self-Determination and Governance (Framework)
SWOT	Strengths, Weaknesses, Opportunities, and Threat
UNDP	United Nations Development Program
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum on Indigenous Issues
USA	United States of America

Foreword

In late 2020, the Centre for Aboriginal Economic Policy Research (CAEPR) and the Australian Indigenous Governance Institute (AIGI) commenced an exciting partnership with several First Nation partners, in a two-year applied research project –*The Indigenous Governance of Development: Self-Determination and Success Project* (IGD) Project) – to explore the ways First Nations in Australia are strengthening and exercising their collective self- governance so they are in the driver's seat for their development agenda.

The first year in 2021 was an extremely productive one for the Project. A high-calibre multi-disciplinary research team of Indigenous and non-Indigenous researchers was assembled, and the Project established a foundation of partnerships with First Nations and their representative organisations. Our research teams work alongside local communities, native title holders, leaders and their representative organisations. With the ongoing pandemic conditions we have been sensitive to the major COVID-19 pandemic stresses that continue to be faced by our First Nation partners. That has led to many conversations and collaborative innovations in how we do our research work together; we may have become adept at zoom yarns, but also met locally 'on country' when we could, to share experiences and insights.

At a time of great uncertainty and policy change in the national political environment, Aboriginal and Torres Strait Islander groups face major challenges in rebuilding their own governance in practically effective, culturally strong ways. This Discussion Paper is part of an IGD Project series, which presents evidence and analyses from the IGD Project's collaborative case studies. Our aim is to make this research count for First Nations, their leaders and community organisations across Australia, so they can use it for their own local purposes. The important matters raised in the papers also have direct relevance for industry and governments, who need to rebuild their own internal capacity and policy frameworks to better support Indigenous self-determined efforts to govern˜development.

This series of IGD Project Discussion Papers is a taste of the remarkable home-based solutions First Nations and their organisations are designing for their collective self-governance and futures. The papers capture a rich sample of changes, resilience and resurgence, describing examples where Indigenous practices of self-determined governance are being strengthened, and where development *with culture and identity* is a priority. We understand that the challenge on the road ahead is not merely to take control and put self-determination into practice, but to govern well and fairly on behalf of all the members of a First Nation. That way, chosen development has a better chance of delivering sustained outcomes.

We would like to thank the AIGI Board and staff, the CAEPR project team and staff, and the participating Indigenous nations and organisations who are working in partnership with us to carry out this applied research project. We believe our collective efforts will make a difference in informing constructive First Nations solutions for self-determined governance of development in Australia, and contribute to the formulation of more enabling government policy and industry engagement.

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Introduction

Australia's First Peoples have always had their own systems of governance: embedded within intricate systems of land ownership determined by the activities of ancestral beings, networked kinship relationships accompanied by mutual responsibilities and obligations, gendered systems of knowledge and leadership, and collective rules governing behaviour and social order. In the contemporary Australian context, these Indigenous systems and institutions of governance intersect with British colonial legal, political and bureaucratic structures and requirements to create a complex jigsaw puzzle of powers, structures and decision-making mechanisms at local, regional and national levels. Along with the Indigenous successes in regaining land ownership and rights has come increasing pressures on groups to make binding collective decisions on behalf of their members; for example, as part of negotiating native title, resource and heritage agreements, settlements and treaties, as well as under various legislative incorporation requirements. The work of governing is not an easy task, particularly as it involves not only dealing with the legacies of past violence a`nd intergenerational trauma, but also because it has significant repercussions into the future (Atkinson, 2013; Australian Human Rights Commission, 2020).

Sometimes this complex governance environment can undermine the governance rebuilding journey that many Indigenous groups are now taking, as it imposes external and sometimes contradictory corporate requirements and obligations on to Indigenous governing practices. This often leaves groups with little time or energy to reflect on where they want to be in the future and the collective capabilities that are essential to this journey. This is of concern as the national and international research suggests that if groups do not have the self-determined reference point of a collectively created picture of the future they want, to guide their current decisions, then opportunities for sustaining their development initiatives and desired benefit can be lost, and the imposed agenda of outsiders becomes dominant (Cornell & Kalt, 2007; Dodson & Smith, 2003).

For instance, Prescribed Bodies Corporate (PBC) are established under legislation to represent the rights of native title holders. Native title rights themselves are inalienable, meaning they cannot be sold, and are perpetual. Accordingly, PBCs are established in perpetuity, having no legal or regulatory end date. The issue at stake here is that without a solid governance foundation and stable operational capapbility, the task of PBCs in moving to more opportunistic and aspirational phases of native title development (in terms of their leveraging rights, and future planning for nation-rebuilding and prosperity) is substantially compromised from the outset (see Burbidge et al., 2020; Langton, 2015; Woods et al., 2021).

The Centre for Aboriginal and Economic Policy Research (CAEPR) at the Australian National University (ANU) and the Australian Indigenous Governance Institute (AIGI) in collaboration with First Nation traditional owner and native title holder groups are undertaking the *Indigenous Governance of Development: Self-Determination and Success Project* (IGD/the Project). The aim of the Project is to fill some of the gaps in understanding how the self-determined Indigenous governance of development is being carried out in different contexts, and its outcomes.[1]

In the context of the IGD research, this paper considers issues involved in developing a practical self-analysis tool to support traditional Indigenous land-owning groups to undertake internal strategic assessments of where they are at with their self-governance and to build on strengths, choose priority areas to work on, and continue to assess whether they are on track.[2] The paper is a 'think piece' informed by desktop research and our own

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[1] Our Indigenous research partners are Australian Aboriginal land-owning groups and their representative organisations (including Native Title Representative Bodies and PBCs). We are not currently working with Torres Strait Islander nations in the north of Australia, though Torres Strait Islander groups may decide that the proposed tool is useful and adaptable to their contexts.

[2] The IGD Project acknowledges the short-term research in 2021 by Frank Algra-Maschio, an Aurora Program intern, particularly around a review of existing Indigenous governance assessment tools (see Appendix 1). Frank presented the results to the Project's planning day in February 2020 which led to discussions which inform this paper.

anthropological and applied research experience,[3] that aims to identify the next steps in developing such a tool. The idea for the tool does not sit in isolation from other 'governance' tools available internationally and nationally, the range and relevance of which are reviewed in Appendix 1, and the tool seeks to build on those foundations. While the international tools, in particular, commonly refer to 'nation building/rebuilding', we recognise that not all Indigenous 'First Nations' in Australia refer to themselves in this way. Accordingly, the paper mostly uses the more generic terms, 'groups' or 'groups and nations'.

The paper presents initial reflections on the meta-issue of how a collaborative process to design the tool might best be undertaken as part of the IGD Project and considers substantive issues concerning the tool's focus, structure, content, accessibility, adaptability and implementation. Key concepts such as self-determination and development are explored to provide a basis for the facilitation of dialogue amongst group members to arrive at their own meanings. Processes of self-assessment will be a critical component of any future tool and the paper examines issues surrounding Indigenous understandings of standards and measures of self-governance 'effectiveness', and the assumptions that might be at play in such self-assessments.

A developmental framework is proposed for both the collaborative design phase, and later use of the tool. The basis for this framework is derived from the Project's research methodology that emphasises the primacy of Indigenous self-determination of governance arrangements. Ideally this would mean ongoing face-to-face work with the Project's Indigenous partners – however, this work has been severely disrupted by the Covid-19 pandemic.

The working title of the tool is long and not particularly user-friendly, but aims to capture the sense of diverse pathways where solutions will evolve, rather than a prescriptive end-point: *The journey to self-governance and nation rebuilding: A strategic self-analysis tool.* The title will change as it is informed by ongoing face-to-face and online discussions with the Project's First Nations partners. These discussions will also help to identify appropriate visual metaphors for the tool. Ideally, as part of the future customisation of the tool by groups to suit their own circumstances and priorities, groups will apply their own local names to the tool.

Issues associated with facilitation in using the tool are discussed at the end of the paper. The paper concludes that such a self-assessment tool will need to be championed not only by a group itself and committed leaders within it, but also by AIGI, who will host the tool on its online toolkit and continue to trial and develop it in collaboration with others.

Scope and aims of the tool

Governance is first and foremost a process journey. A fundamental question for the tool is how best can governance be mapped for the journeys of Indigenous Australians? For the tool initiative, this means working with project partners and others to document these journeys, to tease out the phases, turning points and dead-ends that they have experienced along the way. The IGD Project can then construct a broad framework and methods which other groups can use.

The tool is aimed at the governance of collective representation, for, by and of land-owning 'polities', in whatever contemporary form that takes: for example, Indigenous groups, nations, traditional owners, native title holders, clans, tribes, interest groups, and extended networked families. While many First Nations in Australia are represented by incorporated organisations, corporate organisational governance and compliance will not be

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[3] The authors have extensive experience in developing Indigenous governance resources, designing and administering governance 'health check' tools, facilitating governance workshops, and undertaking research in this applied area (see Bauman, 2006; Bauman et al., 2015; Smith, 2005, 2016, 2019).

a focus of the tool since there are a number of existing relevant tools including those developed by AIGI for its online governance toolkit and by the Office of the Registrar of Indigenous Corporations (ORIC). Neither will the tool be aimed primarily at the boards of incorporated organisations or at discrete Indigenous communities which commonly have a diverse mix of residents. Having said that, the directors of incorporated organisations that represent land-owning polities are very likely to be directly involved in the use of this tool by their land-owning members, and their board directors will often be senior leaders in those polities.

However, the design of the tool will need to acknowledge and factor in the relationships, intersections and interactions between groups using the tool and organisational and community goverance. For example, the board members of organisations will often also be members of a group or nation choosing to use the tool, and organisations may offer valuable support to their members in using the tool. While aspects of the tool may be transferable to other communities of interest including peak and regionalised service-delivery organisations (such as community controlled health centres, outstations resource centres, art centres and housing cooperatives), and to diverse residential communities, the tool does not have these specifically in mind.

This is a salutary reminder that emerging Indigenous governance in Australia operates within an already complex network of Indigenous land-owning arrangements and representative organisations. The tool will need to account for the way that Indigenous governance operates within an intercultural governance environment of powerful external stakeholders, networks, and regulatory institutions. This could be done, for example, by including a component of the tool where the encompassing relationships and related strategies and values are identified and assessed through the eyes of the group. A strategy for doing that might follow how decision-making authority is exercised internally, and identifying along the way how that is impacted by external influences. The work of governance rebuilding invariably means groups not only are thinking about the nature of their collective identities, institutional governance mechanisms and relationships, but also how they want to engage with governments, the public and industry in order to achieve the outcomes they choose (see Murray & Evans, 2021; Rigney et al., 2021).

Simplicity, customisation and user accessibility are the aims of the tool, with a strong emphasis on taking a practical and workable approach, suitable for use in remote, regional, and urban Indigenous communities. The tool is envisaged as a place- and context-based instrument, where each group shapes its own pathway, identifies rebuilding priorities, creates workable solutions and considers the best means of implementing them. It aims to assist groups not only in getting started or continuing on a collective vision of the governance and development agenda, but also to support groups in thinking through how they want to plan its implementation. Most importantly, this means working from the ground up, as Donna Murray and Deb Evans (2021) describe in their compelling account of their early nation rebuilding work amongst the Wiradjuri, which focused initially on core cultural values, leadership, and language.

The focus of designing and using the tool will rest on group members (in differing combinations) talking through these big questions and concepts, and what they might look like in practice. The tool will adopt a strengths-based approach to framing issues and questions, acknowledging the need to be sufficiently flexible to allow groups to insert their own understandings of what constitutes both their strengths and obstacles for creating self-determined governance solutions. Taking up this issue, Bhiamie Williamson perceptively points out, that, in Australia, nation and governance rebuilding will need to involve the powerful work of social repair and community healing of trauma (Williamson, 2021).

Practices and capabilities will be localised and place-based, but should also be usefully informed by overarching international standards (in particular those set down in the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP)), shared insights with other Indigenous groups embarking on the same journey, and those emerging from the IGD Project.

The proposed tool aims to be a mechanism to promote and contribute to the incremental transformation of preferences, motivations and opinions (not necessarily to the exclusion of contestation or difference) about the form of self-governance and future development that group members choose. We consider this to be a form of 'innovation'; that is, a socially instituted process of adaptive change that can win members' approval if it is judged to have cultural integrity. From this perspective, governance adaptation or innovation can be understood as a process of creating, gaining support for, and implementing novel ideas or solutions to address collective needs and problems. Arguably Indigenous groups will not get the most out of negotiated rights and benefits, or be able to put these into effective practice, without having meaningful internal conversations.

Such conversations would extend to engagement with the internal diversity of a group around its ongoing rebuilding goals (e.g. based on gender, age, and differential rights and interests), and identifying group values and standards that might inform governance self-assessments. In other words, the tool will need to raise the issue of self-assessment in a practical way that enables groups to identify and use their own internal measures and principles for assessing what is working well and what is not.

Following the issues raised by the tool's scope and aims, pertinent questions that could be considered by groups include:

- Who are the members of the group, and what are their rights and interests?

- Where do they live?

- What kind of nation or collective polity do people want to build?

- How can members participate in the governance and nation rebuilding process?

- How can internal divisions and trauma be healed in order to foster social cohesion and a united purpose?

- What kinds of self-governance might be consented to now, and be acceptable in the future?

- What role and form do people want culture to play in this rebuilding?

- Who should make the decisions about these matters, and how?

- What are the priorities for action?

- How will the group plan and organise to get the priorities done?

- How will groups know if they are on track?

Learning from existing tools and resources

Several of the international and Australian tools and resources which have been identified through the Project seek various forms of dialogue or discussion around similar challenges and opportunities for self-governance and nation rebuilding. This section summarises a sample of these tools and resources relevant to nation building and development. Further details are presented in Appendix 1.

Four First Nations international examples were considered:

- Strategic analysis: A practical tool for building Indian Nations (1998)[4]

- British Columbia Assembly of First Nations (BCAFN) Governance toolkit: A guide to Nation building (2014)[5]

- Centre for First Nations Governance 'The People' section (2021)[6]

- Indigenous Navigator (2014).[7]

The development of similar comprehensive Indigenous governance assessment tools is also occurring in Australia, including:

- the AIGI Indigenous governance toolkit (AIGI Toolkit)[8]

- Community First Development's Seed to Tree scale (2019).[9]

Place-based tools and resources are also increasingly employed in Australia for determining Indigenous priorities, and are too many to review in this paper. They include those developed for processes such as natural resource and land management, cultural heritage, service evaluation, community planning, and regional development outcomes, funded usually by governments and mostly matching government program interests (see Dillon, 2020; Fox et al., 2017; Rossi et al., 1999). While such evaluations have a history of being imposed by external agencies in relation to service delivery and whether funding should continue,[10] recent participatory approaches provide the Project tool with much food for thought. Some facilitate locally-customised priorities including agreed terms of evaluations from an Indigenous perspective. In other approaches, however, collective governance is an afterthought or absent – despite the fact that it significantly influences the extent to which effective participation happens.

The brief review of tools by the Project suggests that, with some exceptions, there are a relatively small number that consider the effectiveness of Indigenous governance in the ways Indigenous people understand it. This is particularly the case with respect to how governance plays out culturally in relation to 'development'. Many of the tools reviewed were developed in consultation and engagement with Indigenous peoples, but not always with specific groups from the start of the design phase. The Project's active engagement with Indigenous groups

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[4] See https://fngovernance.org/wp-content/uploads/2020/10/Strategic_Analysis_for_Economic_Development.pdf
[5] See Governance Toolkit, British Columbia Assembly of First Nations. https://www.bcafn.ca/about-bcafn/leadership/governance-toolkit#:~:text=The%20Governance%20Toolkit%20is%20a,based%20on%20its%20own%20priorities
[6] See https://fngovernance.org/tools-and-resources/
[7] See https://indigenousnavigator.org/
[8] See https://toolkit.aigi.com.au/
[9] See https://www.communityfirstdevelopment.org.au/stories/seed-to-tree-scale-knowledge-practice-and-action
[10] Evaluations are carried out under a wide range of labels such as 'review', 'assessment', 'impact', 'appreciative inquiry', 'service-based', 'community-based' and 'cost-benefit' among others. Terms such as program design, monitoring, evaluation, inputs, outputs, outcomes, sustained, emerging and *ex ante* impacts, indicators, theories of change, social return on investment, temporal logic, systems thinking, citizen reports cards, and so on pervade the literature and approaches (Maughan, 2012). The timing of evaluations also varies as to before, during and after the implementation of a project or program. Evaluations can be carried out by different groups and individuals, such as external evaluators, internal staff, communities, a hybrid team, or by the group itself including as individual assessments in self-evaluation and self-empowerment processes (Love, 1991).

in the tool's design and as the ultimate users, is seen as essential if the proposed tool is going to account for different local needs, styles and priorities, and still be transferrable to other places and scales of governance. As the eventual host of the tool, AIGI will continue to refine and adapt it in their work with other groups. Input will be needed not only from Indigenous community leaders, but also others representing the diversity of members, including age and gender interests. This suggests that the tool will improve by being piloted widely; a process that will be taken up by AIGI.

In different ways, the international and Australian tools and resources all provide insights and suggest content direction for progressing the proposed tool.

Insights from international tools

Most of the international tools reviewed place an emphasis on assisting nation or governance rebuilding at a group's own pace, based on its own priorities, and, in Canada, by steering away from the *Indian Act.* Many of the tools incorporate visuals as a central part of how they convey concepts, the intersection of practices and processes, and the recurrent idea of building governance as a journey (see Figures 1–4).

Figure 1   First Nations Governance Continuum, British Columbia Assembly of First Nations

Source: BCAFN, 2014, p. 22.

Some begin by asking a group to make an overall assessment as to whether it has moved forward or backward, and why. Each tool recognises the need to deal with diversity within and across groups, is directed at Indigenous collectivities whatever form that takes, but usually 'nations', and involves gathering a range of data. Most were piloted locally with subsequent revisions, and recognise the importance of visual resources. Although some are long and their language, at times, technical, it would not be necessary to complete all sections of the tool in one go, and groups could decide on the focus they wish to have. This is also the approach proprosed for the Project's tool. The international tools provide instructive methods for generating data, assessment scores,

and creating resources and explanations needed for key concepts and terms. They also raise issues of who is the target audience, the foci of content, how to collect quantitative and qualitative data, how to build consensus, and facilitation needs.

The explanations and triggers to survey questions (including about measures and data) contain a wealth of information, which are extremely useful for thinking through the content and framework of the Project's tool. They guide the reader through the practical issues to be considered at each question with the overall aim of assisting a group in thinking through options to improve decisions and planning, promote economic development and meet their own goals. Most of the tools also place a significant emphasis on what is sometimes referred to as 'cultural match' in building governance institutions and include questions about cultural traditions, potential culture-related constraints, and the degree of concern about 'tribal politics' (see, e.g. Cornell, 1998, pp. 14–15).

The resources required to carry out some of the suggested training exercises and data collection in the international tools could be extensive, and would likely require Australian Indigenous groups, particularly those who have little or no administrative support, to seek external funding. Although the length of questionnaires and surveys – for example, in the Indigenous Navigator and the BCAFN – might be off-putting, completing them allows for a conversation to commence that leads to identifying areas of focus and options to address the challenges. In contrast to the 'inward facing' aspect of this Project's proposed tool, the Navigator's community questionnaires generally look 'outward', often assessing the implementation of UNDRIP and the impacts of external government agencies and their laws, policies and programs on Indigenous wellbeing.

Figure 2   The Indigenous Navigator index: Implementation gaps
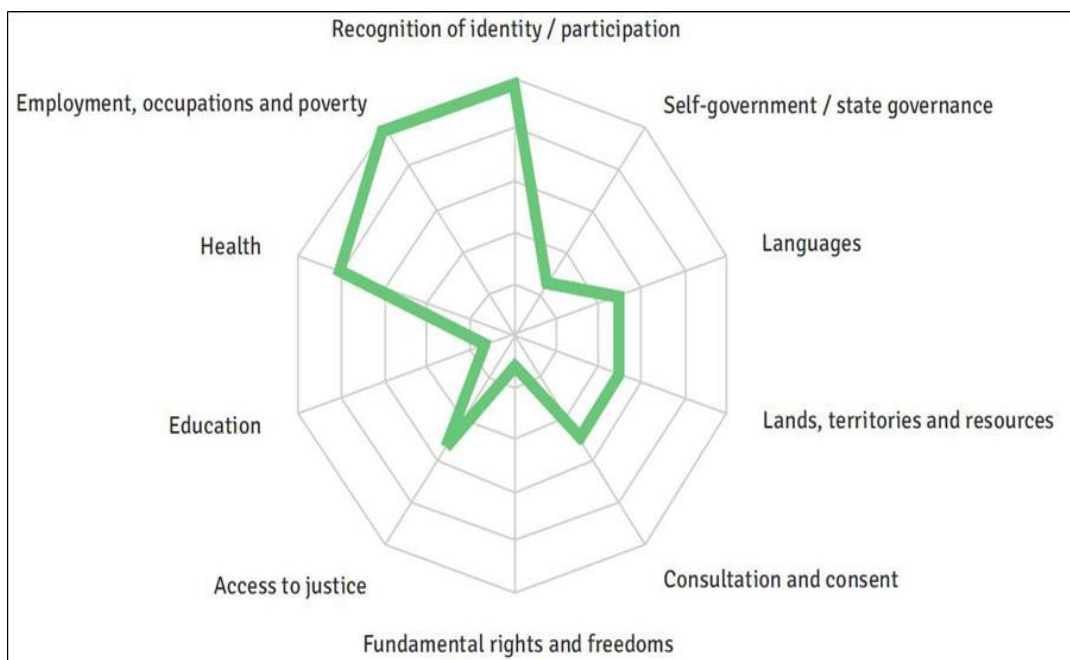
Source: https://indigenousnavigator.org/ Accessed 2021.

A mainstream Canadian organisation, the Institute of Governance, works with First Nations groups including a national Advisory Group of Indigenous and governance leaders whose principles are grounded in UNDRIP and aspirations to self-determination. Together they developed a UNDRIP-responsive Self-Determination and Governance (SDG) Framework to identify the characteristics that form the basis for aligning joint First Nations–

Canada initiatives in a manner that is comprehensive, holistic, and does not give rise to either/or, preferential, or sequential debates (see Figure 3). Simply put, success in any one area depends on success in all.

The international tools have a range of approaches to analysing responses. Some are dealt with as qualitative; others have quantitative ranking systems assigned to answers. For example, the Indigenous Navigator's 'spider web' index of implementation gaps (see Figure 2) occurs across 10 essential domains of Indigenous peoples' rights: recognition of identity/participation; self-government/state governance; languages; lands, territories and resources; consultation and consent; fundamental rights and freedoms; access to justice; education; health; and employment, occupations and poverty. A numerical value is given to key questions in each of the short questionnaires.

Figure 3   UNDRIP-responsive Self-Determination Governance Framework
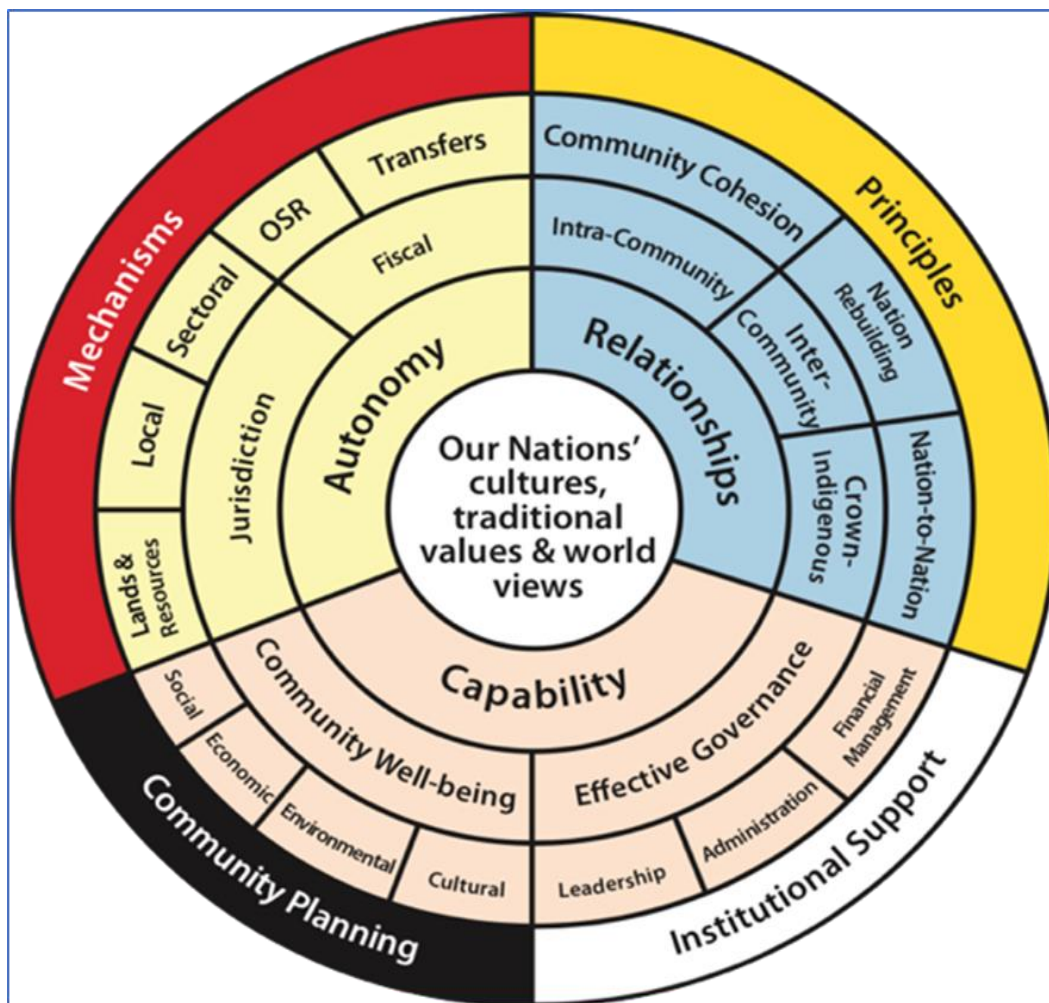
Source: Canadian Institute of Governance, 2021.

Although several of the international tools mention the use of facilitators, whether internal to the community or external, they say little about how facilitation might occur, including how to develop consensus from a diversity of individual views and voices within a group. Some guidance, however, is to be found in the Canadian Centre for First Nations Governance resources in Pillar 1 which includes: a model for Aboriginal facilitation; a description of Open Space facilitation; a matrix for interview instructions; a World Café facilitator guide; and

creative icebreakers for facilitators. A number of other communication tools include a template for a communications plan, and tips for printed and electronic newsletters and developing websites.

The usefulness of the international tools may seem limited by differences between the Australian and United States of America (USA) and Canadian First Nations contexts. Many Native American 'tribal governments' have legislated jurisdictions of authority over law and justice, health, education, employment, economic development, etc., and provide all or most services to their constituent communities – a bit like a jurisdictional mix of local government and town councils in Australia. In contrast, in Australia, there are no legislated regimes for Indigenous self-government, no treaties and no taxed-based concessions for nation groups. There are also considerable differences in the social organisation of USA and Canadian Native Nations, and the kin-based networks of Indigenous Australian polities discussed above (see Cornell, 2007a, 2019; Smith, 2021b).

Some references in the international tools will thus be more and less relevant to the Australian context – for example, to 'tribal governments and councils', 'tribal courts', 'Treaty agreements', 'tax revenue', 'intergovernmental relations' and 'the enactment of laws'. Also, a number of the international tools are oriented to economic development, the market economy, and business partnerships. This leads to considerations of organisational and corporate governance, business and enterprise development and strategies; administration; income generation; training and skills development; assets such as education and cultural resources; available markets; regulatory issues; management and support of administration and finances; accountability; and so on. The proposed Australian tool focuses on a wider interpretation of development beyond the economic, to be 'development *with* culture and identity' (United Nations Permanent Forum on Indigenous Issues (UNPFII), 2010).

But the kinds of political and governance challenges experienced by First Nations in Canada, the USA and Australia (and New Zealand) have also been shown to have surprising commonalities (see Cornell, 2019; Smith et al., 2021). Governance principles, such as transparency and relationship-building are widely applicable and transferable to place and context. So too are other broad concerns such as internal group membership and inclusive decision-making; working together effectively; supporting informed decision making; the need for cohesive vision and leadership; and the adverse impacts of externally imposed systems of governance and the denial of rights.

Insights from Australian tools

In Australia, the AIGI's online 'Indigenous Governance Toolkit' and the Community First Development's tool, 'Seed to Tree', strongly emphasise the creation and use of Indigenous cultural governance frameworks, goals and processes, and have a mix of focus on collective groups, polities, communities and nations as well as organisations.

The AIGI Toolkit online

The AIGI Toolkit website draws on the research of the CAEPR Indigenous Community Governance (ICG) Project (2002–2006)[11] and is updated periodically by AIGI, with success stories from the Australian Indigenous Governance Awards. The Toolkit's case studies, insights and tips are taken directly from the experiences of Aboriginal and Torres Strait Islander peoples working in their own communities and organisations. The AIGI is

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[11] The ICG Project was a partnership between CAEPR and Reconciliation Australia, to undertake research on Indigenous community governance with participating Indigenous communities, regional Indigenous organisations, and leaders across Australia. Publications can be found at https://caepr.cass.anu.edu.au/indigenous-community-governance

currently redeveloping and revising the Toolkit with substantial new information and topics. This includes a number of the templates and tools which may have changed since this paper was written.

The Toolkit recognises that governance environments are ever-changing, highlighting the need to periodically assess the effectiveness of governance (see Figure 4). It adopts a developmental approach to rebuilding governance; that is, an incremental rebuilding which starts with the strengths that are present in a community, group, nation or organisation (such as existing skills, abilities and experience, cultural values and knowledge). Challenges and rebuilding are then considered in the context of these strengths.

Figure 2   The Indigenous governance culture and environment

Source: AIGI Online Toolkit https://toolkit.aigi.com.au/

The AIGI Toolkit provides a large range of resources that can be customised by end-users, including sections such as 'Nation Building and Development' with headings such as 'Kick-starting the process of nation building'. These clearly resonate with the Project's envisaged tool, as do tools for mapping a group's governance history and strategic planning with elements around organisational visioning, purpose and strategic goal-setting. The AIGI Toolkit's interactivity in its use of visual graphics, paintings by Indigenous people and video interviews with leaders about their own experience is especially instructive.

Of particular interest for the IGD Project are the Toolkit's numerous 'health checks' comprising an overall governance health check-up, as well as specific check-ups for leadership, capacity building, accountability, managing change, dispute resolution processes, conflict of interest and more. Engagment with these topics is mostly done through guided, short and long answer responses to questions. There are some different component tools for data capture and evaluation techniques – such as a stakeholder analysis and a SWOT

(Strengths, Weaknesses, Opportunities, and Threats) analysis. A group or organisation's considerations of these health checks leads them to a template 'Governance Development Plan' with guidance on how to do this.

Community First Development – Seed to Tree tool (2019)

Community First Development, formerly Indigenous Community Volunteers, builds evaluation capacity into its projects. In 2018, it launched its first action research project to evaluate the effectiveness of its community development approach, and explore why self-determination, leadership and governance are important to Aboriginal and Torres Strait Islander people and communities.

The *Seed to Tree* tool is designed to be used in conjunction with semi-structured interviews. Baseline assessments reflect where a community believes it is located in its journey towards a specific outcome (see Figure 5). The tool continues to evolve and has been trialled with different interest groups and individuals, in video conferencing and by email. The organisation's community development team has used the *Seed to Tree* tool with other participatory monitoring and evaluation methods, such as the 'Ten Seeds' technique, voice recorders and yarning circles, to support the process of reaching consensus within a group. The 'Ten Seeds' technique invites a group or an individual to move 10 seeds along a scale to reflect their personal and shared views. The tool has also been used in strategic planning.

Figure 3   The Seed to Tree tool

Source: Community First Development. https://www.communityfirstdevelopment.org.au/stories/seed-to-tree-scale-knowledge-practice-and-action
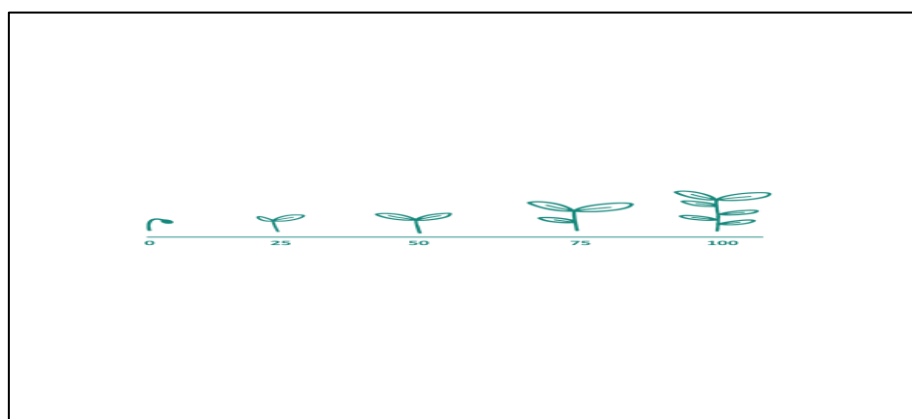
There are several important ideas behind the design of the Seed to Tree resource, which resonate with the proposed IGD tool. It is framed on strengths-based language, rather than deficiencies. A facilitator carries out semi-structured interviews and sessions to open discussions. The 'Seed to Tree' visualised ranking scale recognises governance as a journey to be defined by the community's objectives, similar to AIGI's Toolkit mapping governance history exercise. A set of principles, criteria and measures are provided, which can be customised by users, and create a workable ongoing process.

Thinking about meanings: Self-governance, development, self-determination, and nation rebuilding

Issues of local understandings and relevance are critical to how culturally-based forms and standards of governance legitimacy can be agreed upon and then embedded within Indigenous solutions. Arriving at shared

meanings enables groups to insist upon their rights and interests to external agencies according to where they are at, and the place- and context-based possibilities for their journeys of self-determination.

Although a discourse of 'rights' and 'governance' permeates many government policies today, the meanings of terms such as such as 'self-governance', 'development', 'self-determination' and 'nation building' are not always shared amongst the members of a single Indigenous group or community; let alone with the general public, governments and industry[12] (see Bauman et al., 2015; Hunt & Smith, 2008). That is, the terms mean different things to different people including, for example, what might constitute 'good', 'good enough' or 'poor' governance (Smith, 2005).

There is also a substantial body of literature about the meanings of such terms including as they are defined in international law, in government policies and by Indigenous peoples themselves. The research directs attention to the cultural foundations of contemporary solutions; the repertoire of Indigenous capabilities that support collective governing agency and choice; and to the subtle Indigenous understandings and measures of what it means to govern well at the cultural interface according to their own priorities (Nakata, 2007). An important question then for the development of the tool is how culture and cultural solutions make a difference to its form, content and subsequent use. As a first principle, the tool will make no assumptions about what First Nations people want to consider, including the meaning of 'culture'.

In the section below, we highlight some of the issues in thinking about the meanings of 'self-governance', 'development', 'self-determination' and 'nation building' as documented in existing research with Indigenous groups, and identified in the IGD's Project Overview Paper (Smith et al., 2021). The discussion below is not intended to replace the meanings which Indigenous groups attribute to them, according to their placed-based priorities and interests. Rather, it is part of thinking through issues in the design and development of the proposed tool. It also enables preliminary operational definitions to be used as prompts by groups in their discussions.

Governance and self-governance

The impacts of the many colonial interventions in Indigenous lives has had profound ongoing impacts on collective governance. The contemporary aspects of collective Indigenous governance are multilayered, operating independently but also intersecting, overlapping and contextual. It operates at organisational, social, cultural and political levels and, as noted earlier, operates within and intersects with a wider governance environment of Australian governments, industry and business. Australian research (Smith 2002, 2007) describes Indigenous governance as a relational networked mode of social control and political jurisdiction, which has a number of different interrelated components. Today, some of these components may be working better than others, and each has greater or lesser impact as they interact and influence each other. In many cases, part of the networked layers of collective governance will be fractured or not functioning; others will be working well.

Building governance thus requires considerable internal reflection to understand how these things came to be, and how a group wants the parts of its governance to work in the future. This includes considering the diverse factors that relate to numerous cross-cutting dimensions. For example:

- How are traditional knowledge systems, age and gender related?

- What are the social structures that bind a group together?

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[12] See e.g. *National Agreement on Closing the Gap* (Commonwealth of Australia, 2020).

- Do leaders mobilise consensus, and how?

- What institutional structures have been established by a group (formal and informal) to represent their interests?

- Where do incorporated organisations sit between Indigenous and non-Indigenous governance systems?

At the same time, while Indigenous governance might be considered to have many meanings, layers and scales, governance (whether Indigenous or not) can also be considered in generic terms as the ways in which the collective will of a nation, community, group or organisation is translated into decisions, rules, plans and sustained action to achieve the things that are collectively important. Governance is as much about the *ability* of nations, groups and organisations to govern as it is about rights and powers and resources – specifically, the *collective* capability of groups to decide what they want for the future and to then implement those decisions. Making decisions and implementing them is only part of the issue though. Implementation usually requires resources and the political mandate of members of a group and of governments.

The 'means' of governing can also be considered in generic terms, to include institutions (rules and systems), structures, capabilities, processes, powers, relationships, networks, resources and practices. The exercise of Indigenous governance can range from the organisation of economic activity and endowments, to law-making and enforcement, dispute resolution, negotiation of agreements, strategic planning, 'looking after' traditional Country, and building relationships with other groups and governments. By extension, 'self-governance' refers to having control and rule over the exercise of the necessary functions to govern, without intervention from external authorities. Many First Nations internationally refer to this as a right of self-government, based on exercising their own laws and institutions for governing themselves.

Understanding governance in this way means changing the way it is commonly thought about by Australian governments, industry and Indigenous people alike, as equivalent to corporate compliance, regulations, administration, and service delivery.[13] This approach has been refuted by Indigenous leaders such as David Ross, then Director of the Central Land Council, who stated at a Northern Territory Aboriginal Governance Summit in Tennant Creek that:

> *Governance is not just a matter of service delivery, organisational compliance, or management. It is about the self-determining ability and authority of clans, nations and communities to govern: to decide what you want for your future, to implement your own initiatives, and take responsibility for your decisions and actions (Ross, 2013).*

It is no easy task to shift one's thinking to this broader understanding of governance. It suggests that having practically capable, self-determined self-governance plays a key role in delivering sustained transformations that will improve peoples' lives in ways they choose (see Cornell, 2007b; Hemming et al., 2019; Hunt & Smith, 2008; Jorgensen, 2007; Nakata, 2020). Yet there are major gaps in our knowledge about the particular *kinds* of self-governance that will prove to be both practically effective and culturally supported, and *how* to go about establishing it.

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[13] There is also debate about whether Indigenous 'governance' is the same as Indigenous 'government', and how those diverge from mainstream Australian governmentality (Bauman et al., 2015; Hunt & Smith, 2008).

Development

The western concept of development has long been interrogated as a colonial legacy with an implicit acceptance of particular kinds of economic growth, at the expense of Indigenous modes of social, cultural and economic development and cultural priorities. The IGD Project's thinking takes 'development' to mean the ability of Indigenous nations and groups to support themselves and provide their citizen members with the opportunity to live productive, satisfying lives. From this perspective, development is change or transformation that makes life better in ways that people choose. Thinking about 'development' as being '*with culture and identity'* (UNPFII, 2010), also assists in understanding how nations and groups generate and implement a self-determined development agenda.

Development in Indigenous Australian contexts can thus take a variety of forms well beyond the economic alone: from cottage industries, growth in traditional subsistence activities to increased participation in market economies, from Indigenous-citizen entrepreneurship to joint ventures with non-Indigenous corporations, from local cultural resurgence and trauma-based healing initiatives to global Intellectual Property patents, to caring for country, Ranger programs, and climate change initiatives on lands and waters.

That is, 'sustainable development' is often seen by Indigenous peoples in holistic interdependent terms, requiring the well being of all living things (Country, plants, animals, past and future, etc.) and invoking issues such as climate change and sustainability of the planet. From this definitional bases, 'development' might only be considered to be 'sustainable' when it delivers desired outcomes, aligns with collectively identified goals, and inclusively promotes the abilities of current and future generations to exercise their self-determined choices in processes of decolonisation.

Self-determination

For many Indigenous peoples, self-determination entails meaningful control over one's life and cultural wellbeing (see Anaya, 2021; Davis, 2011; Smith et al., 2021). It does not refer simply to self-administration of programs or self-management of processes controlled by outside authorities. The UNDRIP refers to the right of Indigenous peoples to freely determine, make decisions about, and assume responsibility for their political, socioeconomic and cultural destiny, and what takes place on their lands and in their affairs. In the Indigenous context, self-determination has a collective signifier that is about nations, groups, tribes, clans, families, and communities.

Self-determination is not an esoteric future goal or a corporate performance criteria. It is a process enacted through lived daily practice and processes of decolonisation. It is made concrete through collective participation, voice and adaptation, and through the very *act* of governance innovation and rebuilding in the conditions of possibility in which they are located. This suggests the more self-determination and self-governance is put into daily practice, the greater will be a group's confidence in exercising it, and the more unfavourable and limiting conditions are likely to change. This approach lies at the heart of the tool's purpose and method of implementation.

Nation rebuilding

The concept of 'nation' often refers to distinct political communities that constitute an intergenerational collective, characterised by a shared sense of territorial association, political solidarity and cultural identity. Nation building also refers to the processes by which collective polities enhance their abilities to exercise self-governing authority effectively, in order to achieve a shared vision for their future (see Jorgensen, 2007;

Nikolakis et al., 2019; Smith, 2021a). Some commentators refer to the *re*-building of nations, recognising that the cohesion of First Nations has often been drastically disturbed by the ongoing impacts of colonisation including by the ever-increasing bureaucratisation and regulation of Indigenous lives and imposed western forms of governance. These imposed modes of governance have been proliferating for many years, and as noted often consume the resources and time of many communities and groups.

The issue of what (or who) constitutes 'grouphood' and a 'nation' is often fraught and contested across the world. This is no different for Indigenous nations: it invokes fundamental questions (sometimes disputed) of 'who is the *self*' to be governed and by whom; who are the members of a polity; what are the social boundaries and overlaps between polities?

The term 'nation', commonly used today in the USA and Canada in its political dimensions, is increasingly making its way into Indigenous and public discourse in Australia. At the same time, for a significant number of groups, the practice of acting as an Indigenous nation is not simply the product of the more recent Westphalian system and its modern 'nation-states' (Hemming et al., 2019; Jorgensen, 2007; Smith et al., 2021). 'Nations' as territorial groupings have long been documented in the early Australian ethnographic record (Merlan, 2022). The term 'nation' has gained political and social currency across Australia as a self-descriptor. But there are also Indigenous groups across the country who choose not to refer to themselves as 'nations' or are not familiar with the term, preferring to use terms which reflect their own meanings in local Indigenous languages, social institutions and structures.

In the recent decades of land rights, native title and discussions about treaties, Indigenous organisations and land-holding groups have been required to represent themselves as discrete from each other with membership and eligibility criteria reflecting this in legal definitions. But this legal requirement for 'nation' discreteness has led to conflict about 'who's in' and 'who's out' of a group, and is counter to Indigenous networked sociality and its circuitry of governance that is embedded in kin-based networks linking Indigenous groups across regions for different purposes. Legal definitions of groups established through formal processes sanctioned (at least partly) by governments in Treaty negotiations, for example, or in land and native title claims, also become reference points in determining the social and cultural structures and identities of groups and the locus of conflict.

This means that a contemporary culturally-informed understanding of Indigenous 'nations' must acknowledge that nations are not tightly bounded and are subject to negotiated change (Bauman, 2006). Smith (*in press*) notes that the 'Indigenous nation' in Australia today is a form of relational sociality expressed as a shape-shifting political formation. This culturally infused notion of 'nation-as-polity' she argues, might form the platform for Indigenous nation-rebuilding initiatives in contemporary Australian conditions, but that these will not be of the same kind as in Canada, the USA or New Zealand. In the movement towards self-governance and decolonisation in Australia, groups are rethinking their relationship with the nation-state, and focusing on processes that enable Indigenous agency and local control. An early feature of the strategies and pathways emerging in Australia is that 'their momentum is uniquely Indigenous-driven' and:

> *…can be kick-started through internal conversations about collective identity and relationships, through strategies to revitalise the participation of group members, considering the valued role of culture in future modes of governing, or focusing on rebuilding prioritised institutions (the rules of governing) (Smith, in press[a], p. xxii).*

That is, it is not so much the 'what', as it is the 'process', which is most important in the rebuilding endeavour. Talking of her own experience in British Columbia, Angela Wesley noted that the treaty itself did not create the reality of nationhood; rather the processes surrounding it contained the tools and resources for identifying and achieving a future collective vision (Wesley, 2021). A similar experience and conclusion has been reported

amongst Ngarrindjeri in Australia for their collective nation rebuilding and treaty processes over the last two decades (Rigney et al., 2021).

Terms such as 'self-governance', 'self-determination', 'nation' and 'development' can be as straightforward and particular as Indigenous people want them to be, according to the conditions of possibility at the time, including resources and political will, local context and place. The particularities of meaning can be shaped and emerge through internal discussions. For some, self-determined outcomes may be seen in singular substantive terms such as the building of a cultural centre; others may speak about taking control of specific forms of 'decision-making'; still others, in emotional terms, seeking redress for having been removed from their families under past government policies. Such emotional, procedural and substantive interests are not mutually exclusive: these and more will be present simultaneously within a group. And all will be relevant to shaping Indigenous use of the tool.

This suggests the need to design the tool to encourage meaningful dialogue within groups about these terms, the diversity of interests, and ways to address them in different contexts and places. The implication for the tool is that the communication processes by which the meaning of the terms are elicited are highly significant and need to be able to be tailored to diverse groups. It has quickly become apparent that the tool will need to be accompanied by a guide that will provide facilitation tips, scenarios, prompts and options to facilitate group discussion.

Framework considerations for the tool

The self-determination framework for the tool proposes that members of groups come to their own view about how they want to evaluate their own progress: what is it about a group and its governance that has hindered or enabled achieving desired development outcomes?

Only the groups using the tool can extrapolate from it to arrive at their own meanings, whatever the context or place. Experimentation, crises and opportunities inevitably call for governance arrangements to be evolving and in need of periodic self-assessment and refinement by a group to identify next steps, strengths and gaps, and adapt priorities and practice. The tool is thus framed by a group's own place-based context and historical and changing journey of self-governance renewal, reflected in the IGD Project's overall research methodology framework set out below.

Secondly, 'how' different Indigenous journeys will be facilitated in group discussions is a central framework component. That is, the framework has a 'process' lens, leading to consideration of the principles of dialogue. There is an inherent paradox in designing the proposed tool, evident also in other tools that aim to produce a locally relevant place-based tool, which simultaneously has broader application across diverse settings. The envisaged IGD Project tool places an emphasis on Indigenous groups identifying their own 'locally' preferred governance terms, approaches, processes and rebuilding priorities. These are likely to vary from one group to another. This means that the communication processes used to trigger discussion and consensus are an important commonality: this is one gap that the envisaged tool hopes to fill – namely, offering ideas and questions to prompt discussion and reflection, whatever the nature of the group.

Common factors of culturally-networked governance and the realisation of rights under the UNDRIP provide useful third and fourth frames for the tool, including about the kinds of data that might be beneficial at various stages of the journey.

The IGD Project overarching research framework

Seven thematic areas (posed as questions) have been identified by the IGD Project team as comprising its research framework:

1. Defining key concepts: Self-Governance, Development, and Self-Determination.

2. Defining the Collective 'Self' and the Cultural foundations of your Governance.

3. Who are your key people to talk and make decisions with?

4. What are your group's desires? Why?

5. What are the opportunities?

6. What is the most significant challenge? Why?

7. What path are you walking to address the challenges and goals?

Each research theme intersects with a number of cross-cutting dimensions and has been visually depicted as a journey in Figure 6. These dimensions (among others) have been identified from research as influential in governance arrangements: values, gender, generation, age, time, scale, language, rights and responsibilities, capabilities, assets, gaps, trauma and healing, and data governance.

These dimensions raise a number of considerations for the design and use of the tool. For example, they identify:

- the kind of baseline data that groups might need and subsequent data about their governance

- the capabilities and resources needed by groups to assess their current arrangements and progress

- resources to go from planning to action

- the social and cultural dynamics that emerge when groups consider their internal membership and future goals.

One or all of these dimensions might shape the focus of conversations as a group identifies its priorities and decides where it wants to begin.

Although the IGD Project's overarching framework starts with defining the key concepts of 'self-governance', 'development', 'self-determination' and 'nation building' and sets out subsequent arenas of governance which a group might wish to explore with researchers, there is no compulsory sequence and groups may begin wherever they wish and are already doing so. Some groups might be better placed to consider the meanings of such terms after they have considered other aspects of the framework and its priority cross-cutting dimensions. Ultimately, the meanings are whatever a group decides together. This sense of flexible entry points for groups at different stages of their governance journey has been imported into the design of the tool as well.

The Project's research framework and the questions it asks related to its cross-cutting dimensions, appear to be sufficiently generic to apply to a range of groups and contexts.

Figure 4   The IGD Project research methodology framework

1. KEY CONCEPTS: Self-Governance, Development, Self-Determination

2. Defining the Collective 'Self' & the Cultural foundations of your Governance

WHY?

3. Who are your key people to talk with?

4. What are your group's desires? Why?

7. What path are you walking to address the challenge and desires?

5. What are the opportunities?

6. What is the most significant challenge? Why?

CROSS-CUTTING DIMENSIONS: Values, Gender, Generation, Age, Time, Scale, Language, Rights & Responsibilities, Capabilities, Assets, Gaps, Trauma & Healing, Data Governance.

Source: Williamson & Smith, 2021. Diagram formatted by K. Bellchambers, CAEPR.

Principles of dialogue

Meaningful dialogue and deliberation amongst members of the group about difficult issues requires some fundamental principles to be agreed upon, as framework check points along the way.

The following principles and/or processes underwrite the 'how' of the overall Project research methodological framework for the current IGD Project, and dialogue in the design and use of the proposed tool:

- self-determined collaborative governance of development
- Indigenous led and owned decision-making and design
- self-reflection, self-analysis, and reflexive praxis leading to renewal

- incremental rebuilding, expanding on place-based strengths, meanings and collaboration

- transformative deliberation and learning.

These principles are explored in the following section and reflect a commonality of purpose albeit via different pathways, that can apply generically to any group.

Common factors of resilient and adaptive governance

While the ICG Project shed light on the diverse modes of Indigenous ways of governing across Australia, it also identified several deep common aspects of Indigenous ways of governance which, in combination, contribute to more effective, resilient and adaptive governance, and which can inform a framework for the tool (Cornell, 2007a; Hunt & Smith, 2008; Nikolakis et al., 2019; Smith et al., 2021).[14]

These commonalities are:

- Cultural legitimacy or authority – where there is an alignment between the representative governance structures and leadership of the representative organisation and the ideas of group members about how power and authority including how cultural authority should be exercised and tested.

- Cultural geographies and networks – where there is consideration of the diverse culturally-based scales, land-ownership relationships and networks that consistently come into play when Indigenous groups consider how best to organise their governance.

- Governing powers – where groups have genuine and substantive decision-making authority and acknowledged control over matters that are important to them.

- Institutions or rules – where there are culturally credible and practically capable governing laws, rules, strategies and standards that are self-determined and win the trust, support and commitment of group members.

- Capability – where there are sufficient and sustainable capabilities[15] to enable people, individually and collectively, to do the job of governing and reach their own goals over time.

- Self-determined choice – where the governance arrangements are determined through the free, prior informed consent (FPIC)[16] of Indigenous people themselves.

These commonalities mean that regardless of place and context, at least some aspects of the tool can be designed, and then tailored to a range of diverse groups and scales and to change. Research also suggests

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[14] The ICG Project research informed the development of the AIGI's online *Indigenous Governance Toolkit* ('AIGI Toolkit' or the 'Toolkit') which provides Indigenous groups and organisations with tools and examples of how others are going about their rebuilding initiatives. A number of subsequent governance research projects also inform the development of the envisaged tool. In 2014, the Australian Institute of Aboriginal and Torres Strait Islander Studies and AIGI held a national forum and conducted a survey to map current and future research and practical resource needs (Bauman et al., 2015). The Jumbunna House of Learning at the University of Sydney has been carrying out several research projects with Indigenous communities who are differentially engaged in Indigenous governance and nation rebuilding processes in Victoria, South Australia and New South Wales (Hemming et al., 2019; Vivian et al., 2017). In the Northern Territory, the Aboriginal Governance and Management Program (AGMP) has been operating since 2013. Established by the Aboriginal Peak Organisations of the Northern Territory (APONT), AGMP is a not-for-profit agency devoted to governance and management support in the Northern Territory, with a focus on remote communities. The AGMP undertakes applied governance training and some research. It has a range of resources and valuable links to templates and case study stories from the Northern Territory available at: https://aboriginalgovernance.org.au/
[15] 'Capability is the combination of people, institutions, resources, and organisational abilities, powers and practices that enable individuals and groups to reach their own goals over time, and amongst Indigenous peoples include the capability of self-determination (see Drieberg et al., *in press*; Smith, 2005). Capacity development is 'the process by which individuals, groups, organisations develop their abilities, individually and collectively, to perform functions, solve problems, set and achieve objectives, and understand and deal with their development needs in a broader context and in a sustainable manner (United Nations Development Program (UNDP), 1997).
[16] Self-determined, informed consent means that Aboriginal people must play the principal role in deciding on and designing their own governance structures.

that not only is genuine power and authority needed; so too are the practical capabilities to govern well to achieve goals and attract resources (Bauman et al., 2015; Hunt & Smith, 2008; Smith et al., 2021).

The commonalities are also dependent upon the political will and commitment of either or both governments and Indigenous groups. The political will and commitment to do things differently is also impacted by the understanding, recognition, and realisation of Indigenous rights in the UNDRIP as they are given meaning in daily practice at various scales from the international to the local.

Rights and the UNDRIP

Indigenous rights set out in the UNDRIP thus also inform the framework of the tool, though the tool is not envisaged as being specifically aligned with each of the UNDRIP articles, as is a tool like the Indigenous Navigator. Rather, the Project's UNDRIP lens highlights the need to strengthen self-governance if rights such as to FPIC, inclusive participation, genuine decision-making authority, collective governance and future development are to be realised.

The Project's research methodology thus appears to be able to factor in the markers of resilience as identified above, as well as reflect relevant rights in the UNDRIP, and be tailored to different places and contexts. This will only occur however, if the principles of dialogue are skilfully applied in nuanced reflexive conversations by members of a group. That is, it is the 'how' which will arrive at sustainable outcomes.

Designing and using the tool 'developmentally'

A conclusion of the ICG Project (Hunt & Smith, 2008; Smith, 2005), and a guiding principle of the AIGI Toolkit, is that because of the intergenerational depth of the sensitivities and challenges involved, governance and nation rebuilding needs to be done 'developmentally'. This means starting from where First Nations people are at, and progressing incrementally and safely, according to internally identified priorities. The tool's format therefore will need to be sufficiently flexible to allow for ongoing redesign and adaptation by First Nations people.

The use of the tool is seen not only as being potentially transformative, but also incremental and componential in its contribution. As First Nations people build on each conversation and action, and then reflect on progress and learnings, confidence in solutions will follow. An important flexibility created by this developmental framework is that it can be engaged in by Indigenous groups at whatever phase or situation they find themselves in. Various components of the tool could be employed as they fit the circumstances, size, and goals of the groups involved. For example, mapping the governance history with small or large groups will assist in the identification of issues that people want to explore. This could be followed by mapping the group's contemporary self-governance. In doing so, groups can identify their treasured values and local meanings, then apply them to any emerging processes, measures and pathways.

In this section we first briefly explore a number of developmental approaches and their significance for the tool: self-determined governance of development, co-design, strategic self-analysis, and processes of deliberation and transformation. We then discuss some of the implications of these approaches as they relate to the initial conversations that need to take place, including who uses the tool and the monitoring standards, values, measures and/or indicators which the group itself determines.

Self-determined collaborative governance of development

The term we have settled on, 'self-determined collaborative governance of development', also noted earlier as a critical principle for effective dialogue, finds various roots in UNDRIP, and the longstanding practice of participatory development, particularly by Indigenous and non-government organisations (NGOs). This professional practice and its theoretical basis has been described in detail by Anthony Kelly and Peter Westoby (2018) (see also Hunt & Bauman, *in press*). However, unlike the proposed tool with its emphasis on internally self-determined collaboration (see the section below on 'co-design'), the practice of participatory development usually implies the involvement of a third party 'developer'. We see the members of traditional land-owning groups not so much as 'participating' in determining their collective futures, as '*doing* the development' themselves. Replacing the word 'participatory' and adding the term 'self-determined' makes a significant distinction.

Nevertheless, many of the guiding principles and approaches of participatory development remain relevant for our approach to the proposed tool. For example, in 1995, the aims of participatory development were described as being to create processes which induce self-reliance, increase the quality and kinds of participation, arrive at sustainable development, foster capabilities and realise social justice. Participation in every aspect of politics, economy, and society was seen as important to both the goal and means of development, and the effective governance of a group as central to achieving these objectives (Japan International Co-operation Agency, 1995).

In their discussion of development, Kelly and Westoby (2018) also describe 'development' in holistic terms as being more than just economic development alone – as we have done earlier in this paper – and distinguish between 'people centred' and 'growth centred' development, noting that the two are interrelated. 'People centred development' is described as exploring human values and beliefs that shape purposeful action and emphasising 'quality of life' rather than 'standards of living' (p. 14). They relate 'growth centred' development to 'a cumulative growth in production and income, the creation of a bigger economic pie, increased consumption, and the adoption of a cultural value base which is centred on rationality, entrepreneurial ambition, and achievement' (p. 13). Growth centred development alone has an expectation of a 'trickle down' effect, which clearly does not eventuate: the poor stay poor.

Adding the terms 'self-determination' and 'collaboration' strengthens the idea of people-centred development, making again a subtle shift to put the emphasis back onto the decisions and choices of the group itself, and to the critical need for collaboration in doing those things. Combining these terms with the 'governance of development' in the descriptor, emphasises the centrality of effective governance to any forms of 'development'.

The current IGD Project recognises there are external forces influencing the form as well as the quality of participation in a group: such as formal and informal institutions such as laws, administrative systems, or behavioural norms and the systems and structures of government. However, while addressing governance issues is partly dependent on the legal recognition, resources and decisions of external governments (APONT, 2013), other matters lie in the hands of Indigenous people themselves, to determine and shape in response to their own circumstances and priorities.

The Project's aim in developing the tool is therefore to focus on supporting groups as a first step in their self-governance of development building, whatever the nature of the group. Effective governance is about what people choose to do. It involves solidarity and adaptation based on agreed, self-determined standards that people work towards. Ideally these conversations would take place, as suggested above for the Wiradjuri, in face-to-face individual or small group settings, broadening out to include others interested in being involved according to the priorities they place on particular issues. As Kelly and Westoby (2018, p. 14) suggest, action

plans need to be 'defined by people living in the realities of a particular context' who have the right and responsibility to make decisions.

To extend the use of what has now become a 'hackneyed phrase' within government, this means that 'governance action plans' need to be 'co-designed' by members of the group themselves, with each other and with other groups as the need arises, collaborating in the work of self-determined governance rebuilding.

Co-design by the group itself

'Co-design' is a term that has become part of government discourse, but around which there are few shared meanings and limited practice (see Dillon, 2021). Most often, in the Australian Indigenous context, the term relates to external government and industry requirements including activities such as policy implementation, and program planning, visioning or evaluation. This often means that 'co-design' refers primarily to a First Nations group working with governments and external parties, where, even under the rhetoric of 'co-design', the initial agenda and parameters of an approach have already been set by the external parties who then seek co-design for its roll-out.

In contrast, the Project's approach to the design and use of the tool is of an Indigenous-led process of transformative learning in a decolonising journey of new meaning making. The difference is that we refer to 'co-design' as operating within the members of a group itself, with a particular emphasis on the self-governance of a group for the future development it desires. Thus, in creating and using the tool, the focus is on members of First Nations groups themselves working together, as the collaborative co-designers and end-users, to set the parameters and purpose themselves. This puts the project researchers in the position of contributors and learners of insights and options, where research evidence is made available to Indigenous partners for consideration.

Nevertheless, some of the practices of co-design as they are ideally defined and discussed do apply, although not aimed at 'internal' co-design by members of a group itself. Kelly Ann McKercher (2020), for example, on the back cover of her book *Beyond Sticky Notes, co-design for real: Mindsets, methods and movements*, defines 'co-design' as '…more than a process. It is a social movement focused on challenging and changing inrequitable power structures'. All groups are located in systems or webs of powers and structures, and the differentials in power, privilege, equality and relationships apply both 'within' as well as 'across' groups, organisations and government bureaucracies.

Accordingly, the focus for the tool will be on relationships, authority and power distribution *within* the First Nations group itself. This focus can then move 'outwards' to encompass other potential groups and their members, and further outwards to external stakeholders as decided upon by the group. One such grounded, participatory incremental approach has been described by Murray and Evans (2021) for the Wiradjuri. They talk about a personal journey of working together and being guided by senior Wiradjuri Elders, to customise international Indigenous nation-building frameworks for their contemporary Wiradjuri cultural circumstances. Their work is carried out from the ground up, sharing strategies to promote a strong community-based and community-informed framework for getting started, based on honouring Wiradjuri ways (Murray & Evans, 2021). In beginning this journey, they held many internal conversations about rebuilding the Wiradjuri, particularly through reclaiming language and leadership, the creation of a tailored Wiradjuri course in collaboration with a regional university, and consolidating a cohort of Wiradjuri nation rebuilders, among other initiatives.

In the first instance, a leader or champion who is motivated by the need for governance rebuilding would thus identify with initial group members, no matter how few, some preliminary approaches for internal co-design of governance and nation building. This would also mean having conversations about whether group members are

ready or want to use the tool, how they wish to do so, who would lead the process, who would act as rebuilding champions, and so on. From the outset this will call upon strategic thinking and self-analysis skills, collective deliberation and transformation processes to create a group's own self-determined developmental approach.

Strategic self-analysis

The term 'strategic self-analysis' encompasses the reflexivity of both individual and collective 'selves' in order to arrive at a turning point where ideas, feelings, values, standards, principles and motivations inform collective action. It requires vigilance, courage and commitment. 'Strategic self-analysis' involves critical self-reflection, and the motivation for groups and individuals to move from one point to the next, and be strategic about doing so. Being strategic requires integrating individual responses into shared ways of thinking and doing, where possible. It suggests that a diverse leadership and membership will have to be involved in the 'assessment' conversations, in order to arrive at 'strategic' processes and outcomes. To be strategic also means owning and understanding the journey, its impacts on others at each step along the way, and being able to reconsider the factors at play, because the journey of governance and nation building is an experimental one, full of mistakes, learnings and movement.

Concepts such as strategic self-analysis raise challenging issues of objectivity and positionality for any group or organisation, whether it be Indigenous or non-Indigenous. In any form of self-analysis, people can be biased, antagonistic, want to paint the best or worst picture, be intimidated by speaking out in a group setting, or want to dominate it. The proposed tool thus needs to account for the possible lack of group cohesion and dispersal of group members, and be used in a 'safe space' where people can explore their own internal 'truth-telling' and say what they think. Inevitably, this will require leaders and specific group members acting as governance-rebuilding facilitators and champions (as suggested above). Part of that role will necessarily involve developing an internal culture of feedback and debriefing on even the smallest wins and transformation, and encouraging trust amongst the members of a group to say what they really want to say, to deeply reflect and to have conversations about difficult issues without fearing repercussions. Healing within the group of collective and personal traumas will be an integral part of building the capability for strategic governance self-analysis.

Deliberation and transformation

The kind of renewal and revitalisation that is involved in rebuilding Indigenous ways of governing is likely to involve a process of 'deliberative transformation', based on sometimes tough decisions. Deliberation involves consideration of options and determining a preferred course of action to be taken regarding collective issues (such as for governance or development) (Bächtiger et al., 2010). For Indigenous groups in Australia, this does not require comprehensively working through every issue or doing so in a particular sequence. There is no magic code for this kind of rebuilding work, or perfect end-point. But it does suggest that no single individual should be able to hijack a collective process or outcome on the basis of old antagonisms or selfish-determination. It also suggests that a tool might usefully raise common political, social, structural and cultural issues and concepts for consideration, while leaving it to groups to deliberate on which are relevant to them, and which course of action they want to take. In other words, the tool should act as an instrumental trigger for the collective process of defining relevant considerations, ways of organising, and planning courses of action.

Considered experimentation will be required, because the design of the tool, and its subsequent use, aims to incrementally build shared understandings and consensus, assist in coordinated action, and bring about sustained solutions (see Smith, 2019; Williamson & Smith, 2021). Group design and customisation of the tool thus aims to be transformative: a form of 'consciousness' or 'awareness raising' which can be undertaken at individual or group levels, encouraging people to think about what they really value and want to

strengthen.[17] This approach also reinforces certain kinds of communication (sharing, talking together, and building consensus).

In this way, the use and customisation of the tool, is envisaged as one part of facilitating the start of an ongoing journey of transformative learning. The process resonates with Mezirow, Emeritus Professor at Columbia University and founder of the transformative learning method, who defined the method as 'an orientation which holds that the way learners interpret and re-interpret their sense experience is central to making meaning and hence learning' (1994, p. 222). It involves a shift in perspective, when we become critically reflective, as we become aware of how our assumptions limit our understandings of the world.

The strategy of creating shared meanings and having learning conversation at the outset at the outset could give rise to innovative ways of thinking about many issues; for example, the management of disputes, and the extent to which people want to embed cultural values into rebuilding efforts. It could also influence decisions about the kind of knowledge and data that might be useful to a group. This approach aligns with the method of 'problem-solving iterative adaptation' more commonly associated with building global governance in nation-states, with our critical distinction that the framework advocated here begins with internal strengths and conversation about which prirorities (sometimes problems, sometimes opportunities) might valuably contribute to first steps in rebuilding (Andrews et al., 2017).

Data for governance building

Critical early and ongoing conversations and decisions in using the tool relate to the governance of data. Firstly, a group will need to identify the kinds of knowledge data it wants to construct a base-line against which it can measure future progress. The second issue is how groups want to govern that knowledge and data in respect to its ongoing confidentiality, storage and use (along the lines of the Indigenous Navigator) (see Smith, 2016). The data could be qualitative or quantitative, and the knowledge will be culturally-based (e.g. concerning land ownership, languages of governance; leadership values, members' interests and rights, ways of making decisions, etc). These are all aspects of what is referred to as Indigenous 'data sovereignty' that need to be explored. Many Indigenous groups across Australia are already creating their own self-governance data bases (see Hemming et al., 2019; Kukutai & Taylor, 2016; Smith, 2016), though new kinds of data bases and digital knowledge approaches might be needed that align with what groups have decided they want to do (see, e.g. Akama et al., 2017).

Most importantly, 'indicators', 'standards' and/or 'measures' (whatever a group chooses to call them) used to assess the state of a group's self-governance, should resonate and have cultural credibility with its members. This means that part of designing and testing the tool will include considering the kinds of standards, values and measures people use themselves – as organisations like Community First Development do with groups at the outset. These sorts of initiatives are in their early stages and there are major gaps in our knowledge and understanding of such Indigenous measures.

Indigenous-designed 'indicators' will need to be directly linked to the vision that lies at the very heart of the kind of self-governance that each group wants to build. This suggests there may be a useful practical progression that a group can follow in exploring this: that is, agree on and describe a shared vision for the nation's self-governance; describe the values of cultural governance that inform that vision; unpack these values into descriptive practice measures and standards that align with the vision; and then start a self-assessment. From

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[17] Brigg et al. (2018) have also referred to processes in Mornington Island dispute resolution processes as 'transformative' regardless of outcomes.

there, priorities and planning for action can be considered. This process becomes cyclical as a group returns at a future date to assess its progress and measures.

An additional consideration is that Indigenous governance operates today in an intercultural domain – where Indigenous ways of governing directly intersect with government regulatory requirements for governance. This can mean that different (sometimes contradictory) measures and standards might be applied to the same matters. Groups may wish to think about additional measures to account for this intercultural context, as part of their self-analysis.

Who uses the tool?

Because the tool goes beyond views of governance as a corporate requirement, and beyond the boards of organisations (although boards may choose to do this work as a group), the focus of conversations and self-assessments will be on the 'nation' itself, not the Western-style organisational structure set up to represent it. A threshold issue is thus identifying the nature of the First Nations group that will start the internal conversations with its members, plan the workload and then organise to keep the work going.

Research in Australia and internationally indicates that the starting point for getting a conversation going about the critical issue of a nation's self-governance, and sustaining it, often relies on a small group of champions or rebuilders (Hemming et al., 2019; Murray & Evans, 2021; Timeche, 2021). The size of the group is not at issue: rather the concern is if the conversation stays 'small', exclusive and repetitive. Users could range from a small informal group of people committed to change, through to the leaders and Elders of the nation, cultural groups aligned around specific spiritual connections, through to directors of a representative organisation.

Much depends on the readiness and willingness of individuals and groups to have the kinds of strategic deep conversations which are being suggested, and that turn learnings into beneficial group action. The first step requires members of a group to decide that they want to renew and rebuild their governance. The 'next step' is to look for pathways to do that.

Then, the questions that will likely be asked include: What can this tool do for us? What should the tool consist of? How can we customise it for our circumstances? Who is it for? Why do we want to use it? How could we use the tool? How can governance renewal be placed at the centre? How can strengths be identified? What will be the challenges? How will we know if the tool is assisting with these things? Who might facilitate the conversations? What should we call the tool? How and who will champion, lead and coordinate its use over the short, medium and long term?

In having these initial conversations, group members will also need to ask themselves: 'Are we ready?' 'What's been holding us back?' 'Can we all be honest with each other?' 'Will we be able to talk about what we want to talk about?' 'Are we courageous enough to take this on, make the hard decisions and work productively with each other?' To change the conversation requires leadership. Williamson (2021) goes further and suggests that effective Indigenous governance requires leaders to decolonise *themselves* first (including the ways they behave, make decisions, and demonstrate inclusiveness and accountability) in order to then help decolonise and heal communities to begin the work of renewing their governance.

These are sensitive issues and questions which suggest that, in the first instance, the group forms itself around those with whom they already have trusting and familiar relationships, keeping in mind the need for diversity and progressive inclusion. There is also the question of responsibility and management of the tool in local areas. A group's considerations about this is itself a transformative governance and rebuilding process.

Over time, the group involved in working with the tool can be scaled up and down according to the interests and issues being worked on. Ideally the members of a group using the tool will have diverse interests and perspectives which can be valuably included, for example: the leaders or representatives of various interest groups: youth; women; aged; workers; senior ritual leaders; families; community, nation and corporation members; directors; traditional owners; and others as identified by the group itself. Interest groups within a nation's membership will likely also emerge around particular topics that are considered vital to the rebuilding work – such as language, the role of Elders, cultural strengths, the best ways of communicating with the entire nation, and other cross-dimensional issues identified above in the IDG Project's research framework.

Each of the perspectives they bring will be critical to a group's fuller understanding of itself, so the tool will require local customisation in order for it to be meaningful to a range of users: not just to an elite or a small rights-based group. The implications for the tool are that certain 'entities' and interest groups within a 'nation' or 'community' may be more inclined to get involved in discussing some issues over others. Not everyone will want to participate in the same way about the same issues, or be interested.

Identifying the range of interests will mean applying the principles of 'networked governance' and of 'subsidiarity' to the tool's use. The early ICG Project research concluded that Indigenous governance is a networked and relational form of governance based on thick pathways and layers of interconnections between people, places and things (past, present and future). While there is an Indigenous preference for localism of decision-making, action and responsibility, the great sophistication and advantage of this networked system is that it can flexibly cope with scale: local groups can link themselves horizontally to other group networks, and scale-up vertically to form larger collectivities and alliances of networks (nations). As a consequence, the local parts of a network are directly connected to many other surrounding parts that will connect them ever outwards, to other networked groups. This recursive pattern of expanding connections and pathways is a familiar one depicted in Indigenous dot paintings and cross-hatched bark paintings. It means Indigenous networked governance is a form of decentred, bottom-up federalism where different kinds of decision-making powers, roles, responsibilities leadership are attached to different social layers and cultural geographies (Smith, 2011).

Subsidiarity is where those who are most impacted by a decision should have the greatest say, as decision-making groups can be scaled up and down. Subsidiarity is:

> …the need for the component parts of a network or group to have more effective control and decision-making over their own spheres of action and responsibility. As a governance principle, subsidiarity advocates that issues should be handled by the most competent and appropriate level or layer of authority available. No higher centralised scale or political unit should undertake tasks that can be performed more effectively at a lower or local level. Conversely, centralised or larger aggregated forms of governance should undertake initiatives that are beyond the capacity of individuals or smaller groups acting independently (Bauman et al., 2015, p. 29).

The principles of networked governance and subsidiarity also have implications for how representatives of organisations and interest groups are included in the inter-cultural governance environment. 'Top-down' meeting 'bottom-up' means more than just the relationship between governments and local communities: it also applies to representative relationships within Indigenous groups including communities, organisations and nations.

Monitoring progress

Monitoring is an aspect of governance, and rightly the responsibility of the nation itself. It is beyond the capacity of the IGD project to develop definitive monitoring strategies to address all the permutations and combinations that might arise in using the tool. Previous and current research by researchers in the Project and the work

already being done by Indigenous groups across the country can usefully inform strategies that suit local circumstances. For example, Yawuru (Taylor, 2008; Yap & Yu, 2016) and Wunambal Gaambera (Austin et al., 2017) have been working collaboratively with researchers to develop their own descriptive measures and standards for wellbeing and managing sea country, respectively. AIGI's Toolkit and Community First Development's most recent report (2021), both present information and case study stories on how different groups and organisations are developing and choosing indicators that are most relevant 'to achieve their dream' (Community First Development, 2021, p. 17).

The tool might be used as a standalone instrument or as part of a more comprehensive strategic process: for example, as an implementation and monitoring guide for a working group, charged with proposing governance changes. Each group ideally will develop its own implementation plan, once consensus has been reached on how it wishes to adapt and use the tool.

Facilitation: Issues and practices

The IGD tool is envisaged as a *self*-assessment tool and raises the issue of local resources and capabilities to do the work entailed. Canadian Gitxsan leader, the late Neil Sterritt, succinctly summarised the range of challenges facing groups and First Nations in rebuilding and exercising self-governance, including:

> …insufficient power and jurisdiction, excessive government controls, unclear lines of authority and accountability, inadequate funding and training, lack of enforcement mechanisms, confusion about the impact of provincial [government] laws, confusion about leaders' roles and responsibilities, and confusion about governance matters (Sterritt, 2001, p. 9).

Given these challenges, many of the self-reflexive conversations that need to take place may require facilitation and coordination. If groups are to facilitate and administer the tool themselves, they may need guidance on how to get people together and have productive conversations around big picture issues such as identity, values and desires, which are difficult to capture in question and answer format. At a practical level, this suggests it will be helpful for the tool to have an accompanying guide, structured around the themes and cross-cutting dimensions in the research framework, and containing information about options for processes and tips for having and managing conversations and interactive problem-solving.

Facilitation support may come from within the group itself or from a trusted supporter, with the facilitator or champion 'shuttling' between the group and elders and others with authority about particular issues. As the work progresses, a group may recognise the need for external facilitation to deal with 'hot spots'. The work of a group can be be disrupted by 'difficult people', and others can feel intimidated and unable to express themselves. The group may also identify particularly complex or priority issues, where they wish to focus more deeply, and for which they may require external facilitation.

Decisions about facilitation must come from the group itself as expressions of self-determination and self-governance including whether it chooses a combination of 'internal' and 'external' facilitation. Above all, the facilitator/s must be chosen by the group and be acceptable to all its members whether from within the group or not. Regardless of whomever leads the momentum for governance conversations, this is an area of engaged work that needs commitment, passion, specialised skills and facilitation effectiveness. Issues of cost, knowledge of context, flexibility, objectivity, accountability, willingness to criticise, ethics and the use of results will also need consideration by the group in thinking about facilitation.

Some groups may be fortunate enough to have resources to employ a facilitator as needed. Many Indigenous groups and organisations in Australia are experienced in commissioning external expertise to assist with their

specific evaluation requirements, and a number are increasingly employing their own governance facilitation and training staff (see Bauman et al., 2015).

Culturally integrated strategies such as storytelling, identifying language concepts of governance, painting 'governance', governance mapping, and talking about the most significant change that has happened on a group's self-governance journey are just some of the techniques that will assist the design and use of the tool, and can be included in the guidebook ('the book'). Other practical methods for talking through governance issues are the telling of stories including digitally, yarning circles and talking sticks. Both AIGI and Community First Development use storytelling techniques, building on how others have made changes and the positive and negative outcomes in implementing plans, as do most of the international tools.

Visual techniques are being used in the IGD research and AIGI workshops to talk about governance histories, future visions and goals, for example, where groups translate their experience through ArtVoice drawings or by using Photovoice (Castleden & Garvin, 2008; Mark & Boulton, 2017). Several of the governance tools and evaluation frameworks we have reviewed explore Indigenous cultural metaphors and concepts: for example, trees (AIGI, n.d.); journeys (the AIGI 'governance truck', the 'river' and the 'journey' (see Figure 7 below); seeds and growth (Community First Development, 2021); and weaving (Williamson, 2021). These metaphors are important and groups can decide on their own. They can be used to lead groups and individuals through a process of scoring or rating their performance in a chosen area of governance, including in making progress towards identified goals. A number of the tools reviewed in this paper also have some form of facilitation notes or practical guidance for each step.

Figure 5   Governance rebuilding as a journey
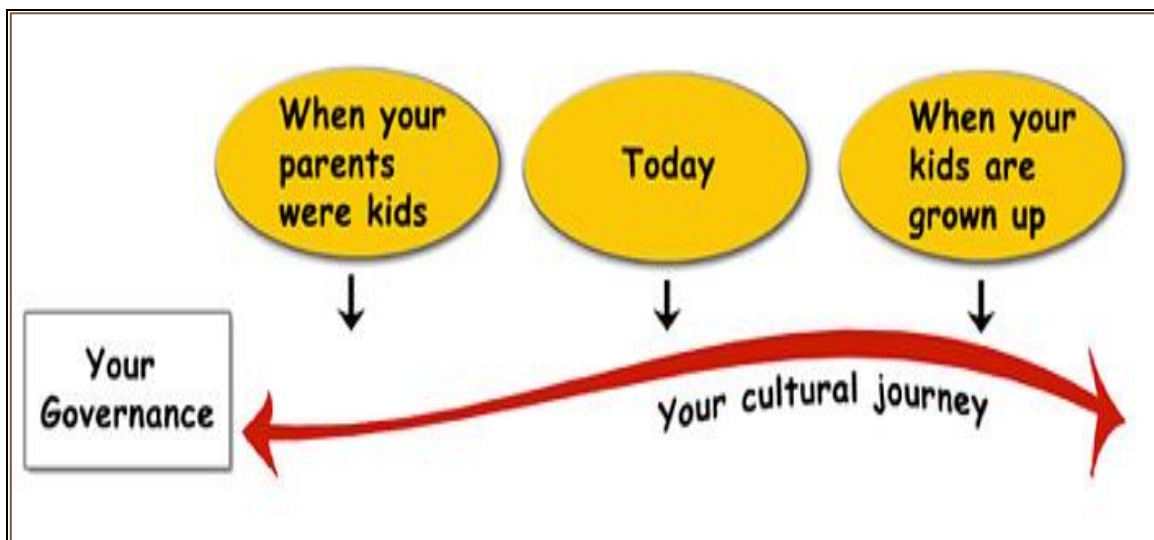
Source: Smith in Indigenous Governance Toolkit (AIGI, n.d.).

Conclusion

Romlie Mokak, a First Nations Commissioner with the Australian Productivity Commission, commented on release of a Commission Issues Paper in June 2019:

My learnings over these years are fairly simple, really, that those who are most invested and most impacted must not be assigned to simply be policy render. They must be the designers, the architects, the builders and even the evaluators for impact and change (as cited in Easton, 2019).

Those who are most impacted and invested also need to be the monitors of their own progress, assessing whether they are on track and what adjustments are needed.

The form, content and use of the proposed tool will evolve as the project research progresses, but even more so as it is put into use. Importantly, the tool raises several practical issues with which groups and nations in Australia are increasingly grappling around their collective membership and solidarity, decision making, renewal and healing. Taking up the use of a self-governance collaborative strategic self-analysis tool and then adapting and using it over time is an act of self-determination. Even more so, it could contribute to a process that by its very nature will become part of each group's own governance rebuilding resurgence. If integrated into ongoing rebuilding plans, such a tool can contribute to transformative learning about preferred ways of rebuilding and renewal that are under the direct control of groups and nations themselves.

From the review of existing tools and the experience of IGD researchers and partners, it is clear that the tool must be able to be customised locally, and avoid the need for complicated statistical and technical frameworks and indicators. A core aspect of designing the IGD Project tool rests on group members (in differing combinations) talking through the big questions and concepts, and what their solutions might look like in practice. A strengths-based approach to framing issues and questions will need to be sufficiently flexible and robust to allow groups to insert their own understandings of what constitute their strengths *and* obstacles for creating governance solutions. In Australia, Indigenous meanings and capabilities are localised and place-based, but could also be usefully informed by overarching international rights standards (such as UNDRIP), common factors that support resilient governance, and shared insights emerging from the IGD and other applied projects.

Practically effective, culturally-informed Indigenous governance is always evolving. The tool will aim to be relevant to the diverse governance arrangements that groups are aiming to build. Part of the value in the approach taken by the IGD Project is that the tool aims to be used at any stage in the governance 'life cycle' or journey of a group, and to enable flexibility of choice, potentially by customising it to issues relevant for different groups and their interests.

Resources to administer and manage the tool process may be a challenge for many, including for the establishment of governance-relevant systems for data management. Nevertheless, the intention is that the tool be used incrementally, which can provide groups with opportunities to match their staged use to their available capability and resources.

Once the IGD strategic self-analysis tool is designed it will be uploaded to the AIGI online Toolkit where it will continue to be refined through use by other Indigenous groups, and other resource tools and templates will be added. An interactive portal could provide links to case studies and examples and information on how to improve certain elements of governance.

In conclusion, while the challenges are considerable, they are outweighed by the potential contribution that the envisaged tool could make to the self-determined rebuilding efforts of Indigenous peoples in Australia. The kinds of meaningful conversations which are being suggested can be genuinely transformative, even if they can't change the overarching power imbalances between First Nations people and the Australian nation state or indeed the power differentials within a group itself.

References

Akama, Y., Evans, D., Keen, S., McMillan, F., McMillan, M., & West, P. (2017). Designing digital and creative scaffolds to strengthen Indigenous nations: being Wiradjuri by practising sovereignty. *Digital Creativity*, 28(3), 1–15.

Anaya, J. (2021). The UN Declaration on the Rights of Indigenous Peoples: How far we've come and the road ahead. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Andrews, M., Pritchett, L., & Woolcock, M. (2017). *Building state capability: Evidence, analysis, action*. Oxford University Press. http://fdslive.oup.com/www.oup.com/academic/pdf/openaccess/9780198747482.pdf.

Aboriginal Peak Organisations of the NT (APONT) (2013). Strong Indigenous governance: Our decisions, our actions, our future (Governance Summit, 18–19 April). APONT.

Atkinson, J. (2013). *Trauma-informed services and trauma-specific care for Indigenous Australian children*. Resource Sheet No. 21. Closing the Gap Clearinghouse. https://earlytraumagrief.anu.edu.au/files/ctg-rs21.pdf

Austin B., Vigilante, T., Cowell S., Dutton, I., Djanghara, D., Mangolomara, S., Puermora, B., Bundamurra, A., & Clement, Z. (2017). The Uunguu Monitoring and Evaluation Committee: Intercultural governance of a land and sea management programme in the Kimberley, Australia. *Ecological Management and Restoration*, 18(2), 124–133.

Australian Indigenous Governance Institute (AIGI) (n.d.). Indigenous governance toolkit. https://toolkit.aigi.com.au/

Australian Human Rights Commission (2020). Wiyi Yani U Thangani (Women's Voices): Securing our rights, securing our future. Report to J. Oscar, Indigenous Social Justice Commissioner, Human Rights Commission.

Bächtiger, A., Niemeyer, S., Neblo, M., Steenbergen, M. R., & Steiner, J. (2010). Disentangling diversity in deliberative democracy: Competing theories, their empirical blind-spots, and complementarities. *Journal of Political Philosophy*, 18(1), 32–63.

Bauman, T. (2006). Nations and tribes 'within': Emerging Aboriginal 'nationalisms' in Katherine. *The Australian Journal of Anthropology*, 17(3), 322–335.

Bauman, T., Smith, D., Quiggin, R., Keller, C., & Drieberg, L. (2015). Building Aboriginal and Torres Strait Islander governance: Report of a survey and forum to map current and future research and practical resource needs. Australian Institute of Aboriginal and Torres Strait Islander Studies and Australian Indigenous Governance Institute. https://aiatsis.gov.au/sites/default/files/research_pub/bauman_building-indigenous-governance_web_3.pdf

Brigg, M., Memmott P., Venables, P., & Zondag, B. (2018). Gununa peacemaking: Informalism, cultural difference and contemporary Indigenous conflict management. *Social and Legal Studies*, 27(3), 345–366.

British Columbia Assembly of First Nations (BCAFN). (2014). *Governance Toolkit: A guide to Nation building*. https://.bcafn.ca

Burbidge, B., Barber, M., Kong, T. M., & Donovan, T. (2020). *Report on the 2019 Survey of Prescribed Bodies Corporate (PBCs)*. National Native Title Council, Australian Institute of Aboriginal and Torres Strait Islander Studies, and Commonwealth Scientific and Industrial Research Organisation.

Castleden, H. & Garvin, T. (2008). Modifying Photovoice for community-based participatory Indigenous research. Social Science and Medicine, 66, 1393–1405.

Commonwealth of Australia (2020). *National Agreement on Closing the Gap*. https://www.closingthegap.gov.au/national-agreement

Community First Development (2021). Good governance practice leads to good relationships. An exploration of the effectiveness of Community First Development's community development approach in the Australian context – Final Report: Findings and lessons learnt. Community First Development.

Cornell, S. (1998). *Strategic analysis: A practical tool for building Indian Nations*. The Harvard Project on American Indian Development and the John F. Kennedy School of Government at Harvard University for the Malcolm Weiner Center for Social Policy.

Cornell, S. (2007a). Organizing Indigenous governance in Canada, Australia, and the United States. In J. P. White, S. Wingert, P. Maxim, & D. Beavon (Eds.), *Aboriginal policy research: Moving forward, making a difference*. Thompson Educational Publishing.

Cornell, S. (2007b). Remaking the tools of governance: Colonial legacies, Indigenous solutions: Strategies for governance and development. In M. Jorgenson (Ed.), *Rebuilding Native Nations: Strategies for governance and development*. University of Arizona Press.

Cornell, S. (2019). From rights to governance and back: Indigenous political transformation in the CANZUS states. In W. Nikolakis, S. Cornell, & H. W. Nelson (Eds.), *Reclaiming Indigenous governance: Reflections and insights from Australia, Canada, New Zealand, and the United States*. University of Arizona Press.

Cornell, S., & Kalt, J. P. (2007). Two approaches to the development of Native nations: One works, the other doesn't. In M. Jorgensen (Ed.), *Rebuilding Native Nations: Strategies for governance and development*. University of Arizona.

Davis, M. (2011). A reflection on the limitations of the right of self-determination and Aboriginal women. *Indigenous Law Bulletin*, 7(23), 6-8.

Dillon, M. (2020). *Evaluation and review as drivers of reform in the Indigenous policy domain* (CAEPR Policy Insight Paper 2). Centre for Aboriginal Economic Policy Research, ANU.

Dillon, M. (2021). *Co-design in the Indigenous policy domain: Risks and opportunities* (CAEPR Discussion Paper No. 296). Centre for Aboriginal Economic Policy Research, ANU.

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

Drieberg, L., Smith, D. E., & Sutherland, D. (In press). Governing the Pandemic: Adaptive self-determination as an Indigenous organisational capability in Australia (CAEPR Discussion Paper). Centre for Australian Economic Policy Research, ANU.

Easton, S. (2019, July 9). Productivity Commission's new Indigenous role puts evaluation in the spotlight. *The Mandarin*. https://www.themandarin.com.au/111299-productivity-commissions-new-indigenous-affairs-role-puts-evaluation-in-the-spotlight/

Fox, C., Grimm, R., &Caldeira, R. (2017). *An introduction to evaluation*. Sage Publications.

Hemming, S., Rigney, D., & Berg, S. (2019). Ngarrindjeri nation-building: Securing a future as Ngarrindjeri Ruwe/Ruwar (lands, waters and all living things). In W. Nikolakis, S. Cornell, & H. Nelson (Eds.), *Reclaiming Indigenous governance: Reflections and insights from Australia, Canada, New Zealand, and the United States*. University of Arizona Press.

Hunt, J., & Bauman, T. (In press). No more business as usual: The need for participatory Indigenous development policy and skilled practice (CAEPR Policy Insight Paper). Centre for Aboriginal Economic Policy Research, ANU.

Hunt, J., & Smith, D. E. (2008). Understanding Indigenous Australian governance: Research, theory and representations. In J. Hunt, D. Smith, S. Garling, & W. Sanders (Eds.), *Contested governance: Culture, power and institutions in Indigenous Australia* (CAEPR Research Monograph No. 29). ANU Press. http://doi.org/10.22459/CAEPR29.08.2008

Japan International Co-operation Agency (1995*). Participatory development and good governance, Report of the Aid Study Committee.* Available at; https://openjicareport.jica.go.jp/pdf/11226990_01.pdf

Kukutai, T., & Taylor, T. (Eds.) (2016). *Indigenous data sovereignty: Toward an agenda* (CAEPR Research Monograph No. 38). ANU Press. http://doi.org/10.22459/CAEPR38.11.2016

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

Kelly A., & Westoby, P. (2018). *Participatory Development Practice: Using traditional and contemporary frameworks*. Practical Action Publishing.

Langton, M. (2015). Maximising the potential for empowerment: The sustainability of Indigenous Native Title Corporations. In S. Brennan, M. Davis, B. Edgeworth, & L. Terrill (Eds.), *Native title from Mabo to Akiba: A vehicle for change and empowerment?* The Federation Press.

Love, A. J. (1991). *Internal evaluation: Building organizations from within*. Sage Publications.

McKercher, K. A. (2020). *Beyond Sticky Notes. CO-DESIGN FOR REAL: Mindsets, methods & movements*. Beyond Sticky Notes.

Mark, G., & Boulton, A. (2017). Indigenising Photovoice: Putting Maori cultural values into a research method. *Forum Qualitative Social Research*, 18(3). https://www.qualitative-research.net/index.php/fqs/article/view/2827/4153

Maughan, C. (2012). *Monitoring and evaluating social impacts in Australia* (CRC-REP Working Paper CW003). Ninti One Limited, Alice Springs.

Merlan, F. (2022) Australia's First Nations. *American Anthropologist*, 124(1), 175–186. https://doi.org/10.1111/aman.13694

Mezirow, J. (1994). Understanding transformation theory. *Adult Education Quarterly*, 44(4), 222–232.

Murray, D., & Evans, D. (2021). Culturally centred, community led: Wiradjuri Nation rebuilding through honouring the Wiradjuri Way. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures.* Rowman and Littlefield.

Nakata, M. (2007). The cultural interface. *The Australian Journal of Indigenous Education*, 36(1), 7–14.

Nakata, S. (2020). Who is the self in Indigenous self-determination? In L. Rademaker, & T. Rowse (Eds.), *Indigenous self-determination in Australia: Histories and historiography*. ANU Press. https://doi.org/10.2307/j.ctv1bvncz1.21

Nikolakis, W., Cornell, S., & Nelson, H. P. (Eds.) (2019). *Reclaiming Indigenous governance: Reflections and insights from Australia, Canada, New Zealand, and the United States*. University of Arizona Press.

Rigney, D., Bignall, S., Vivian, A., Hemming, S., Berg, S., & Bell, D. (2021). Treating treaty as a technology for Indigenous nation building. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Ross, D. (2013). Strong Indigenous governance: Our decisions, our actions, our future, Opening Presentation to the 'Strong Aboriginal Governance Summit', Tennant Creek, Northern Territory. 18–19 April. Central Land Council. http://www.amsant.org.au/apont/our-work/summits/governance-summit-18th-19th-april-2013/

Rossi, P. H., Freeman, H. E., & Lipsey, M. W. (1999). *Evaluation: A systematic approach* (6th ed.). Sage Publications.

Smith, D. E. (2002). *Jurisdictional devolution: Towards an effective model for Indigenous community self-determination* (CAEPR Discussion Paper No. 233). Centre for Aboriginal Economic Policy Research, ANU.

Smith, D. E. (2005). *Researching Australian Indigenous governance: A methodological and conceptual framework* (CAEPR Working Paper No. 29). 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.

Smith, D. E. (2011). Cultures of Governance and the Governance of Culture: Indigenous Australians and the State [Unpublished doctoral dissertation]. The Australian National University.

Smith, D. E. (2016). Governing data and data for governance: The everyday practice of Indigenous sovereignty. In T. Kukutai, & J. Taylor (Eds.), *Indigenous data sovereignty: Towards an agenda*. ANU Press. http://doi.org/10.22459/CAEPR38.11.2016

Smith, D. E. (2019). From little things, big things grow: Exercising incremental self-governance in Australia. In W. Nikolakis, S. Cornell, & H. W. Nelson (Eds.), *Reclaiming Indigenous governance: Reflections and insights from Australia, Canada, New Zealand, and the United States*. University of Arizona Press.

Smith, D. E. (2021a). Governing for nation building. Thematic introduction: Concepts, issues and trends. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Smith, D. E. (2021b). Introduction. Indigenous governance resurgence: The motivating journey. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Smith, D. E., Wighton, A., Delaney, A., & Cornell, S. (2021). *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Smith, D. E., Sutherland, D., & Williamson, B. (2021). Indigenous Governance of Development: Self-Determination and Success [Unpublished resarch project overview paper]. Australian Indigenous Governance Institute and the Centre for Aboriginal Economic Policy Research, ANU.

Sterritt, J. (2021). Instilling good governance for community prosperity: A Canadian perspective. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Sterritt, N. (2001). How did we get there: Settling the Aboriginal political-constitutional stage, Unpublished paper presented to the Patriation Negotiations Conference, Edmonton, Alberta, Canada, pp.1-15.

Taylor, J. (2008). Indigenous peoples and indicators of well-being: Australian perspectives on United Nations global frameworks. *Social Indicators Research*, 87(1), 111–126.

Timeche, J. (2021). Nation rebuilders: An Indigenous self-governance strategy. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

United Nations Permanent Forum on Indigenous Issues (UNPFII) (2010). Indigenous peoples: Development with culture and identity: Articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples, Report of the international expert group meeting. https://undocs.org/E/C.19/2010/14

Vivian, A., Jorgensen, M., Reilly, A., Mcmillan, M., Mcrae, C., & Mcminn, J. (2017). Indigenous self-government in the Australian Federation. *Australian Indigenous Law Review*, 20(5), 215–242.

Wesley, A. (2021). Ancient spirit, modern mind: The Huu-ay-aht journey back to self-determination and self-reliance. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Williamson, B. (2021). Healing, decolonisation and governance. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Williamson, B., & Smith, D. E. (2021). The Indigenous Governance of Development Project Research Handbook [Unpublished paper]. Australian Indigenous Governance Institute and Centre for Aboriginal Economic Policy Research, ANU.

Yap, M., & Yu, E. (2016). *Community wellbeing from the ground up* (Report 3(16)). Bankwest Curtin Economics Centre.

Yu, P. (2021). Rebuilding the Yawuru Nation: Activating cultural assets for economic growth and stability. In D. E. Smith, A. Wighton, S. Cornell & A. V. Delany (Eds.), *Developing governance and governing development: International case studies of indigenous futures*. Rowman and Littlefield.

Appendix 1

Four international examples

Four First Nations international examples are identified: the *Strategic analysis: A practical tool for building Indian Nations* (1998); the British Columbia Assembly of First Nations *Governance Toolkit: A guide to Nation building* (2014); the Centre for First Nations Governance *'The People'* section; and the *Indigenous Navigator* (2014).

Strategic Analysis: A Practical Tool for Building Indian Nations (1998)[18]

This strategic analysis tool is designed for use by American Indian nations, Indian-owned or operated organisations or companies, Indian entrepreneurs, and other Native entities in the United States (USA), though the terms 'tribe' and 'state' are also intended to include First Nations (or bands) and provinces in Canada. The tool aims to assist such nations in thinking through options to improve decisions and planning to promote economic development. At the same time, the tool is premised on the fact that development itself 'should be designed to meet the goals of the Native communities directly involved' (Cornell, 1998, p. 2).

The tool was developed by Professor Stephen Cornell after extensive discussions with Indian tribal governments and in association with the Harvard Project on American Indian Economic Development (Harvard Project) and the John F. Kennedy School of Government at Harvard University, for the Malcolm Weiner Center for Social Policy. The tool is currently hosted as part of the ongoing Harvard Project, under the auspices of the Native Nations Institute (NNI) at the University of Arizona.

This tool is 28 pages long with six sections, which can be completed independently of each other: Strategic Vision, Priorities and Concerns, External Environment, Internal Environment, Assets and Project Analysis. The questions in each section are accompanied by helpful explanatory notes and questions to assist the user in exploring the relevant issues. Some of the questions in the first section, 'Strategic Vision', are aimed at a community making an overall assessment as to whether it has moved forward or backward, and why. These kinds of questions resonate with those of the IGD Project in the thematic questions that inform its research methodology, discussed later in this paper. The Indian Nations Strategic Analysis Tool also places significant emphasis on what is referred to as 'cultural match' in building governance institutions. Accordingly it includes questions about cultural traditions, potential culture-related constraints, and the degree of concern about 'tribal politics' (Cornell, 1998, pp. 14–15).

Overall, there is often a focus on development concerns such as the business of 'tribal governments' including business and enterprise development and strategies; administration; income generation; tax revenue, training and skills development; assets such as education and cultural resources; available markets; intergovernmental relations; and regulatory issues. This focus perhaps highlights the differences between Native American self-government institutions and Australian examples. Many Native American 'tribal governments' have legislated jurisdictions of authority over law and justice, health, education, employment, economic development etc and provide all or most services to their constituent communities – a bit like a jurisdictional mix of local government and town councils in Australia. In Australia, there are no legislated regimes for Indigenous self-government, no treaties and no taxed-based concessions for nation groups. There are also considerable differences in the

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[18] https://fngovernance.org/wp-content/uploads/2020/10/Strategic_Analysis_for_Economic_Development.pdf

social organisation of USA Native Nations and the kin-based networks of Indigenous Australian polities (see Cornell, 2007a, 2019; Smith, 2021[b]).

Unfortunately, there is no recent information available on the extent to which the tool has been taken up, how it has been used, or the range of outcomes over time for nations who have employed it.

The British Columbia Assembly of First Nations Governance Toolkit: A Guide to Nation Building (2014)[19]

The British Columbia Assembly of First Nations (BCAFN) *Governance Toolkit* was developed in relation to the work of the then British Columbian (BC) Government's First Nation Attorney-General, Jody Wilson-Raybould, and reported in the *Building on OUR success* action plan. The Toolkit is intended to assist nation building or rebuilding of governance in Canada, at a group's own pace and based on its own priorities, and by steering away from the *Indian Act* (see Figure 1, main text).

The Toolkit was developed in-house by the BCAFN with the support and contribution of many individuals and organisations including the BC Government. The toolkit acknowledges the financial contribution of the New Relationship Trust and Aboriginal Affairs and Northern Development Canada, BC Region, in the production and publication of its second edition. It draws on other tools including those developed by the Aboriginal Financial Officers Association and Aboriginal Affairs and Northern Development Canada, and the Australian AIGI's own Toolkit. Particular acknowledgment is given to Accreditation Canada, a health-care standards authority. Drafts were reviewed by First Nation peer groups in group dialogues. The self-assessment modules were piloted in a number of communities and revised extensively following feedback.

The BCAFN Toolkit is in 3 parts. The core of the Toolkit is Part 1, 'The Governance Report', which takes a comprehensive look at options for governance reform and considers, subject by subject, the powers (jurisdictions) of First Nations. A spectrum of governance options and solutions is discussed. Part 2, which is the focus of this discussion, is titled 'The Governance Self-Assessment tool'. Part 3, 'A Guide to Community Engagement: Navigating Our Way through the Post-Colonial Door', assists in beginning or continuing discussions with citizens of First Nations about the importance of strong and appropriate governance, and about options for governance reform, on the understanding that social change needs the support of citizens.

Part 2 has two modules: one for the governing body (which is estimated to take 3–4 hours), and one for administration (around 6–7 hours). Each module contains a survey and a guide, measures, questionnaires and worksheets which are aimed at identifying priorities for governance building. A planning workbook, compiled mainly from the survey responses, provides a simple format to facilitate a larger strategic planning document. A group is directed to identify a member or members to lead the process. It is cautioned against using senior management, who are seen to have the potential to dominate the process. Mention is made of a third party to facilitate if available, though there is no guidance about 'how' the tool should be facilitated.

An important advantage of this resource is the guide to each topic, which raises issues and provides information for completing the survey. The modules aim to encourage self-reflexivity, taking the user through a confidential self-assessment, regardless of where they fall on a governance-building spectrum. While the assessment is individually undertaken, it is intended to be completed by members of a governing body in small groups (ideally 5–7 people), with the group slowly building its consensus and deciding collectively how to respond. Subsequent

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[19] Governance Toolkit, British Columbia Assembly of First Nations. https://www.bcafn.ca/about-bcafn/leadership/governance-toolkit#:~:text=The%20Governance%20Toolkit%20is%20a,based%20on%20its%20own%20priorities

individual confidential responses then reveal any differences of opinion. Neutral terms are used on the understanding that the principles of governance effectiveness are generic, regardless of legal frameworks.

The governing body questionnaire is structured in four sections (Roles and Responsibilities; Information Needs; Working Together and Evaluating our Effectiveness). It consists of 39 statements which users are required to assess on a continuum of 'strongly agree' to 'strongly disagree'. It includes statements such as: No. 19, '[m]embers of the governing body come to meetings prepared to engage in meaningful discussion and thoughtful decision-making'; and No. 35, '[t]here is a process for improving individual effectiveness when non-performance is an issue'. Other topics include the enactment of laws, management and support of the administration and finances, accountability, developing a direction/vision, working together effectively, and supporting informed decision making.

The statements are often written in relatively formal English and are oriented to the requirements of corporate and organisational governance. Repeated references are made to 'the governing body' and to issues of 'government' (rather than 'governance') in terms such as 'bylaws of the nation'. The guide is long at 120 pages; the tool questions themselves are approximately 20 pages. The considerable time and effort required to engage with the tool overall could be a disincentive for many. Without having access to user data, it may be that First Nations use the tool in a selective way as needs arise. Overall, the tool is directed at a 'band's' governing body and its corporate governance which is different from the focus of the IDG Project's tool. Nevertheless, the contents provide useful checkpoints to inform it.

'The People', Centre for First Nations Governance (2021)[20]

The Canadian Centre for First Nations Governance has a range of tools and resources including suggested workshops, set out under five pillars: The People; The Land; Laws & Jurisdictions; Governing Systems; and Resources. These pillars were developed through consultations with First Nations citizens, leaders, elders, academics and on-the-ground facilitators associated with the Centre for First Nations Governance. The pillars blend the traditional values of nations with the modern realities of self-governance. The Centre uses the principles behind these pillars to develop and deliver tools and services to help transform nations beyond the *Indian Act*, in the belief that all First Nations can benefit by enacting some or all of these principles no matter where they are on their path to self-governance.

In the interests of space, this paper focuses on the first pillar, 'The People', as most relevant to the IGD Project's tool proposal, with the subheadings of Shared Vision, Participation in Decision-Making and Meaningful Information Sharing. The Shared Vision section seeks a dream that will guide a nation for generations to come. The 'Participation in Decision-Making' section seeks new ways of participating to enable everyone to have the opportunity to understand, contribute and make important decisions. The 'Meaningful Information Sharing' section notes the need for communication to define collective interests for leaders to then act on the direction provided.

Of particular interest are the facilitation tools in Pillar 1, such as: a model for Aboriginal facilitation, a description of Open Space facilitation, a matrix for interview instructions, a World Café facilitator guide and creative icebreakers for facilitators. A number of other communication tools include a template for a communications plan, and tips for printed and electronic newsletters and developing websites.

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[20] https://fngovernance.org/tools-and-resources/

Each of the five pillars has a number of case studies often describing how First Nations groups have done things and the issues involved. Overall there is a wealth of information in the case studies which are also tools in one way or another, and which could usefully inform the Project's envisaged tool.

A mainstream Canadian organisation, the Institute of Governance, works with First Nations groups including a national Advisory Group of Indigenous and governance leaders whose principles are grounded in UNDRIP and aspirations to self-determination. Together they developed a UNDRIP-responsive Self-Determination and Governance (SDG) Framework to identify the characteristics that form the basis for aligning joint First Nations – Canada initiatives in a manner that is comprehensive, holistic, and does not give rise to either/or, preferential, or sequential debates (see Figure 3, main text). Simply put, success in any one area depends on success in all.

The Indigenous Navigator, the International Work Group for Indigenous Affairs (2014)

The Indigenous Navigator (the Navigator) is a collaborative initiative developed with the support of the European Union, and managed by a global consortium composed of the International Work Group for Indigenous Affairs (IWGIA), the Indigenous Peoples International Centre for Policy Research and Education, the Asia Indigenous Peoples Pact, the Forest Peoples Programme, and the Danish Institute for Human Rights.

The tool was launched in 2014 and piloted in six countries. A second phase of the tool's development in 2017–18 saw the tools being applied in an additional 11 countries. Case studies of the pilot experiences can be found on the website, as can in-depth data from 2018.

The Navigator is an extensive set of resources, a framework and set of tools for and by Indigenous peoples to systematically monitor the level of recognition and implementation of their rights. The website notes that Indigenous communities who have applied the tool to generate data on their situation are better equipped to enter into dialogue with external stakeholders about the promotion of their rights, a claim which is supported by testimonials from Indigenous groups who have used the tool. Accordingly, there is a focus on data collection: useful community population data, for example, and data about how well national governments and local communities are adhering to UNDRIP, Sustainable Development Goals, core United Nations human rights conventions, and other Indigenous related international obligations.

The data collection processes include obtaining FPIC to how data should be managed, are viewed as governance building and awareness raising exercises. Data gathering methods vary from place to place, but commonly involve community meetings, training seminars, and focus group discussions comprising people of different ages, gender, social positions, diverse views, and knowledge and experiences. A full community meeting is seen as the best form of data collection in small, closely-knit communities. The Navigator website comments on initial data collection being carried out by an organisation or community leader, referred to as the 'facilitator'.

The Navigator encompasses national and community survey questionnaires, with a guide available through an interactive website that can filter questions for subject areas. The national questionnaire is designed for use by Indigenous organisations and experts, NGOs and research institutions. The community questionnaire (56 pages and 138 questions in the long version estimated to take a maximum of a day and 14 in the short, estimated at taking no more than a few hours) is aimed at local and collective processes for baseline community data-gathering.

Community and national indexes in the tool are designed to rank and compare data and performance across communities and countries or from the same community or country, over time if data gathering is repeated. The

data is measured through communities' experiences and the level of recognition of these rights in national legislation, policies and programmes.

Ranking occurs across ten essential domains of Indigenous peoples' rights: recognition of identity/participation; self-government/state governance; languages; lands, territories and resources; consultation and consent; fundamental rights and freedoms; access to justice; education; health; and employment, occupations and poverty. A numerical value is given to key questions in each of the short questionnaires. Implementation gaps are represented graphically in a 'spider web' (see Figure 2, main text), the outer part of the web representing a high score while the centre represents a low score.

When combining the questionnaire/s with the associated guide, the length of this resource is significant, totalling approximately 180 pages. Importantly, this can be customised to cover just the themes of particular interest to the user, though its complexity suggests that it would need a third-party facilitator. No guidance appears to be given as to how groups should construct collective responses and how the questions and responses should be explored.

In contrast to the 'inward facing' of this Project's proposed tool, the community questionnaire/s generally look/s 'outward', assessing the implementation of UNDRIP in communities, and the impacts of external government agencies and their laws, policies and programs on wellbeing.

The format and language of the Navigator is sometimes similar to that employed in the 'traditional evaluations' of programs by governments and development agencies, and may be off-putting. Its direct link to the specific articles of the UNDRIP, its length, and sometimes 'technical' language, mean that its format is not really 'fit for purpose' in relation to the envisaged Project's tool; though many of the issues which are raised are directly relevant.

Australian examples

The development of similar Indigenous governance self-assessment tools is in its infancy in Australia, with only a few examples available. In this section, some of the relevant elements of the AIGI's *Indigenous governance toolkit* are reviewed, followed by a description of Community First Development's *Seed to Tree scale* (2019).

Indigenous Governance Toolkit (2008)

An important resource for the Project is the AIGI's online Indigenous Governance Toolkit (AIGI, n.d.). The Toolkit website draws on the pioneering research of CAEPR's ICG Project and is updated periodically by AIGI, with success stories from the Australian Indigenous Governance Awards. The Toolkit's case studies, insights and tips are taken directly from the experiences of Aboriginal and Torres Strait Islander peoples working in their own communities and organisations. AIGI is currently redeveloping and revising the Toolkit with substantial new information and topics. This includes a number of the templates and tools referred to below, which may have changed since this paper was written.

The Toolkit recognises that governance environments are ever-changing, highlighting the need to assess the effectiveness of governance regularly (see Figure 4, main text). It is adopts a developmental approach to rebuilding governance, which starts with the strengths that are present in a community, group, nation or organisation (such as existing skills, abilities and experience, cultural values and knowledge). Challenges and rebuilding are then considered in the context of these strengths.

The Toolkit provides a large range of resources that are customisable by end-users, in recognition of the variability in governance across Australian First Nations. Section such as 'Nation Building and Development' with headings such as 'Kick-starting the process of nation building' and 'Tips: Ten Steps for the Foundations of Strong Governance' clearly resonate with the Project's envisaged tool, as do tools for mapping a group's governance history and strategic planning that have elements around organisational visioning, purpose and strategic goal-setting. The Toolkit's interactivity in its use of visual graphics, paintings by Indigenous people and video interviews with leaders about their own experience is particularly instructive.

Of particular interest for the IGD Project are the Toolkit's numerous 'health checks' comprising an overall governance health check-up, as well as specific check-ups for leadership, capacity building, accountability, managing change, dispute resolution processes, conflict of interest and more. The overall governance health check is discussed briefly below along with sections on mapping communities for governance and governance development planning.

The *Overall governance health check-up*[21] is aimed at assisting organisations, communities, or nations to get a quick snapshot of how their governance is working. The topics covered include: roles and accountability, vision and purpose, decision making, relationships, conflict management, inclusiveness, management, communication, and governance structure. Answers are provided from a scale of 'Strongly Agree' to 'Strongly Disagree', and each question is given a low, medium or high priority.

This resource is designed to enable users to immediately understand their governance strengths and weaknesses and to think through the next steps to either initiate change, or identify issues for more in-depth analyses. Users are asked to consider the use of a facilitator: '[t]hink about getting someone from outside your organisation to conduct the process, so that each person can say what he or she thinks, in confidence. That external person can then put the responses together and give you an overall report.'

Mapping your community for governance asks questions similar to some of those informing the IGD Project: Who are we? Who is the 'self' in our governance? Where did we come from? What's the history of our governance? What do we want? What will our future governance look like? How do we get it? What is our strategy? A second section of this tool maps assets for dealing with those issues, with tips.

The *Governance development and action plan*[22] is based on a strategic planning template developed by the University of Sydney, with input from Aboriginal and Torres Strait Islander community development projects. It has been customised for evaluation and planning for Aboriginal and Torres Strait Islander governance rebuilding. At the time of its creation, the *Governance development and action plan* contrasted with much of what governance consultants and trainers were recommending in the form of one-off workshops. AIGI recommends that this tool be implemented and conducted by senior members of the community, to ensure 'cultural legitimacy' and acceptance of the resulting governance changes by the broader community.

The topics covered are similar to the overall health check-up mentioned above, including vision, purpose, culture, values, governance environment and stakeholder analysis. Responding to these topics is mostly done through guided, short and long answer responses to questions. There are some different component tools for

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[21] Accessible: https://toolkit.aigi.com.au/wp-content/uploads/2012/04/Check-up-overall-governance-health-check-up_final.pdf

[22] See AIGI (n.d.). https://toolkit.aigi.com.au/resource/governance-development-and-action-plan-2

data capture and evaluation techniques – such as a stakeholder analysis and a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis.

In members of the community responding to the questions, and in consultation with other AIGI Toolkit resources (notably from the topic on 'Nation Building'), the user is then ready to respond to the final section, the governance action plan itself. The template for this plan requires further responding to guided questions and statements related to governance responsibilities, roles and activities, future directions and strategies to achieve them, and how to monitor the plan. These responses are all self-directed. Other implications for the proposed tool lie in identifying whether it should be a single tool or a package of tools, the level of detail required, and the number and kind of its components. The scope of the IGD tool will be constrained in devising strategies for implementation over the short, medium and long term.

Community Development Seed to Tree Scale-knowledge, practice and action (2019)

Community First Development, formerly Indigenous Community Volunteers, builds evaluation capacity into its projects. In 2018, it launched its first action research project to evaluate the effectiveness of its community development approach, and explore why self-determination, leadership and governance are important to Aboriginal and Torres Strait Islander people and communities.

The *Seed to Tree Scale* employs a Likert scale to accompany research questions corresponding with seven potential attributes of effective Western and First Nation governance practices.[23] The Likert scale, conceived by Community First Development as a thermometer turned on its side to better represent the concept of a journey, was superseded by the 'seed to tree' metaphor, which was seen to be more useful in 'reinforce[ing] the notion of growth and potential'.

The *Seed to Tree* tool is designed to be used as part of semi-structured interviews. Baseline assessments reflect where a community believes it is located in its journey towards a specific outcome (see Figure 5, main text). The tool continues to evolve and has been trialled with different interest groups and individuals, in video conferencing and by email. Community First's community development team has used the *Seed to Tree* tool with other participatory monitoring and evaluation methods, such as the 'Ten Seeds' technique, voice recorders and yarning circles, to support a group reaching consensus. The 'Ten Seeds' technique invites a group or an individual to move 10 seeds along a scale to reflect their personal and shared views. The tool has also been used in strategic planning.

Four principles guide the use of the tool: build from success; form a three-way partnership between the bottom-up, the top-down, and the outside-in; make decisions based on evidence and data rather than opinion; and focus on behaviour change rather than on providing services. Seven tasks are identified for using the tool: organise a local coordinating committee; identify successes already occurring; learn from the experiences of others; gather data about local results; make a work plan; hold partners accountable; and make mid-course corrections to strengthen the four principles. Five criteria for self-assessment are described: inclusiveness; sustainability; holism; interdependence and iteration.

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[23] A Likert scale has a five-point or seven-point scale. The choices range from Strongly Agree to Strongly Disagree so the survey maker can get a holistic view of people's opinions. All Likert scales also include a mid-point e.g. neither agree nor disagree, for those who are neutral on the subject matter.

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