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# Indigenous Knowledge and Governance in Protected Areas in Australia and Sweden

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# DECLARATION

I declare that this thesis is my own work and has not been submitted in any form for another degree or diploma at any university or other institution of tertiary education. Information derived from the published or unpublished work of others has been duly acknowledged in the text and a list of references is given.

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Leah Talbot

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9 June 2017

# STATEMENT OF THE CONTRIBUTIONS OF OTHERS

Nature of Assistance	Contribution	Names, Titles ( <i>if relevant</i> ) and Affiliations of Co-Contributors
Intellectual support and guidance	Proposal writing and Data Analysis	Prof Hurriyet Babacan Dr Rosemary Hill
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# ABSTRACT

Indigenous peoples live in, manage and own large areas of land that are often rich in biodiversity. Their management is based on Indigenous knowledge systems that have sustained their societies over millennia, and carry insights critical for sustainability. Indigenous peoples and communities across the world maintain traditional and cultural connections amongst and within their own societies, and to their traditional lands. Many of these connections support Indigenous ways of life, identity and cultural belief systems that form the basis of knowledge systems. Indigenous people's governance systems influence the application of Indigenous knowledge, and therefore the management of landscapes, including protected areas. For protected areas, the cornerstone of biodiversity conservation, understanding how Indigenous knowledge is recognised and supported by Indigenous governance is vital. Therefore, this research examines the conditions under which Indigenous governance systems recognise and support the application of Indigenous knowledge, through a comparative analysis between two world heritage areas, one in Australia and one in Sweden. Analysis of different concepts of Indigenous knowledge and models of Indigenous governance systems, within Australia and Sweden, is central to addressing key policy and practice issues in Indigenous land management for biodiversity conservation outcomes.

Furthermore, investigation of the interrelationship between Indigenous governance and Indigenous knowledge, through an Indigenous lens, focusing on Indigenous epistemology, ontology and worldview, provides Indigenous perspectives and insights. The research also embeds me, an Aboriginal woman from the Wet Tropics World Heritage Area, in the research, allowing incorporation of critical understandings and perspectives that reflect Indigenous lived and shared experiences. I developed an 'Empowering Indigenous Lens' methodology, embedding Indigenous worldviews, ontologies and epistemologies to undertake this research. The Empowering Indigenous Lens recognises Indigenous knowledges in a place-based context, so emphasis can be drawn from the shared lives, experiences and knowledges of the Indigenous peoples from that place, informing and influencing the methodology. Practical application of the Empowering Indigenous Lens methodology is guided by its "Walking Together" approach. Five key stages to the "Walking Together" approach include: invitation; conversation and interview; analysis; feedback; and reinterpretation. This approach reflects fundamental Indigenous cultural protocols of 'giving back' to Indigenous peoples



and communities. Further, the practice of shared experiences through “Walking Together” remains in effect throughout the research process, therefore implementing the Empowering Indigenous Lens.

To enable effective application of the Indigenous lens, a case study methodology was adopted. A case approach best supported this research as it supports culturally-sensitive investigation of contemporary phenomena within a real-world context. Qualitative data collection methods and analysis based on interviews, documentary analysis and context mapping underpin the case study approach.

The comparative analysis identified the nexus between Indigenous governance systems and three major influences on Indigenous knowledge application. These include: Indigenous Peoples’ arrangements to express sovereignty of governance; arrangements of nation-state sovereignty that support and/or influence Indigenous Peoples’ governance; and shared governance arrangements. Indigenous Peoples’ sovereignty of governance in turn depends on conditions that enable Indigenous self-determination, empowerment and leadership. This research, and its Indigenous methodology, highlights previously invisible aspects of governance that support Indigenous knowledge application in protected areas, and carry implications for management and research.

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# ACRONYMS

GAC	Girringun Aboriginal Corporation
JYAC	Jabalbina Aboriginal Yalanji Corporation
JCU	James Cook University
CSIRO	Commonwealth Scientific and Industrial Research Organisation
BEKS	Biodiversity and Ecosystems Knowledge and Services Program (within CSIRO)
LWHA	Laponia World Heritage Area
WTMA	Wet Tropics Management Authority
WTWHA	Wet Tropics World Heritage Area
SEPA	Swedish Environmental Protection Agency
SNHB	Swedish National Heritage Board

# Chapter 1. Introduction

Protected areas are recognised as the cornerstone of biodiversity conservation globally (Chape, Spalding, and Jenkins 2008). The broader contributions of protected areas to social, cultural, economic and environmental sustainability are of increasing significance in the face of impacts of expanding populations, demands on resources and consequences such as human-induced climate change (Dudley et al. 2010, Hockings, Leverington, and Cook 2015). Protected area governance arrangements that include diverse actors and sources of knowledge are recognised as key to effective support for sustainability (Borrini-Feyerabend and Hill 2015, Dudley et al. 2010).

Indigenous<sup>1</sup> Peoples, landscape managers for millennia, offer unique perspectives, insights and contributions in contemporary protected area and sustainability context (Berkes 2009a, Colchester 2004a, Lynch, Fell, and McIntyre-Tamwoy 2010, United Nations 2009). Importantly, traditional Indigenous governance systems influence communication and knowledge application for environmental and protected area management (Borrini-Feyerabend and Hill 2015, Herman 2015, International Council for Science 2002, Stockholm Resilience Centre and Swedish Biodiversity Centre 2012). However, long term influences and impacts from dominant-society colonisers over traditional lands have limited, and in some cases excluded, Indigenous peoples from protected area management (Colchester 2004b, Daes 2000, Dodson 1996, Hrenchuk 1993, Khan 2010, Negi and Nautiyal 2003).

Across the world, many Indigenous peoples have similar experiences of colonisers impacting their lives and entering traditional territories. Many continue to live with legacies of colonisation and struggle to achieve recognition of rights over land and culture, whilst living within dominant and very different cultures (International Council for Science 2002, United Nations 2009). Despite this, many Indigenous peoples maintain knowledge systems based on inherent connections between one another, themselves and their ancestral lands (Barnhardt and Kawagley 2005, Battiste 2000, Berkes 1993, Davis, Holcombe, and Janke 2009, Dodson 2007, Henderson 2000, Yellow Bird 2005). These knowledge systems inform Indigenous Peoples' existence, provide cultural continuity and assist to

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<sup>1</sup> 'Indigenous' is capitalised throughout this thesis in accordance with the Australian research protocols (see Louis 2007).

Indigenous people refers to many Indigenous individuals. Indigenous Peoples is used to refer generally and give respect to the Indigenous Peoples or First Nations Peoples of the world. Aboriginal is used to refer to Australian Aboriginal people such as tribal groups.

protect tradition and culture in modern society, while maintaining ongoing connection and aspiration to manage traditional lands (Barnhardt and Kawagley 2005, Hill et al. 2014b, Hunt and Smith 2007).

Recently, some protected area governance and management arrangements were amended to reflect Indigenous Peoples' roles, rights and knowledge (Borrini-Feyerabend, Kothari, and Oviedo 2004). This shift acknowledges uniqueness of Indigenous cultures and knowledge systems, and critically, demonstrates an understanding of how Indigenous governance influences Indigenous knowledge (von der Porten, de Loe, and Plummer 2015). Despite growing understanding of the importance of Indigenous governance, research about how and why Indigenous governance structures affect Indigenous knowledge application in sustainable land management is limited.

## 1.1 Research Purpose

The purpose of this research project is to address this knowledge gap by investigating key aspects of Indigenous governance and identifying the conditions that recognise and support Indigenous knowledge, which in turn supports sustainability through effective protected area management.

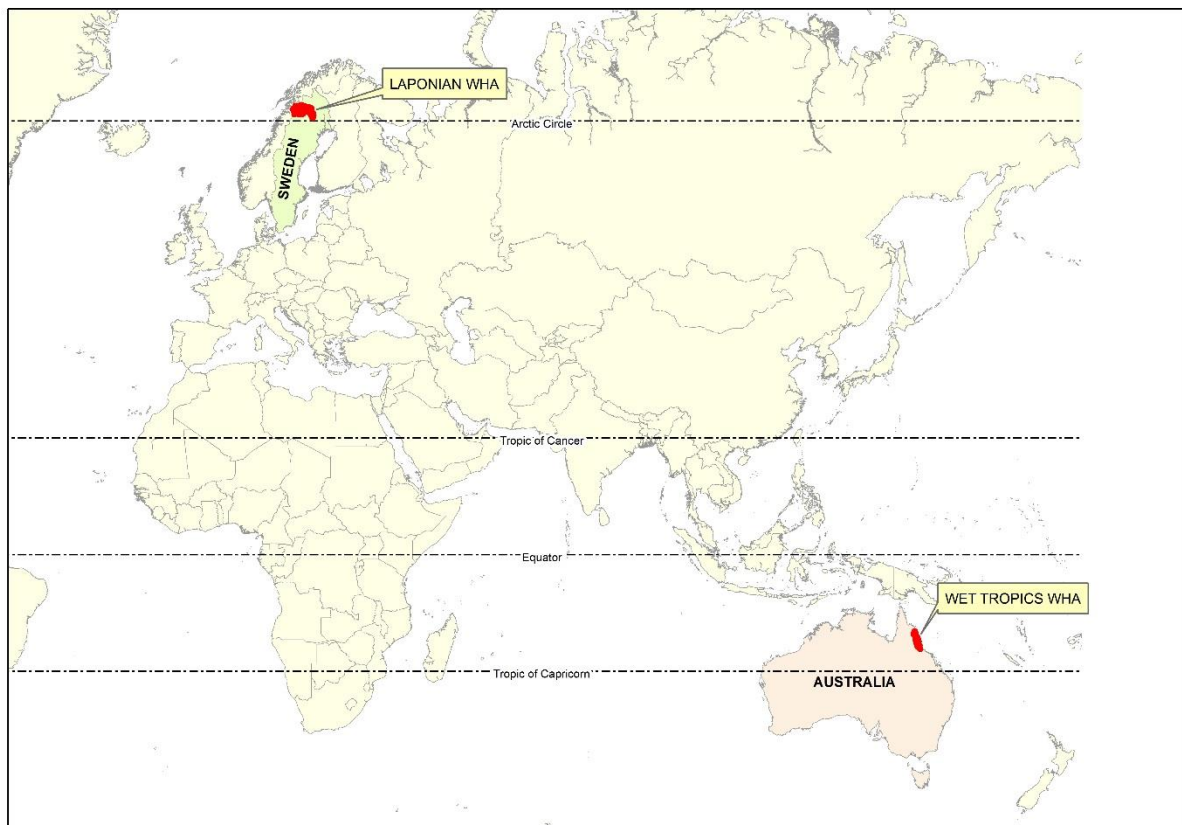
## 1.2 Research Scope

To pursue this purpose, I have undertaken a comparative study between the Wet Tropics World Heritage Area (WTWHA) in Australia and the Laponia World Heritage Area (LWHA) in Sweden. See the Figure 1 below. The research follows an interdisciplinary approach that draws on literature from the fields of environmental and sociological science, with particular focus on Indigenous knowledge, Indigenous governance, protected areas and socio-ecological systems.

The research also embeds me, an Aboriginal woman from the Wet Tropics World Heritage Area, in the research, allowing incorporation of critical understandings and perspectives that reflect Indigenous lived and share experiences. Twenty-five years ago, a World Heritage inscription was enacted across the full traditional lands of the Rainforest Aboriginal Peoples (*Bama* Peoples) of the Wet Tropics in northern Queensland, Australia. For many *Bama*, this equated to enforced restrictions on traditional Indigenous cultural practices, rights and activities (Review Steering Committee. 1998). Traditional Indigenous land management practices that ensured ecological, cultural and social sustainability of

tropical rainforest were no longer allowed (Review Steering Committee. 1998). My personal long term commitment and interest in this issue is twofold. First, I want to promote and articulate a deeper understanding of Indigenous Peoples' connections to traditional land and seascapes. Second, I want to understand and define how protected area management can better respect and reflect the nexus between Indigenous and nation-state approaches in contemporary land management and sustainability. This research contributes to the ongoing pursuit of these goals.

*Figure 1 Map - Wet Tropics World Heritage Area (WTWHA) in Australia and the Laponia World Heritage Area (LWHA) in Sweden*



## 1.3 Significance

Indigenous Peoples account for approximately 370 million people globally (Secretariat of the United Nations Permanent Forum on Indigenous Issues 2014). Indigenous customary systems are estimated to cover almost 65% of the world's land area. Indigenous governance and knowledge is highly significant to sustainability over large parts of the planet (Brondizio and Le Tourneau 2016, Mistry and Berardi 2016). However, governments formally recognise Indigenous rights to only a small fraction of those lands (Rights and Resources Initiative 2015). For example, the Rights and Resources Initiative (2015), assessed 64 countries that comprise 82% of the world's land area, and found that only 18% of land was formally recognised as owned or managed by Indigenous Peoples and communities. Continuing impacts on Indigenous Peoples from historical legacies of colonisation include lack of recognition of Indigenous identity, exclusion from traditional lands and territories, poverty, power imbalances and marginalisation (Rights and Resources Initiative 2015). Despite this, Indigenous Peoples' knowledge, customs, practices, languages and traditions remain (Daes 2008, Martinez Cobo 1982). Recognition of the significance of Indigenous Peoples' knowledge contributions to sustainability is growing (Richardson 2001, Stocker, Collard, and Rooney 2015, Whyte, Brewer II, and Johnson 2015). In the protected areas context, Indigenous knowledge and governance are acknowledged for their importance and relevance to protected area management (Borrini-Feyerabend et al. 2013a, Dudley et al. 2010). The International Union for Conservation of Nature (IUCN) incorporates Indigenous governance systems as a key aspect in protected area management (Dudley et al. 2010).

The Australian National Reserve System is a protected area network that covers around 17% of Australia. Designed under a scientific framework, its purpose is to conserve natural land and seascapes, and native plants and animals for future generations<sup>2</sup>. Indigenous Protected Areas (IPAs) are areas of Indigenous-owned and/or managed land or sea where Aboriginal People have entered into an agreement with the Australian Government to promote biodiversity and cultural resources. IPAs make a significant contribution to Australian biodiversity conservation, currently covering 67 million hectares, almost 45% of the National Reserve Systems area<sup>3</sup>. Understanding the influence of

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<sup>2</sup> See web site - <http://www.environment.gov.au/land/nrs>, assessed on 27 May 2017. For the remainder of the thesis, web links that lack an author and date are provided as footnotes in order to avoid numerous in-text citations of Anonymous, undated.

<sup>3</sup> See web site - <https://www.dpmpc.gov.au/indigenous-affairs/environment/indigenous-protected-areas-ipas>, assessed on 27 May 2017.

Indigenous governance on the application of Indigenous knowledge is therefore significant to sustainability across a large part of Australia.

In 1996 Sweden received international recognition of its first mixed world heritage site, the Laponia World Heritage Area<sup>4</sup>. It acknowledged both the site's natural and cultural values as being exceptionally important to the global populations. The cultural values are associated with continued occupation by the *Sámi* Peoples since prehistoric times, and *Sámi* long term reindeer herding and grazing practice<sup>5</sup>. The natural values recognised the exceptional beauty and significant biological diversity<sup>6</sup>. Indigenous knowledge and governance are critical to Sweden's goals in protecting Laponia—but the significance of *Sámi* Indigenous knowledge extends more broadly to lands and cultures across northern Sweden (Lantto 2005, Morkenstam 2005).

## 1.4 Research Question and Aims

The research addresses the following question:

*Under what conditions is Indigenous knowledge recognized and supported by Indigenous governance in protected areas in Australia and Sweden?*

To critically examine this question, the research aims to:

1. Analyse the different concepts of Indigenous knowledge in the Wet Tropics World Heritage Area in Australia and Laponia World Heritage Area in Sweden, and identify key influences including culture, identity and worldview.
2. Analyse models of Indigenous governance relevant to these protected areas and identify key features.

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<sup>4</sup> See web site - the Laponian Area – <http://whc.unesco.org/en/list/774/> accessed 15 August 2016.

<sup>5</sup> As above.

<sup>6</sup> As above.



3. Critique the effectiveness and success of Indigenous governance arrangements in recognising and supporting Indigenous knowledge in protected areas in Australia and Sweden.
4. Evaluate existing protected areas frameworks through the lens of Indigenous governance and recommend policy changes for improved recognition and support for Indigenous knowledge for biodiversity conservation.

## 1.5 Thesis Outline

Chapter 2 examines the methodological framework, and explores the need for development of novel methodologies that reflect Indigenous worldviews, epistemologies and ontologies. The Chapter, explains the innovative Empowering Indigenous Lens developed as part of this framework, and outlines the “Walking Together” approach as the method that enabled effective application of the methodology. This chapter also highlights the benefits of an Indigenous methodology and its wider application.

Chapter 3 reviews the theoretical framework by investigating the relevant literature on key thematic areas of Indigenous knowledge, Indigenous governance, protected areas and social-ecological systems theories. The theoretical underpinnings of the literature enabled a clear research pathway through identifying a gap in the literature, and the area in which the research’s theoretical contribution could apply. In summary, the literature supports the theoretical contribution underlying Indigenous governance and Indigenous knowledge.

Chapters 4 and 5 describe the case studies of the two locations, Australia and Sweden, drawn from documentary and interview data and analysis, providing context for comparative analysis. Exploration of the history, context and origins of the nation-states provide understandings required to explore contemporary issues facing many Indigenous Peoples, their aspirations, and challenges around rights to land and natural and cultural resources.

Chapter 6 details a comparative analysis and presents findings relevant to the research question and aims. It outlines evidence and support for the findings, and provides a basis for the discussion of implications and recommendations that follow.

Chapter 7 discusses implications and conclusions and provides insights for future research opportunities and learnings from this research. Through looking at specific place-based localities it ensures this research can be applied and contextualised. Finally, a brief conclusion revisits the research aims and summarises the main findings, with suggested potential research approaches for further developing this area of knowledge.

# Chapter 2. Methodological Framework

## 2.1 Introduction: Overview of Indigenous Research

Indigenous peoples have unique and vibrant cultures with embedded traditional beliefs and customs reflected through strong kinship and family networks (Berkes 2012). Indigenous Peoples' survival depends on resilient knowledge systems, lore (law) and social structures, language and storylines, varied life experiences, social understandings and cultural imperatives (United Nations 2009). Connections with the spiritual world, cosmology and the living enable a knowledge continuum that links people with their natural world and ancestors. "Epistemology is linked intimately to worldview" (Ladson-Billings 2000, 258). With deep links between people, place and spirit, Indigenous worldviews form the epistemological foundations for Indigenous knowledge systems (Altman 2012, Cullen-Unsworth et al. 2012).

Although research has undoubtedly underpinned numerous benefits to Indigenous people through innovations in technologies, policies (e.g. carbon trading (Russell-Smith et al. 2013)) and methodologies (e.g. participatory action research (Woodward and McTaggart 2016)), it has also caused many negative impacts (Chilisa 2012, Langton 1981, Martin 2008, Moreton-Robinson 2013, Smith 2012, Wilson 2008). In many parts of the world the first encounters between colonial and Indigenous people involved colonial researchers studying Indigenous people's anatomy, physiology, cultures and other aspects of their lives (McNiven and Russell 2005), with the findings justifying their oppression. Many contemporary researchers agree that Indigenous peoples are the most studied in the world (Langton 1989, Martin 2008, Smith 2012, Wilson 2008). The colonial research context challenges Indigenous people, who contest and often reject the dominant approaches as firmly embedded in a colonised ideological framework. From this rejection, however, new Indigenous alternative research approaches and methodologies have emerged.

Indigenous Peoples' challenges to the norms and realities of dominant research approaches, and their efforts to seek new ways forward, contextualise this research (Henry et al. 2002, Nakata 2004a, Smith 2012). For the world's Indigenous Peoples, research legacies and impacts, as well as its potential multiple benefits, create the need to find new appropriate ways to engage, influence and even drive

the research agenda. New and alternative research approaches have begun to emerge, particularly in the fields of education and health. Indigenous researchers are focusing attention on aspects such as: Indigenous worldviews; connectedness and or relatedness; promoting the Indigenous voice; and highlighting the role of the researcher (Arabena 2008, Gobo 2011, Harvey 2009, Kawagley and Barnhardt 1999, Martin 2008, Louis 2007, Rich 2012). Indigenous Peoples are beginning to break down barriers of the dominant culture to access education, redefine, contest and begin to create new approaches and new thinking about research and its methodologies (Hodge and Lester 2006, Johnson et al. 2016, Kahakalau 2004, Kawagley and Barnhardt 1999, Kealiikanakaoleohaililani and Giardina 2015, Nakata 2004b, Rigney 2001, 2006, Smith 2012). A significant number of Indigenous scholars have emerged to challenge the existing dominant western research paradigms. Several scholars have explored their own Indigenous viewpoints and worldviews and applied them as a type of filter, or 'Indigenous Lens' through which to analyse, assess and develop various research approaches.

Linda Tuhiwai-Smith, a Maori woman from New Zealand, expressed ground breaking views and perceptions regarding the need to decolonise western dominant research paradigms. Through her book, *'Decolonizing Methodologies'*, she promoted the need to reveal and hear the many voices of the Indigenous minorities who have suffered detrimental impacts from colonisers (Smith 1999, 2012). In *'Indigenous Methodologies'*, Canadian First Nations woman, Margaret Kovach, argued for the creation of space in the academy to allow for a different view of the 'way of knowing' to emerge. She particularly focused on the links between Indigenous epistemology and research methodologies, their place within the academy, and their role in guiding Indigenous People to undertake research from their own viewpoints (Kovach 2009). Karen Martin, an Australian Aboriginal woman, continued to pave the way for Indigenous researchers to draw on their Indigenous knowledges and worldviews and to challenge the norms of western research approaches through her book, *'Please knock before you enter - Aboriginal regulation of Outsiders and the implications for researchers'* (Martin 2008). Martin (2008) argued for deep acknowledgement and empowerment of Aboriginal sovereignty in research, emphasising that Aboriginal Peoples' regulation of outsiders to their country provided an interface for knowledge partnerships to support Aboriginal Peoples to govern their own futures (Martin 2008). These and other Indigenous researchers continue to challenge western research paradigms while empowering Indigenous viewpoints. As a result, in many instances Indigenous People themselves now undertake research *with* other Indigenous People (instead of research being done 'on' or 'for' Indigenous Peoples), contributing to both the continuum of knowledge generation and innovations in

generating new knowledges (Chilisa 2012, Henry and Pene 2001, Henry et al. 2002, Kealiikanakaoleohaililani and Giardina 2015, Rigney 1997, 2006, Smith 2000b, Wilson 2008).

As an Indigenous researcher, I see building new methodologies and innovative research approaches as central to this research. This research sits firmly within an Indigenous epistemology, being the most appropriate foundation for understanding the questions addressed, and continuing to improve research methods available to explore questions of interest to Indigenous Peoples<sup>7</sup>. Adopting an Indigenous epistemology, that is, *how we know what we know*, assists in choosing and justifying research methodology and methods (Crotty 1998, Guba and Lincoln 1994). It can assist Indigenous people to articulate their ways of knowing and help them make sense of the contemporary world (Chilisa 2012, Wilson 2008). Shared experiences and knowledge about kin and country often inform an ontological relationship to country that describes an Indigenous *way of knowing*, which in turn informs Indigenous epistemology (Moreton-Robinson 2013). Considering the Indigenous ontology, that is, *what's out there to know*, further strengthens the methodology (Denzin and Lincoln 2008). Embedded in Indigenous culture, Indigenous ontology describes and explains the *way of being* with the world. It is about belonging to, and links with, country, the relationship to country, and the ancestral creator beings of country (Moreton-Robinson 2013). My own Indigenous epistemology and ontology strengthen the methodology for this research. Together with culturally sensitive tools, they act as an alternative worldview lens through which to consider the research questions. It is also important to recognise the global heterogeneity of Indigenous Peoples and their worldviews, hence the consideration of the geographical, historical and political contexts of the Indigenous Peoples with whom I engage in this particular research (Denzin and Lincoln 2005).

## 2.2 The Indigenous Research Design

In this doctoral research, I build on the above Indigenous-driven innovations in research methodology and approaches. As an Indigenous scholar, I take on an approach that challenges the western paradigms and adopts and promotes Indigenous approaches. In this chapter I first present how Indigenous worldviews underpin Indigenous ontologies and epistemologies, and in turn frame the

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<sup>7</sup> 'Indigenous' is capitalised throughout this thesis in accordance with the Australian research protocols (see Louis 2007). 'Peoples' is capitalised when used as a proper noun in reference to groups (e.g. tribes, nations), rather than individuals. Indigenous Peoples is used to refer generally and give respect to the Indigenous Peoples or First Nations Peoples of the world.

‘Empowering Indigenous Lens’ I have developed and adopted as the paradigm for this research. I explain how I implement this Empowering Indigenous Lens, a social-constructivist approach to understanding *what’s out there to know* (ontology), and an interpretivist perspective on *how we know what we know* (epistemology). I introduce the concept of ‘Walking Together’ and show how it influences the qualitative case study methodology, and the methods of interview and context analysis. In addition, this chapter includes a section placing myself as an Indigenous researcher in the research. I draw on personal cultural Indigenous worldviews, and contextualise myself within roles and relationships that constitute and influence the research milieu. The Empowering Indigenous Lens paradigm (Table 1) identifies the context in which I conducted the research and recognises cultural, political, spiritual, community, and family relationships.

Table 1 - Indigenous research through an ‘Empowering Indigenous Lens’

<b>Empowering Indigenous Lens</b>			
Indigenous worldviews		‘Walking Together’: Adapting methodology and methods to the Empowering Indigenous Lens	
Ontology	Epistemology	Methodology	Methods
Indigenous societies’ view of physical, human and spiritual world, ancestral beings living today in the landscape	Indigenous ways of knowing, practices and beliefs, interpreted through relatedness with people, country and spirits/sacredness	Comparative case-study analysis using Indigenous-driven selection	Qualitative mixed methods for data collection and analysis – interview, document analysis, context mapping
Application through:			
Social-constructivist perspective	Indigenous interpretivist perspective	Inductive reasoning – Theory to case analysis to improved theory	(Collaborative) thematic analysis using both pre-set and emergent themes, triangulation and member checking for validity

## 2.3 Empowering Indigenous Lens

The research term 'Indigenist' has been introduced in Australia to distinguish research that places Indigenous worldviews as central to the research context and approach. Only Australian Indigenous peoples can carry out Indigenist research with Australian Indigenous communities (Rigney 1997, 2001, 2006). Rigney (2006) identifies three fundamental principles of Indigenist research: involvement in resistance as the emancipatory imperative; political integrity; and giving privilege to Indigenous voices. The emancipatory imperative, as Rigney (2006) describes it, is Indigenist research that "seeks to chart our own political and social agendas for liberation from the colonial domination of research and society" (Rigney 2006, 42). The 'Empowering Indigenous Lens' of this doctoral research uses the term 'Indigenous' research to incorporate and build on what Rigney (2006) terms as Indigenist: a research method that requires Indigenous people to be members and leaders of the research team (Talbot 2005).

In this research paradigm, I define Indigenous research starting with the requirement for Indigenous People to be researchers themselves, and draw upon four additional principles identified by Indigenous scholars. First, the research must benefit the Indigenous community in which it is being undertaken. Second, it must be undertaken for and with the Indigenous communities, support their self-determined aspirations and clearly prioritise their needs and interests (Moreton-Robinson 2013, Louis 2007). Third, Indigenous research promotes Indigenous cultural values and belief sets which are embedded in contextual relationships with individuals, communities and all that surrounds oneself (Martin and Mirraboopa 2003, Martin 2008, Wilson 2008). Fourth, the researcher needs to be emancipatory, in the sense of Indigenous Peoples' consciousness and in relation to the colonial struggle, and work from one's own individual Indigenous worldview. In summary, Indigenous research reflects lived and shared cultural experiences, histories and relational responsibilities, and accountability by the researcher to the Indigenous community and to one's own community (Foley 2003, Martin 2008, Louis 2007, Rigney 1997, 2006, Wilson 2008).

The Indigenous Empowering Lens also reflects inherent elements of empowerment relevant across three levels: individuals, organisations, and communities (Zimmerman 2001). In this context, individual empowerment is particularly focused on psychological empowerment, including "beliefs about one's competence, efforts to exert control, and an understanding of the socio-political

environment.” (Zimmerman 2001, 46). Organisational empowerment reflects an organisation’s achievements in the community, in terms of how it “provides opportunities for people to gain control over their lives” and whether it can “successfully develop, influence policy decisions, or offer effective alternatives for service provision” (Zimmerman 2001, 51). At the community level, an “empowered community is one that initiates efforts to improve the community, responds to threats to quality of life, and provides opportunities for citizen participation.” (Zimmerman 2001, 54). Empowerment therefore is recognised as being multi-level. It is also context specific, occurring differently for distinct Peoples and relative to time (Zimmerman 2001). By its very nature, empowerment “is an open-ended construct that may not be fully captured by a single operationalization uniformly applied...” (Zimmerman 2001, 58) and therefore is difficult to define. However, another inherent element alongside empowerment is power.

Despite having fundamental links, power and empowerment are two distinct constructs (Zimmerman 2001, Zimmerman 1995). Power, as it emerges through the context of empowerment, arises and plays out at the various levels of individual, organisational and community. Power, as exercised through the authority in the dominant society, has impacted (negatively) on Indigenous Peoples profoundly and continuously. It has been used to marginalise Indigenous Peoples from mainstream while systematically denying and limiting recognition, engagement or development, and enforcing historic oppression at the individual, organisational and community levels (Pease 2002, Rowlands 1995). In this context, empowerment has been defined to “be about bringing people who are outside the decision-making process into it.” (Rowlands 1995, 102). Bringing Indigenous People into decision-making provides the space to emancipate our consciousness as Indigenous Peoples, particularly as it relates to the colonial struggle. Indigenous decision-making roles in research can enable the release of the subjugated Indigenous knowledges. This research underpins and enables the emancipation of our consciousness as Indigenous Peoples by: enabling Indigenous voices to emerge through the research process; building capacity via workshops and small discussions; building evidence for policy development; revealing alternative views that have previously been invisible to the dominant societies; and providing Indigenous Peoples with research evidence to support their own aspirations and needs.

An Indigenous worldview “defines, for its holder, the nature of the ‘world,’ the individual’s place in it, and the range of possible relationships to that world and its parts.” (Guba and Lincoln 1994, 107). Indigenous worldviews are brought into the research by firmly embedding it in the Indigenous context,



and enabling it to reflect people's lived experiences, histories and realities. Enabling the context to reflect Indigenous worldviews links the Indigenous context and '*place*' (Johnson and Larsen 2013). '*Place*', in terms of its links to Indigenous knowledge and lived experiences, can also reflect and help recreate Indigenous People's ontologies and epistemologies (Johnson and Larsen 2013). Further, having an Indigenous person as the researcher is critical because "reality is internally experienced, is socially constructed through interaction and interpreted through the actors, and is based on the definition people attach to it." (Sarantakos 1993, 35). This research, through the Empowering Indigenous Lens approach, supports and enables Indigenous Peoples to share their lived experiences and to draw on their Indigenous worldviews to understand, interpret and to express their views in relation to those experiences.

## 2.4 The Indigenous Epistemology and Ontology

My epistemological approach places Indigenous worldviews as central to how we (as Indigenous Peoples) know what we know, both at the start, throughout and upon completion of the research. Research founded on Indigenous epistemology recognises Indigenous ways of knowing and being, rooted in Indigenous People's spiritual connections to their land, to their communities, families and environment (Chilisa 2012, Martin 2008, Wilson 2008). For example, Martin (2008) draws on her Quandamookah worldview, incorporating four key first stories (the ancestral core, the spirits, the entities and the filter) to inform and frame her Indigenist research. Her identity as a Quandamookah person is essential to her ability, and her rights and responsibilities to draw on these stories. The relatedness of the Quandamookah worldview is then "defined as the set of conditions, processes and practices that occur amongst and between the Creators and Ancestors; the Spirits; the Filter and the Entities." (Martin 2008, 69). The Indigenous epistemology draws out a deeper understanding by exploring and describing the way in which Indigenous People explain the world around them, how they view the world around them, how they relate and know the world around them, and how they engage with that world. Indigenous worldviews accentuate the relationships between the person, the spirit, the world around them and all that is between them (Lavallee 2009). However, according to Ladson-Billings (2000), it is important to emphasize that "the concept of epistemology is more than a 'way of knowing'... [it] is a 'system of knowing' that has both an internal logic and external validity." (Ladson-Billings 2000, 257). The Indigenous worldview involves descriptions that include three dimensions: a physical world; a human world; and a sacred world (Foley 2003).

These three dimensions – physical, human, sacred – are fundamental to Indigenous ontology, such as through ancestral beings, present in the landscape today, who created the world (Bird Rose 1996). Indigenous ontologies highlight the link between people and place and the importance of that relationship to Indigenous Peoples’ survival (Wilson 2008). Further opportunities to highlight links between people and place are provided through the “acknowledgement of the agency of Country and nonhumans.” (Wright et al. 2012, 41), and through opportunities to influence research (Wright et al. 2012). In doing so, we can recognise that “place speaks to the holistic totality of human and nonhumans relations situated in a particular locale or region.” (Johnson and Larsen 2013, 8). Creating ways to explain what *we know* and the way *we see* things – ontology – can be important to understanding Indigenous People’s worldviews. Indigenous ontological positioning – *views of what is out there to know* – differ from scientific realist ontologies in the significance attributed to the ancestral being and other spirit forms. “Indigenous ways of knowing and doing can be fundamentally different to dominant Eurocentric knowledges and practices.” (Howitt and Suchet-Pearson 2006, 327). Realism, as a scientific perspective, holds that “reality exists independent of any human presence” and that “it is up to us to *discover* these facts and laws.” (Jaccard and Jacoby 2010, 7). Realism struggles to account for Indigenous perspectives about links between today’s peoples, the land and the ancestral beings.

To be true to the Indigenous-centric worldviews, the research approach needs to maintain the flexibility to describe and align with ontologies that can encompass both western and Indigenous worldviews and thought processes. The social constructivist perspective offers great potential. This view “holds that reality is a construction of the human mind, that this construction is tied to a particular time and social context, and that what is considered reality changes as the social context changes...It maintains that there is no reality and there are no facts until these are conceptualized and shared by some number of people.” (Jaccard and Jacoby 2010, 7). Constructivism signifies a move from the traditional “ontological realism to ontological relativism.” (Guba and Lincoln 1994, 109).

Constructivism as an ontology, in particular as a relativist ontology, recognises that “realities are apprehendable in the form of multiple, intangible mental constructions, socially and experientially based, local and specific in nature (although elements are often shared among many individuals and even across cultures), and dependent for their form and content on the individual persons or groups holding the constructions.” (Guba and Lincoln 1994, 110). Constructivism provides for the researcher to be part of the ‘studied’ and to be part of the network of those who create the new knowledge

(Atwater 1996, Mir and Watson 2000). “Social constructivists recognise the importance of contextual values.” (Atwater 1996, 828), and in doing so, can assist in influencing the social context of the situation (Atwater 1996). Constructions are alterable, as are their associated “realities” (Guba and Lincoln 1994, 111). Constructivism rejects the “notion that truth and meaning reside in their objects independently of any consciousness.” (Crotty 1998, 42). Constructivism “is the view that *all knowledge, and therefore all meaningful reality as such, is contingent upon human practices, being constructed in and out of interaction between human beings and their world, and developed and transmitted within an essentially social context.*” (Crotty 1998, 42). Indigenous worldviews that support constructing the meaning of reality, and relating it to the people and the spiritual world, provide the link between epistemology and ontology.

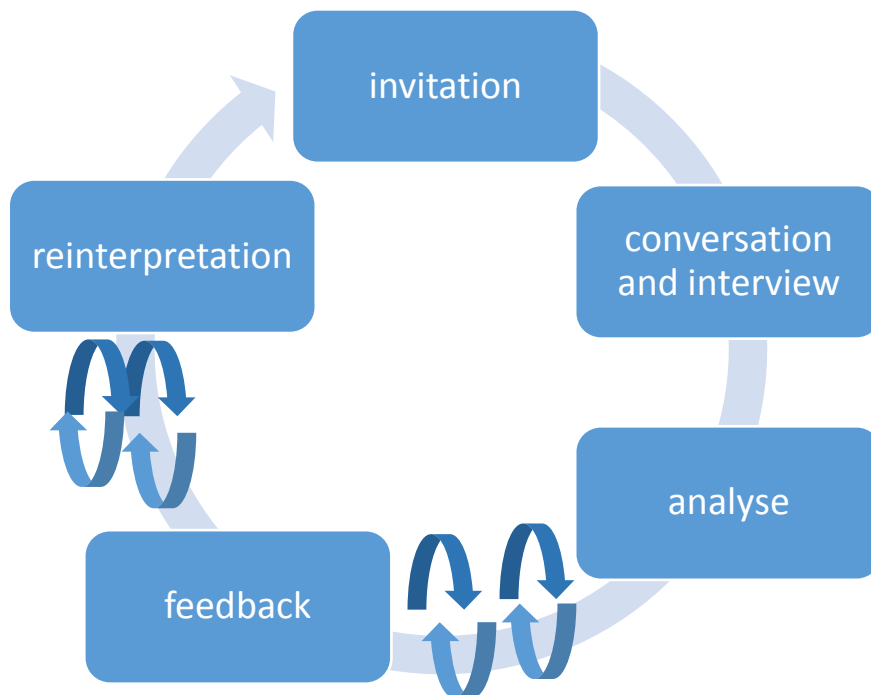
Shaping the research paradigm by drawing on my own Indigenous worldview provides the platform for adopting Indigenous ontology and epistemology (Rigney 1997, 2006). Nevertheless, practical tools and approaches are required to implement an empowering approach to research with Indigenous Peoples. The Indigenous research *paradigm*, and its basis in Indigenous epistemology and ontology, has received more attention to date from Indigenous scholars than the *methods* required to implement it (Kovach 2009, 2010). Here I present what I have termed the “Walking Together” *method* to implement the Indigenous epistemology and ontology based research.

## 2.5 The process of “Walking Together”

The metaphor, “Walking Together” refers to the process of adapting social science research methodologies and methods to effectively implement the Empowering Indigenous Lens. While a substantial body of Indigenous researchers has contributed to articulating how Indigenous worldviews, ontology and epistemology provide a new way for Indigenous People to work together on research, further practical examples of how to collect and analyse data differently are required (Brown and Strega 2015). “Walking Together” highlights the practical steps to ensure that at all times the research process is a joint journey between the researcher and the participants (co-researchers) (Figure 2). There are five key steps at the core of the “Walking Together” approach: (1) invitation; (2) conversation and interview; (3) analysis; (4) feedback; and (5) reinterpretation. Details of each step are further explained below. Each step of the research process is a shared experience of learning between the researcher and the participant (co-researcher). This practice also reflects fundamental

Indigenous cultural protocols of ‘giving back’ to Indigenous communities. The practice of shared experiences through “Walking Together” remains in effect throughout the entire research process, therefore effectively implementing the Empowering Indigenous Lens.

Figure 2 Five key stages of the “Walking Together” approach



## 2.6 Methodology – comparative case study analysis

Indigenous worldviews flow through this research process from beginning to end, facilitating Indigenous People to have a voice in every stage of the research, based on methods that best work for them. To enable effective application of Indigenous approaches, a case study methodology was adopted. ‘Case study’ is best described as “an empirical inquiry that investigates a contemporary phenomenon (the ‘case’) in depth and within its real-world context, especially when the boundaries

between phenomenon and context may not be clearly evident.” (Yin 2014, 16). Case study inquiry involves presenting research findings through writing a case description, a flexible format that can enable Indigenous voices to emerge from their real-world lived experience (Yin 2014). In addition to the case description, pattern analysis, including explanation building, is used to identify themes that support cross-case synthesis. While emphasising approaches that are culturally and sensitively appropriate, qualitative data collection methods and analysis based on interviews, documentary analysis and context mapping underpin the case study approach (Chilisa 2012, Kumar 2005, Liamputtong and Ezzy 2005, Sarantakos 1993). All the interviews were preceded by conversations that enabled the researchers and participants to come to know one another as Indigenous People. The use of mixed and multiple methods for data collection underpins the validity of the case description through convergent triangulation (Liamputtong and Ezzy 2005). The case study method is easily adapted to reflect the Empowering Indigenous Lens.

Case study research methodologies based on qualitative data collection and analysis enable knowledge generation while being sensitive and respectful of the social and cultural context of Indigenous Peoples. Case study research can comprise singular or multiple case studies, present single case descriptions as research findings, and still draw on a single set of ‘cross-case’ conclusions (Yin 2014). In this research I selected a comparative case method to enable a research approach that recognises the heterogeneity of Indigenous Peoples and their contexts (Yin 2014). Comparative case studies are applied using the same methodological approach as a single case study for the case description, followed by a comparative analysis of key variables (Yin 2014). For this research, in a context of two Indigenous cultures, comparative case studies were most appropriate.

## 2.7 Case Study Selection and Design

The research focussed on two case studies selected to best investigate and address the question:

**Under what conditions is Indigenous knowledge recognised and supported by Indigenous governance in protected areas in Australia and Sweden?**

In addition, case studies were selected that were best able to respond to the Empowering Indigenous Lens approach of this research, which essentially requires connection of the researcher with people

who have ability and willingness to contribute. The case study sites were: the Wet Tropics World Heritage Area (WTWHA) in Australia and the Laponia World Heritage Area (LWHA) in Sweden, selected based on criteria outlined below.

The Australian case study focused on involvement of Rainforest Aboriginal Peoples (also known as, and self-identifying as, *Bama* People) within the WTWHA. The purpose of the study is linked with a fundamental interest in empowering the Rainforest Aboriginal Peoples and stems from my long standing relationship with many groups and individuals in the WTWHA and through a personal traditional and family connection to the region. The Swedish case focused on the *Sámi* People, the Indigenous People from within the Laponia World Heritage Area (LWHA). I developed a relationship with the *Sámi* People when as a member of the Wet Tropics Management Authority (WTMA) Board, I was invited to speak to the LWHA management authority about Indigenous engagement in the WTWHA. Subsequently, I visited and met many *Sámi* People in the region. We discussed issues facing Indigenous People in world heritage areas, and the possibility of collaborating on a research project. They later invited me to conduct a case study for my doctoral research with them. Both groups of Indigenous Peoples continue their engagement with the World Heritage areas while advocating for better recognition and involvement of their traditional knowledge and governance systems.

Case study sites were chosen to enable comparisons of Indigenous Peoples' experiences of protected areas and world heritage status proclaimed over their traditional lands without their initial consent, with a focus on first world countries for the similarity in context with my own Indigenous experience in Australia. Factors that contribute to experiences of Indigenous knowledge application into protected area management are more easily distinguished without the confounding impact of variables such as a lack of government welfare support in developing world contexts. Early attempts were made to establish connections within Canada and with Canadian First Nations People who may be interested in participating in this research, without success.

The selection of the case study sites: the Wet Tropics World Heritage Area (WTWHA) Australia and the Laponia World Heritage Area (LWHA) Sweden, occurred based on three key elements. First, the research was designed to be located where Indigenous People were seeking empowerment of their knowledge in their local context of protected area management. More specifically, I targeted cases where Indigenous People are working from a position of self-determination and want to draw on their own knowledge base in the application of a protected area. Second, the selection of localities was

based upon where I had existing and/or sufficiently robust new relationships with people with known information about their local context (Flyvbjerg 2006). Third, World Heritage areas were prioritised as these provide a globally significant feature for wider relevance of the research. As both selected locations are World Heritage areas, the Indigenous Peoples share experiences including: enforced legislative non-Indigenous protected area constructs (i.e. World Heritage); ongoing struggles for recognition of their cultural, spiritual and social worldview concepts; and a history of exclusion from traditional lands as a result of colonisation. Many other Indigenous Peoples have similar experiences in World Heritage contexts, underpinning the opportunity for wider relevance from the cross-case analysis (Disko, Tugendhat, and García-Alix 2014).

## 2.8 Ethics Approval

The James Cook University (JCU) abides by the *National Statement on Ethical Conduct in Human Research* (National Health Medical Research Council, Australian Research Council, and Australian Vic-Chancellors' Committee 2007) and the *Values and Ethics: Guidelines for ethical conduct in Aboriginal and Torres Strait Islander health research* (National Health Medical Research Council 2003). In addition, *Guidelines for Ethical Research in Australian Indigenous Studies* (AIATSIS 2012) applies to those conducting research with Indigenous communities. Ethics applications must align with the principles outlined in these documents and must be approved by the JCU Human Research Ethics Committee. Supplementary documentation in the form of 'support letters' is further required from each of the Indigenous communities participating in the research to provide an indication of their support and willingness to participate in the research. These letters must indicate permission for the researcher to conduct the research with them and/or in their specific community.

Support letters were received from Jabalbina Aboriginal Yalanji Corporation (JYAC) and the Giringun Aboriginal Corporation (GAC) in the WTWHA, and from two individuals (one identified from the *Sierges Sameby Sámi* community) within the LWHA. After providing the JCU Human Research Ethics Committee with the four 'support letters' from the Indigenous communities and individuals, JCU Human Research Ethics Committee granted approval to conduct the research with both sets of Indigenous communities (Application ID No. H5735). However, additional explanations were required for the potential use of photographs in the research project. The JCU Human Research Ethics Committee required explicit descriptions of any potential photographs along with details of how,

where, when and why they would be used in the research project. The research proposal therefore stated that any use of photographs would depend on the individual and the specific Indigenous community's decision to consent, and to clearly outline the description and details surrounding the use of any photographs. The JCU Human Research Ethics Committee agreed that photographs could only be used in an illustrative manner with the original participants (co-researchers) of the study, and that photographs could not be used in any other form. Photographs were not used or taken at the time of interviews for this research.

Unlike the Australian context, in the Swedish case there were no national guidelines for engagement with research, nor consent mechanisms for engagement, protection of knowledge, knowledge transfer, and/or use of photographs. Discussion of the Australian national guidelines and required engagement processes and issues provided a great opportunity to build a rapport and understanding between the *Sámi* communities, their members and the researcher. It also provided opportunities to share experiences and to learn of new opportunities to better engage with research and researchers. The Swedish (including *Sámi*) participants (co-researchers) appeared to consider ethics and ethics approval processes only minimally. The research benefited from opportunities to engage and build working relationships around such issues. Direct discussions with individuals and the LWHA managing authority provided a foundation to build credibility and trust, to inform and raise awareness about the history of Indigenous Peoples in Australia, and their experiences with research. The Swedish participants (co-researchers) were very interested and eager to learn of Australia's ethical standards and guidelines. As a result, the LWHA has since chosen to develop an ethics process and guidelines specific to the *Sámi* context within their World Heritage area. A respectful process around sharing experiences and information that worked for all involved in the research emerged. Despite the absence of a research framework in Sweden, I adhered to ethical code of conduct for research using the Empowering Indigenous Lens.

## 2.9 Methods

Semi-structured interviews were selected as a preferred interaction method to enable links to theory whilst offering flexibility (Sarantakos 1993). Such interviews present opportunities for some neutral probing, and enable intensive or deep interview discussions to occur, while avoiding restrictions such as word or time limits (Sarantakos 1993). Individual face-to-face interviews, rather than a group



interview approach, were selected because of advantages in supporting a sensitive cultural approach, tailoring timing and format to individual needs, and building on or developing new personal relationships with the participants (co-researchers). An individual approach also supports 'deep listening', an Indigenous research method that has proved effective in Australian contexts (Brearley 2015, Rivers 2015, Suchet-Pearson et al. 2013). Deep listening enables empathy and provides an essence of understanding the viewpoint of the other (Brearley 2015). It encourages deeper interaction and trust with the participant. Time allowed before and after the actual interview provided the space for existing relationships to be deepened and the ability for conversations and 'catch up yarns' to emerge as a natural and cultural part of the greetings between individuals. Indigenous cultural norms such as a 'cuppa tea' with the 'catch up yarn' encouraged informality and set a good grounding to lead into the research discussion followed by the interview. This enabled the interviews to draw on the strengths of 'yarning' as "an Indigenous cultural form of conversation ... [and] a data gathering tool" (Bessarab and Ng'andu 2010, 37) which is recognised as a successful and appropriate narrative method for gathering information (Bessarab and Ng'andu 2010). While it influenced the interview techniques and facilitated an appropriate cultural setting for the Empowering Indigenous Lens to operate, however, 'yarning' was not fully adopted, as its opportunities for guiding the topic towards the research question are limited.

A purposive sampling technique was used to identify the interviewees, aimed at selecting those with rich information relevant to the research question, and who met cultural selection criteria. A form of non-probability sampling, purposive sampling uses judgement in the selection of interviewee with a specific purpose in mind (Neuman 2010). Indigenous People were selected as participants (co-researchers) based on those who were in key governance and authoritative roles in both World Heritage areas; and/or who were in community roles related to land management but who were not in governance specific roles; and/or who were in governance and non-governance specific roles in land management; of both genders; and different age groups. The sample aimed to capture both men's and women's perspectives and Indigenous People of different cultural seniority who were leaders and decision makers (in formal and informal ways). The selection criteria for non-Indigenous participants (co-researchers) included those who were: policy makers; decision makers that related to protected area management; from relevant non-government organisations and/or industry groups; of both genders; and of different age groups. Cultural protocols and knowledge of existing relationships formed the basis of the selection criteria and thus interviewee selections.

The Indigenous cultural protocols adopted ensured respect for cultural authorisation and underpinned the Empowering Indigenous Lens in the interviewee selections. It is the “judgement of the researcher as to who can provide the best information to achieve the objectives of the study. The researcher goes to those people who in his/her opinion are likely to have the required information and be willing to share it.” (Kumar 2005, 179). Respect for cultural authorisation and leadership is key to the application of the Empowering Indigenous Lens in identifying interviewees (co-researchers), especially in the Australian case. In the Australian case, I have an ‘insider’ role through my long-standing relationships and Indigenous traditional connections with the World Heritage area. However, in the Swedish context, as I have an ‘outsider’ role, in addition to respecting cultural authorisation and leadership, an informant or cultural advisor, sometimes known as a broker or cultural broker greatly influenced the interviewee selection (Carter 2010).

The role of the cultural broker or advisor is to provide guidance to a research project through their skills, experience and knowledge of the community (Indigenous and non-Indigenous) and government interface (Woodward 2008). The cultural brokers’ suggestions and directions to seek out appropriate individuals, organisations and government agencies initially guided the interviewee selection (Carter 2010, Woodward 2008). Specific to the Swedish case, there were two individuals who unofficially played the role of cultural broker. The first was a non-Indigenous academic who had a very long working relationship with many *Sámi* people, individuals and organisations associated with the LWHA. This person acted as a cultural broker by facilitating personal introductions with numerous *Sámi* and non-*Sámi* individuals in multi-level government agency departments, universities and community organisations. The introduction process reflected the individual’s long respected and well-established reputation in this working interface, and in particular with the LWHA. Following on from these initial introductions, one-on-one relationships were then formed with several *Sámi* members.

The second person who played the unofficial role of cultural broker was a local *Sámi* individual who came from a very large, well known and respected, prominent and successful *Sámi* reindeer herding family and village. This person’s relationship as ‘cultural broker’ to me, another Indigenous person, was different from with a non-Indigenous researcher. In line with cultural protocols, as Indigenous People, we take responsibility for other ‘new’ or ‘visiting’ Indigenous members to our region. This cultural broker guided subsequent *Sámi* introductions, many to fellow village members, family members, in particular culturally senior authoritative members, and other *Sámi* community members. This supported a culturally sound research process that included promoting and enabling relationships

based on Indigenous cultural similarities. Indigenous protocols surrounding introductions and the importance of relationship began to develop. The emerging role of cultural brokers not only influenced and guided the interviewee (co-researcher) selection, but also strengthened the research project through expanding the knowledge base of the local context (Watkin Lui et al. 2016). Respect for cultural authorisation and leadership in identifying interviewees (co-researchers) supported the Empowering Indigenous Lens approach.

Documentary analysis provided the basis for further data collection as a secondary data source relevant to the questions at hand (Sarantakos 1993). In this case, documents analysed included organisational and strategic plans, Indigenous protected area management plans, legislation and policies relevant to the organisations and context. Gathering these documents involved usual processes of literature review, together with either being directed to specific online or electronic materials, or being personally handed specific documents. In Sweden, much time was taken sourcing additional information in the specifically designated LWHA library and catalogue storage facility.

Further data came from context mapping (or analysis), a “view that objects should be studied and interpreted in their context.” (Sarantakos 1993, 431). In this case, context mapping also placed me firmly within the research as an Indigenous researcher who is connected through family and territorial rights in the Australian context, and connected through common interests and identity in the Swedish context. Recognition of the researcher’s role, relationship and responsibility with each of the interviewees is taken into account and embedded in the research (Stappers and Sanders 2004). Further, context mapping as a design tool requires awareness of the researcher’s experiences, emotion, the situation and the social and cultural influences in the context (Stappers and Sanders 2004). My positioning in the research was also a key to the application of the Empowering Indigenous Lens.

Positioning myself in the research is critical, particularly given the multiple aspects of my personal involvement as an Aboriginal person within several of the multi-level governance arrangements of the WTWHA. Firstly and most importantly, as a local traditional owner within the WTWHA, I have family and traditional owner connections to many groups and individuals in the WTWHA region and membership of my local traditional owner organisation and to the sub-regional organisation. Secondly, I am currently a Board member (under the *Wet Tropics World Heritage Protection and*

*Management Act 1993 (Qld)*<sup>8</sup>) on the Wet Tropics Management Authority (WTMA) – WTWHA’s managing authority. Thirdly, my role as Board member enables my participation in the national committee for Aboriginal members who are formally involved in World Heritage management structures: the Australian World Heritage Indigenous Network (AWHIN). My membership of the WTMA Board also provided the original opportunity to engage with Indigenous People from Sweden’s World Heritage area, Lapponia. Fourthly, I am involved with Rainforest Aboriginal People’s Alliance (RAPA), a non-incorporated self-determined alliance of traditional owner organisations at the local and sub-regional levels throughout the WTWHA. Finally, I have long standing personal and professional relationships with many of the local traditional owners at individual and organisational levels throughout the WTWHA. Each of these engagement levels illustrates my long term and ongoing involvement with Rainforest Aboriginal Peoples of the WTWHA. I was highly aware of my complex involvement at multiple levels throughout the research project.

### *2.9.1 Phases of data collection, analysis and “Walking Together” in each location*

The data collection and analysis for each of the case studies occurred over five stages. The stages included: invitation, interview, analysis, feedback and reinterpretation. Each phase is described in general here, with specific application in the research expanded in the sections below.

1. The invitation stage involved the first visit to the Swedish region and opportunity to discuss the option of a research project, gauge the level of interest in the research question and establish credibility as the researcher.
2. The conversation and interview stage involved engagement with people in an in-depth way through conversations and ‘yarning’ before conducting interviews and strengthening the relationships formed in the first phase.
3. The analysis stage involved coding the transcribed interviews and data into thematic categories.
4. The feedback stage consisted of taking the results and findings of the coded data back to each of the interviewees (co-researchers) to ensure accurate interpretation and to gain additional information.

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<sup>8</sup> Under the *Wet Tropics World Heritage Protection and Management Act 1993 (Qld)*, division 2 section 14. My appointment refers to 14(1) (ab) which states “1 Aboriginal person appointed on the nomination of the Ministerial Council” (page 11).

5. The *reinterpretation and assessment stage* involved both the interviewees (co-researchers) and the researcher reviewing the results and findings, discussing each person's interpretation of actual meanings and then redefining the initial outcomes. Following this reinterpretation, pattern matching was used to identify major research themes and support cross-case synthesis.

Each of the five stages was conducted in collaboration between the researcher and co-researchers, consistent with the "Walking Together" approach while simultaneously applying the Empowering Indigenous Lens. Iterations occur between these stages. Further feedback, reinterpretation and assessment of the research outcomes will occur in a trip to Sweden scheduled for August 2017. Similar processes will occur in a period from September to December 2017 in the WTWHA. While strict doctoral research program timelines prohibited this further feedback, reinterpretation and assessment occurring prior to submission of the thesis for examination, it is anticipated they will inform any further publications that may follow from this research.

### ***2.9.2 The Sweden Case and "Walking Together"***

Stage one – the *invitation stage*: I first visited Sweden in March 2013 after being invited to speak to the LWHA management authority about Indigenous engagement in the WTWHA in my capacity as a member of the WTMA Board, and to share my personal experiences and knowledge, as an Indigenous person living in a World Heritage area. My preparation for this visit included investigating the Swedish World Heritage nomination processes, the history of the area's Indigenous Peoples, the *Sámi's* political position as Indigenous Peoples within Sweden, and the World Heritage area management arrangements. During this initial visit there was a mutual exploration of the potential to include the *Sámi's* World Heritage experience in a collaborative, comparative case study approach. Essentially this first visit was to 'meet and greet' a number of people in various settings, but particularly those Indigenous People who had connections to and within the LWHA. Establishing relationships of trust, and sharing values and experiences as Indigenous Peoples seeking empowerment and self-determination within our communities, situated the research within an Empowering Indigenous Lens.

The opportunity to explore a possible research topic occurred through discussions of background (personal, community and cultural), history (local and national) and research interests. People were interested in my personal and research background, experiences and research interests. Although

English was often the second or sometimes the third language for many of these people, this common language ensured easy communication. On this visit Sámi members invited me to consider undertaking a cooperative research project, leading to discussions on possible research questions and methods. This included potential research question wording, the relatedness and applicability of the research question, research method design and the appropriate time and duration of future visits to Sweden. The parties subsequently agreed that the best place for interviews would be the summer villages within the traditional lands of the Arctic highlands and mountain regions of northern Sweden, when time with reindeer herds was 'slow and quiet'.

Stage two – conversation and interview stage: The second visit to Sweden occurred over a six week period in the Swedish Summer of 2014. Most of the time was spent above the Arctic Circle in the north of Sweden in the traditional homeland villages of the Sámi People, within and very close to the borders of the World Heritage area. Figure 3, below, shows the main route taken on this visit. The region is remote, and even in summer weather conditions can affect access to certain areas. Much time was also spent in the LWHA office and library collecting, reviewing and reading documents and maps and generally engaging with the staff.

Figure 3 Map - Areas visited in Sweden while in the 'conversation and interview' stage of the field work



During this visit, twelve interviews were conducted, seven with *Sámi* and five with non-*Sámi* individuals. To arrange the interviews, initial contact was made with each person via email from Australia, then once in Sweden, a second email followed by a phone call, before meeting in person. The first email included general information about my background as the researcher, along with proposed meeting times and venues. The second email confirmed my arrival and meeting arrangements. The phone call that followed was to either follow up on a response, to confirm the arrangements outlined in the email, and/or to inform of location or time changes.

To commence each interview, Indigenous protocols were followed around meeting and greeting, and conversing about our lives and experiences ('yarning') to establish a culturally safe situation. I then informed the participants (co-researchers) about the research project and other relevant information. For example, I provided hard copies of general research information written material and the consent form. We spoke in depth about each document and discussed the need for formalities such as consent and ethical considerations in research until I was satisfied that the participant had a sufficient understanding of the information, the process, and the necessary consent forms. A standard interview format was followed, with each interview conducted face-to-face recorded (digitally) for ease of later transcription. Each interview took between 30 and 60 minutes and consisted of eight or nine semi-structured questions with secondary questions to probe for deeper information and to clarify or expand on specific topics. The open interview questions were designed to elicit information about a number of factors identified as influences on Indigenous governance and Indigenous knowledge from the literature review. See Appendix 1 (page 244) for copies of the information sheet, consent form and the list of interview questions used in the interviews.

Stage three – analysis stage: Data were analysed thematically using Nvivo qualitative analysis software. A number of pre-set themes, based on the semi-structured interview questions, as well as other themes emerged during the analysis. To be true to the Indigenous 'Walking Together' approach and in respect to the 'giving back' cultural protocol, 'raw' findings from the data analysis were taken back to the participants (co-researchers). This information was conveyed in a primarily visual format, as during the interview stage two, the participants (co-researchers) requested that information brought back to them not be "text heavy". They identified that to assist in building community capacity and understanding cultural differences and contexts, the "material needs to come back in a visual format". Research confirms that visual products and tools can assist in policy development and also in building community understanding and capacity among Indigenous peoples (Hinthorne and

Reeves 2015, Petheram et al. 2011, Petheram et al. 2012). Visual images and other visual tools are increasingly used for empirical, field-based research and are now recognised as one of many useful methods for social researchers (Banks 2001). Visual models created using Nvivo data analysis software were extremely useful in meeting this need.

Models were created within Nvivo that displayed matrix coding charts, word clouds, word tags and word trees. These Nvivo models represented different ways of looking at the same data. For instance, the word frequency data analysis provided a visual presentation of the top 100 and/or top 50 words spoken by all the interviewees (within the Swedish data) in which greater frequency of mention was represented by a larger font size. An example of the word cloud for both the top 100 and top 50 words is presented in Appendix 2 (page 247). Matrix coding charts, where proportional data were examined according to themes of interviewees' discussions and the number of times people talked about each theme, were calculated and presented, was another visual tool (example in Appendix 2, page 247). The visualisation models were collated and assembled into a 'Results Document' (see Appendix 2) that explained the initial 'raw impressions' from the interview data. These were laid out visually in plain, minimum English format and simplified to provide a summary and dot point explanation, general descriptions and conclusions. Further, the 'Results Document' (tailored to each interviewee) also contained a copy of the written semi-structured interview questions, a copy of each person's personal written transcript, a copy of the data analysis codes used in the Nvivo coding, a copy of the University Information sheet, general background information sheet and a copy of their individual consent form.

Stage four – feedback stage: The third and final visit to Sweden occurred during August and September 2015. The visit had two main purposes: firstly to provide a copy of the 'Results Document' to each of participants (co-researchers); and secondly to show that as a researcher and as an Indigenous person, I adhered to our agreed cultural protocols in terms of providing something back to the individual. Reflecting the 'Walking Together' approach, time was made to discuss and share thoughts, ideas and perceptions on the research. This was a crucial step in the methodology and research process, giving an opportunity for participants (co-researchers) to value-add to the research and to share their views and perspectives on the findings as presented, and demonstrating that as co-researchers they were contributing to the research analysis and findings. In line with cultural protocol, the gesture of physically 'giving back' something to the individual and to the community for their time, energy, support, knowledge contributions and experiences shared, was very important. The actual process of visiting participants (co-researchers) required another initial email contact to propose meeting times



and venues. Upon arrival in Sweden, email and phone contact was made to confirm my arrival and our agreed meeting locations and times, which were built around the participants' availability and preferred location. Almost all meetings with participants (co-researchers) occurred successfully with the exception of planned meetings with two *Sámi* and one non-*Sámi* person. The 'Results Document' was packaged with an explanatory cover letter and posted to each of these three before departing from Sweden.

Stage five – re-interpretation stage: Further synthesis and critical examination of the data collected from the participants (co-researchers) about the 'Results Document' prompted the incorporation of new ideas and provided useful insights and clarification to the research project.

### ***2.9.3 The Australian Case and “Walking Together”***

Stage one – invitation stage: In the Australian context, I already had well established relationships with Rainforest Aboriginal People (*Bama*), based on cultural and family connections, and with non-Indigenous people associated with the WTWHA. There is a long history of engagement by Rainforest Aboriginal People with the WTWHA. One of the key aspects for self-determination and improved recognition and engagement in the WTWHA is achieving a better understanding of how Indigenous governance affects how Indigenous knowledge informs sustainable land management, particularly in relation to protected areas and World Heritage management. Therefore, general interest in the research topic and question had been established for some time within the community. However, to understand the specifics, it was essential to visit communities and individuals to seek perspectives and input from key individuals who were senior in their cultural standing in the community, knowledgeable of protected area and World Heritage management and/or act in key governance and authority roles in the region. This stage of engagement also provided the opportunity to test and gather feedback on the best approach and methods to proceed with this research and determine which individuals and communities were most interested in participating in the project.

Stage two – interview stage: This phase required an extra step compared with the Swedish case study: clarifying and confirming with whom the engagement should occur. Initial letters to the three sub-regional organisations within the WTWHA that actively engage in World Heritage management (particularly through community voluntary dedication to the Indigenous Protected Area Program) canvassed whether the communities would be interested in supporting the research. In addition, this

step fulfilled a formal requirement, as outlined in the ethics section, for a 'letter of support' from the Aboriginal organisations. In response, two of the three communities extended an invitation to address their Boards of Management and to discuss the research in more detail. A PowerPoint presentation introducing the research was delivered at the two community Board meetings in 2015. As a result, the two Aboriginal organisations agreed with the research conceptually, and in detail, and supplied the 'letter of support' required for the JCU Human Research Ethics Committee procedure. The presentations also provided an opportunity to seek and confirm support from individual Board members, and to gauge their personal interest as potential participants (co-researchers). An equally important outcome was obtaining certainty and support from the community, and consent for their own members to be involved in the research, should they wish.

The second step of stage two was arranging and conducting interviews. In total there were 16 interviews, including eight *Bama* and eight non-Indigenous participants (co-researchers), with the format for each interview the same as described above for the Sweden-based work. First contact with each person was made via an email (where available), then followed by a phone call, then an in-person visit. Where applicable, the first email confirmed the co-researcher's interest in participating in the research. The follow up phone call to each individual determined the meeting arrangements; when and where the interview would occur. For the *Bama* participants (co-researchers) all interviews occurred either at their homes or in their local Aboriginal community. The non-Indigenous participants (co-researchers) were met in offices or neutral locations away from their workplaces. In the face-to-face meetings, I followed the same informing process to the participants (co-researchers) as in Sweden, with a hard copy of the written material including the general information, the university research information sheet and the consent form. See Appendix 1 (page 244), for a copy. We spoke in depth about each document and discussed reasons for such formalities in the research until I was satisfied that the participants had sufficiently understood the information, the process and necessary consent forms. Similar to the interviews in Sweden, all were face-to-face and audio-recorded (digitally) and were preceded by the Indigenous protocols around meeting and greeting, conversing about our lives and experiences ('yarning') to establish a culturally safe situation. Each interview took between 30 and 60 minutes and consisted of eight or nine semi-structured questions designed to elicit information about factors identified as influences on Indigenous governance and Indigenous knowledge from the literature review with probing secondary questions to clarify or expand on specific topics. See Appendix 1 (page 244) for a copy of the interview questions. In Australia, my approach to interviewing was more formal than in Sweden because I wanted to ensure I continued to

practice the research technique with rigour and I wished to maintain credibility as a researcher when dealing with co-researchers who were well known to me in either a personal or professional capacity (or both).

Stage three – analysis stage: The same process was followed in the analysis stage as in the Swedish case study. Data were analysed thematically using Nvivo qualitative analysis software. A number of pre-set themes, based on the semi-structured interview questions, as well as other themes emerged during the analysis. In acknowledgement of the Indigenous “Walking Together” approach and the ‘giving back’ cultural protocol, a vital secondary step was again used: taking the analysed data, yet ‘raw’ findings back to the participants (co-researchers). Similar to the Swedish case, many of the participants (co-researchers) suggested that the information and material returned to them not be “text heavy” and that they would like to see how the information could be used to assist in building community capacity and understanding cultural differences and contexts. As with the data from Sweden, the use of Nvivo software enabled the creation of visual models that displayed matrix coding charts, word clouds, word tags and word trees, brought together in the format of a ‘Results Document’. See Appendix 3 (page 255) for the Wet Tropics Data Results Document, and a copy of the visual models used. In addition, the ‘Results Document’ also contained a copy of the written semi-structured interview questions, each individual’s personal written transcript, a copy of the data analysis codes used in the Nvivo coding, a copy of the University information sheet, general background information sheet and a copy of each participant’s individual consent form.

Stage four – feedback stage: As in the Swedish work this stage had two main purposes. The first was to return with a copy of the ‘Results Document’ to each participant (co-researcher). The second was to show that as a researcher and as an Indigenous person, I had adhered to our agreed cultural protocols in terms of providing something back to the individual. Reflecting the ‘Walking Together’ approach, time was made to discuss and share our thoughts, ideas and perceptions about the research. This was a crucial step in the methodology and research process, giving an opportunity for participants (co-researchers) to value-add to the research and to share their views and perspectives on the findings as presented, and demonstrating that as co-researchers they were contributing to the research analysis and findings. In line with cultural protocol, the gesture of physically ‘giving back’ something to the individual and to the community for their time, energy, support, knowledge contributions and experiences shared was very important. The process for re-visiting the participants was initiated with an email (where possible) and then a phone call. Meetings were scheduled around

the participant's convenience and preferred location. Again, most of the non-Indigenous participants (co-researchers) met at a neutral location away from their place of work or residence. Most of the Indigenous participants (co-researchers) preferred to meet at their homes. Due to time constraints, not all planned meetings with participants occurred successfully. For those who were not able to make a face-to-face meeting, a copy of the 'Results Document', along with an explanatory cover letter, was sent by post.

Stage five – re-interpretation stage: As with the data from Sweden, further synthesis and critical examination of the data collected from the Australian participants (co-researchers) about the 'Results Document' prompted the incorporation of new ideas and provided useful insights and clarification to the research project.

As noted above, upon completion and submission of the thesis a final step will be to present the final doctoral thesis to both communities, for their validation and subsequent agreement. Until this can be achieved, the thesis may need to remain 'restricted'. The format for these presentations, while still under discussion, in deference to both communities' requests for predominantly visual media is likely to involve a highly visual PowerPoint presentation, together with some plain English fact sheets.

## 2.10 Conclusion

Articulation of Indigenous People's epistemologies and ontologies recognises worldviews, life experiences, social understandings and cultural imperatives as critical elements of research (Martin 2008, Wilson 2001). Understanding the way Indigenous Peoples *know* the world around them (epistemology) and *what they see* in the world around them (ontology) highlights their worldviews and therefore their connections with the spiritual world, cosmology and the living, and enables the continuum of Indigenous knowledges to exist (Foley 2003, Martin 2008). Respecting the ongoing links between people, their natural world and their ancestors can create challenges when engaging with western colonial research practices (Smith 2005b, 2012). Such challenges continue for Indigenous People in articulating, including and respecting their knowledges and worldviews in mainstream research (Smith 2012). Research historically sits within a dominant western paradigm, yet Indigenous researchers are continuing to challenge and create new ways and methods to engage with research in general.

This research creates new approaches and methods aimed at assisting Indigenous Peoples to seek empowerment and self-determination of their knowledges in both local and global contexts. For this research, the local contexts are the Wet Tropics World Heritage Area (WTWHA) in Australia and the Laponia World Heritage Area (LWHA) in Sweden, where engagement with Indigenous Peoples and non-indigenous people provided the case study sites. The global context is consideration of protected area and World Heritage management, an issue that affects many Indigenous Peoples. The research is underpinned by Indigenous worldviews, epistemologies and ontologies, and creates a framework designed to describe a methodological approach that respects, reflects and liberates Indigenous People from colonialist research practice. Through the Indigenous developed framework, the Empowering Indigenous Lens, the research approach reflects two parallel components. One is the Indigenous worldviews, based firmly on my Indigenous epistemologies and ontologies and applied through a social-constructivist perspective and an Indigenous interpretivist perspective. The other component is the metaphor, “Walking Together”, developed to describe the methodology and methods that have been adapted and culturally fitted to reflect the Empowering Indigenous Lens approach. The methodology supports a comparative case study, based on Indigenous-driven selection. It also supports Indigenous Peoples’ approaches to strengthening political and social agendas for liberation from the colonial domination of research and society (Rigney 2006). Qualitative mixed methods have been used including interviews, documentary analysis and context mapping, applied through collaborative thematic analysis using both pre-set and emergent themes, triangulation and a member check for validity. Ensuring the full application of the Empowering Indigenous Lens approach ensured all elements and stages of the research were undertaken collaboratively with the Indigenous communities.

The Empowering Indigenous Lens creates the space for me, as an Indigenous researcher, and ensures cultural protocols for engagement, reflective cultural relational connections and responsibilities, community-requested capacity building, and ethical and cultural responsibilities to ‘giving back’, can all occur. Furthermore, this Indigenous-driven innovation in research methodology contributes to the ongoing development by Indigenous researchers of new and alternative methodologies in research, based firmly upon Indigenous epistemologies, yet academically robust and rigorous.

# Chapter 3. Theoretical Foundations

## 3.1 Introduction

Colonisation of traditional territories causing disruptions to cultures and societies has affected all Indigenous Peoples around the world in some way (United Nations 2009). This research sits within the context of such disruptions, as well as continuity of traditions in Indigenous People's lives, and ongoing interactions by Indigenous People with their environments. The research brings into focus the contemporary arenas in which Indigenous Peoples' novel thinking and strategies are contributing urgently needed knowledge about sustainability (Johnson et al. 2016, Kealiikanakaoleohaililani and Giardina 2015, Lin and Liu 2015, Stocker, Collard, and Rooney 2015, Whyte, Brewer II, and Johnson 2015). Land, and processes and practice for its management, is of particular relevance in these arenas. Indigenous knowledge underpins Indigenous land management, which plays a key role in sustaining and re-building Indigenous communities (Dodson and Smith 2003). Indigenous governance systems are critical in developing and implementing Indigenous land management practice (Borrini-Feyerabend and Hill 2015, Hill et al. 2014b, Hill. R. et al. 2017). This research aims to investigate under what conditions Indigenous governance recognises and supports Indigenous knowledge within the context of protected area management, through a case study comparison between Australia and Sweden. This chapter reviews the literature relevant to understanding Indigenous knowledge, Indigenous governance and protected area management to establish a theoretical foundation for this thesis. I begin the chapter by describing the approach to the literature review, which is based on the Empowering Indigenous Lens approach described in Chapter 2.

## 3.2 Applying the Empowering Indigenous Lens to the Literature Review

The literature review methods were adapted to reflect the Empowering Indigenous Lens, described in Chapter 2. These adaptations aimed to ensure that the literature review has an appropriate cultural fit and is contextualised and grounded as a central premise on Indigeneity, that in turn affects praxis

(Smith 2012, Wilson 2008). A culturally grounded epistemology that reflects my personal Indigenous worldview, which supports self-determined empowerment of Indigenous peoples, underpins a cultural lens that I have applied to the literature review process. This culturally grounded review approach comprised three fundamental stages. See Figure 4 for the three research stages of the literature review.

The first stage used the research aims and question to guide the literature searches. Thematic areas emerged early from the research propositions and were identified and separated into initial categories: Indigenous knowledge system(s), Indigenous governance system(s) and protected areas. Key search words and terms were identified for each of the thematic areas, including Indigenous ecological knowledge, Indigenous knowledge, Indigenous governance, sustainability, protected areas and protected area management. Using key ecological, sociological and Indigenous databases such as Web of Science, Web of knowledge, Google and Google Scholar, AIATSIS (Australian Institute of Aboriginal and Torres Strait Islander Studies), United Nations (UN), UNESCO database and ProQuest for scholarly articles, these words were used to interrogate, contextualise and cluster the literature. In addition, searches for 'grey' literature included reports, evaluations, policy and other documents. Discussions with Indigenous knowledge experts such as key community members, including elders, as well as scholars in the area assisted in identifying key literature to examine.

The second stage selected relevant literature that responded to the Empowering Indigenous Lens approach. The identified literature in each theme area was critically reviewed to select sources accentuating Indigenous methodologies supporting Indigenous perspectives that also respected Indigenous epistemology, ontology and worldviews as recommended approaches by Indigenous scholars such as (but not limited to) Foley (2003), Martin (2008), Rigney (2006), Smith (2012) and Wilson (2008). Key steps in this stage included: prioritising the work of Indigenous scholars; removing material that was clearly and obviously racist or culturally biased; prioritising papers that showed Indigenous-directed methodology; and prioritising papers that supported an Indigenous or critical lens approach. This process was crucial for drawing out alternative thinking and embedding the Empowering Indigenous Lens approach into the literature review. In addition, literature relevant to the case study locations was also reviewed.

The third stage further refined the findings from the literature review through engagement and discussion with Indigenous participants, and relevant people more broadly. This dialogue ensured

that the foundational concepts of the research reflected the Indigenous communities' cultures and characteristics. The findings were synthesised and then critiqued through discussions with key community members that first occurred during the early conceptual research stage when ideas for the research focus and the precise research question were being developed. Interest in the general topic and this specific research emerged from various community individuals, and subsequent follow up with these individuals focussed on key themes and potential areas for further attention. The next section of this chapter outlines the key theoretical concepts relevant to these themes.

*Figure 4 Research stages describing method for literature review*



## 3.3 Indigenous Knowledge Systems

### 3.3.1 What is Indigenous Knowledge?

Indigenous Peoples across the world continue to practice their culture and pass their traditional knowledges and customs on to younger generations as they have done for millennia. Unique worldviews, beliefs, values and traditions all combine to form deep entwined cultural threads that are



distinctively rooted in the specific location and people of a particular area (Barnhardt and Kawagley 2005). The “depth of Indigenous knowledge rooted in the long inhabitation of a particular place offers lessons that can benefit everyone.” (Barnhardt and Kawagley 2005, 9). Further, Indigenous knowledge “reflects the dynamic way in which the residents of an area have come to understand themselves in relationship to their natural environment and how they organize that folk knowledge of flora and fauna, cultural beliefs, and history to enhance their lives.” (Semali and Kincheloe 1999, 3). Indigenous knowledge is recognised as being intertwined through all aspects of Indigenous People’s lives, and framed by their ways of knowing (epistemology) and being (ontology) with the world around them (Aikenhead and Ogawa 2007). However, Indigenous ontologies are diverse, as are other ontologies such as those relating to western and other non-Indigenous worldviews (Descola 2014).

Agrawal argues that the defining feature of Indigenous knowledge is that it remains under Indigenous control, and should not be appropriated against the interests of the poor and marginalised (Agrawal 2002). Essentially his simple proposition is this: Indigenous knowledge is the knowledge held by Indigenous Peoples. This definition and principle underpins this research. Based on this definition, to identify Indigenous knowledge, we must clearly understand who Indigenous People are.

### *3.3.2 Who are Indigenous Peoples?*

Ongoing debate and discussion surrounds the question ‘who are Indigenous People’ in international and national arenas (United Nations 2009). Formal definitions vary depending on each nation-state’s approach to Indigenous Peoples. Internationally, Indigenous organisations have come together to address this topic and develop a more global and consistent approach. What has emerged as a compelling and consistent point is that only Indigenous People themselves can define who are Indigenous Peoples (Corntassel 2003). Corntassel (2003) explored a self-identification process to establish a working definition in which he identified four common characteristics of Indigenous People. These characteristics are that the People:

1. Are ancestrally related, based on histories of oral and/or written information, and are descendants of their ancestral homelands;
2. Have informal and/or formal political, economic and social institutions, that are community-based and reflect ceremonial and customary traditions;
3. Speak, or have spoken, an Indigenous language that is different to the dominant society’s language; and

4. Have an identity that differentiates people from the dominant society, maintains connections with ancestral homelands and seeks to develop cultural, political and economic independence (Corntassel 2003, 91-92).

Martinez Cobo (1987) report for the United Nations, the *Study of the Problem of Discrimination against Indigenous Populations, Volume V, Conclusions, Proposals and Recommendations*, developed a working definition, since widely adopted (United Nations 2009), that first acknowledges that “the right of indigenous peoples themselves to define what and who is indigenous must be recognized.” (Martinez Cobo 1987, 28). The working definition states that: “Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.” (Martinez Cobo 1987, 29).

Self-identification and self-determination founded on Indigenous knowledge are strongly linked to the place of origin, and underpin the Indigenous cultural identity. The *United Nations Declaration on the Rights of Indigenous Peoples*, Article 3, states that “Indigenous Peoples have the right to self-determination and by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” (United Nations 2008, 4). Several nation-states are signatories to this declaration, including Australia and Sweden.

### ***3.3.3 Characteristics of Indigenous knowledge***

Indigenous People, as a result of their long occupation and unique social systems, have complex and deep understandings of the world, holding very different perspectives to the societies that now dominate much of their territories (Daes 2008, United Nations 2009). Indigenous Peoples’ knowledges are central to who they are i.e. their identity is central to their traditional lands, therefore knowledge of place is central to Indigenous knowledge (Johnson 2012, Johnson and Larsen 2013, Louis 2007). Places act as anchors that stabilise identities, build a feeling of personal rootedness, provide local knowledge and enable social interaction (Babacan 2006). Place is home and home is place according to Sarup (1994), and is defined “by locale whose form, function and meaning are contained within the

boundaries of physical continuity.” (Babacan 2006, 114). Babacan and Gopalkrishnan (2017) suggest that the connection of land to Indigenous Peoples is multilevel. It includes physical, social, cultural, and spiritual aspects, and is often linked with ancestry, kinship, and relationships to nature, animals and water. The close interaction between land, language and culture is central to the way in which Indigenous communities view the world. These elements (land, language and culture) occur in the context of time, place and relationships (Suchet-Pearson et al. 2013). The loss of any one of these elements results in the destruction of the whole. Furthermore, in the context of Indigenous Peoples, knowledge of place originates from place and connects a person to the place of their traditional ancestors, through cultural and customary rights to place or country (Bird Rose 1996, Sutton 1998). In colonised societies, place is a source of identity (Castree 2004). However, for Indigenous Peoples it is different – it is the origin of lore (law), culture and society that defines cultural connections to that place (or country) through knowledge and kinship connections.

Formal descriptions of ‘Indigenous knowledge’ of place first began to emerge in the works of anthropologists such as Conklin (1954), who identified links between people and environment. Conklin’s (1957) pivotal work highlighted Indigenous People’s depth of knowledge about their environment in the Philippines. He documented detailed information, including folk taxonomies of local plants and animals, held by local communities who had sustainably practiced rice-terracing and shifting agricultural systems for centuries (Conklin 1957). Later, Hardesty (1977) discussed a shift from an ‘objective’ approach to examining ecological anthropology, to consideration of the ‘participant’s’ viewpoint in the examination of ecological relationships (Hardesty 1977). He illustrated this idea by showing how his Indigenous informants described their interpretation of ‘folk classifications’ of nature based on the premise that the classifications hinted at the way in which people have adapted to changes in the environment (Hardesty 1977). In doing so, he defined ‘ethnoecology’ as “a distinctive approach to human ecology that focuses on the conceptions of ecological relationships held by a people or culture.” (Hardesty 1977, 290). Hardesty (1977) further defines ‘ethnoscience’ as “the study of systems of knowledge developed by a given culture to classify the objects, activities, and events of its universe” (Hardesty 1977, 291). Since then, debates about the terms “Indigenous knowledge” or “traditional/Indigenous ecological knowledge” have attempted to define, describe and characterise this in-depth knowledge people hold about their environments.

Indigenous knowledge, as part of an entire living culture, includes many elements: governance; how Indigenous Peoples individually and/or communally make decisions; influences to culture, history, identity, rights and engagement; arrangements and institutions for inclusion and recognition of

Indigenous ecological knowledge; and the impact of traditional-new decision making and governance models, arrangements and processes. Dodson (2007) highlights that Indigenous knowledge is holistic and argues that it incorporates community laws, including knowledge regarding land and ecosystem management, that are often unwritten and are handed down orally from generation to generation, and thereby transmitted and protected (Dodson 2007). The added aspect of 'laws' contributes to Indigenous peoples' responsibility to continue to practice and maintain their knowledge.

Responsibility, relationships, reciprocity and respect for knowledge (Kapyrka and Dockstator 2012) are principles held by individuals, families, clans and across the entire Indigenous communities. The allocation of responsibilities and rights to knowledge can be based on social and organisational aspects of an individual's membership of a group. In many cases, membership of a knowledge-holding group is bestowed based on the identity of a land-holding group (Keen 2004). Rules and laws govern the social interactions, establish the identity and determine the connections between members of a group, and between members and other groups; these are often described in oral, art and storyline knowledge depictions (Langton 1989). Indigenous knowledge is "held by individuals, clans, tribes, nations and different independent communities and the use and sharing of this is guided and regulated by complex collective systems and customary laws and norms." (Tauli-Corpuz 2003, 6 & 7).

Indigenous knowledge is described as having three key characteristics: being orally transmitted; holistic; and local to the people of a specific area (Maurial 1999). "Indigenous ecological knowledge" and/or "traditional ecological knowledge" are among a range of terms used to articulate and explain the intertwined social, cultural and environmental understanding of the world around Indigenous people (Aikenhead and Ogawa 2007). For example, traditional knowledge is "a complex of knowledge, practices, and belief, traditional knowledge tends to be experiential and closely related to a way of life. It is multigenerational and is passed on orally, rather than through book learning." (Berkes 2004, 627). Berkes (2009b) further describes four knowledge domains: local knowledge of land and animals; land and resource management; social institutions; and worldview.

Indigenous knowledge is recognised as inclusive of traditional knowledge, identified as a highly specific knowledge system that "is maintained and thrives in the context of the traditional ways of social and economic life and customary practice of the traditional communities." (Khor 2002, 15). The Convention on Biological Diversity (CBD) has a programme of work specifically focussed on traditional knowledge, innovations and practices, commonly called Article 8(j) that refers to traditional knowledge as:

“The knowledge, innovations and practices of indigenous and local communities around the world. Developed from experience gained over the centuries and adapted to the local culture and environment, traditional knowledge is transmitted orally from generation to generation. It tends to be collectively owned and takes the form of stories, songs, folklore, proverbs, cultural values, beliefs, rituals, community laws, local language, and agricultural practices, including the development of plant species and animal breeds. Sometimes it is referred to as an oral tradition for it is practiced, sung, danced, painted, carved, chanted and performed down through millennia. Traditional knowledge is mainly of a practical nature, particularly in such fields as agriculture, fisheries, health, horticulture, forestry and environmental management in general.”<sup>9</sup>

Nevertheless, traditional knowledge is often discussed and critiqued separately from its socio-cultural and spiritual context, and referred to as if it were a standalone element or a ‘knowledge’ on its own, leading to risks of misrepresentation and misinterpretation (International Council for Science 2002). Furthermore, despite the growing literature that attempts to explain and debunk common misinterpretations of the terms, prejudices still arise often, reflecting an imbalance in power and limited equitable benefit sharing arrangements with those knowledge holders (International Council for Science 2002). However, the term “Indigenous knowledge” is gaining currency, as a term that evidences the embedded characteristics of the knowledge, and its inclusion of both tradition and contemporary thinking and practice (Díaz et al. 2015). This concept of “indigenous knowledge” recognises that it is part of a living culture and a knowledge *system* (Hrenchuk 1993, Kapyrka and Dockstator 2012).

### ***3.3.4 What are Indigenous knowledge systems?***

Viergever (1999) collated the voices of Indigenous Peoples around the meaning of Indigenous knowledge, highlighting its systemic properties as one of three key elements: first, (Indigenous) knowledge is the result of a dynamic system; second, it is a fundamental part of the physical and social setting of communities; and third, it is a collective ‘good’ (Viergever 1999). Difficulties in accepting Indigenous knowledge as its own distinct *system* have frequently resulted in attempts to validate the knowledge through the privileged Western systems of knowledge (Cajete 2000a). However, as Cajete (2000a) argues, “Indigenous knowledge is an internally consistent system. It validates itself. It does

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<sup>9</sup> Website - <https://www.cbd.int/traditional/intro.shtml> accessed 1 September 2016

not need external validation.” (Cajete 2000a, 189). Indigenous Peoples today continue to hold their unique worldviews and view the associated knowledge systems as a valid way to apprehend the world. As Barnhardt and Kawagley (2005) note “...[m]any of the core values, beliefs, and practices associated with those worldviews have survived and are beginning to be recognized as being just as valid for today’s generations as they were for generations past.” (Barnhardt and Kawagley 2005, 9). Indigenous knowledge is referred to as a ‘system’ because it is embedded in Indigenous epistemologies, worldviews and ontologies of Indigenous culture (Bird Rose 1996, Talbot 2005). Practices and traditions inclusive of knowledge, governance, law (lore) and social cohesion form a multifaceted system highly influenced by lived and shared experiences, built on values and beliefs and manifested through various personal and communal expressions. This reflects a complex and elaborate set of practices, customs, values and beliefs that are connected as a ‘system’.

Banuri and Apffel Marglin (1993) argue that Indigenous knowledge systems show common features that include:

1. Embeddedness, reflecting the many dimensions of the traditional knowledge system as embedded in the cultural, social, political and moral aspects;
2. Contextuality, recognising its local rootedness and inseparable link to technical and local knowledge, being part of and tied to the local people of that local area in that particular time setting;
3. Individualism does not occur, as the systems rely on communally-socially accepted norms of thinking or being;
4. Subject/object dichotomy does not appear in the thought system, and there is a clear absence in the division between a subject and the observer; and
5. Attitudes to mobility reflect the innate connections and linkages people have to their lands – there is an inability to even contemplate moving or replacing their lands elsewhere (Banuri and Apffel Marglin 1993, 9-17).

However, recognition by Western society of the link between Indigenous knowledge, Indigenous knowledge systems and Indigenous governance and Indigenous governance systems is fragile (Agrawal 1995b, Cajete 2000b, Cornell, Curtis, and Jorgensen 2004, Cunningham and Stanley 2003, Dodson 2007). Understanding the existence of potential links, interfaces and parallels between Western and Indigenous knowledges systems can provide the foundation from which to strengthen that recognition (Tengö et al. 2017).

### *3.3.5 The interface between Indigenous and other knowledge systems*

As Banuri and Apffel Marglin (1993) have argued, multiple systems of knowledge exist among human societies, “signifying the multiple ways of defining reality.” (Banuri and Apffel Marglin 1993, 9). Human societies have developed multiple “communities of knowledge” (Banuri and Apffel Marglin 1993, 9). Similar to other systems of knowledge, Indigenous knowledge systems are embedded within specific worldviews (International Council for Science 2002). Hence, bringing together knowledge systems that are different produces uncertainties that often result in misunderstandings and misrepresentations (Alfred 2009, Hemming and Rigney 2010, Houde 2007, Hrenchuk 1993, Leonard et al. 2013, Svanberg and Tunon 2000). Uninformed individuals have claimed that Indigenous Peoples told ‘myths’ not ‘facts’, explicitly undermining their knowledge systems, and relegating Indigenous knowledges to a lesser value than Western knowledges (Watson 2013). When compared, Western knowledges were described as ‘superior’ and even ‘markedly superior’ to that of Indigenous knowledges (Howes and Chambers 1980). The view of “indigenous and traditional knowledge as inefficient, inferior, and an obstacle to development” (Agrawal 1995a, 413) results in many misunderstandings. This view of the inferiority of Indigenous knowledge is a reflection and remnant of colonial practices imposed on Indigenous peoples and their traditional lands and territories (United Nations 2009). Post-colonial legacies remain in the relationships between place, power, race and knowledge that underpin ongoing political and social inequities (Babacan and Gopalkrishnan 2017, Sarup 1994). As Neely and Samura (2011) point out, “political struggles over space play out through structures of difference and inequality that define and organise spaces according to dominant interests” (Neely and Samura 2011, 1939). Forming the nation-state involves reconstructing social spaces, including the materiality of places, and the recursive shaping of people’s identities, actions, and interactions with their physical and natural environment (Babacan and Gopalkrishnan 2017, Babacan and Hermann 2013).

The discourses of racism and colonisation are important considerations, particularly when viewed from the perspective of loss and disruption to Indigenous knowledge (Babacan and Gopalkrishnan 2017). However, these are not the only frames which determined Indigenous landscapes; lived experiences and cultures are dynamic processes and are always undergoing change (Gopalkrishnan and Pulla 2015). Indigenous knowledge systems continue to thrive and evolve in contemporary ways (Aikenhead and Ogawa 2007, Battiste and Youngblood Henderson 2000, Bohensky and Maru 2011, Brayboy and Castagno 2008, Doxtater 2004, Semali and Kincheloe 1999, Wilson 2004).

Integration of Indigenous and Western scientific knowledge systems is often difficult to accomplish, due to profound epistemological and ontological differences (Nakashima 1993). The challenges and difficulties of working with multiple knowledge systems, and particularly Indigenous knowledge and science, have been frequently highlighted (Berkes 2009a, 2012, Ens et al. 2012). Agrawal (1995b) argues differences between Indigenous knowledge and Western or scientific knowledge occur on three grounds: substantive grounds, due to differences in subject material and the characteristics of both Indigenous and Western knowledge; methodological and epistemological grounds, where both sets of knowledge engage different methods for investigation; and on contextual grounds, where Indigenous knowledge is deeply embedded in nature (Agrawal 1995b, 1). However, Agrawal goes on to conclude that whilst differences in perceptions of the two terms Indigenous knowledge and western and/or scientific knowledge exist, there is a need to simply recognise “multiple domains and types of knowledges, with differing logics and epistemologies.” (Agrawal 1995b, 5). He further argues that “recognition of a basic political truism” (Agrawal 1995b, 5) is required without the “confounding labels of ‘indigenous’ and ‘Western’” (Agrawal 1995b, 5). Recognising that there are multiple knowledge systems can allow these differences to co-exist: sciences and/or other knowledges can sit alongside Indigenous ways of knowing (El-Hani and Souza de Ferreira Bandeira 2008). Indigenous knowledge systems are internal systems that have their own validation methods reflecting a practical and social legitimacy of knowledge and the associated social and cultural norms, including historical experiences (Tengö et al. 2014). In other words, the validation process must support the knowledge system it represents; multiple knowledge systems can have multiple validation systems and therefore construct different criteria and methods to validate that knowledge (Tengö et al. 2014).

Benefits can derive from both knowledge systems by acknowledging that different perspectives can contribute to potential solutions (Kapyrka and Dockstator 2012). Bringing these perspectives together equitably requires recognition that Western scientific and Indigenous knowledge “are two different systems of knowledge, differentiated mainly by method and information analysis, and sharing many common aims.” (Brokensha, Warren, and Werner 1980). Recognising and respecting both knowledge sets, while acknowledging the synergies and potential parallels, can enable further understandings and collaborations to emerge (Secretariat of UNESCO 2012, Tengö et al. 2014). Drawing on both Western scientific and Indigenous knowledge has successfully worked in many cases to enhance benefits to the environment and to the Indigenous communities (Bohensky, Butler, and Davies 2013, Cullen-Unsworth et al. 2012, Davies et al. 2013, Folke 2004, Gadgil, Berkes, and Folke 1993, Herman 2015, Negi and Nautiyal 2003, Pert et al. 2010, Wohling 2001).



### *3.3.6 Indigenous Knowledge holds value for sustainability*

The relationship between land and Indigenous Peoples is fundamentally significant because it forms the basis for all cultural, kinship and traditional lore (law) (United Nations 2009). Land is vital to the existence and continuation of cultural practices and traditions for Indigenous Peoples (Bird Rose 1996, Dodson 1996, Tauli-Corpuz 2003). Indigenous knowledge in turn is essential for Indigenous People to draw on their country as the pivotal point between ancestors, cosmology, people and land, and ensure tradition, custom and cultural practice remains in place for future generations (Alfred 2009, Dodson 1996, United Nations 2009). Maintaining connection to country and between community members is central to building and rebuilding Indigenous societies on their own terms (Brearley 2015, Cornell 2002c, Hunt and Smith 2007).

There is widespread recognition of the valuable contribution traditional and Indigenous knowledge has made to aspects of sustainable development, environmental management and to meeting basic human needs (Khor 2002, Tengö et al. 2014). Indigenous knowledge, in particular Indigenous ecological knowledge, emerged as plausibly contributing to sustainability and environmental management in the late nineties and the early twenty first century (Agrawal 1995a, b). Contributions to the general knowledge of land management, and to improved approaches to medicinal and plant and food production, are particularly recognised (Khor 2002, Svanberg and Tunon 2000). More recently a substantial body of evidence has emerged that shows the health and wellbeing of Indigenous communities is clearly linked with direct involvement in, and management of, their ecological environment (Burgess et al. 2009, Davies et al. 2011, Borrini-Feyerabend et al. 2013b).

Both traditional and localised ecological knowledge are recognised as being useful for potential solutions in wildlife management (Davies et al. 2013, Eythorsson 1993, Nakashima 1993, Polfus et al. 2013, Robinson and Wallington 2012). Recently in Australia, wildlife management has connected ecological monitoring for biological conservation with Indigenous knowledge of country through parallel learning experiences and collaborative research methodologies (Ens 2012, Ens et al. 2012). Similarly, in the wet tropical rainforests of northern Australia, Indigenous fire management knowledge supports conservation and ecological management (Hill, Baird, and Buchanan 1999, Borrini-Feyerabend et al. 2013b). Many fire management regimes in the northern Australian savannahs incorporate Indigenous approaches, benefiting both biodiversity and people (Russell-Smith et al. 2013). Through use of fire in these landscapes over millennia, Indigenous People rejuvenated the

vegetation and possibly even transformed the environment through generating new plant communities (Langton 1989).

Indigenous land management practices that use traditional ecological knowledge have been shown to revive Indigenous community governance models (Davies et al. 2013, Borrini-Feyerabend et al. 2013b). For example, Australian Indigenous Protected Areas focus on customary institutions in governance that support Indigenous People to be the primary decision makers and knowledge integration drivers for managing country (Davies et al. 2013). Indigenous knowledge also “represents experience acquired over thousands of years of direct human contact with the environment.” (Berkes 1993, 1). Indigenous knowledge demonstrates dynamism between people and environments; both have undergone significant changes over the millennia.

Adaptation to change and using feedback from environmental conditions is a common theme in the above examples. Indigenous knowledge systems attract attention in the sustainability arena because of the fundamental ability to rapidly adapt to complex and urgent crises, which characterise the current era of global change (Mistry and Berardi 2016). This ability to respond to environmental change is also important in the context of this study.

## 3.4 Indigenous Governance Systems

### 3.4.1 *What is governance?*

Governance has been defined as “the process of decision-making and the process by which decisions are implemented” (UNEASCP 2013, 1). Dimensions of governance include: decision making; policy development and implementation; use of authority and power; issues of equity and accessibility; role of different actors/stakeholders; representation; voice and advocacy; institutional structures; hierarchical; multi-dimensional and horizontal and or vertical power levels; accountability; influence and persuasive elements; responsibility; legitimacy; democracy and validity mechanisms (Flinders 2006, Griffin 2012, Kenny 1999, Lange et al. 2013, Lukes 2010, Peters and Pierre 2006, UNEASCP 2013, World Bank 2013). The definition of governance (Graham, Amos, and Plumptre 2003) widely used in

the field of protected area management, usefully captures these broader dimensions. It defines governance as:

“...the interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken and how citizens and other stakeholders have their say” (Graham, Amos, and Plumptre 2003, 2-3).

Governance occurs in many different contexts, for example in corporations, governments, organisations and the community. Governance can be characterised by “self-organisation, emergence and diverse leadership.” (Pahl-Wostl 2009, 356). The concept of ‘governance’ is multi-dimensional as it moves between aspects of institutions, actors (individual and groups), localities and discourses (Holcombe 2008). ‘Institutions’, relates to the formal and informal rules, the laws, policies, and socio-cultural norms which shape social behaviour (Lebel et al. 2006). Informal institutions are socially shared rules that are usually unwritten, and created, communicated, and enforced outside of officially sanctioned channels (Helmke and Levitsky 2004, Pahl-Wostl 2009). The presence of informal and/or formal institutions that are linked to cultural traditions is recognised as one of the factors that has set Indigenous peoples apart (Corntassel 2003), for example from those holding claims to minority rights (von der Porten and de Loë 2014a).

In the context of conservation and governance, the working definition of ‘governance’ for this research shall be based on that proposed by Borrini-Feyerabend and Hill (2015), which states:

“Who decides what the objectives are, what to do to pursue them and with what means, how those decisions are taken, who holds power, authority and responsibility, [and] who is (or should be) held accountable” (Borrini-Feyerabend and Hill 2015, 171).

Indigenous governance arrangements linked to cultural traditions are highly diverse, with connections to unique languages, cultures, environments, and practices (including songs, stories and dance). They nevertheless share some characteristics that distinguish them from nation-state and corporate governance (Berkes 2012). These distinguishing characteristics include: consensus (rather than majority) driven decision making, with roles for elders and cultural leaders; resource sharing occurs, with a focus on families and group property, and valuing social prestige (compared to a more individualistic approach); land tenure is based on cultural and traditional ties, usually a kind of collective ownership, often without private property or with nesting between private and common property, sometimes sacred; and community cohesion has a primary focus on relationships, often on

kinship levels with complex social categories determining reciprocal responsibility (Fenelon and Hall 2008).

Many Indigenous Peoples and communities view the ultimate authority for governance of nature and people as spiritual presences that are embodied in the land, animals, plants and places (Holmes and Jampijinpa 2013). A systematic review of the Indigenous governance literature by von der Porten and de Loë (2014b) identified that key tenets include:

- a) self-determination;
- b) sovereignty;
- c) *sui-generis* rights stemming from occupation since time immemorial; and
- d) the view that rightful decision-making stems from these rights to self-determination and nationhood (von der Porten and de Loë 2014b).

These tenets are inclusive of the characteristics identified above, while providing a greater ability to reflect the diversity that exists in resource sharing (not always family based) and decision making (not always consensus driven). These tenets will therefore form the basis of this investigation into Indigenous governance.

Contemporary decision making by Indigenous people about themselves as a people, their land, society, laws, beliefs and customs is based on cultural institutions founded in *sui generis* systems developed over the millennia prior to colonisation, and handed down through generations (von der Porten and de Loë 2014b). This aspect, which I term Indigenous cultural governance, sits alongside and at times within diverse forms of collaborative governance in the nation-state (Coombes, Johnson, and Howitt 2013). Both Indigenous cultural governance, and nation-state forms of governance, in all their diversities, influence governance arrangements for the many new Indigenous organisations that are formed globally as a result of the increasing recognition of territorial and other rights (Coombes, Johnson, and Howitt 2012, Coombes, Johnson, and Howitt 2013). Indigenous nation-building, initiated and developed by Indigenous Peoples, has emerged as a key strategy for enhancing the capacity of Indigenous governance within the context of the overarching power of the nation-state (Cornell and Kalt 2007).

### 3.4.2 *Indigenous governance as nation building*

Nation building and self-determination are key topics within the international literature about Indigenous governance (von der Porten and de Loë 2014b). The Harvard Project on American Indian Economic Development, for example, identified a focus on nation building as the key condition under which self-determined economic development could succeed on Indian reservations in the United States of America (USA) (Cornell and Kalt 1990). The findings from the Harvard Project informed and influenced the development of a related Australian project, which similarly identified self-determination, together with leadership and cultural underpinnings, as key factors for success in Indigenous communities (Dodson and Smith 2003, Hunt 2008, Hunt et al. 2008a, Bauman et al. 2015, Cornell 2015, Cornell, Jorgensen, and Kalt 2002). Among the studied American Indian communities, it was the communities who asserted decision making from their position of control (and therefore ‘implemented’ their own self-determined governance) that were more likely to be successful, particularly from the perspective of achieving development (Cornell and Kalt 1990). On the other hand, those communities whose decisions were mostly made for them by the nation-state’s government were not as successful in aspects of development. Cornell (2002a) found that fundamentally for these Indigenous groups, nation building was about wellbeing and success for the nation, as a group of people, not as individuals, and “long-term survival as a collective is the primary concern.” (Cornell 2002a, 1). The nation building approach identifies five primary characteristics:

1. communities assert decision making power (sovereignty);
2. decisions are supported by effective governance institutions;
3. governing institutions reflect their political cultures;
4. strategic decision making occurs; and
5. strong strategic leadership is in place (Cornell and Kalt 2007).

Evidence from both Australia and internationally supports the proposition that Indigenous people self-determine their own governance structures according to their own cultural institutions (Cornell 2002b, Hunt and Smith 2006).

Indigenous leadership in the international literature tends to be linked to Indigenous governance and related issues such as sovereignty, cultural identity issues, institutional and constitutional arrangements and concerns (Dodson and Smith 2003, Rowse 2005, 2012, Smith 2005a, UNEASCP 2013). For example, Sweden’s Indigenous peoples, the *Sámi* People, identify and promote Indigenous

governance and leadership as major forces behind their self-determination (Balto and Kuhmunen 2014). In Canada, Indigenous People's sovereignty rights also arose with a similar emphasis on governance and leadership (von der Porten 2012).

Components and concepts such as sovereignty and minority rights, and recognition of their application within traditional approaches to traditional Indigenous governance, are important (von der Porten 2012). Factors such as institutional impact, culture, social control and the ability to develop formal and informal conditions relevant to effective governance are key influences on the success of American Indian communities (Cornell and Kalt 1990). How people and communities then deal and engage with these influences leads to their empowerment (Cornell and Kalt 1990). Identifying good Indigenous governance principles in Australia has revealed that power, relationships and processes of representation, decision making, accountability, legitimacy of participation, fairness, and performance and leadership, are key features to the success of governance in Indigenous communities (Dodson 2007, Dodson 2009, Dodson and Smith 2003, Hunt et al. 2008a, Smith 2005a, Sullivan 2006, UNEASCP 2013). Based on systematic and international comparative case study analysis, the Harvard Project concluded that three factors are fundamental to Indigenous nations' success: practical sovereignty; capable governing institutions; and a cultural match (between formal institutions of government and Indigenous conceptions of authority) (Cornell, Jorgensen, and Kalt 2002). Less systematic research also highlighted two further factors: strategic orientation and leadership (Cornell, Jorgensen, and Kalt 2002).

However, Indigenous People are deprived of control over their lives and fundamentally disempowered when denied access to resources, suitable incomes and basic needs (such as clean water and sanitation, among other things) (Marmot 2015). The inability to control one's own life can have devastating impacts on health, wellbeing and relationships, undermining the impetus and empowerment potential of individuals and communities through nation building approaches (Marmot 2016a). Therefore, empowerment of Indigenous Peoples must address and encompass broader social and economic elements for successful Indigenous governance and nation building.

### ***3.4.3 Indigenous empowerment in nation building***

Empowerment in nation building needs to encompass a holistic approach that includes social, cultural, economic and political factors. As Marmot et al. (2008) explains, inequality of power, money and

resources are social determinants impacting on the health and well-being of Indigenous Peoples. Marmot et al. (2008) further explain that inclusion in society and fulfilment of rights are determinant conditions necessary to achieve the highest attainable standard of health. When these conditions are all met — political empowerment, inclusion, having a voice, material equality — psychosocial empowerment occurs. Ongoing social injustice and marginalisation, and impacts from inherent power imbalances and inequalities around resisting the nation-state, stymie nation building (Marmot et al. 2008).

Power and power imbalances must be addressed for successful empowerment of Indigenous peoples and communities, particularly in relation to Indigenous governance. Opportunities for empowerment must be realistic, so as not “to ignore or hide the realities of power, inequality, and oppression ... [which] is precisely those realities which shape the lives of poor and marginalised people and the communities in which they live.” (Rowlands 1995, 106). For Indigenous governance to emancipate, Indigenous Peoples must transition to “focusing not on opposing external power, but on actualizing their own power and preserving their intellectual independence” as “an indigenous approach to empowerment.” (Alfred 2009, 72). Without addressing the issue of power imbalances, and redirecting the perceptions inflicted upon Indigenous Peoples, true empowerment, and in turn, good governance, remains difficult to achieve. The relationship between nation-states and Indigenous Peoples can be likened to the “tension inherent in the professional-client relationship [which] is likely to undermine empowering interventions unless that relationship itself is reconstructed and the professional knowledge base upon which it rests is subjected to critical scrutiny.” (Pease 2002, 144). Subjugated Indigenous knowledges exist and often continue to be denied legitimacy in the broader context, creating barriers to links between individual and community empowerment with Indigenous governance (Pease 2002). Therefore, to halt dominant discourses and practices it is necessary for these subjugated knowledges to be elevated through strategy building, redirection of power and inequalities (from nation-states) and the redefinition and reconstruction of the notion of empowerment (Pease 2002).

### 3.5 Nation-states and Indigenous organisational governance

Many societies adopt the same type of governance within nation-states: a hierarchical structure that empowers governments to decide the legislations, polices and enforcement authorities (Peters and Pierre 2006). The Australian nation-state emerged from historical colonisation patterns amid contestation reflected in settler conflicts with Indigenous populations (Babacan and Hermann 2013, Reynolds 2005). Ideas of a common, homogenous, national identity were constructed from existing British cultural repertoires and the process of nation building drew extensively on the boundaries of exclusion, defining which identities were recognised and accepted, and which were not. The state's political and institutional approach to culture, language, identity and history are all crucial elements in the discourse and reproduction of nationhood (Babacan and Gopalkrishnan 2017). The nation-state is the vehicle for the unification of the people within its borders, utilising objective and subjective criteria. The collectives' exclusionary/inclusionary boundaries are ideological. They involve material practices with material origins and therefore incite struggles and negotiations in their power relations with other collectives in the nation-state (Babacan and Gopalkrishnan 2017, Yuval-Davis 1993). These competing negotiations alter the nature of the nation-state and enable hybrid practices of governance to emerge (Kenny 2017).

Nation-states can also experiment with, and often support, the move to hybrid governance arrangements allowing community, non-government and regional groups to develop and control administrative, engagement and decision-making arrangements (Morrison 2009, Walington and Lawrence 2009). Public discourse about governance issues for nation-states is trending to contemporary influences and challenges such as: globalisation; climate change debate; involvement and or recognition of minority, marginalised and Indigenous groups; and addressing legacies and impacts from colonisation by nation-states on their modern-day citizens (Hunt et al. 2008a, Ife and Tesoriero 2010, Lebel et al. 2006, Rowse 2000, Hunt et al. 2008b, Wong 1992).

A range of hybrid decision making structures and models that incorporate Indigenous traditions has emerged from recognition of Indigenous rights and land management responsibilities (Agrawal, Chhater, and Hardin 2008, Barrett 2013, Basurto 2013, Beach 2007, Borrini-Feyerabend et al. 2013a, Boyd and Folke 2012, Colchester 2004b, Ernoul and Wardell-Johnson 2013, Folke et al. 2005). Although the extent to which these hybrid structures incorporate Indigenous perspectives on nation-



hood and self-determination, and cultural governance approaches, varies (Coombes, Johnson, and Howitt 2012, von der Porten and de Loë 2013, von der Porten and de Loë 2014b), despite post-colonial impacts and influences, Indigenous societies continue to evolve, adapt and flourish where co-governance and collaborative governance arrangements exist (Hunt et al. 2008b).

Indigenous organisational governance arises out of this context, where nation-states have established some structures that facilitate Indigenous People to make decisions for and on behalf of themselves. Indigenous organisational governance structures tend to include: tangible structures that guide and represent the members; alignment with operational and corporate institutional requirements; written constitutional rules developed on behalf of and agreed to by the members; and functions to effectively work with external organisations and institutions (Sullivan 2011, Sutton 1998). In the anthropological context, Sutton (1998) describes 'post-classical' institutions as "those cultural practices and social institutions that have arisen since colonisation." (Sutton 1998, 60), in contrast to those termed "classical" (Sutton 1998) that prevailed at the time of colonisation. These post-classical Indigenous organisations often compete, and at times clash with, cultural (or traditional) governance systems based on customary and/or bloodline descent. Some of the issues with post-classical systems may include: administrative arrangements and impositions; time and resources; and specific requirements necessary to operate the organisation (Sullivan 2011). However, some benefits are that the organisation forms a point of contact to the external society and provides its members a level of legitimacy and recognition (Sullivan 2011). Legislation that is the creation of the nation-state often establishes and/or supports arrangements of the Indigenous organisations (Sullivan 2011). While these Indigenous sector organisations operate as the "institutional framework of Aboriginal civil society ... the principal means of Aboriginal civic engagement with the wider world." (Sullivan 2011, 50), some scholars argue that they still operate within a dominant paradigm in which the processes, structures and power are inculcated with "institutional racism" (Paradies, Harris, and Andersson 2008, Pettman 1992).

It is therefore important to distinguish between the organisational governance and the cultural (or traditional) governance of Indigenous Peoples. The first is aligned with the nation-state's legislative and constitutional powers to govern organisations and members. The latter arises from the social and cultural fabric and community law or lore systems that govern Indigenous People as a society or nation. In contemporary Indigenous communities, the two often coexist.

This multiple-governance perspective frames this chapter. My investigation of the influences of Indigenous governance on Indigenous knowledge recognises that both cultural and organisational governance systems and structures exist within Indigenous societies. Indigenous People determine their own cultural governance structures according to their own cultural institutions. Indigenous peoples also create Indigenous organisations to represent themselves, where the institutions of the nation-state establish structures.

### 3.6 Protected Areas and diverse governance types

Effective protected area management requires good governance and the involvement of Indigenous Peoples and local communities. Recognition of Indigenous People’s unique and specific knowledge contributions, skills and experiences, and resources—and the roles their organisations and institutions can play in protected area management—is growing (Borrini-Feyerabend, Kothari, and Oviedo 2004). Effective management of protected areas “depends on good planning, good decision-making and good implementation of decisions.” (Borrini-Feyerabend, Kothari, and Oviedo 2004, 12). It is therefore critical to understand that governance of protected areas includes power, responsibilities, accountabilities and relationships (Borrini-Feyerabend, Kothari, and Oviedo 2004). Cultural and traditional connections to their traditional lands underpin Indigenous Peoples’ links to all of these.

In 2008, the International Union for the Conservation of Nature and Natural Resources (IUCN) defined a Protected Area as “a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values.” (Dudley 2008, 8). This definition newly recognised “other effective means”, which opened the door for recognition that private organisations, individuals, communities and Indigenous peoples, as well as the nation-state, could run protected areas. The definition has since been a platform for all work in the protected area space, informing development of guidelines, tool kits and resources designed to assist practitioners, policy makers, governments and others with managing the increasing number of protected areas across the world (Dudley 2008). The IUCN distinguishes between management and governance in protected areas: *management* is about what is done in pursuit of given objectives, whereas *governance* is about who decides about what is to be done, and how these decisions are taken (Borrini-Feyerabend et al. 2013a).

IUCN's initial focus was on clarity about how different types of management affected protected areas. In 1992, six categories for protected area management, based on objectives and principles, were identified:

- I Strict protection (1a) strict nature reserve and (1b) wilderness area;
- II Ecosystem conservation and protection (i.e. National park);
- III Conservation of natural features (i.e. Natural monument);
- IV Conservation through active management (i.e. Habitat/species management area);
- V Landscape/seascape conservation and recreation (i.e. protected landscape/seascape);
- VI Sustainable use of natural resources (i.e. managed resource protected area) (Dudley 2008, 4).

This categorisation was a means to assist in tailoring management to diverse settings. Effective management of protected areas requires a range of different approaches, knowledges and techniques (Dudley 2008). While “protected areas are essential for biodiversity conservation” (Dudley 2008, 2), benefits for humans and for future generations also need consideration (Dudley 2008). The variety and diversity of protected areas across the world meant recognising that many of these places already had long-term knowledge and management in place, but these were not formally recognised or necessarily visible to the outside world (Dudley 2008). Discussions about human interactions in protected area management slowly gained momentum in the international protected area arenas (Dudley 2008). Recognition began to grow that the set of *management* categories required a mechanism that could draw together elements related to *governance*.

Dialogue in the global protected area arena in the 21<sup>st</sup> century has highlighted Indigenous People's ongoing and continuing interactions with their lands and territories in terms of management responsibility, including for conservation and sustainability (Borrini-Feyerabend, Kothari, and Oviedo 2004). Conservation devoid of humans reflects the origins of nature conservation and wilderness area protection that were established solely for the preservation of nature (Mace 2014). There is a long history of removing, banishing and excluding Indigenous People from any form of connection or management of areas established for nature conservation, beginning with their violent exclusion from Yellowstone National Park (Kemf 1993). However, in 2000, the IUCN World Conservation of Protected Areas (WCPA) and the WWF (World Wildlife Fund International) developed and endorsed a set of five principles that included:

1. Indigenous and other traditional Peoples have rights and knowledge systems;
2. agreements are necessary between conservation institutions and Indigenous and other traditional peoples concerning the establishment and management of protected areas over their lands;
3. principles of decentralisation should be taken into account with Indigenous and other traditional peoples;
4. Indigenous and other traditional peoples should be able to equitably share in all benefits; and
5. the rights of Indigenous and other traditional peoples should ensure international responsibility (Beltrán 2000, ix-x).

This new standard recognised that Indigenous Peoples held traditional knowledge and rights to occupy their traditional lands inside protected areas, and to apply their Indigenous governance systems.

At around the same time as Indigenous People's rights began appearing in international protected area discussions, including 'governance' in the protected area management categories emerged (Dudley 2008). Years of consideration, discussion and review found that recognising diversity of governance was necessary for protected areas' effective management (Dudley 2008). The IUCN recognised four broad governance types for protected areas, which can sit across any of the established management categories, forming a protected area governance/management matrix (see Table 2). The four governance types are: governance by government; shared governance; private governance; and governance by Indigenous Peoples and local communities (Dudley 2008, 26). The IUCN recognises that the protected area definition and the management categories are independent or "neutral" of either the governance or ownership of the land, water or resources (Dudley 2008). Co-management of the protected area estate is a domain which has spawned new modes of Indigenous governance and hybrid governance arrangements (Bauman, Haynes, and Lauder 2013, Berkes 2009a, Maclean et al. 2012, Nursey-Bray and Rist 2009).

Table 2 - The IUCN Protected Area Matrix – A classification system for protected areas comprising both management category and governance type.

Management Category	Governance Type		A. Governance by government	B. Shared governance	C. Private governance	D. Governance by indigenous peoples and local communities				
	Federal or national ministry or agency in charge	Sub-national ministry or agency in charge	Government-delegated management (e.g. to an NGO)	Transboundary governance	Collaborative governance (various forms of pluralist influence)	Joint governance (pluralist governing body)	Conserved areas established and run by individual landowners	...by non-profit organisations (e.g. NGOs, universities)	...by 'for-profit' organisations (e.g., corporate landowners)	Indigenous peoples' conserved areas and territories – established and run by indigenous peoples
I a. Strict Nature Reserve										
Ib. Wilderness Area										
II. National Park										
III. Natural Monument										
IV. Habitat/ Species Management										
V. Protected Landscape/ Seascape										
VI. Protected Area with Sustainable Use of Natural Resources										

Indigenous and community conserved areas (ICCAs) are an example of the new model of Indigenous governance. In the international arena, Community Conserved Areas (CCAs) are defined as “natural and/or modified ecosystems containing significant biodiversity values, ecological services and cultural values that are voluntarily conserved by indigenous and mobile or local communities through customary laws or other effective means.” (Pathak et al. 2004). Governance by Indigenous Peoples and local communities can draw together both protected area conservation management and the continuation of socio-cultural and customary Indigenous governance.

In Australia, Indigenous Protected Areas (IPAs) represent the combination of cultural institutions where Indigenous Peoples manage their traditional lands as part of the nation-state’s protected area system (Davies et al. 2013). IPAs are a form of collaborative management via voluntary agreement with the Australian Government (Hill, Walsh, et al. 2011). The Australian Government defines an IPA

as an “area of land and/or sea over which the indigenous traditional owners or custodians have entered into a voluntary agreement with the Australian Government for the purposes of promoting biodiversity and cultural resource conservation.” (Hill, Walsh, et al. 2011, 1). The first IPA in Australia was declared in 1998. As of January 2017 there were 75 dedicated IPAs across Australia, covering 67,312,453 hectares<sup>10</sup>. IPAs account for almost 45% of Australia’s National Reserve System (NRS), a network of protected areas preserved for future generations. For Indigenous Australians, success at achieving appropriate management regimes, together with recognising and supporting cultural governance systems, is not tied to conservation outcomes alone, but also to nation-state policy agendas and political goodwill from the government of the day.

In Europe, Sweden was the first country to create a nature conservation act in 1909 and as a result established its first nine national parks<sup>11</sup> (Swedish Environmental Protection Agency. unknown). As in other areas in the world, Sweden initially developed protected areas as places for the protection for nature for present and future generations. Today, their purpose also includes conservation for the enjoyment and use of nature in sustainable ways (Swedish Environmental Protection Agency. unknown). In terms of the role and responsibilities of Indigenous and local communities, an example where Sweden has recognised these is the Laponia World Heritage area. Designated in 1996 by UNESCO’s World Heritage Committee as a mixed natural/cultural World Heritage site, it “meant that Sweden committed to preserve not only the natural assets, but also the local *Sámi* reindeer herding culture.” (Hovik, Sandström, and Zachrisson 2010, 168) (also see Dahlström 2003). After a 15-year battle with the nation-state, the *Sámi* People “secured significant influence and control over the management of Laponia. *Sámi* representatives [now] hold the majority on the board of directors of the management organisation, and efforts have been made to adapt the management structure to [reflect] traditional *Sámi* organisational practices and knowledge.” (Reimerson 2015, 2). Further details on Sweden and *Sámi* knowledge, culture and governance can be found in Chapter 4.

Evolving attitudes to conservation and protected area management reflect a general paradigm shift towards addressing protected areas as part of local, national and international social-ecological systems (Borrini-Feyerabend, Kothari, and Oviedo 2004, Borrini-Feyerabend and Hill 2015). Some examples of this paradigm shift include: considering protected areas as networks rather than isolated

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<sup>10</sup> See web site - <https://www.dpmc.gov.au/indigenous-affairs/environment/indigenous-protected-areas-ipas> accessed on 17 May 2017.

<sup>11</sup> See web site - <http://www.swedishepa.se/Enjoying-nature/Protected-areas/National-Parks/> accessed on 15 October 2016.

areas; protected areas included as part of national conservation strategies; including Indigenous and local communities, and other players such as non-government (NGO) and private sector in conservation management; partnerships, benefit sharing and equity amongst players and between resources; incorporating restoration and rehabilitation strategies in protected area management; acknowledging the purpose includes scientific, socio-economic and cultural objectives; and operating and managing the protected area with a variety of players in collaboration such as Indigenous, local people and communities, amongst others (Borrini-Feyerabend, Kothari, and Oviedo 2004). The ongoing paradigm shift in the conservation discourse has seen considerable policy development and resolution on the issue of rights of Indigenous Peoples and local communities (Borrini-Feyerabend, Kothari, and Oviedo 2004). Similarly, concepts and thinking around governance, and respect for Indigenous governance in particular, has progressed, increasing the global understanding and practice of managing protected areas.

### 3.7 The potential benefits of diverse governance types to protected areas

Recognising a diversity of governance types in protected areas is part of an expansive shift towards considering protected areas as contributors to sustainability in its broad sense, through promoting resilience in “social-ecological systems”. Social-ecological system theories recognise the links between people and nature as dynamic and complex, characterised by feedbacks, emergence and multi-scalar interactions that change over time and space (Boyd and Folke 2012). Complex adaptive social-ecological systems science demonstrates the dependencies and intrinsic connections between humans and nature, as well as their cross-scale and cross-system interactions (Folke 2006, 2007). In this context, social-ecological systems based on Indigenous knowledge have been identified as having capacity when faced with uncertainties and needing to adapt and or transform (Folke, Colding, and Berkes 2003). This led Berkes, Colding, and Folke (2000) to propose that Indigenous ecological knowledge is reflective of adaptive management and may be capable of dealing with situations of both slow and rapid environmental change.

Indigenous cultural institutions and practices reflect memories of extreme events being a source of experience, and knowledge, for responding adaptively to change (Barthel et al. 2013a). Numerous

studies show that Indigenous knowledge-holders rely on biological and landscape diversity as insurance for uncertainty, and also apply management practices that actively generate and manage a diversity of livelihood options and habitat arrangements, with flexibility to shift between them (Vogt et al. 2016; Reyes-García et al. 2014; Tengö & Belfrage 2004). Indigenous-governed protected areas support ongoing application of these practices, as well as the institutions that contextualise their application (Berkes et al. 2003; Reyes-García et al. 2014).

Investigation of Indigenous engagement in Australian environmental management identifies that systems of Indigenous governance, either with or without a limited requirement for power sharing with other actors, present prospects for building synergies between science and Indigenous ecological knowledge for social-ecological system sustainability (Hill, Grant, et al. 2012). This finding highlights that shared governance arrangements may pose risks to the application of Indigenous knowledge for protected area management. In Sweden, making decisions about and managing protected areas involves all stakeholders, regardless of rights and responsibilities, according to the Swedish governments (Hovik, Sandström, and Zachrisson 2010). This enables the ongoing use and enjoyment by all for activities such as grazing and fishing within national parks, and collection of wild berries and mushrooms, along with other popular recreational activities (Hovik, Sandström, and Zachrisson 2010). Laponia is an example of the increased rights and responsibilities in management by the *Sámi* People in Sweden's only co-managed World Heritage area (Reimerson 2015). However, ongoing requirements for meeting the needs of others, limits the extent of their influence. Across the world, however, collaborative partnerships and shared governance with Indigenous Peoples for contemporary environmental governance and management are increasingly seen as a way to facilitate Indigenous roles (von der Porten, de Loe, and Plummer 2015).

Sandström (2009) highlighted that implementation of shared governance can be facilitated through a design that fosters participation, power sharing, and effective processes to build trust and cooperation. She also notes that power-sharing can be promoted through a focus on the *structures* established to share power, or a focus on the power that is generated as an outcome of people coming together, sometimes referred to as generative power (Hill et al. 2015). Power relationships have emerged as the fundamental determinant of the success of shared governance (Sandström 2009). There is increasing awareness of the interrelationship between Indigenous governance and the ability to utilise and apply Indigenous knowledge in such power-sharing arrangements (Tengö et al. 2017).



However, the conditions under which Indigenous governance supports the application of Indigenous knowledge in protected areas have not yet been identified. This research seeks to fill this gap.

## 3.8 Conclusion

In summary, this research addresses the gap between recognising the importance of Indigenous governance in protected area management and identifying the conditions under which Indigenous knowledge can be successfully applied. This literature review has identified that Indigenous People's worldviews underpin Indigenous governance and knowledge that are also intrinsic to epistemologies and ontologies — and are therefore highly suitable to be investigated through the Empowering Indigenous Lens approach.

The Empowering Indigenous Lens approach empowers people to speak about Indigenous cultural governance without fear of judgement. The Empowering Indigenous Lens is also connected to Indigenous knowledge and Indigenous governance through a common basis in Indigenous People's worldviews, epistemologies and ontologies. Empowerment enables thinking, discussion and (re-) building of self-determined Indigenous societies. An Empowering Indigenous Lens can enable the Indigenous viewpoint to critically engage the world around us, counter the ongoing legacies of colonial impacts, and therefore position our futures more strategically on our own nation building.

For this research, I will use the simple definition of Indigenous knowledge: Indigenous knowledge is the knowledge held by Indigenous Peoples (Agrawal 2002). In turn, Indigenous Peoples are defined as those who are: related through ancestors; having community-based institutions that reflect ceremonial and customary traditions; speak their own unique language; and express their identity based on their ancestral homelands (Corntassel 2003). The literature review highlights how Indigenous People and their knowledge are highly influenced by context, by their particular histories, and by the influences of colonisation and nation-state interventions.

The literature review identified that there are three different mechanisms of governance that will influence the conditions under which Indigenous knowledge is recognised and supported. Indigenous governance is a component of all of these mechanisms. For the purpose of this investigation, these mechanisms will be referred to in the following terms:

- Indigenous cultural governance refers to *sui-generis* systems – with four characteristics: self-determination; sovereignty; *sui-generis* rights stemming from occupation since time immemorial; and the view that rightful decision-making stems from these rights to self-determination and nationhood (von der Porten and de Loë 2014b).
- Indigenous organisational governance refers to mechanisms that are created by nation-states to enable Indigenous peoples to control their administrative, engagement and decision-making arrangements (Sullivan 2011).
- Shared governance of protected areas refers to the mechanisms that are created by nation-states to enable two or more actors to share authority and responsibility for decision making; critical dimensions for implementation are power-sharing; participation and processes for cooperation (Borrini-Feyerabend and Hill 2015).

This review has also identified “nation building” strategies as a key factor for self-determined economic development in Indigenous communities across several nation-states. “Nation building” according to the Harvard project definitions, approximates to a focus on building “Indigenous cultural governance” (Cornell 2002c).

From the literature review, I derive a working proposition for the research: that Indigenous cultural governance based on self-determined governance structures according to cultural institutions is critical to the conditions that enable Indigenous knowledge to be recognised and supported in protected area management. An additional proposition is that the nation-state laws and policies that construct Indigenous organisational governance are a major influence enabling or inhibiting support for Indigenous knowledge. The structures and processes of the shared governance are also important.

The propositions, the above definitions and their underpinning rationale from the literature will form the basis of the analytical framework for the cross-case analysis and discussion in Chapter 6. Given the growing global interest in the phenomena of Indigenous governance and Indigenous knowledge (Fang, Hu, and Lee 2015, Kealiikanakaoleohaililani and Giardina 2015, Leach et al. 2007, Richardson 2001, Whyte, Brewer II, and Johnson 2015), the research will build on these concepts and contribute to a holistic understanding of the intersection of Indigenous knowledge and governance and more broadly to Indigenous self-determination and empowerment.

As Indigenous People, we continue to be educated, adopt and harness learnings from dominant mainstream groups (Battiste and Youngblood Henderson 2000, Bishop 1998, Castleden, Garvin, and First Nation 2008, Castleden, Morgan, and Lamb 2012, Doxtater 2004, Henry et al. 2002, Rigney 2001). Empowering promotes and heightens the learnings from deep within the origins of the culture of the Indigenous People as the 'makers' of their own destiny. Self-determination through an Empowering Indigenous Lens ensures the Indigenous viewpoint, and refocuses it to the task of (re-) building Indigenous societies on our own terms. Considering links between Indigenous governance and Indigenous knowledge through methodologies that recognise and support Indigenous People's epistemology, ontology and worldview, will enhance understandings of Indigenous People's cultural identity in protected areas (Martin 2008, Smith 2012, Wilson 2008). Furthermore, an enhanced understanding of this link will also empower Indigenous Peoples to be the main drivers, placed within the decision-making seat where they are, in control to develop their futures and the protected areas they are engaging with, in line with their own cultural institutions.

# Chapter 4. Australia's Rainforest *Bama*

## People's passage to management -

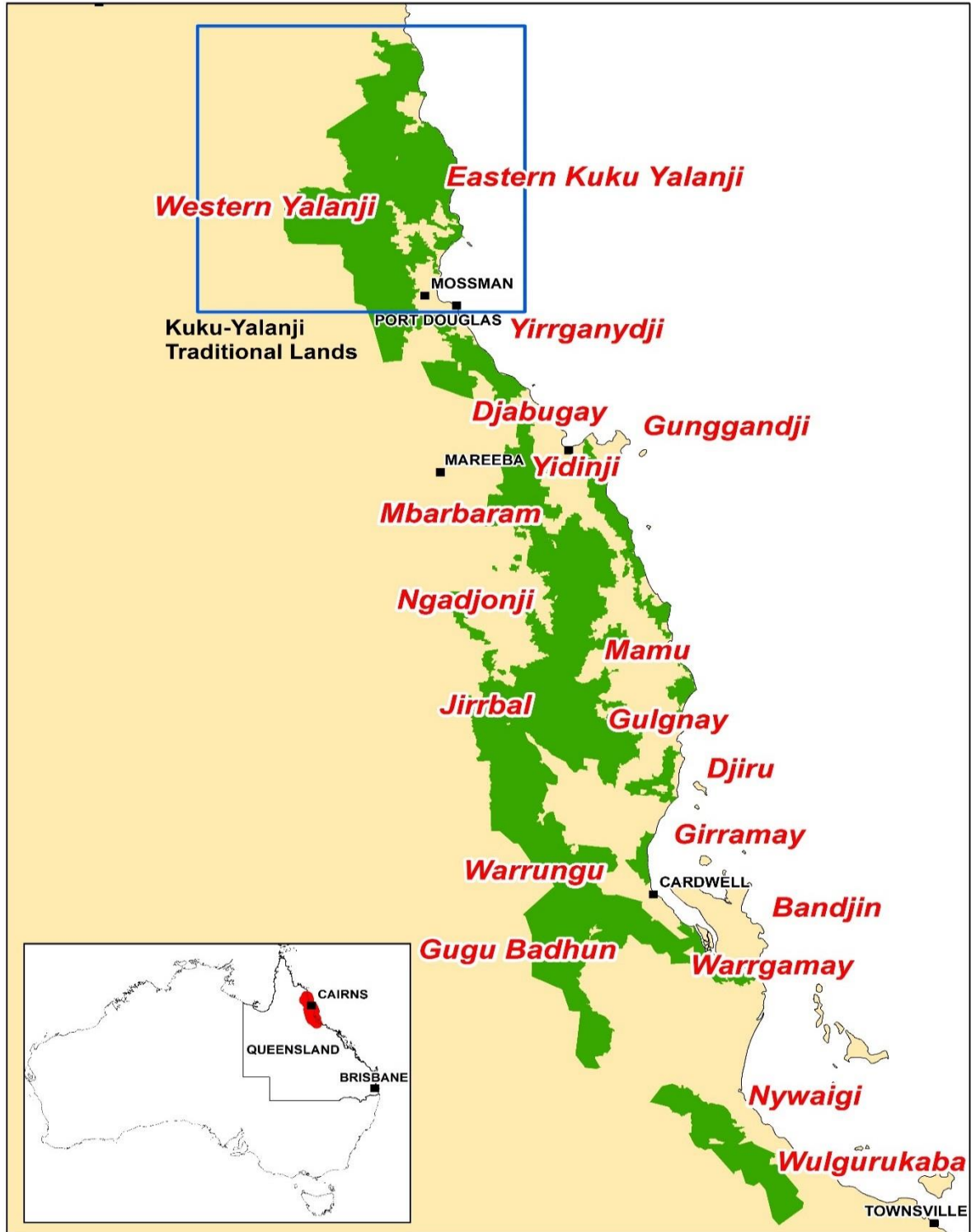
## Findings and Case Descriptions

### 4.1 Background: *Bama* People in Australia

#### 4.1.1 *The Bama People – the people of the tropical rainforest*

Approximately 20,000 Rainforest Aboriginal People or *Bama*, as most prefer to call themselves, identify as having traditional connection to the Wet Tropics of Queensland World Heritage Area (WTQWHA) in north eastern Australia (RAPA 2013). The *Bama* People have around 120 clans and eight (distinct but related) language family groups, 20 tribal groups, over 70 legal entities and two Aboriginal Councils (Rainforest Aboriginal Peoples 2013, RAPA 2013). Each of the *Bama* groups has a unique connection with traditional lands in the Wet Tropics region (Bottoms 2000) (See Figure 5).

Figure 5 - Map of an approximate location of the Bama groups within the Wet Tropics World Heritage Area  
In addition, the blue box also indicates the estimated extent of the traditional lands for the Kuku Yalanji Peoples.



Rainforest Aboriginal Peoples are part of Australia's many Aboriginal nation groups, diverse in language, tradition, law and beliefs (Tindale 1974). Aboriginal People are estimated to have been in Australia between 50,000 and 60,000 years prior to European contact (Davidson 2010). Occupation of north Queensland rainforests by Aboriginal people has been recorded as "at least 8000 cal year BP<sup>12</sup> within the rainforest and at least 30,000 years on the western edge." (Cosgrove, Field, and Ferrier 2007, 150). *Bama* People, like other Aboriginal People, express their identity and self-determination as proud First Australians:

*"We got the traditional ties here and the ancestral connection. ...we've been here, our descendants been here for [a long time]. But we've got to keep on proving our connection. It makes you wild after nearly 60,000 years you've still got to come up with your history. We know where we come from."* (Bama Female).

Many Aboriginal groups share connections based on relationships between people and groups and between people and country, also sharing lived and historical experiences. Aboriginal people have a distinct cultural identity. One participant reflected:

*"Aboriginal people have a spiritual connection to land and country and that influences their understanding of how the world works and that's different necessarily to my cultural background and my understanding of how the land works, [and] animals, the plants and the environment in general and that connection [between them]."* (Non-Bama Male).

Bottoms (1993) documents how Rainforest *Bama* groups' belief systems were founded on religion and laws, including laws for the lands where they lived, and laws for social and communal governance rules within and between each of the groups. The *Bama* People have strong kinship ties through language, stories, and other cultural traditions unique to the Rainforest groups (Pannell 2008a). Dixon (1976) describes 'nation' groups as tribes which resemble a political unit and "whose members are very aware of their 'national unity', consider themselves to have a 'national language' and take a patronising and critical attitude towards customs, beliefs and languages that differ from their own." (Dixon 1976, 231). While *Bama* groups are linguistically different from the region's north to south, within each tribal group clans spoke a common dialect ensuring mutual understanding between them all (Bottoms 1993). Social, cultural and customary life aspects were also common amongst groups because of shared connections with the rainforest and reef environments, their cultural landscapes

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<sup>12</sup> BP = Before Present.

(Pannell 2008b). “The *Bama* of this region have always been considered different from other Indigenous groups in Australia, partly because of their high population density but mainly because of their material culture...[including] large wooden shields and swords, the cross boomerang, the giant stone axe, bicornual basket, bark blanket, and the single outrigger canoe.” (Bottoms 2000, 2). *Bama* People live in a rich environment using their knowledge, laws and systems for governance to regulate their engagement with one another and their environment. Engagement with visitors to their homelands began as early as the 18<sup>th</sup> century (Bottoms 1993).

*Bama* People’s contemporary political and social engagement with stakeholders including governments, industry groups and others, occurs under a range of circumstances and self-organised and self-determined arrangements. The composition of *Bama* nation groups and their engagement, also reflect self-determined approaches within and among groups (Dixon 1976). In more recent times *Bama*’s self-determined engagement with people external to their communities has occurred through Aboriginal organisations (Hill et al. 2014a). In addition, *Bama* People say that sharing resources, capacity, skills, educational-knowledge and experience between nation groups is important in improving engagement with non-Indigenous people, in particular with government.

Nationally, recognition of Aboriginal Peoples as the First Australians has yet to occur formally, although discussions are underway about constitutional amendment (Attwood and Markus 2007). As one participant explained:

*“We need to be recognised and acknowledged in the Australian Constitution. We’re descendants of the very first Australians and we need to be in the rule making book. Once you have that in the foundation document then things like having our knowledge recognised in things like national park policy or World Heritage policy will come out of that.”* (*Bama* Female).

Aboriginal People in Australia have sought recognition of their rights and status, and political engagement in the nation-state, for decades (Attwood and Markus 2007). A number of mechanisms operate, or have operated, for political engagement with Aboriginal Peoples in the Australian nation-state, such as the elected Aboriginal and Torres Strait Islander Commission (ATSIC, operating from 1990-2004) (Behrendt 2005a, Pratt 2002), and more recently, a member organisation, the National Congress of Australia’s First Peoples (Australian Human Rights Commission 2009). Governments imposed definitions of ‘Aboriginal’, declaring ‘who was Aboriginal’ and ‘who was not Aboriginal’ while

implementing Aboriginal Peoples' political involvement in the nation-state (Dodson 1994). Australian Aboriginal People have struggled for the right to determine their own identity and Indigeneity.

Aboriginal Peoples' political involvement at the international level has focused on the recognition of rights, particularly through the United Nations Permanent Forum on Indigenous Issues (UNPFII), the Convention on Biological Diversity (CBD), and others. From the early 1970s the United Nations (UN) Sub-Commission on Prevention of Discrimination and Protection of Minorities focused attention on the plight of Indigenous People, and recommended an investigation into the situation of Indigenous Peoples throughout the world (Dodson 1994). In 1971, The Economic and Social Council appointed the Special Rapporteur to conduct a Study of the Problem of Discrimination against Indigenous populations (Dodson 1994, Martinez Cobo 1987). This study explicitly addressed the question of definition, "detailing all the criteria that governments have used to define Indigenous Peoples." (Dodson 1994, 4). Several conclusions and recommendations emerged from the study, but two key findings are particularly relevant to this discussion. The first was "the right of indigenous peoples themselves to define what and who is indigenous must be recognized." (Martinez Cobo 1987, 28). The second was that in order to assist Indigenous groups to survive influx from dominant cultures, their sovereign rights as Peoples should be recognised (Martinez Cobo 1982, Martinez Cobo 1987). These principles are enshrined in the *United Nations Declaration of the Rights of Indigenous Peoples*, for which Australia announced its support in 2009, guiding opportunities to improve engagement, and recognition of Australian Aboriginal Peoples' rights.

#### **4.1.2 The Australian Nation-State**

The British first discovered and claimed Australia in 1770, and in 1788 at Botany Bay Sydney, established a penal colony as a remote location for British convicts. The invasion by the British, and direct colonisation of lands, people and culture, was the beginning of severe and detrimental impacts on the lives of Aboriginal People (Reynolds 2006). Further, the invasion "was an extreme application of the notions of European superiority that fuelled imperial expansion." (Dodson and Strelein 2001, 827). Australia was declared 'terra nullius' (meaning unoccupied land) (Eckermann et al. 2010). This concept of empty land was formulated to "justify colonisation and limit recognition of Indigenous peoples." (Dodson and Strelein 2001, 827). The British instruction was to take possession of Australia if uninhabited, or with the 'consent of the natives', if inhabited (Reynolds 1990). Australia was declared the property of King George III, dismissing the notion that the land was inhabited. Babacan



and Gopalkrishnan (2017) identify that this concept has set the framework for control and contestation of Australian nationhood to the present day. It also meant that Australia was never officially conquered, and hence negotiations for a treaty or compensation were not entered into (Babacan and Gopalkrishnan 2017).

The British established six colonies in various parts of the continent, each with its own constitution. The colonies agreed to join in a federation in 1901, creating what is known as modern Australia, and establishing an Australian Constitution, while retaining a constitutional monarchy<sup>13</sup>. Today, former colonies are known as states; Queensland, Western Australia, New South Wales, South Australia, Victoria, and Tasmania. The two mainland Territories, the Australian Capital Territory and the Northern Territory, were never established as colonies and therefore do not have their own constitutions. The Federal government of Australia has three arms: legislature (known as the Parliament of Australia, with democratically elected representatives in two chambers called the House of Representatives or ‘lower house’, and the Senate or ‘upper house’); the Executive (known as the Australian (or Commonwealth) Government); and the judiciary, the independent legal arm of government<sup>14</sup>.

The Australian nation, while made up of States and Territories, each State has its own constitution and operates under a liberal democratic traditional system. When the Constitution of Australia was negotiated, the States retained certain powers (including over land management) while agreeing to cede others to the Commonwealth, such as defence, immigration, tariffs and other international engagement (“external affairs”)<sup>15</sup>. Among the States’ respective duties resides the responsibility to create local community, the lowest and third layer of government in Australia. Government authorities called Local Councils<sup>16</sup> manage services at the community level, such as road construction and waste collection. Establishing and founding documents such as the colonial constitutions, and

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<sup>13</sup> See web site - <http://www.australia.gov.au/about-government/how-government-works/federation>; accessed on 23 October 2016, for further information.

<sup>14</sup> See web site - <http://www.australia.gov.au/about-government/how-government-works/federal-government>; accessed on 23 October 2016, for further information.

<sup>15</sup> See web site - [http://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Powers\\_practice\\_and\\_procedure/00\\_-\\_Infosheets/Infosheet\\_20\\_-\\_The\\_Australian\\_system\\_of\\_government](http://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/00_-_Infosheets/Infosheet_20_-_The_Australian_system_of_government); accessed on 14 September 2016, for further information.

<sup>16</sup> See web site - <http://www.australia.gov.au/about-government/how-government-works/local-government>; accessed on 23 October 2016, for further information.

Australian Constitution, that created and shaped Australia as a nation-state, are silent on the status, recognition and rights of Australia's Indigenous Peoples.

#### *4.1.3 The history of Aboriginal People in the Australian Nation-State*

Upon the arrival of invaders to Australia, Aboriginal groups defended their lands in a period of guerrilla warfare known as the 'Frontier Wars' (Loos 1982). While most encounters between the invaders and Aboriginal People were brutal and fierce, in some instances resource sharing occurred and there were attempts at mutual exchange. Reynolds (2006) described encounters with Aboriginal groups such as the "exchange [of] animal skins and fur artifacts ..." that influenced some Europeans to "reciprocate with iron axes and pieces of glass ..." (Reynolds 2006, 15). Despite some reciprocation between Europeans and Aboriginal groups, many interactions resulted in extensive loss of life.

It is estimated that in 1788 about 300,000 Aboriginal People occupied Australia; a little over a century later the numbers were barely over 50,000 (Reynolds 2006). The warfare that lasted decades also took a high death toll of the early settlers, estimated at between 2,000 and 2,500 throughout the invasion and settlement period (Reynolds 2006). Reynolds (2006) went on to elaborate that "For the continent as a whole it is reasonable to suppose that at least 20 000 Aborigines were killed as direct result of conflict with the settlers. Secondary effects of the invasion – disease, deprivation, disruption – were responsible for the premature deaths of many more although it is almost impossible to arrive at a realistic figure." (Reynolds 2006, 126). Unlike Aboriginal people from southern parts of Australia, north Queensland Aboriginal people had extensive experiences of non-invasive contact with different cultures and visitors from Europe for around 250 years prior to the British invasion (Loos 1982). However, from 1861 after the first settlement in north Queensland was established at Bowen, settlers rapidly moved into the natural environment using grasslands, minerals, fisheries and rainforest products (Loos 1993). The settlers' exploited natural resources to develop an intense pastoral industry that impacted Aboriginal people and "wreaked havoc upon the largest number of tribes." (Loos 1993, 11). Strong racist philosophies and narratives accompanied Aboriginal dispossession as identified by Stoler (1995):

Distinctions of color joined with those of religion and culture to distinguish the rulers from the ruled, invoked in varied measures in the governing strategies of colonial states... "culture" was harnessed to do more specific political work; not only to mark difference, but to rationalize the hierarchies of privilege and profit, to consolidate the labor regimes of expanding

capitalism, to provide the psychological scaffolding for the exploitative structures of colonial rule (Stoler 1995, 27).

Mounting evidence of the impacts of colonisation on Aboriginal people led the States and Territories to implement a series of policies as solutions to the 'frontiers', including: forcible removal of Aboriginal People to 'reserves'; regulating movement, marriage and assembly; prohibiting the speaking of Aboriginal languages, ceremonies and other cultural practices; removal of Aboriginal children from their families; Aboriginal People being sent to work, with government acquisition of wages; prohibition from accessing social security benefit or voting in elections; and a ban on consuming alcohol (Armitage 1995, Kidd 2006, Reynolds 2006). These policies were gradually repealed in favour of a greater emphasis on self-management and self-determination.

Understanding the impacts of historical legacy issues, and how policies enacted in the early 19<sup>th</sup> century still affect Aboriginal people today, is important when attempting to engage with Aboriginal peoples. The impacts on Aboriginal Peoples' governance systems, and on the associated transfer, use and application of knowledge for making decisions, continue into current times. For example:

*"The challenge is specific pieces of land and making decisions [about them] colonisation has moved a lot of people around. Some people who have got traditional knowledge are particularly old... because prior to white settlement everybody knew their relationships and there was a completely different decision making structure in place."* (Non-Bama Male).

Australia's colonial and racial history remains prominent in the minds of many Aboriginal people (Reynolds 2006). Legacies surrounding dispossession of lands, enforced government policies, ongoing injustices including genocide, human rights breaches, denial of rights, and prohibition of language and family, and religious and cultural beliefs, together challenge Aboriginal people (Aboriginal and Torres Strait Islander Social Justice Commissioner. 2009, Commonwealth of Australia 2017, Reynolds 2005, 2006, Reynolds and Loos 1976, Wilkie 1997). Despite these being considered 'historical acts' memories remain strong and continue to influence people's daily lives. As Reynolds (2006) describes, the "memory of the dead, all 20 000 and more, lived on, stamped deeply and indelibly into the consciousness of the survivors, their children and their children's children. It is probably the most politically potent folk memory in Australian society." (Reynolds 2006, 131). These experiences generate collective knowledge of significant traumatic events passed down through generations of Aboriginal people, with contemporary impacts on families and communities (Atkinson 2002).

These issues, however, are not only of the past. For instance, the struggle for the return of wages from forced labour continues (Kidd 2006). In the past decade, the Australian Government initiated an “intervention” taking in every aspect of the lives of Aboriginal People in the Northern Territory, with many negative consequences (Altman 2002). The state government in Queensland continues to intervene with strategies about school attendance and hygiene that have a punitive and paternalistic colonial essence (Commonwealth of Australia 2017). Indigenous communities identify these interventions as human rights breaches (Aboriginal and Torres Strait Islander Social Justice Commissioner. 2009, Dodson 1977, Mellor 2003). Over the last two decades these interventions have occurred in a context of discourses from the Federal Government about ‘one nation’ and ‘unity in diversity’ which fail to recognise Indigenous identity and homogenise the diversity of the nation (Attwood and Markus 2007, Behrendt 2005b, Dodson 1994).

The nation-state is built on a community of people who view themselves as possessing sovereignty and usually identify with a culturally homogenous group (Hindes 1992). National identities can artificially construct homogeneity and in turn distinguish nation-state members from non-members. Based on such narratives, and against populist considerations, particularly heightened with the advent of mass communication technologies, it is not easy to address historical injustices in policy and programs (Bessant and Watts 2007, Clarke 2009). After decades, an apology was finally made in 2007, by then Prime Minister Rudd<sup>17</sup>, to Australia’s Indigenous People for the wrongs committed against them (Mellor, Bretherton, and Firth 2007). Aboriginal and Torres Strait Islander people are still not recognised as the First Peoples of the land in Australia’s Constitution. Babacan and Hermann (2013) note that the state is an instrument of power that focuses on securing the territorial and economic aspects of domination, but also on inner colonisation, the socio-institutional aspects of domination. The latter is about institutional settings and not least about how these institutional settings are emerging from a hegemonic mind-set. In the context of Australia, Pettman (1992) draws attention to the way this hegemonic mindset is embedded in contemporary state and institutional structures:

Institutions validate rules, roles and certain understandings about entitlements which are often seen as fair or universal, but which actually reflect and protect dominant social interests – through, for example, understandings about who is a good parent, a reliable tenant or borrower, or the best for the job. But these rules are not applied mechanistically or deterministically. They are activated by bureaucrats, social workers, receptionists and so on,

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<sup>17</sup> See web site - <https://aiatsis.gov.au/explore/articles/apology-australias-indigenous-peoples> accessed 1 June 2017

whose own perceptions, priorities and values are fused with cultural meaning that speak of their own personal histories and social location. (Pettman 1992, 57).

To understand Australian Indigenous histories, we must understand the colonial nation-state legacy and hegemonic mindset that established the institutions of rule that continue today. However, the nation-state has evolved its understanding of citizenship rights and public administration. Kenny (2017) refers to the State as contested terrain. The state is a contradictory set of relations, institutions and regulations, changed by competing interests and lobby groups and reflecting the power and resistance different groups may exert at times (Kenny 2017).

Aboriginal people have contested the nation-state since colonisation. They have struggled for self-determination through their opposition and resistance to assimilation, including establishing an Aboriginal-led civil rights movement. For example, the 'Freedom Ride' campaigns led to the 1967 Referendum resulting in Constitutional change requiring Aboriginal People to be counted in the Australian Census (Attwood and Markus 2007). Milestone historical events demonstrate Aboriginal People's resilience, strength, courage and determination to remain focused on advocating for social justice, rights to ownership of land, and preserving cultural traditions. Other examples of resistance include the 'Wave Hill Walk Off' in 1966 (Rangiari 1997), establishing the tent embassy on the old Parliament House lawns in Canberra in 1972 (Daw 2000), and many other events that helped shape black Australia's recent history with the invaders (Dodson 1977, Langton 1989).

In response to these movements, in 1972 self-determination began to emerge as a government policy (Armitage 1995). The Commonwealth Government enacted statutory land rights for Aboriginal People in the Northern Territory in 1975, and most state governments subsequently passed similar legislation, gradually returning some land to Aboriginal People under state-issued titles (Wensing 2016). The formation of the Aboriginal and Torres Strait Islander Commission (ATSIC) by the Hawke government in 1990 created real changes in Aboriginal engagement. Legislative and government policy focus shifted towards self-management, heralding a move away from assimilationist approaches of the past. These progressive policies triggered the establishment of Aboriginal organisations such as Land Councils, ATSIC Regional Councils, incorporated Indigenous organisations, Community Local Councils and many Indigenous community organisations in health, housing, and education, as examples (Hunt 2008). However, the policy domain regressed after the Howard coalition government came into power in 1996. ATSIC was dismantled and the government "made clear it would do its best to overturn

the Aboriginal policy that had allegedly been dominant since the 1970s” — with a “return to a policy which reminded many of the assimilation program of the post-war era, if not the ‘protection’ of the pre-war one.” (Attwood and Markus 2007, 77). The program of ‘practical reconciliation’ adopted during this period set back the Indigenous rights agenda and ignored key progressive components of former policies, including land rights, access to education, addressing socio-economic disadvantage and reconciliation with the broader Australian society (Gunstone 2008).

The Australian High Court decision in the case of *Mabo v the State of Queensland [No. 2] (1992) 175 CLR 1*, was a landmark breakthrough in 1992. It established that Indigenous customary rights existed in Australia before the British annexation, which were not extinguished by the proclamation of Cook’s arrival in 1770. The ruling established that the extinguishment of these rights occurred only through subsequent actions and legislation, such as the issuing of freehold title. In addition, since Australia had passed the Racial Discrimination Act in 1975, any extinguishment after that date needed to occur through just means, as the Australian Constitution provides that compensation must be paid for Government acquired property rights (Loos and Mabo 2013). The Mabo decision “destroyed terra nullius, the legal basis upon which Australia was colonised, and achieved common law recognition of native title.” (Langton 1996, xiii). In doing this, Native Title “affirmed a communal title that arose from, and carried with it, the power to determine the law and custom applicable to land. The native title doctrine is therefore an acknowledgement of the continuation of Aboriginal law and Indigenous society as a source of authority.” (Dodson and Strelein 2001, 835). This recognition reinforced self-determination as the only viable long term policy option, placing significant barriers in the way of governments’ attempts to deny Indigenous rights. Previous land rights acts relied on the goodwill of parliaments, whereas native title rights were found to exist as a result of Indigenous societies’ own law systems. This recognition reinforced the shared aspirations of Australian Aboriginal peoples to continue to exist as Indigenous societies with unique knowledge, rights and interests, despite the impact of colonisation (Langton 2002).

Influences of colonial policies continue to affect the lives of Aboriginal people. For example, participants in this research talked about missing out on cultural teachings from older family members as a key loss in their lives today:

*“...growing up we missed out on a lot of interaction on a cultural basis with our own families because we weren't here.” (Bama Male).*

Another participant expressed knowledge of family members' being removed from their family and their traditional lands:

*"...she was born at Woodleigh Station up at Ravenshoe, my grandad was on Yarrabah but he ran away from Yarrabah so they put him on Palm Island – they both met on Palm Island you see, grandad and grandma. They got married over there and that's where my mum was born."* (Bama Female).

Aboriginal people continue to live with entrenched and deep frustrations, feelings of betrayal and powerlessness from the effects of long term domination over their lives. Participants explained:

*"It's finely balanced, the perception between the broader community and the Indigenous community, and [how] that could quickly turn bad. For instance, politically, when Howard got rid of ATSIC and the intervention in the Northern Territory, they're examples of where it's gone too far the other way."* (Bama Male).

Aboriginal people have experienced government control over many aspects of their lives, during their whole lives. Despite these negative interventions, many Aboriginal people have actively worked towards building resilience and adaptability to support and foster internal Aboriginal leadership. Participants discussed the need to adjust their ways and actions in order to position their communities to take advantage of opportunities, despite the situations they face. For example:

*"It's led to compromise. It's led to change, and it's led to conflict as well. Compromise is one of the best tools that responsible leadership can use, and how you wield that tool is extremely important. It comes back to that leadership."* (Bama Male).

However, balancing the communities' needs to practice Aboriginal traditions and customs with the demands of modern society, can be challenging for Aboriginal communities. A participant describes this challenge:

*"We live in a white man world. There's no question about that. But we've got to find the balance between walking in that world and walking in our own [world], and when we talk about good practice in governance in our community, again, with [good] leadership you can achieve both."* (Bama Male).

## 4.2 Aboriginal governance in contemporary Australia

### 4.2.1 *Aboriginal contemporary organisational governance as shaped by the Nation-State*

As noted above, many Aboriginal organisations were established to implement various land rights legislation enacted by the Commonwealth and State parliaments from 1975 onwards. The first recognition of Aboriginal land rights in Queensland occurred in 1985<sup>18</sup>. In addition, 'Deeds of Grant in Trust' (DOGIT) were established when the Queensland Government allowed elected Community Councils to own and administer former Aboriginal reserves and missions. In 1986, Queensland received its first DOGIT at Hopevale Aboriginal community (Pearson 1989). Community Councils became Local Government Shire Councils in 1993. Obtaining land rights under these acts, and similar legislative arrangements that arose in other jurisdictions, required people to meet tests to prove traditional connections (or in some cases historical connections) to land (Wensing 2016). After the High Court recognised native title in 1992, the Australian Government established the *Native Title Act 1993 (Commonwealth) (NTA 1993)*, which set out processes for recognition of native title. Native title is defined in s. 223 which says:

- (1) The expression native title or native title rights and interests means the communal, group or individual rights and interests of Aboriginal Peoples or Torres Strait Islanders in relation to land or waters, where:
  - (a) The rights and interests are possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples or Torres Strait Islanders; and
  - (b) The Aboriginal peoples or Torres Strait Islanders, by those laws and customs, have a connection with the land or waters; and
  - (c) The rights and interests are recognised by the common law of Australia.

Native title therefore also emphasises tradition, as well as connection (Duff 2014). However, for many Aboriginal People, proving occupation and connection to traditional lands can be difficult (Sutton 1998). Colonisation, and its ongoing influences on Aboriginal contemporary (and political)

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<sup>18</sup> This first Act was called the Aborigines and Torres Strait Islander (Land Holding) Act 1985



organisations, clearly undermined traditional connection and authority (Reynolds 2006). In addition, Aboriginal Peoples' forced removals from their traditional lands to government reserves and missions have led to a loss of language and connections to country and family members (Aboriginal and Torres Strait Islander Social Justice Commissioner. 2009, Kidd 1998, Mellor, Bretherton, and Firth 2007, Wilkie 1997). Loss of direct experience and knowledge about decision making processes has affected Aboriginal Peoples' governance systems, leading to uncertainty. Participants expressed feelings of disconnection from their culture and communities that often resulted in feelings of separation and isolation, for example:

*"[Some people] always practised their traditional knowledge, because they've never left it and it's never left them. For others who have grown up without the strong practice of traditional knowledge, [like me], it's very hard to pick it up or reconnect with traditional knowledge [and family]." (Bama Female).*

Furthermore, non-Bama participants also expressed concerns that Aboriginal people say that:

*"they don't have the traditional knowledge that the generation before them had... impacts of removals of kids from their families, dispossession from lands and colonisation in general were used as 'colonial tools' [to enforce the] suppression of language and the prohibition or an inability to transfer traditional knowledge inter-generationally." (Non-Bama Male).*

Despite this, non-Bama participants recognised that there were also Aboriginal people who did:

*"...have the traditional knowledge that generations before them had, and who do [also] continue to struggle with organisational governance." (Non-Bama Male).*

Further, the process for Aboriginal people and communities to get Native Title recognised can vary in length, anywhere up to ten or more years (Bauman, Strelein, and Weir 2013). The level of understanding and depth of legislative knowledge required is huge, and the impacts of this process alone take a toll, especially on Elders. Once an Aboriginal group receives a native title determination, expectations from external groups, including government, to engage with them increase dramatically. However, communities struggle with the need to know how and when to negotiate and participate in a range of activities regarding their traditional lands (Bauman, Strelein, and Weir 2013).

Recognition of land rights and native title required organisations to be established to 'hold' tenure rights and administer the responsibilities to that land under various state and Commonwealth

legislation (Bauman, Strelein, and Weir 2013). Diverse Aboriginal organisations, with mixtures of influence from cultural and nation-state governance arrangements emerged in response (Hunt 2008). Following a successful Native Title determination, organisations are established to represent and manage an Aboriginal Peoples' rights and interests. These organisations are commonly known as Prescribed Body Corporates (PBCs), although they are officially called Registered Native Title Bodies Corporate (RNTBCs), once registered by the Native Title Tribunal (NNTT), as prescribed by the Native Title Act (NTA) (Bauman, Strelein, and Weir 2013, McGrath, Stacey, and Wiseman 2013). These PBCs must be incorporated under *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Commonwealth)* (the *CATSI Act 2006*) and have statutory obligations under the *NTA 1993* (McGrath, Stacey, and Wiseman 2013). Each PBC is required to have a unique constitution under the *CATSI Act 2006* that sets out the number of directors who will form a Board and how they will be elected. It also establishes processes for managing finances, membership requirements and making native title decisions (McGrath, Stacey, and Wiseman 2013). PBCs facilitate ongoing consultations and negotiations between local Aboriginal people and other stakeholders such as development companies, industry corporations, governments and others. Many native title groups also establish a number of other organisations, including charitable trusts, discretionary trusts, companies and associations under relevant state laws (Financial Services Council. 2015).

These new structures and organisations can pose additional challenges for Aboriginal community groups. Many participants in this research expressed frustration at now having to go to a Board of Directors to ask permission to carry out cultural practices on country. They reflected that they would often encounter a Board consisting of people who would not normally have the 'right' or the 'authority' to provide this permission, yet are now responsible to decide upon such activities. A participant spoke at length about these challenges, having to seek permission from their own Elders as well as a Board:

*"...they had their rights, from their old people ...these governance structures [where people] don't have the understanding of how governance works [are now making decisions that] have no effect within our family structures." (Bama Male).*

Training, support and/or assistance from government to help these organisations understand western governance systems has generally been insufficient to fulfil their responsibilities (Bauman, Strelein, and Weir 2013). Insufficient funding was also identified as a challenge in this research, though the participants did not think it to be a major influencer on governance and decision processes. Indigenous organisations navigate between the regulated, and very different, expectations of

government and native title holders. Rather than being allowed to implement traditional and culturally appropriate governance systems, governments require that organisational structures operate well, according to government standards, and are financed and administered appropriately:

*“I believe that our governance structures are determined by other governance structures. When we set up a governance structure we have to abide by the policies and procedures that that governance structures set up under.” (Bama Male).*

However, native title holders also require a united Indigenous membership base. They want to make sure that responses to proposals and issues are made through self-determined community processes. Organisations also deal with internal demands and needs from their own Aboriginal members, the traditional owners. Furthermore, their members often do not all reside in one location, making it difficult for them to come together to meet and discuss issues. Nevertheless, Aboriginal organisations are trying to meet these needs through providing the space for Elders and their members to meet and discuss issues. One participant explained that:

*“...they are putting in place more indigenous cultural decision-making processes.” (Non-Bama Male).*

However, in the main, contemporary organisational governance structures do not allow space or time for the role of the Elders of the community, as noted by a participant:

*“...that it's not within the policy structure or makeup of the organisation [and] the old people get disheartened... because they've lost that [authority] place. They're no longer the key person for that country. Although in our lore they're the king, they're [always] the boss.” (Bama Male).*

Although Elders' roles are pivotal in Aboriginal cultural governance, the contemporary dominant societal structures do not recognise such roles, undermining traditional community leadership and authority.

#### ***4.2.2 Aboriginal cultural governance and Indigenous knowledge***

Aboriginal people have inherent views about themselves as diverse peoples. Relationships to land, societies, laws and beliefs are based on customary institutions founded in *sui generis* systems developed over the millennia prior to colonisation, and handed down through generations (Sullivan

2011, Sutton 1995, 1998). Traditionally, Aboriginal groups relied upon Elders, who with customary knowledge and experience of cultural traditions and social and cultural law systems, maintained community cohesion, law and governance. A *Bama* participant explained:

*“In the traditional Aboriginal way you have Elders, they formed a backbone... they make the decisions on anything. They only make it according to the law and custom. They follow that because it has to be - it is a true and tried structure. In modern society, you have a governance system whereby the structure is determined by an agenda...” (Bama Male).*

Indigenous and non-Indigenous participants recognise contemporary decision making by and for Aboriginal People and communities as reflecting both cultural mechanisms and organisational arrangements:

*“...a raft of incorporated associations and complicated agreements with the state. All of that overlays traditional decision making processes. [So now a] state structure for decision making. But underneath that on the ground you've got an aunty or an uncle who is actually the decision maker for that land. In a way that's almost unidentifiable to an outsider, they will be the de facto decision maker.” (Non-Bama Male).*

The challenge in today's society is therefore ensuring that the two work effectively together. Participants agree, and have expressed that above all, to ensure effective organisational business occurs, it must have:

*“...good governance and a real culturally authenticated process.” (Bama Male).*

Participants also stressed that initiative and direction must come from the traditional owners themselves and that traditional knowledge must underpin the governance arrangements.

*Bama* Peoples continue to maintain cultural practices today, ensuring links between customary systems of law and culture prevail. For example, cultural indicators relating to land are recognised and followed, thus providing links to biodiversity understandings and strategies for environmental management. A participant shared this experience:

*“Flowering plants, when certain fish are right to eat, when to get mussels from the river, when they're best, and when crabs are a lot better to eat. It really links in with customary law and practice, so Indigenous ecological knowledge is intrinsically linked with your law and custom. It determines what you eat and who can use it and when to take it.” (Bama Male).*

Aboriginal people have begun to develop processes and mechanisms for capturing and storing this information themselves, and if needed, later accessing and using this knowledge for what and where it should best be shared (Ens et al. 2015, Pert, Ens, et al. 2015, Pert, Hill, et al. 2015). The key message underlining these views, is that it remains Aboriginal knowledge, and therefore must be Aboriginal determined and controlled (Pert, Hill, et al. 2015). Aboriginal people have protocols that determine who can access knowledge and when (Sutton 1998). A participant shared an example of establishing a community-controlled global information system (GIS) database specifically designed to house Indigenous knowledge from Elders and other members of the community. The participant went on to explain that it incorporates:

*“...thousands and thousands of sites, thousands of stories and examples of IEK<sup>19</sup> being transferred from Elders and women and men and kids and everybody.” (Bama Male).*

In addition, recording this type of cultural information can support and enable the community to access and use it to consider any future developments that may be proposed on their country, for example:

*“That really then informs and gives us a position, a starting position, when we're talking to local government about development or whatever, mining and what else gets done. So we've got a bit of a repository there of that knowledge.” (Bama Male).*

However, many people still acknowledge that Aboriginal culture and traditional knowledge is handed down from one generation to the next:

*“...traditional knowledge is about our traditional culture comes from the past and the lessons that we've learnt and been taught through our life. The education lessons are passed down through generation to generation in regards to all aspects of Aboriginal culture.” (Bama Male).*

On the other hand, while agreeing this is important, another participant expressed that it is important to remember the impacts on Aboriginal culture of colonisation, influencing information transmission patterns:

*“Aunty knew because of her connection up there. My grandma talked to my cousin about that [cultural knowledge]. So yes, there was traditional knowledge passed from her.” (Bama Female).*

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<sup>19</sup> IEK – is Indigenous ecological knowledge

These interactions also reflect lived experiences of removal from family and from country. Many people often missed out on the passing down of information and knowledge, but recognise that it may exist with certain other family members. People use these connections to participate in actively rebuilding language, cultural knowledge, family connections and links to traditional country.

In a modern society, the significance of traditional knowledge cannot be underestimated. When positioned alongside western science, alternative perspectives emerge that are relevant to addressing current global issues such as food production, adaptation to climate and environmental changes and social issues, such as governance and community resilience strategies (Mistry and Berardi 2016). It can also be difficult to combine traditional Indigenous knowledge with non-Indigenous Western knowledges in a meaningful and respectful way (Ens 2012). Participants recognise that western knowledge systems influence cultural knowledge:

*“...a loss of traditional knowledge there's also been a great [deal of] incorporation of contemporary scientific material within traditional knowledge.” (Non-Bama Male).*

Collaborative partnerships involving traditional knowledge and western science have the potential to co-produce responsive and adaptive outcomes to changes in a shifting world (Ens et al. 2012, Hill, K. Maclean, et al. 2013). For example, in Australia, government has initiated programs such as Working on Country and the Indigenous Protected Area programs as models for including traditional knowledge in land management and collaborative and innovative joint management arrangements (Davies et al. 2013, Hill, Walsh, et al. 2011, Urbis 2012).

*Bama* People frequently participate in collaborative projects and partnerships, focusing on the use and application of Indigenous knowledge. Participants expressed the need to ensure that Indigenous groups continue to adhere to their own cultural laws and customs surrounding their knowledge. The best way to do this, as participants have explained it, is to ensure that Indigenous knowledge:

*“...is across everything we do, because that's our strength.” (Bama Male).*

Examples of *Bama* knowledge being embedded in land management plans include the Eastern Kuku Yalanji Indigenous Protected Area (IPA) Management Plan – *Caring for Kuku Nyungkal Country* Plan that highlights the vision to “maintain our Nyungkal culture, belief, customs and law/lore; sustain, conserve, and preserve our country, landscapes, waters, mountains and all our cultural sites; [and to] care for our people and their social and economic wellbeing” (Kuku Nyungkal *Bama* et al. 2012, 1). It

also expresses the strong desire for “Nyungkal culture and law to drive management on country today as it did in the past.” (Kuku Nyungkal *Bama* et al. 2012, 1). Other Australian IPA plans, and also those developed by *Bama*, are similarly founded in traditional knowledge, law and culture (Davies et al. 2013, Hill et al. 2014a).

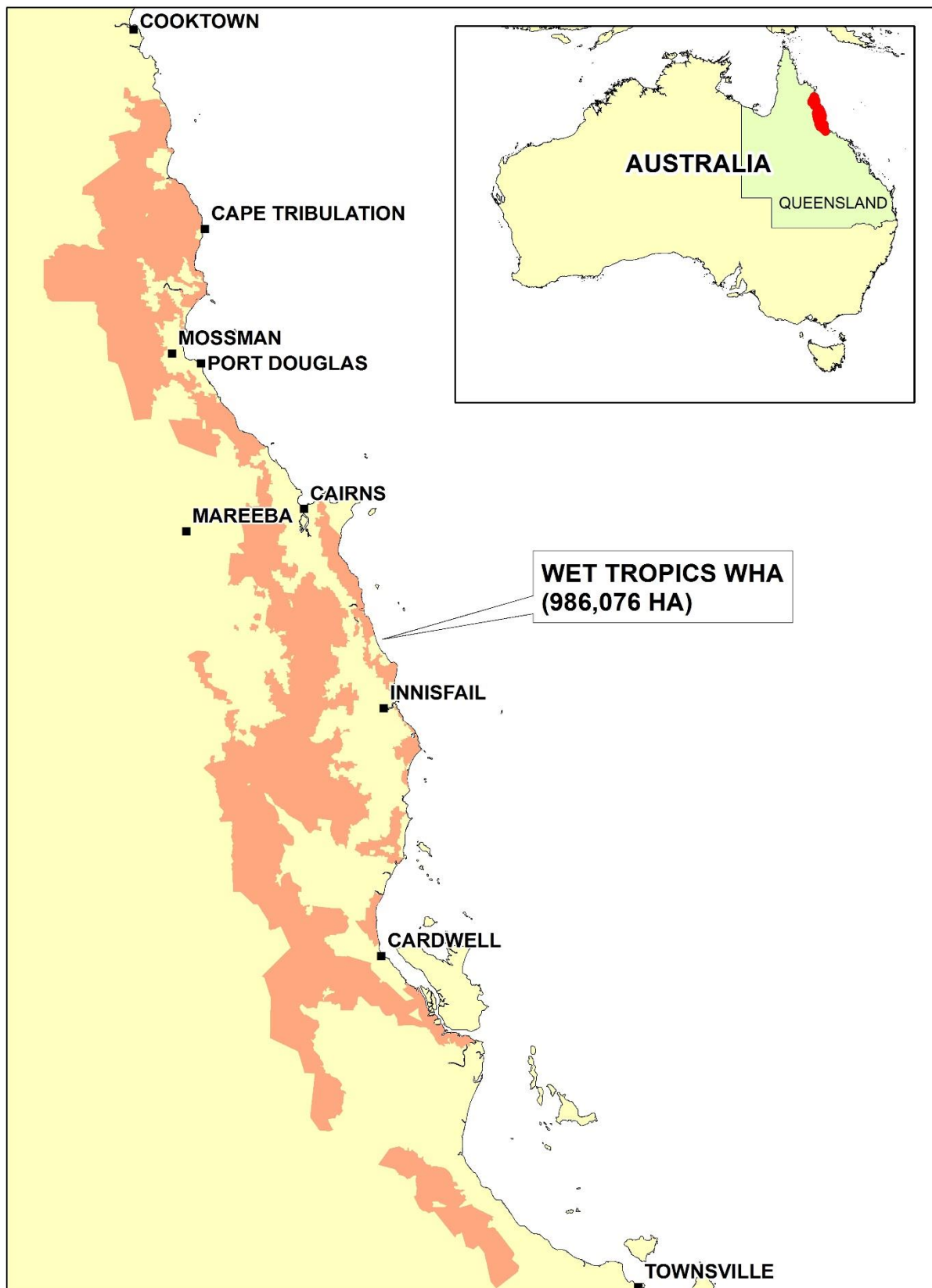
Land management plans such as these are making pathways for *Bama* groups to position their customary land management approaches alongside western systems of land management, despite pressures from mainstream knowledge production systems. Examples include habitat restoration and adaptation strategies developed collaboratively between researchers and Aboriginal groups (Hill, Grant, et al. 2012, Maclean and Cullen 2009, Prober, O'Connor, and Walsh 2011). Hill, Baird, and Buchanan (1999) show that use of fire by Kuku Yalanji People within the Wet Tropics WHA is based on customary obligations for fire and land management. A Fire Protocol was proposed to support collaboration between Kuku Yalanji and government managers on approaches to ecosystem management (Hill, Baird, and Buchanan 1999). However, subsequent application of the Protocol found that it could not work in the absence of rights-recognition arrangements (Hill 2006).

## 4.3 A new World Heritage Area in Australia

### 4.3.1 *Australia protects the natural values of the Wet Tropics*

UNESCO inscribed the Wet Tropics World Heritage Area (WTWHA) of Queensland in 1988 based on meeting four of the natural values criteria. The listing was a means to halt destructive rainforest logging by ensuring the Commonwealth Government had constitutional authority, and secured protection across the diverse tenures within the 893,453 hectare boundary (Valentine and Hill 2008). See Figure 6 below. Controversy characterised the Wet Tropics nomination process. Protests campaigned for and against rainforest logging. The Australian and the Queensland governments clashed politically, with the latter in support of logging and the Australian government insisting on world heritage listing (Stork, Goosem, and Turton 2008). Throughout the 1980s, the early campaigns primarily focused attention on the northern ‘Greater Daintree’ section for protection, but finally secured a listing that included a much larger region (Stork, Goosem, and Turton 2008). Since ratifying the World Heritage Convention in 1974, Australia has inscribed nineteen properties to the World Heritage List (Talbot 2013).

Figure 6 Map - Wet Tropics World Heritage Area





The campaign for protection of the Franklin River, part of the Tasmanian Wilderness World Heritage Area, provided an important legal precedent to the Wet Tropics. The Tasmanian government had argued in the High Court that the Commonwealth lacked the legal power to halt construction of a dam on the Franklin. The High Court, in *Commonwealth v Tasmania (1983) 158 CLR 1* found that the Australian government's powers overrode the State's jurisdiction because of the power to enact external treaties under *section 51(xxix)* of the Constitution (Kellow 1989). Nevertheless, it was a long battle to halt the development proposal, and for social licence to emerge for the Australian government to use its powers for full protection (Kellow 1989). In 1988 the Queensland National Party-dominated government filed a case in the High Court against the Australian Government about the proposed Wet Tropics world heritage listing, which was subsequently withdrawn after a Labor government was elected in 1989 (Valentine and Hill 2008). After the Wet Tropics was inscribed on the World Heritage List, governments began to develop arrangements for its management. Consultation processes occurred with the community and attempts were made to engage and build working relationships with the region's *Bama* groups.

The Australian and the Queensland governments in 1990 put in place a process to resource and co-ordinate the management of the WTWHA, establishing the Wet Tropics Management Authority (WTMA) as the organisational structure, with statutory advisory mechanisms in the form of two advisory committees to the WTMA<sup>20</sup>. The *Wet Tropics World Heritage Protection and Management Act 1993* (Qld) (hereafter called the 'Wet Tropics Act') essentially sets out the role and purpose of the WTMA, its governing Board and its responsibilities to manage the world heritage area. This Act also establishes the legal basis for The *Wet Tropics Management Plan 1998* (hereafter called 'WT Plan') to regulate land use activities within the world heritage area<sup>21</sup>. The *Wet Tropics of Queensland World Heritage Area Conservation Act 1994* (Commonwealth) (hereafter called the 'WH Conservation Act') provides for Aboriginal participation at the governing Board level. In reference to engagement with local *Bama*, the legislation recognises in its preamble the significant contribution that Aboriginal People play in managing cultural and natural heritage values in the WTWHA, but is silent on mechanisms to support this significant contribution (Wet Tropics Management Authority. 2005, 1).

WTWHA was an example of a nomination process for world heritage listing that did not engage nor respect the role, responsibilities or rights of Aboriginal Peoples. Governments disregarded

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<sup>20</sup> See web site - <http://whc.unesco.org/en/list/486>, accessed on 17 September 2016, for further info.

<sup>21</sup> See web site - <http://www.wettropics.gov.au/legislation>, accessed on the 28 October 2016, for further info.

“opposition to the inclusion of Aboriginal lands within the boundaries of the World Heritage property without consultation and consent from the affected Aboriginal people.” (Pannell 2008a, 65). A report commissioned at the time documented this opposition, and also found that some *Bama* supported the listing as protecting the rainforest and therefore their culture (Horsfall and Fuary 1988). *Bama* provided a submission to the draft Wet Tropics Plan outlining their clear aspirations to be consulted, involved and recognised as the original land owners of the region (Bama Rainforest People et al. 1996). Australia’s previous experiences at Kakadu and Uluru, of straddling cultural and natural protected area interests with Indigenous rights and interests, while contributing to achieving a social justice outcome for Aboriginal People, was ignored (de Lacy 1994, Press and Lawrence 1995).

#### *4.3.2 Bama struggle for recognition of their cultural values – the aspiration for joint management in the Wet Tropics: advocacy for shared governance*

The *Bama* experienced, over the next twenty years, ongoing frustration at the lack of engagement and at times difficulties in remaining visible, active and connected to their cultural values within the world heritage area. Figure 7, below, illustrates historical milestones on the *Bama* journey towards management and recognition of their cultural values (Rainforest Aboriginal Peoples, Wet Tropics Management Authority, and Terrain 2016). Discontented *Bama* groups called for a review of the level of involvement with WTWHA management (Bama Rainforest People et al. 1996). A review committee was established with government support, and in 1998 produced a report called ‘*The Review of the Aboriginal involvement in the Management of the Wet Tropics World Heritage Area – Which way our Cultural Survival?*’ (hereafter called the ‘The Review’) (Review Steering Committee. 1998). This report made 163 recommendations on suitable and effective ways to improve engagement with *Bama* groups in the world heritage area. One of the recommendations included establishing an Interim Negotiating Forum (INF) between governments and the *Bama* to develop a regional agreement on management. *Bama* self-determined their engagement through eight members of an Aboriginal Negotiating Team (ANT)<sup>22</sup> and region wide workshops conducted from 2002 to 2005. In 2005, the *Wet Tropics World Heritage Regional Agreement*<sup>23</sup> (hereafter called the ‘Regional Agreement’) was signed between 18 of the Rainforest *Bama* groups, the WTMA and the Australian and Queensland governments (Wet Tropics Management Authority. 2005). This agreement signified the start to new engagement and partnerships between governments and all of the local *Bama* groups and a way

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<sup>22</sup> See web site - [Rainforest Aboriginal News, No. 9, December 2003](#). Accessed 10<sup>th</sup> December 2016

<sup>23</sup> See web site - [Wet Tropics Regional Agreement](#). Accessed 10<sup>th</sup> December 2016

forward to implement The Review's 163 recommendations, with strong focus on more meaningful *Bama* involvement in decision making about, and management of, the WTWHA (Wet Tropics Management Authority. 2005). An Aboriginal Rainforest Council (ARC) was established, with some initial government funding, for ongoing collective decision making among the *Bama*. A Rainforest Aboriginal Consultative Committee (RACC) was also established as an advisory committee under section 40 1(b) of the *Wet Tropics Act 1993* (Wet Tropics Management Authority 2017).



Concurrently with negotiation of the Regional Agreement, *Bama* developed a *Wet Tropics Aboriginal Cultural and Natural Resource Management Plan – The Bama Plan* (hereafter called ‘the *Bama Plan*’) (which complements the Wet Tropics Natural Resource Management Plan) (Wet Tropics Aboriginal Plan Project Team 2005). The *Bama Plan* sets out the on ground priorities and aspirations of each of the *Bama* groups<sup>24</sup>. *Bama* again engaged through self-determined processes in the plan, establishing an Indigenous Technical Support group and conducting more than 20 regional and local workshops (Larsen and Pannell 2006, Pannell 2008c). These milestone and foundational achievements reflected ongoing efforts by *Bama* to improve their access to, and involvement in, making decisions about, and managing, their traditional lands. Much larger changes have occurred since 2008, through native title recognition and the declaration of Indigenous Protected Areas (IPAs) within the WTWHA (Figure 8 and Figure 9).

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<sup>24</sup> See <http://www.wettropics.gov.au/caring-for-country-1>, accessed 29 October 2016, for further info.

Figure 8 Growth of Indigenous Protected Areas, Rangers and funded projects 2008 through to 2014, in the Wet Tropic Region. (NERP TEH. 2014b)

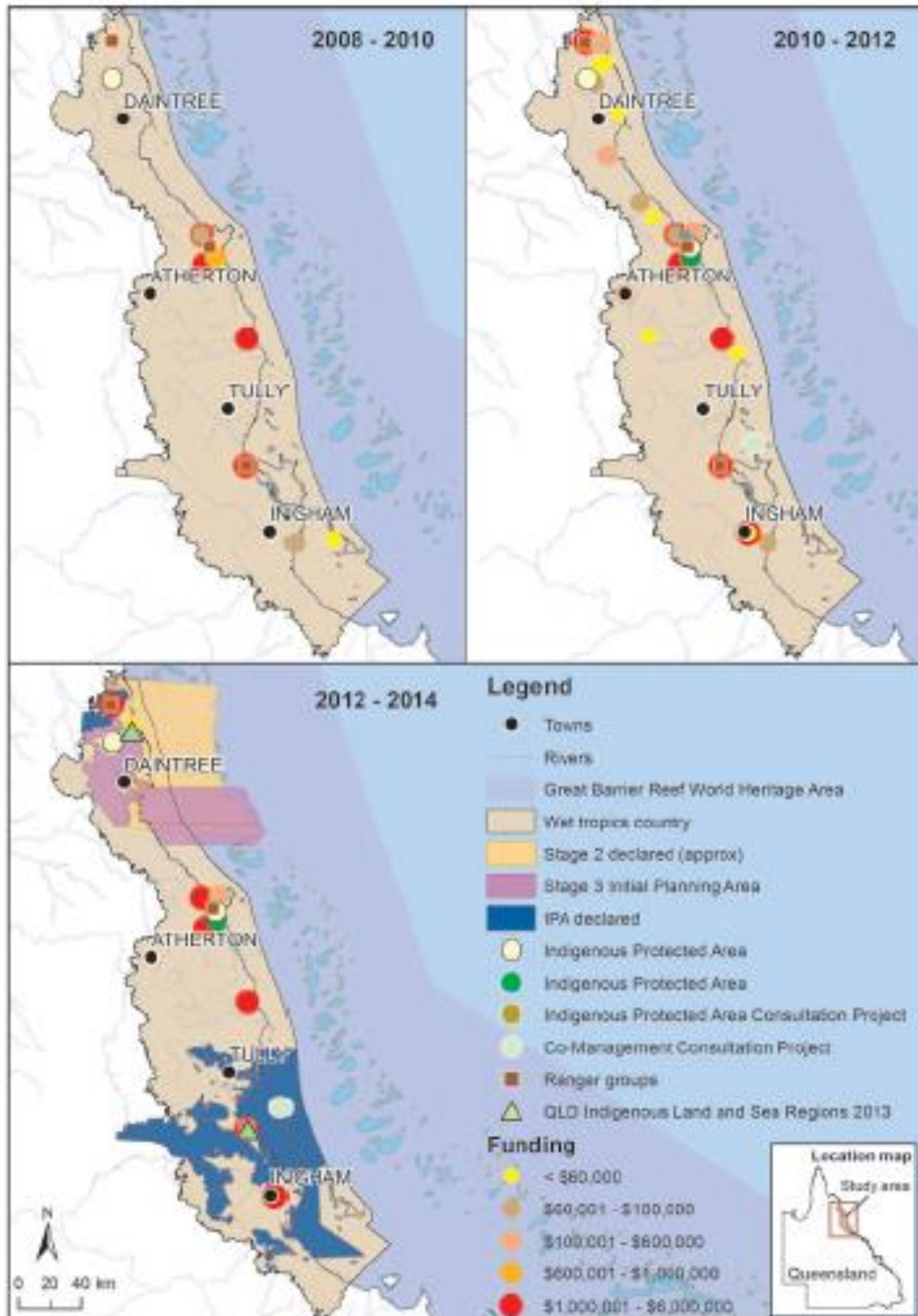
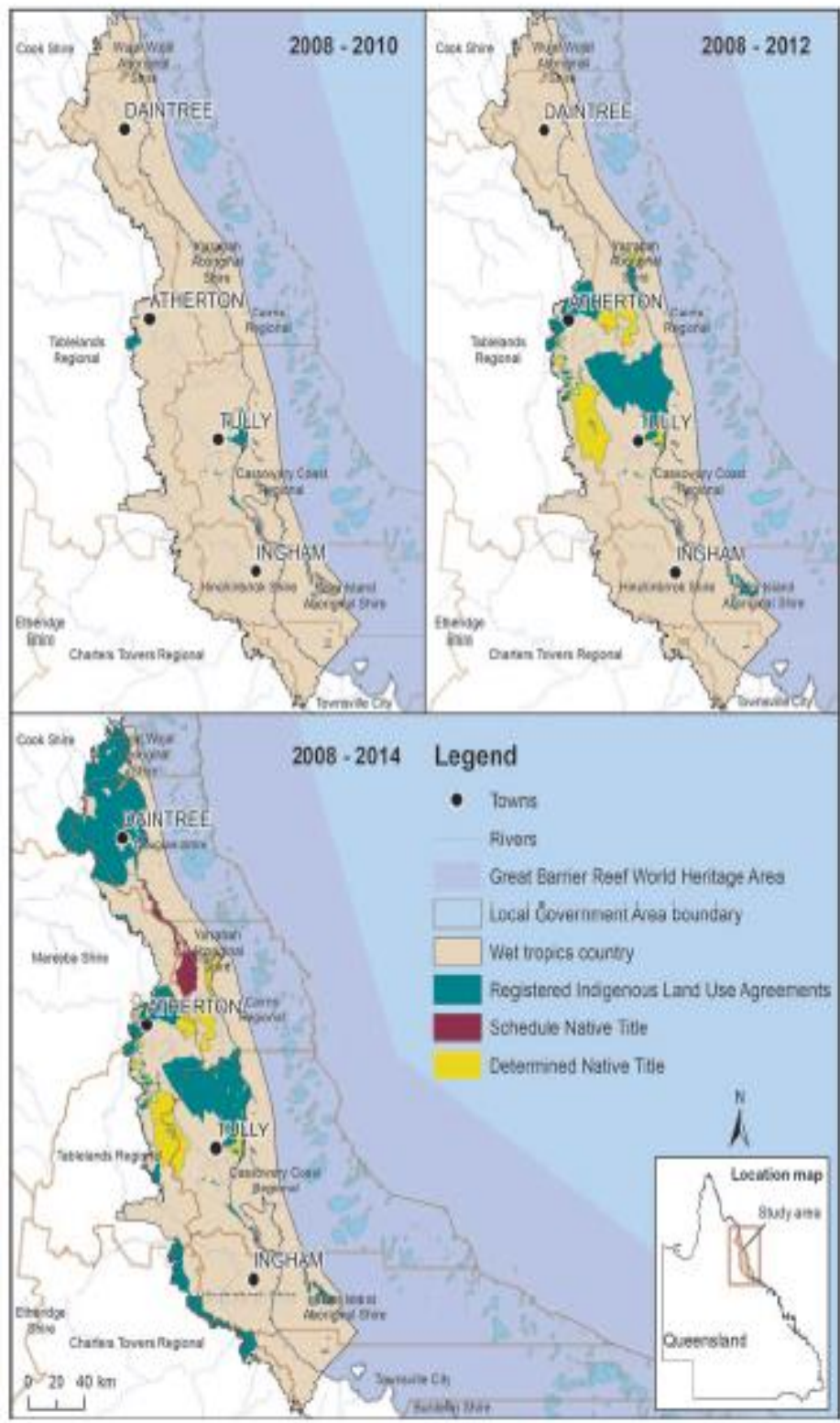


Figure 9 Growth of Native Title Determinations and Indigenous Land Use Agreements between 2008 and 2014, in the Wet Tropics region. (NERP TEH. 2014d)



Indigenous Protected Areas (IPAs) have proved immensely valuable to Aboriginal communities all around Australia. In the Wet Tropics, IPAs created opportunities to complement the implementation and operationalisation of Indigenous Land Use Agreements (ILUAs) and other such agreements. Declared in 1998, Nantawarrina in the Flinders Ranges and Gammon Ranges National Parks in South Australia was Australia's first IPA<sup>25</sup>. An IPA is an "area of land and/or sea over which the indigenous traditional owners or custodians have entered into a voluntary agreement with the Australian Government for the purposes of promoting biodiversity and cultural resource conservation" (Hill, Walsh, et al. 2011, 1). Today, Australia wide, IPAs account for almost 45% of Australia's National Reserve System (NRS), a network of Australia's protected areas preserved for future generations, and cover 67,312,453 hectares of Australia's land mass<sup>26</sup>.

IPAs and ILUAs are examples of mechanisms that enable Aboriginal People who live within protected areas to negotiate areas and sites where, and means by which, they can exercise cultural rights and practices<sup>27</sup>. Further, these instruments provide for wider recognition of *Bama* rights and responsibilities to country (Hill et al. 2014a). Despite recognition of *Bama* roles in WTWHA management, many groups find the balance is tight between the interests of non-Indigenous and Indigenous; participants describe it as a compromise, and believe it is still not culturally appropriate for Aboriginal Peoples, for example:

*"You're always compromising.... If you look at our ILUAs and our zoning, where we've got our pink zones which is [Aboriginal] freehold and yellow zone which is conservation freehold and the green which is nature reserves – our pink zones are very minimal. Our pink zones are on land that's been raped and has no use anymore and all our best country, our pristine beautiful country, is not governed by us. That was our big compromise. It caused a lot of conflict because a lot of people didn't want to sign the ILUAs but a lot of people said this is the best deal we're going to get."* (Bama Male).

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<sup>25</sup> See web site - <https://www.environment.gov.au/indigenous/ipa/declared/nantawarrina.html> accessed on 16 September 2016, for further info.

<sup>26</sup> See web site - <https://www.dpmc.gov.au/indigenous-affairs/environment/indigenous-protected-areas-ipas> accessed on 17 May 2017.

<sup>27</sup> 87.5% of the WTWHA is either ILUA, IPA or Native Title (exclusive or non-exclusive). IPAs (current to Jan 2016) - 2611.4 km<sup>2</sup> which is 29.2% (of WTWHA); Native Title (exclusive) - 470.3 km<sup>2</sup> which is 5.3% (of WTWHA); Native (non-exclusive) - 2899.8 km<sup>2</sup> which is 32.4% (of WTWHA); ILUAs – 4194.8 km<sup>2</sup> which is 46.9% (of WTWHA). There are currently 17 Registered Native Title Bodies Corporate (RNTBCs) operating in the Area and a combined total of 109 registered ILUA's (the Authority is a party to 13 of these). Source: P Pert personal communication, March 2016



Several participants expressed frustration with processes that still required them to compromise rights and interests in order to gain a small recognition. In addition, the ability to truly input into decision making about country and natural resources was perceived as still limited. Participants were of the view that such negotiations are determined upon the interests and outcomes of the government, while the views and opinions of the Aboriginal communities must meet and fit into government criteria. A participant used the example of TUMRAs (traditional use of marine resource agreements) that are:

“...set up to govern our hunting rights. The government gave us our hunting rights so we're allowed to go out and do our traditional hunting but now they want to set up policies that police our hunting rights.” (Bama Male).

The dedication of three IPAs to date in the WTWHA open pathways for *Bama* groups to achieve their management responsibilities. The first IPA in the WTWHA was declared by the *Mandingalby Yidinji* in 2011<sup>28</sup>, the first in Australia established over parts, or all, of existing government-declared protected areas. The IPA dedication covers almost 10,000 hectares, aligns with a 2006 native title determination, and forms a framework for collaborative management with government agencies who also have responsibilities to manage these same areas (Department of Environment. 2011). Two more IPA dedications followed in 2012 and 2013. The first was the Eastern Kuku Yalanji IPA, staged beginning with the *Caring for Kuku Nyungkal Country Plan* as Stage 1 (Kuku Nyungkal *Bama* et al. 2012), followed by the *Bama Ngulkurrku Wawu Wawurrku Bundangka Bubungu Jalunbu: Healthy Mob, Healthy Land and Sea Country Plan* as Stage 2 (Jalunji-Warra People and Shee 2012), “declared in 2013, totalling 276,000 hectares of land and sea country, with 24,953 hectares inside the WTQWHA” (Cultural Values Project Steering Committee 2016a, 27). The *Nganjin-anga Bubu, Nganjin-anga Jalun, Nganjin-anga Bama Plan: Our Land, Our Sea, Our People Plan Country Plan* as Stage 3 then followed (Yalanjiwarra People and Jabalbina Yalanji Aboriginal Corporation 2016). The third IPA covers 1.26 million hectares of land and sea in the south of the WTWHA and is known as the Giringun IPA, dedicated in 2013. It, too, is a multi-tenure declaration, and the first to include privately held Aboriginal lands and non-Indigenous lands (Giringun Aboriginal Corporation. et al. 2013). In total, 233,950 hectares of the WTWHA is dedicated IPA, which equates to 26% of the whole region (Cultural Values Project Steering Committee 2016a).

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<sup>28</sup> See web site - <http://www.djunbunji.com.au/indigenous-protected-area/>, accessed on the 28 October 2016.

The IPAs give the *Bama* communities means to achieve their goals in relation to cultural and natural land management responsibilities. One such example participants discussed was more work involving researchers and *Bama* on country. These opportunities embed Indigenous knowledge and cultural leadership through redirecting and collaborating on research projects and refocusing research on Aboriginal priorities, which has benefited many *Bama* in the Wet Tropics. IPAs also provide opportunities for Elders and younger people to work together, passing on and sharing information and teaching cultural and sacred information where appropriate. *Bama* aspire for remaining areas within the WTWHA to also be dedicated as IPAs (Cultural Values Project Steering Committee 2016a).

The Regional Agreement established a goal to achieve government recognition of the Indigenous heritage values on the National Heritage List under the (*Environment Protection and Biodiversity Conservation Act 1999*) (Cth) (hereafter called 'EPBC Act'). A subsequent *Bama* community driven, self-determined process, resourced by the Australian government, occurred whereby several government, non-government, community and research partners, together with community members, developed and prepared a nomination for National Heritage listing. The Australian Heritage Council assesses nominations and advises the Australian Government Department of the Environment and Energy<sup>29</sup>. The Australian Heritage Council identified the WTWHA as of outstanding cultural heritage significance to the nation on three key criteria (Cultural Values Project Steering Committee 2016a). In 2012, the Wet Tropics World Heritage Area was successfully entered onto the National Heritage List for its Indigenous Cultural Values in recognition that: the Wet Tropics is the only place in Australia where Aboriginal People permanently lived in the rainforest prior to European arrival; the use of toxic plants by Aboriginal People is unique in Australia; and that traditions established about how the creation beings informed Aboriginal People about the toxicity of plants and the techniques used to process them is also unique (Cultural Values Project Steering Committee 2016a).

The Wet Tropics IPAs exist alongside national parks, which cover more than half of the WTWHA. There are limited mechanisms for including *Bama* in decisions about running the national parks, with main approaches for cooperation through joint on ground activities between government employed rangers and *Bama* rangers. The inclusion of *Bama* traditional knowledge into management arrangements for protected areas still does not occur to the extent sought by *Bama*. Participants

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<sup>29</sup> See web site - <http://www.environment.gov.au/heritage/organisations/australian-heritage-council> accessed on 30 May 2017, for more information.

expressed that a disjunct exists between input the nation-state seeks from *Bama* and *Bama* priorities for management:

*“...the main driver in negotiations or in legal processes is evidence based and driven by the priorities of that process. The questions of traditional knowledge [that are asked] are responsive to those questions. So there's a whole raft of traditional knowledge that is out there that is never gained or factored into the equation.”* (Non-*Bama* Male).

Moving from recognition of values to practical management that puts *Bama* in decision making processes remains the key challenge. A participant describes the main obstacle as a:

*“...lack of recognition of the original land owner as ongoing colonisation and severe power imbalances that results in inequalities.”* (*Bama* Male).

Despite this, protected area management in the WTWHA *has* changed from a sole focus on nature protection to a combined approach to protect and recognise natural and cultural values (Wet Tropics Management Authority 2017). Indigenous rights are slowly becoming more prominent, being incorporated in systems and processes, with a proposal to develop joint management and Aboriginal tenure arrangements for national parks. National parks in the northern third of the WTWHA are now able to enter into joint management and Aboriginal ownership arrangements under the *Cape York Heritage Act 2007*. Under this legislation, a unique ‘Aboriginal Freehold’ tenure classification underpins a negotiated joint management plan for the natural and cultural values of the park (Maclean, Hill, and Pert 2015).

Contributing Indigenous knowledge to projects by sharing understandings about the intersection of nature, culture and people is empowering some *Bama*. A participant shared an example and revealed how *Bama* view the animals in the landscape:

*“We had a big meeting on country with these two researchers, with us all there talking about this little animal, and, he's not an animal, he's a person. He's a being... [an elder] made that point very clear, that he's linked to our stories. The research was strictly from a biodiversity perspective. We want to talk to all our mob and we want to identify some of the cultural keystone species and we want to build our cultural knowledge around those species.”* (*Bama* Male).

Participants explained the need for culture to drive government policy and funding prioritisation, advocating for policies that recognise animals' (and/or plants') cultural significance as of national and state importance, similar to rare and/or threatened and endangered lists.

### 4.3.3 *Wet Tropics Management Plan and Bama knowledge*

The *Wet Tropics Management Plan 1998*<sup>30</sup> is a regulatory instrument under the *Wet Tropics of Queensland World Heritage Protection and Management Act 1993 (Queensland)* that regulates activities to minimise and mitigate impacts on the property's natural values and integrity. It thereby also limits *Bama* involvement, access and activities within the WTWHA. The Review vision statement asserted that, *Bama* must fulfil "their legitimate (including customary-law) rights and interests, for the protection and preservation of cultural survival for the present and future generations." (Review Steering Committee. 1998, iv).

A participant expressed concerns about regulated activities on traditional country: practicing culture and cultural activities is now a negotiated right that others monitor and regulate under legislation. For example:

*"...our country, the majority of it is Wet Tropics. If we go and harvest bush food or use bush timber they've got this thing oh we can't do it because we've got Wet Tropics or we've got Douglas Shire or we've got Cook Shire [to answer to]. They will come and penalise us for harvesting those cultural - bush food and materials. It impacts the way we practice our culture as well." (Bama Male).*

Several participants shared similar frustrations at inability to access areas, resources (including for food and medicine), or 'go into' (the boundary of the world heritage area) to practice culture. Participants were frustrated that the Management Plan does not recognise and respect *Bama* law and culture, for example:

*"Wet Tropics have got to understand that we have two laws. We've got our l-o-r-e to follow, our Bama law. They've got to respect that. We've got to respect their law, l-a-w. It works both ways." (Bama Female).*

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<sup>30</sup> See web site - [Wet Tropics Management Plan 1998](#). Accessed 10<sup>th</sup> December 2016.

Customary arrangements remain in place, *Bama* are committed to following Aboriginal law and culture remains strong. However, tenure and land use arrangements, in the WTWHA and surrounding agricultural and urban areas, influence *Bama* land access and therefore impact *Bama* way of life and cultural practice:

*“There’s been significant change that’s affected [our] knowledge... loss of habitat and loss of language and government policies of the day. A lot of our country is now under sugar cane and cattle. The whole landscape has changed from a physical perspective with the land as well as the social stuff and political stuff has really taken a toll on [our] knowledge and passing on that knowledge... it’s a significant change.” (Bama Male).*

The Wet Tropics Plan is currently under review<sup>31</sup>. However, there are no legislative mechanisms to recognise Indigenous rights, or manage nationally listed cultural values in the plan. The WTMA Board, including its Aboriginal directors, is in discussions about how to remedy this situation (Wet Tropics Management Authority 2017).

#### **4.3.4 *Bama organisational governance in the Wet Tropics***

Regional organisations that bring *Bama* from across the Wet Tropics together for input into issues and negotiations related to the WTWHA are a key organisational governance feature. These groups included *Bama* Wabu, Rainforest Aboriginal Network (RAN), Aboriginal Negotiating Team (ANT), the Rainforest Aboriginal Advisory Committee (RAAC) to the WTMA Board, Traditional Owner Advisory Committee (TOC) to the Terrain Board, the Aboriginal Rainforest Council (ARC), the North Queensland Traditional Owners Land and Sea Management Alliance, and more recently, the Rainforest Aboriginal Peoples Alliance (RAPA) (Cultural Values Project Steering Committee 2016a). All have promoted *Bama* self-determination and advocated for decision making rights, in spite of many challenges in establishing and maintaining regional representative structures (see discussions about RAPA in (Hill, Pert, et al. 2012)). ARC closure due to administrative and financial issues, and the WTMA Board decision to act on *Bama* advice to disband the RACC, are examples of difficulties with organisational governance and representation (Wet Tropics Management Authority 2017).

The nature of *Bama* organisations at multiple geographic and social levels further complicates representative structures. In addition to regional structures, *Bama* also engage sub-regionally through

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<sup>31</sup> See web site - <http://www.wettropics.gov.au/wet-tropics-plan-review> accessed 1 June 2017.

a self-determined system generally based geographically on north, central and south sections of the Wet Tropics region. Girringun Aboriginal Corporation, for example, is the sub-regional organisation in the southern third of the region and comprises an alliance of nine tribes:

*“So when we first heard of [XX] here forming and people saying [its representing] nine tribes and they said XX, was one of them, my cousins said hey that’s us mum, we’re XX. So this is how it started, I went to the first meeting, this is where I first learnt about this business... you become involved because they represent grandma’s mob.” (Bama Female).*

Other Aboriginal organisations also work at the tribal, kinship and local family group levels, for example PBCs such as Mandingalbay Aboriginal Corporation.

Organisational complexities aside, government and stakeholders often drive issues that are important to them, rather than *Bama* promoting issues. Participants said that the Aboriginal organisation representing their views, interests and rights should be *speaking with one voice on behalf of the mob* to deliver *much more solid outcomes* for organisations and individuals. Further, a participant described successful organisational leadership as the ability to unite many traditional owner groups and promote their views with *one voice*:

*“I think one of the real strengths of this organisation is its leadership, and the ability to unite nine tribes, to speak with one voice, to share ownership [and] to recognise that authority, that cultural authority, is one of our biggest strengths.” (Bama Male).*

*Bama* groups have always come together to work through regional issues. However, recognising that *Bama* groups move towards collaborative governance with partner organisations at various paces, means that future engagement mechanisms need to be flexible (NERP TEH. 2014a). Rather than continuing attempts to solidify particular regional and sub-regional approaches that are not working, a knowledge network approach has been proposed (Hill et al. 2014b). A knowledge network can “provide flexible and diverse ways for people working on similar issues to share experiences and help one-another for example through dialogues, workshops, websites and social media.” (NERP TEH. 2014a, 1).

#### 4.3.5 *Bama cultural governance in the Wet Tropics*

There are twenty *Bama* groups, often referred to as 'traditional owner groups' (and also sometimes called 'nation groups' in the international arena). Each group retains to some degree its own traditional knowledge and custom associated with specific lands. Traditional owner groups also have obligations and responsibility for country, culture and community, including ancestors, and to ensure knowledge survives and is passed to future generations. A participant described the body of traditional knowledge as:

*"...the manifestation of a whole raft of individual knowledges that are held by people within that group. There's no one body of traditional knowledge... knowledge comprises... the whole combination of economic, physical, spiritual and biodynamic knowledge of country and of that country's people. It's really dynamic because the traditional knowledge comprises both information that [has] long held and has stood the test of time, plus responses to non-Aboriginal intervention on land. Also embracing scientific developments, some of which are sourced in non-Aboriginal practice and some of which are sourced in Indigenous practice."* (Non-Bama Male).

Maintaining culture and knowledge through kinship connections and relationships guarantees traditional knowledge is passed to the next generations.

Each traditional owner group's territory is sub-divided into clan estates, reflecting customary social structures based on kinship and extended family, ancestral and bloodline groupings. Today, *Bama* People maintain strong links to clan estates as well as their traditional owner groups. In doing so, they practice culture while following spiritual belief systems essential to customary governance. One of the best ways to maintain and strengthen cultural links between clan estate members is for young people to be on country with, and, watch, listen to and learn from Elders. For example:

*"We went into the country and we were looking for answers, and it shifted from this world to a spiritual world, and old people were walking through the scrub singing in language... These elders were singing out really loud in the rainforest. A couple of the young fellas came and asked what that was all about? I told them, and these young fellas were so interested in looking at and understanding this spiritual world from an Aboriginal perspective even more."* (Bama Male).

Historically in *Bama* societies cultural knowledge and customary governance were embedded in everyday life and practiced at social and ceremonial events. Cultural knowledge was passed down generations and carefully monitored to ensure its correct passage. However, after colonisation outside influences, altered the flow of cultural knowledge between generations, and therefore impacted *Bama* cultural governance. For example:

*“...when you're marrying along traditional lines that maintains a whole lot of decision-making structures, that's all to a certain extent disappeared because people are [now] marrying based on love and other things rather than who's [the] right person. People aren't marrying along kinship lines.”* (Non-Bama Male).

Many traditional owner groups are actively practising, preserving and passing on culture by building governance knowledge about customary responsibilities to traditional land estates. For example, culture, Indigenous knowledge and language contribute to projects such as fire management, sustainable resource use and developing seasonal calendars for use in land management work (Davies et al. 2013, Ens et al. 2012, Fitzsimons et al. 2012). Research undertaken with *Bama* groups, governments and non-government agencies identified that collaborative governance in the WTWHA is required to support effective partnerships for managing country and to keep Indigenous knowledge and values strong (NERP TEH. 2014c). Two main categories of governance were identified:

- “Rainforest Aboriginal Peoples Keeping Strong”
  - Indigenous domain – includes culture, kin, country, Indigenous governance and leadership, capacity and strategic vision and intent were used to assess the effectiveness within this domain (Hill et al. 2014a).
- “Keeping Engagement Strong”
  - A shared domain – includes protocols, principles, mechanisms, regimes, power, relationships and issue-resolution, used to assess the effectiveness of this domain (Hill et al. 2014a).

Both of these categories “recognise that effective engagement by Aboriginal People with their partners in co-management requires that their cultures are thriving and their own knowledge systems alive and expressed in ongoing practices on country.” (Hill et al. 2014a, v).

Participants in this research recognised that successful governance requires a system that entails both:

*“...our cultural governance and the white man's governance.”* (Bama Male).



Links between cultural governance and contemporary Aboriginal organisational governance were not identified in previous research (e.g. (Hill et al. 2014a)), but emerged as a major concern of participants in this research. Participants viewed it as critical to success as a culturally supported and integrated Aboriginal organisation, for example:

*“...the practice of IEK, we've got to utilise our strength to overcome some of those issues and [make sure] that IEK is across everything we do, because that's our - strength.” (Bama Male).*

Strong family ties are critical for ensuring the cultural practice occurs, particularly for younger generations to learn, and for knowledge to be passed on. Practices such as storytelling amongst family groups embed customary responsibilities into everyday tasks, for example:

*“...there is storytelling but there are those practices where parents take their kids out [on country] and they practice their culture and they show them. They demonstrate it, it's living it and learning it.” (Bama Male).*

Despite numerous processes available to recognise and incorporate cultural governance, practical options remain limited from the perspective of participants. For example:

*“People would say, this has been our country since the year dot and we've been managing it, and our management is the reason that everyone adores this country. Why are you even trying to negotiate how we manage it?” (Non-Bama Male).*

After many years engaging with the Wet Tropics world heritage area, the *Bama* People maintain their commitment and efforts towards meaningful participation and to be appropriately recognised for their legal and customary roles in managing traditional landscapes.

## 4.4 The future for *Bama* People and the influence of the Wet Tropics

Recognition of native title rights and interests is changing *Bama* engagement with the WTWHA, Discussions now reflect *Bama* roles as owners and rights-holders rather than as stakeholder interest groups. Rainforest Aboriginal People assert that as “the original owners of the Wet Tropics bioregion

of Australia, having spiritual connections with, and having occupied, used and enjoyed, this area since time immemorial" [while] "each tribal group continues to hold customary obligations for the management of their respective traditional estate under Aboriginal laws and customs." (Rainforest Aboriginal Peoples 2013, 3).

The nation-state's increasing recognition of *Bama* rights, together with emerging initiatives such as IPAs, ILUAs and the potential for Aboriginal-owned and joint managed national parks, continue to challenge existing power sharing arrangements. Relationships are evolving acknowledging that 'rights' also means 'ownership'. For example, a participant shared insights of how relationships based on mutual respect are changing the balance between Indigenous and non-Indigenous players:

*"Government agencies - jumped to my defence and answered the question. I thought to have agencies defending your aspirations with other [non-Indigenous] agencies - you start to think you've done something right. That's that influence we strive for." (Bama Male).*

Managing the WTWHA as a cultural landscape, with customary governance and management arrangements, would empower and energise *Bama* Peoples, now and into the future (Hill, Cullen-Unsworth, et al. 2011). *Bama* People can test, explore, investigate and develop novel decision making approaches, reflective of an evolving culture. For instance, a participant suggested:

*"Trying to create a way for people to talk through how they want to make decisions [rooted] in that old knowledge of land and culture and what's important, but recognising that there are different values now." (Non-Bama Male).*

Ensuring future generations are equipped with necessary skills, capacity and understanding to operate in complex environments, while maintaining a deep cultural understanding of customary responsibility and associated Indigenous knowledge is a concern. For example:

*"It's a huge burden to understand where those old people come from and [the] setting [up of] this organisation, but how do we pass it on? It's a huge burden I carry at the moment." (Bama Male).*

Ensuring customary governance systems support future generations to move ahead, with knowledge and culture through strong connection to country, is a key goal for today's *Bama* (Rainforest Aboriginal Peoples 2013).

Culturally grounded governance can be a platform for a campaign to re-list the world heritage area for its cultural values, a desire that has been expressed often by *Bama* People (Cultural Values Project Steering Committee 2016a, Rainforest Aboriginal Peoples 2013, RAPA 2013). This is a real option through possible “World/National Heritage Indigenous Protected Areas” [as] a concept of a value-added IPA ...” (Cultural Values Project Steering Committee 2016a, 40). This opportunity recognises the potential of adding value to existing IPAs to deliver enhanced management (Cultural Values Project Steering Committee 2016a, NERP TEH. 2014b).

## 4.5 Summary

Indigenous Peoples in the Wet Tropics are enjoying a shift in attitudes towards, and recognition of, Indigenous rights and cultural values in the protected area. At the international level, instruments like the *Declaration on the Rights of Indigenous Peoples* continue to influence the shifting context in Australia more generally. Self-determination by Indigenous Peoples is recognised in international legal theory as the “right of a people to participate in decisions that directly affect their rights and interests.” and “understood as a process right that respects a people’s autonomy and authority in decision-making.” (Dodson and Strelein 2001, 834).

In the WTWHA case, Rainforest Aboriginal People, better known as *Bama* People, have constantly asserted their rights as Indigenous Peoples since colonisation of the region. While legal recognition of these rights is growing, mechanisms that implement cultural governance and shared governance are minimal. Opportunities for Indigenous governance based on Aboriginal laws and customs and customary rights and interests of the first Australians exist, with potential for shared and collaborative governance arrangements that ensure the WTWHA is a sustainably managed landscape.

# Chapter 5. Sweden's *Sámi* Journey of Self-determination - Findings and Case Description

## 5.1 Background: *Sámi* People in Sweden

### 5.1.1 *The Sámi People – the people of the wind and sun*

The Indigenous Peoples of Scandinavia, who live throughout northern Sweden, Norway, Finland and the Russian Kola Peninsula, are collectively known as the *Sámi* People (Eriksson 1997, Lindqvist 2009, Vinding and Mikkelsen 2016). Each of the four countries recognise the *Sámi* People within their nation-state legal frameworks differently (Reimerson 2015). The *Sámi* People refer to their traditional lands that stretch across the north of the four countries as *Sápmi*, meaning 'our land' in the *Sámi* languages (Lindqvist 2009, Reimerson 2015). (See Figure 10 below).

Figure 10 Map showing the estimation of the Sámi Peoples' traditional lands across the four nations of Norway, Sweden, Finland and Russia

(Map adapted, from see website - <http://www.samimuseum.fi/anaras/english/kieli/kieli.html> accessed on 30 May 2017.)



The population of Sámi People living across the four nation-states is estimated at between 70,000 and 90,000 in (Lindqvist 2009). The numbers in each country are approximately: Finland 8,000; Norway 50,000-65,000; Sweden 20,000; and Russia 2,000 (Henriksen 2008, Lindqvist 2009). Precise numbers are difficult to determine; there is no formal census and the identity of Sámi People is not always clear (Green 2009). The Sámi language comprises ten groups of languages and dialects that flow across the whole four nations of the Sámi traditional lands (Henriksen 2008). “There are no distinct linguistic boundaries... the Sami languages or dialects form a chain in which people from adjacent language areas can understand each other easily.” (Henriksen 2008, 27 & 28). Furthermore, Sámi language, culture and territory is very much a part of the Sámi identity for individuals and collectively (Henriksen 2008). However, the dominant powers of each of the nation-states construct and construe Sámi indigeneity in ways that are deeply entrenched in their colonial histories (Lantto and Mörkenstam 2008). For example, in Sweden, the Sámi are loosely identified into two main categories: the reindeer

herding *Sámi* (the ‘mountain’ and the ‘forest’ *Sámi*); and the non-reindeer herding *Sámi* (known as the ‘fishing’, ‘coastal’ or ‘sea’ *Sámi*) (Ahren 2004, 66). In Sweden, colonisation has seen the *Sámi* People as Indigenous People identified and self-determined very much centred on reindeer and reindeer herding as a culture type.

*Sámi* leaders and community representatives from across the four nations have collectively established a pan-*Sámi* political non-government organisation called the Nordic *Sámi* Council. In 1953, *Sámi* People from Sweden, Norway and Finland first came together to discuss their political rights across their *Sápmi* region, formalising the organisation in 1956 (Lindqvist 2009). The Russian *Sámi* joined later, and in 1996 the organisation became the *Sámi* Council (Lindqvist 2009). Work began on developing a charter to address, among other things, *Sámi* rights to land and water and *Sámi* traditional livelihoods. This charter became the *Nordic Sámi Convention (Sámi Convention)*, presented in 2005. In addition to asserting *Sámi* rights to land, water and traditional livelihoods the Charter advocated that the “*Sámi* Parliament should have the right to negotiate in matters of major importance to the *Sámi*.” (Lindqvist 2009, 103). The nation-state and the *Sámi* Parliament are engaged in ongoing discussions regarding the *Sámi Convention* (Lindqvist 2009).

Involvement at the international level from the 1950s ensured the *Sámi* People remained active in advocating for rights as Indigenous Peoples and for rights to their *Sápmi*. They were determined to maintain advocacy on these issues at the nation-state level, despite the slow progress. For the *Sámi* in Sweden, the political movement to have their status as Indigenous Peoples and land ownership rights recognised is an ongoing struggle (Henriksen 2008). As one *Sámi* interviewee described it:

*“The Sámi said over and over and over for 50 years now, at least claim that this is our land. We need to get the right to our land back. They’ve been shouting and talking and demonstrating and asking over and over again to [give the land back].” (Sámi Male).*

The relationship between *Sámi* and the Swedish nation-state is characterised by an “historically discriminatory attitude, based on racial and cultural hierarchies, [which] tend to be re-created in inequalities in the present debate.” (Lantto and Mörkenstam 2008, 40).

*Sámi* People continue to engage at the international level, progressing Indigenous rights and issues where possible. Key international instruments are the 2007 *United Nations Declaration on the Rights of Indigenous Peoples* (UN-DRIP) and the 1989 *International Labour Organisation’s (ILO) Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries* (Green 2009). The ILO 169

recognises that Indigenous Peoples, and Tribal Peoples, have “the right to land and ownership, the right to participate in the management of land and natural resources and also the right to self-determination” (Lindqvist 2009, 100). However, Sweden has not ratified the ILO 169. *Sámi* interviewees said that the key objection of the Swedish nation-state to signing the ILO 169 is its land ownership focus (currently Sweden only recognises *Sámi* rights to use the land for reindeer herding). Although Sweden has ratified the UN-DRIP, Baer (2017) reports on a recent land rights court hearing where the Swedish nation-state argued that it has no international obligations to recognise special rights of the *Sámi* People. In the court proceedings, the State questioned if the *Sámi* were the Indigenous Peoples in the disputed area. The *Sámi* won the case, with Gällivare district court granting the *Sámi* village of Girjas exclusive rights to control hunting and fishing in the disputed area. The Swedish nation-state is appealing the decision.

*Sámi* People also engage in the international arena in the areas of conservation. *Sámi* have participated with the International Union for Conservation of Nature (IUCN), in particular on the programme of work on Protected Areas (PowPA) under the *Convention on Biological Diversity*, and the *Convention Concerning the Protection of the World Cultural and Natural Heritage* (hereafter referred to as the *World Heritage Convention*). The World Heritage Convention has provided opportunities and relative success in asserting rights at Laponia, a world heritage property in northern Sweden, discussed in further detail later in this chapter. This Convention, adopted at the General Conference of United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1972, is designed to protect the world’s cultural and natural heritage (UNESCO 2015). Australia was one of the earliest signatories to formally ratify the convention in 1974 (Talbot 2013)<sup>32</sup> followed by Sweden in 1985. As a signatory, each nation-state agrees to protect, preserve, promote and transmit to future generations the importance of world heritage sites, their significance within their nations and continue to identify and nominate additional sites to the world heritage list (UNESCO 2015). Sweden progressed recognition of *Sámi* cultural values as part of its obligations under the *World Heritage Convention*. However, engagement at the domestic level with Swedish *Sámi* about broader rights and issues continues to be slow, and does not meet *Sámi* aspirations:

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<sup>32</sup> See web site - <http://whc.unesco.org/en/statesparties/au> accessed on 30 May 2017.

*“No Swedish politician will ever come near that question to say okay, we give the land back. Without land we have not so bright future. The land is the life for the Sámi.” (Sámi Male).*

The Sámi People do not believe that the Swedish nation-state will support their rights being recognised within the domestic spread of laws.

### **5.1.2 The Swedish Nation-State**

The history of human occupation of Sweden is extensive, dating back millennia (Price 2015). However, more recently after decades of uncertainty involving warfare, land seizures and colonies, and fluctuations to Sweden’s leadership and empire, a modern-day Sweden emerged approximately in 1937. The Swedish nation-state is governed by a democratic parliamentary system in the form of the Riksdag (Swedish Parliament), which retains one of the world’s oldest monarchies in modern history. The official head-of-state role is without formal power (The Swedish Institute 2015b, Sveriges Riksdag 2016). Sweden’s parliamentary arrangements involve general elections held every four years to vote on representatives in the government, county councils and municipalities (The Swedish Institute 2016). Sweden’s administrative structure has three levels of domestic government: the national level (known as the government), the regional level (county councils) and the local level (municipalities) (The Swedish Institute 2016). The regional level is divided into 20 county councils across Sweden, each with a vast array of responsibilities. The national government also has its own bodies to administer national government programs for the counties, which are called county administrative boards (The Swedish Institute 2016). The local level is divided into 290 municipalities, again with numerous roles and responsibilities and each with its own elected council (The Swedish Institute 2016). Sweden joined the European Union (EU) in 1995. The Swedish monarchy has existed since establishment of Sweden, based on hereditary succession, with a recent amendment to ensure succession to the throne is now non-gender specific (The Swedish Institute 2015b).

The Swedish Constitution is the founding document for Sweden. It contains four fundamental laws: the *Instrument of Government*; the *Act of Succession*; the *Freedom of the Press Act*; and the *Fundamental Law on Freedom of Expression*. “The fundamental laws take precedence over all other statutes and no law may contravene the Constitution” (The Swedish Institute 2016). However, while the Riksdag (Swedish Parliament) Act is not one of the fundamental laws, it does retain “a position between a fundamental law and an ordinary law” (Sveriges Riksdag 2016). These instruments



establish the direction for Sweden and its citizens as a collective and progressive nation. Emerging from these Swedish government instruments is an underlying support for an egalitarian democracy that ensures equal suffrage and public power that arises from the people (Sveriges Riksdag 2016). Decisions under Swedish laws and regulations reflect equality, ensuring that benefits flow to all Swedes, the concept of collective ownership of territory, and freedom for all people.

Sweden is held as a role model for nation states in its approach to many policy issues. As the world moves towards more sustainable energy systems and sources, Sweden is leading the way in renewable energy and innovative technologies (The Swedish Institute 2015a). Sweden set and achieved an impressive target to reduce its oil dependency from 75 percent of its total to now about 20 percent. Increased reliance on solar energy to ensure more energy-efficient households has assisted Sweden to achieve a 52 percent use of renewables in its overall energy consumption, the highest in all of the EU, and well ahead of the Swedish government's 2020 target (The Swedish Institute 2015a). Equally progressive socially, government policy focuses on reformist and liberal advancements in areas including, but not limited to: gender equality; human rights; education reform; decentralised health care systems; and same sex marriage and the non-discrimination of sexual orientation (The Swedish Institute 2016)<sup>33</sup>.

Despite such advancements, Sweden's progressive stance does not extend to *Sámi* rights as Indigenous People. The rights of the *Sámi* People are not formally recognised in the Swedish Constitution or the formal Riksdag (Henriksen 2008). *Sámi* rights and status as Indigenous People are not recognised in any of the four key legislation instruments, and the apparently 'progressive' legislative provisions for collective ownership of land deprive *Sámi* of their territorial rights (Josefsen 2010). Lack of such recognition continues to concern *Sámi* People:

*"What we need is official [recognition] where you can write it in the law that this is Sámi land in the first place ... That should be written in the constitution."* (*Sámi* Male).

However, the *Sámi* People as a minority are mentioned in the Constitution through an article that "provides that the opportunities for the *Sámi* people and ethnic, linguistic and religious minorities to preserve and develop their own cultural and community life shall be promoted." (Sveriges Riksdag 2016, 27). Furthermore, the Riksdag (Swedish Parliament) "has adopted a *Sámi* Act that provides for the establishment of the *Sámi* Parliament" (Henriksen 2008, 33-34). In Chapter 2, section 1 of the

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<sup>33</sup> See web site - <https://sweden.se/society/working-for-a-gay-and-equal-sweden/> accessed on 30 May 2017.

*Sámi* Act establishes that the Parliament “shall work for a living *Sámi* culture, taking initiatives for activities and proposing measures for promoting this culture” (*Sámi Parliament Act 1992*). Sweden’s focus therefore is on recognising *Sámi* People’s culture as opposed to land ownership rights. *Sámi* as distinct Indigenous Peoples prioritise the practice of their distinct culture, languages and traditions, as they have done since time immemorial. However, this cultural recognition is not viewed as recognising *Sámi*’s fundamental rights:

*“It’s not enough to say okay you’re a Sámi, you’re a separate ethnic group in Sweden with certain rights to culture, it’s not enough ... As long as we have the government [that] don’t accept our rights, our land, we’ll be in trouble.” (Sámi Male).*

*Sámi* People continue the struggle to have their land rights recognised through advocacy and legal actions (Baer 2017).

### **5.1.3 History of *Sámi* People in the Swedish nation-state**

The *Sámi* People inhabited the northern parts of the Nordic regions long before the current nation-state configurations took shape (Henriksen 2008, Lantto 2005). The *Sápmi* territories were subject to geographical and geopolitical changes over time, resulting in the lands finally being occupied and colonised by various nation-states (Henriksen 2008). In the north of Sweden, the *Sámi* Peoples “arrived from the east 4000-5000 years ago.” (IUCN 1996, 126). The *Sámi* Peoples’ rights to their *Sápmi* territories were once clearly respected by the Nordic governments. For instance, during the early 16<sup>th</sup> and 17<sup>th</sup> centuries, the Swedish administration established the ‘Taxed Lapp Lands’ system, which required the *Sámi* People to pay taxes in the same ways as farmers paid taxes, but in doing so, recognised them as land owners (Lantto and Mörkenstam 2008). *Sámi*’s practices of moving their reindeer across their *Sápmi* continued at the same time as interest from the nation-states in the general Lapp-lands increased. The *Sápmi* was gradually partitioned between the Nordic nation-states as they established their borders. However, the ‘1751 Lapp Codicil’, an agreement between Norway and Sweden, allowed the *Sámi* to continue moving their reindeer across borders for their seasonal migrations (Lantto and Mörkenstam 2008). “The Lapp Codicil recognises the *Sámi* as the ‘Lapp nation’ [and]...formalised the rights of the *Sámi* across state boundaries...[t]his was the first recognition by the Nordic states of *Sámi* customs and rights” (Lindqvist 2009, 89). For the *Sámi*, a nomadic people, movement across the Nordic regions often meant paying taxes to more than one King or nation-state. Paying taxes sometimes meant paying the Kings in furs, skins and even reindeer (Ahren 2004).

The *Sámi* had become accustomed to paying taxes. However, when the currency was in the form of reindeer, new cultural and social issues began to arise for the *Sámi* society. For instance, *Sámi* decision making customarily occurs through family groups called *Siida*, the original *Sámi* customary governance structures (Ahren 2004, Lindqvist 2009, Sara 2009). The new taxes brought challenges to *Sámi* about how and when to make decisions about surrendering or culling their reindeer (Henriksen 2008). Further pressures on the *Siida* then arose; reduced reindeer numbers also meant fewer reindeer herders, therefore more decisions for each remaining herder to consider.

Restrictions on grazing lands implemented in 1867 heightened the reindeer herders' challenges with the introduction of the 'cultivation border' (Lindqvist 2009). The 'border' prohibited reindeer grazing in agricultural areas. Throughout the 25 years that the border existed, reindeer herders and agriculturalists clashed over land use and land access. Continued colonisation for agriculture resulted in ongoing use of the *Sápmi* by others, and policy support for development of the 'other land interest' outweighed the *Sámi* interest (Lindqvist 2009). Land ownership by *Sámi* then came into question by the nation-state. *Sámi* today have acute awareness of how these 'borders' have been moved to encroach on their *Sápmi*:

*"We have a border here called Farmers Border since '69. Then '95 it was down here but in 1856 it was moved up here, the farmers were allowed to come. They buy their land here to grow their crops and farms."* (*Sámi* Male).

This 'cultivation border' also determines where people are able to build houses, as a *Sámi* member explains:

*"You see buildings up there are bound to reindeer herding, you cannot build anything here without [being a] reindeer [herder]."* (*Sámi* Male).

The *Reindeer Grazing Act(s)* (1886, 1898, 1917, 1928 and 1971), contrary to the intention of the nation-state in relation to protecting *Sámi* culture, have had significant detrimental and ongoing impacts on the lives of *Sámi* People, such as defining those *Sámi* eligible to be reindeer herders. As mentioned, there are several terms that are used to classify the *Sámi*. These terms stem from nation-state definitions, such as 'mountain' and 'forest' *Sámi* to describe reindeer herding *Sámi* and 'fishing', 'coastal' or 'sea' *Sámi* to define the non-reindeer herding *Sámi* (Ahren 2004). The Reindeer Acts further defined who is considered a *Sámi* person (i.e. only reindeer herders, excluding all other *Sámi*), and what issues *Sámi* communities are allowed to consider.

*"It's actually stated in the reindeer husbandry law that the Sámi community is not allowed to deal with other economic issues [other] than reindeer herding. It's actually written in the Reindeer Herding Act. ... [through] the Reindeer Herding Act and the regulations and laws ...it's only minority of the Sámis that are members of the Sámi community. Most Sámis are outside."* (Sámi Male).

Sámi People were also subject to other practices and policies targeted at their culture and identity that they continue to struggle to overcome today. Sámi communities were perceived as 'underdeveloped' as a result of their 'nomadic' reindeer herding lifestyle (Lantto and Mörkenstam 2008). The Sámi culture of herding was characterised as being in conflict with Swedish 'civilization' (Lantto 2005, Lantto and Mörkenstam 2008). The catch phrase 'A Lapp shall remain a Lapp' was commonly used (Lindqvist 2009, 91). This ideology was used "in order to keep the reindeer herding Sámi from mixing with the Swedes [and] was based on theories of superior and inferior cultures and race, which led to discrimination of the Sámi" (Lindqvist 2009, 91). As a result, the government adopted policies with a view to 'reorganise' the schooling system and ensure 'Lapp' children were removed from the nomadic reindeer herding lifestyle (Lantto and Mörkenstam 2008). Segregation of 'nomadic' Sámi from other 'non-nomadic' Sámi was imposed to enforce the separation between the 'Swedish' and 'Lapps', allowing for easier assimilation of the 'non-nomadic' into the Swedish society (Lantto and Mörkenstam 2008). The children of reindeer herding families were not allowed to go to school with children of non-reindeer herding Sámi and Swedish children (Lindqvist 2009). These assimilation and segregation policies caused Sámi families to experience the removal of children and enforced pressures to conform to Swedish society. Practice of culture was suppressed through activities such as prohibiting children from joining their families in annual reindeer migrations. Children were made to attend Swedish schools that were conducted in Swedish rather than their native Sámi language. Sámi People, today, share their vivid experiences and firsthand knowledge of these policies:

*"We went seven years in school, seven to 14. We didn't see mummy until November. No, we lived all the school year in Jokkmokk in the internat. We went home for Christmas and when we were free from school we went home for a week or two but ordinary weekends we didn't go home, we were in Internat."* (Sámi Male).

Sámi continued to share intense life experiences that highlight the importance of their way of life and cultural and spiritual beliefs, and the ongoing negative impacts of colonisation. For example, Sámi

adhere to cultural and religious beliefs and the idea of sacred places and artefacts such as the *Sámi* ceremonial drums, where *noaidi*, the shaman, would “use the drum to communicate with the gods, at times entering into a state of trance.” (Silvén 2012, 176). Equally important to the *Sámi* cultural and spiritual beliefs are the special and sacred places and objects that exist in the landscape, known as *sieidis* (Silvén 2012, 181). The *noaidi* (often more than one) would live, guide, guard and teach the people about the landscape and about how to live with and care for the *sieidis* in the landscape. *Sámi* People were also affected by the state-sponsored missions who attempted to draw an end to their traditional way of life and to change their cultural and religious beliefs:

*“Then we had the missionaries, late 1600s ... The missionary saying you have to leave your gods and turn to the only god. The shaman says [to the missionaries] you have one god? Yeah. Only one? How can I deal with all the issues we need to have a multitude of gods ... “Only one god, it's impossible,” he said. “But the Sámi - of course they were Christianised because they were forced and the shamans were taken away. For many hundred years the Sámis like today live in a ‘schizophrenic life’. Sunday they went to the church because they had to do it. Monday to Saturday they had their own gods in the woods. So it was a dual life or Christianity or religion.” (Sámi Male).*

As a result of these policies, *Sámi* Peoples’ livelihoods, lands and connection to cultural and spiritual beliefs have been severely disrupted. Today many *Sámi* Peoples still deal with resulting impacts such as disadvantage, cultural fragmentation and poverty.

## 5.2 *Sámi* governance in contemporary Sweden

### 5.2.1 *Sámi* contemporary organisational governance as shaped by the nation-state

Today in Sweden, the *Sámi* People encounter ongoing resistance to acknowledging them as Nordic Indigenous Peoples with their own *sui-generis* knowledge and governance systems and inherent rights protected under international laws (Baer 2017). Refusal to recognise the *Sámi* People in Swedish law is reflected in continuing debates about the antiquity of *Sámi* occupation in Sweden and in the Nordic region more generally (Lantto 2005). Recognition of *Sámi* People in Sweden is sporadic and occurs at different levels and is inconsistent. For example, as discussed above, usufructuary rights exist for

reindeer herders, but not for fishing communities. Political representation and influence by *Sámi* in the Swedish parliamentary system did not appear until the establishment of the *Sámi* Parliament in 1993. Proof of indigeneity for *Sámi* People to vote in the *Sámi* Parliament is complex.

The Swedish nation-state recognises a *Sámi* person through the *Sámi Parliament Act 1992*, section 2, based on self-identification plus three criteria:

“a person who considers him/herself to be *Sámi* and:

1. He or she has or have had the *Sámi* language spoken at home; or
2. Any of his or her parents or grandparents have or have had the *Sámi* language spoken at home; or
3. Has a parent who is or has been listed on the electoral roll of the *Sámi* Parliament.” (*Sámi Parliament Act 1992*).

In the Act item 3, it states that: “it is not applicable if the County Administration has decided that the parent should not be listed on the electoral roll on the basis that the parent is not *Sámi*” (*Sámi Parliament Act 1992*). The focus on language, and not rights or ownership to land allows all *Sámi* People, regardless if you are a non-reindeer herder or reindeer herder to satisfy these criteria and provide the opportunity to vote in, and be elected to, the *Sámi* Parliament:

*“The head of the Sámi Parliament he is a fishing, hunting Sámi.”* (Non-*Sámi* Female).

The primary focus of the *Sámi* Parliament Act is on language. As discussed above, many *Sámi* People were removed from the *Sámi* family network and compelled to attend Swedish schools, resulting in members of these generations commonly missing out on learning their native tongue. While Sweden recognises *Sámi* as a national minority language that should be supported in education, the nation-state funding for it in schools is negligible, with few pupils studying *Sámi* (Heikkilä 2010). Therefore, many *Sámi* People in contemporary Sweden are now concerned future generations may lose their language and therefore possibly also lose their identity:

*“We can hear it all around us - people are not speaking Sámi that much anymore. There are people taking it back, as I have, but I’m a bit afraid that when our generation, when they’re not here anymore, what kind of language situation [will] we have? Will the language survive with only [those] people [who] speak it, or would it be a living language?”* (*Sámi* Female).

*Sámi* interviewees welcome the *Sámi* Parliament’s recognition of *Sámi* identity to include fishing and hunting communities as well as reindeer-herding communities, but still view the Parliament as having

little or no power, with the power it does have perceived to be around language and education (e.g. Sámi schools) with little influence on high level issues, and none on ownership or management of land:

*“They have no say in how to manage the land; how to [manage] the rights to fish and hunt and use the land. We can't – [the] Sámi Parliament can't stop exploitation like the lumber industry, water power plants, mining. So it's a kind of a - it's a fake actually. What they can decide on is culture and language issues which of course are important but far away from sufficient.” (Sámi Male).*

Some Sámi interviewees viewed the Sámi Parliament as actually weakening their relative power in the nation-state, because the Swedish Parliament refused to deal with serious issues of Sámi status and rights, diverting these to the Sámi Parliament instead. New Swedish nation-state legislation to address the issues of land rights was identified as the highest priority for policy reform for Sámi by a Sámi interviewee.

The Reindeer Grazing Act(s) do provide a form of legal recognition of rights to land, but, as noted above, only for the reindeer herders, and only as usufructuary rights (the right to use), not land ownership. This recognition has at times bitterly divided the Sámi community between those who are reindeer herders and those who are not. Sámi who are not involved in reindeer herding are afforded no recognition or usufructuary rights. As described by, Beach (1994) “reindeer herders are but a minority within the Saami [sic] minority. The Saami were hunters and fishermen long before some of them became pastoralists, and for many, fishing is still the dominant economic activity.” (Beach 1994, 169). He went on later to add, the “Saami hunting and fishing rights have been embedded under the herding right so as to be accessible only to practising herders, and in 1993 the exclusivity of the Saami small game hunting and fishing right was confiscated” (Beach 2007, 4). The Sámi People’s culture has been suppressed, marginalised and minimised, as a result of this imposed separation:

*“It has created a separation between Sámi people that work with reindeer ... has changed the Sámi community. It has divided people working with reindeers and people not working with reindeers and it has changed the relations between people. That is the greatest change, the biggest change for the whole Sámi people, as a community which I would say.” (Sámi Male).*

*“Many who do not work with reindeer to start being regarded as – even by reindeer herding Sámi – as non-Sámi, it makes a clear distinction and it is the law that has created this distinction:*

*the concept that many of us are not Sámi, those who do not herd reindeer – only those who herd reindeer are Sámi.” (Sámi Male).*

People who largely identify as Swedish, with farming lifestyles, but with Sámi ancestry, also have aspirations for hunting and fishing rights:

*“They are from a Sámi culture but 100 years ago maybe. So why shouldn't they have the right to hunt in the fjells or fishing and doing things like that. So there is a conflict really among three parties, Swedish and Sámi reindeer herding and Sámis without those rights.” (Non-Sámi Female).*

Sámi families and family members who no longer practice reindeer herding face the possibility of losing their status as Indigenous People. Under Swedish policies, herding is to be considered a special privilege conferred solely upon the Sámi minority in order for them to preserve the unique Sámi culture. The legislation takes the logical, if drastic, position that if a Sámi herder moves away from his traditional herding culture, his special rights should be terminated (Beach 2007). This approach has significant implications for Sámi People and future generations, including the concerns and difficulties for young people to form, and then maintain reindeer herding families in order to maintain their identity as Indigenous Sámi People:

*“The boys stay in the reindeer herding [industry] and keep that culture. The girls go to university and studies whatever and they get a higher education, so forth. It's not easy to get these two different worlds to meet on some kind of equal level. So it's not easy for a Sámi boy to find a Sámi girl who wants to live a traditional Sámi life in the mountains.” (Non-Sámi Male).*

The Reindeer Grazing Acts first introduced the term ‘lappby’ and with subsequent versions of the Act, replaced it with the term ‘Sameby’, also creating a new arrangement in the form of an economic corporation, but retaining customary provisions for the social and geographical borders (Dahlström 2003). Beach (2007) describes a ‘Sameby’ in accordance with the most recent Reindeer Herding Act of 1971, as being an organisation established as a judicial entity to function as a collective business inclusive of private individual family herding entities. *Samebys* are therefore recognised as the land use and social unit for the reindeer herding Sámi (Beach 2007). Around 44 territorial and social herding type corporations were established to ensure that the ‘mountain’ and ‘forest’ *Samebys* “can engage in no economic activity other than herding” (Beach 2007, 5). “Furthermore, no individual



herder can obtain more than 50% of his income from a non-herding source without running the risk of expulsion from the *Sameby*" (Beach 2007, 5).

Like many Indigenous People across the world, *Sámi* People now have more opportunities to engage in technology-driven contemporary societies. The challenge is to balance this with maintaining economically viable reindeer herding, to ensure continued recognition of their *Sámi* identities. Nation-state enacted laws specifying many rules governing *Sámi* decision making have made reindeer herding very difficult. For instance, a change to the way in which people made decisions was formalised under the rules that recognised *Samebys* as companies:

*"In 1972 we got a new Sámi law that made reindeer work different. We were some kind of company owners in a Sameby and we had to vote when we decide anything. The more reindeer you owned the more votes."* (*Sámi* Male).

Creation of company-like organisations brought new accounting systems into the *Sámi* world of reindeer herding:

*"In 1978 we got an economic tax law, before that you just counted your reindeer, if you had 100 you were able to sell 40 and then you paid tax on that 40... 78 we were forced to make a book and count every crown, plus and minus. You sold so many reindeers for so many crowns you had to declare that. Then you buy some machines or petrol or whatever you needed in the work, you had to count your expenses. Then it was - if there is something over you pay tax on that. That's called book-herding log ... That's also a big change in our work; you have to do much paperwork."* (*Sámi* Male).

The nation-state also imposed limitations on reindeer stocking rates:

*"We have our areas and we have a maximum reindeer stock, we can have 15,000 here ... If we have 20,000 we have to slaughter it down. It's a rule, it's a law, it's a decision from the governments."* (*Sámi* Male).

In order for *Sámi* families to cope with the new restrictions, families would pool sources of income to enable one family member to continue reindeer herding:

*"You get an economy in the reindeer herding, [but] you are going to be dependent on other incomes. Your wife has to be working or your son has to be working in the mine or whatever, so*

*it's not economically easy to be a reindeer herder and that's a big problem I think.” (Non-Sámi Male).*

Despite the need for some family members to diversify into the industrial economy to supplement the family household income, many Sámi People feel the need to resist the expansion of mines and dams into their *Sápmi*. Public protests about industrialisation have become a new way to express identity and self-determination over culture and the *Sápmi*:

*“Last summer there was a big opposition from Sámi and the native people in Jokkmokk, maybe you have heard about the Kallak (Gallók) protests. It's maybe the first time Sámi really protested against mining in the winter lands. We don't know yet if there is going to be a mine.” (Sámi Male).*

Continued impacts from the Reindeer Grazing Acts (and their many amendments) meant that the Sámi People were limited in strengthening their livelihoods through the restrictions imposed on the stocking rates of reindeer numbers, the taxes that were required to be paid, the increased accountability and auditing processes required by the government, the limited grazing areas for their reindeer to travel, and the increasing external interests in their *Sápmi* from nation-state governments and industry groups. All of these factors have affected and influenced the way in which Sámi culture and traditions are practiced, and impacted specifically on Sámi decision processes.

### 5.3 The Sámi nation, cultural governance and Indigenous knowledge

Sámi People have inherent views of what it means to be Sámi, which arise from their own culture, customs and beliefs, and differ substantially from the definitions of the Swedish nation-state:

*“Yeah. I am born with it, grown up with it. I've been working with reindeer and fishing and hunting all the time. It means everything. It's a lifestyle ...you have your animals, you have your nature and your parents and grandparents and many generations have been surviving with that kind of life.” (Sámi Male).*

Sámi People report that they have an obligation to maintain their own culture and way of life:

*"It's some kind of duty I feel to keep on with that kind of life. I'm very happy that my boy, my younger boy took over that duty. It's important for the culture, for the Sámi culture and Sámi history." (Sámi Male).*

Connections with nature are central to Sámi Peoples' self-identity:

*"Being Sámi is, for me, it's not connected to the reindeer herding. But it's very important, because it ties us to nature. A life that's very connected to our roots and to our areas and our land. I would also say, the language, for me as a person, is even more important than the reindeer herding, my identity is very much tied to this place and in other important places for me. Reindeer herding is not [the] only thing about being Sámi, that's just a bit of it. I think there's more [to being a Sámi]." (Sámi Female).*

The Sámi People clearly advocate for self-determination, self-identification and for recognition of their rights to their traditional *Sápmi*. The Sámi People customarily established societal structures, the *Siida*, which were considered the essential building block in the Sámi society (Sara 2009). The *Siida* is defined as "a village assembly that traditionally played an important role in distribution of land, waters, and natural resources within the Saami society" (Ahren 2004, 67). The process for Sámi villages through the *Siida* was to engage all people in the villages when discussing issues:

*"Before, my grandma and grandpa's generation they had these meetings they had a lot of these sit - village meetings. Even the school has been a place where they had meetings sometimes. It's a school just across the street, Sámi School." (Sámi Female).*

These collective decision-making processes continue today, with their inherent strengths and weaknesses:

*"A strength is that we have a nice way of making decisions that feels good for everyone. That is, decisions are made by talking and not meetings. It's an old method among us to just start discussing. I start discussing with one people and we gather our opinions. Eventually the whole Sameby is making a decision out of everyone's small thoughts about things. The weaknesses at the same time could be that decisions aren't always made - aren't made of [rationality] It can also come from decisions that the main reason is greed. A Siida that has many workers, many good reindeer herders, can push things to be done that isn't maybe always the best for the reindeers." (Sámi Male).*

*"We [Sámi people] have always done like that ... Things to be so thoroughly discussed. They have to be talked about so much and prepared in our minds ... I like it, because it's a beautiful way of making decisions. That's important, I think, that I feel comfortable with our working way." (Sámi Male).*

Social media is helping support discussions amongst members of Sámi villages today:

*"A lot of the communication is over the social media nowadays. You read Facebook, you write on Facebook and you share your views about that on Facebook mostly." (Sámi Female).*

*Sámi árbediehtu* (traditional knowledge) is passed on today within the *Sameby* arrangements, and associated family group gatherings and in day-to-day life. Sámi customary decision making through family groups is also incorporated into the *Sameby* arrangements, but not in a 'formal' structured manner. The Sámi Peoples maintain their close bond to their reindeer herds which informs their movement through corridors across the northern parts of Sweden, and which depends on their reindeers' grazing habits, the time of year and climatic conditions. These corridors, that transcend national boundaries, are based on *Sámi árbediehtu* of early routes that supported sustainable grazing pastures for reindeer herds. Sámi People verbalise the importance of keeping the 'old' practices alive by doing them and using cultural and *árbediehtu* (traditional knowledge):

*"The important [part is] just the old knowledge. It's always with us, the [knowledge is the] same knowledge, and that you learn [that knowledge] from a very young age." (Sámi Male).*

From the Sámi perspective, including the reindeer herders, their knowledge and history is embedded in the landscapes, which are much more than the natural mountains, arctic runoff streams and deep valleys. The landscape supports the reindeer and the Sámi through their *árbediehtu* to interact as one, and together shape the landscape around them:

*"Hunting, eating meat is as old as human.... It started with hunting reindeer, making traps, and then they started to tame one reindeer or two. Then they started to tame all the herds but I think it's [tame herds] not so very old maybe 300, 400 years maybe." (Sámi Male).*

Knowledge of reindeer herding is a way of life for Sámi and fathers pass it on to younger members from a very early age:

*“Reindeer herding is hard work and you can't just start with reindeer herding from - if you're - if you have been living in the city. Reindeer herding is some kind of growing up learning, learning with living and growing up with it. It's from father to son.” (Sámi Male).*

Sámi People today are engaged in many cultural and language renewal programs aimed at countering the forces of assimilation mentioned above:

*“It's improved, these youngsters, like 20 - 30 years old people they are so innovative and they are of course proud of being Sámi and all that. Many have started to take back the language even though they don't speak Sámi [fully yet]. The kids get Sámi in the kindergarten and so forth.” (Sámi Male).*

For purposes of cultural re-building, *Sámi árbediehtu* is undergoing renewal through multiple forms, including poetry and song:

*“In the mid 60s for some reason people started a kind of movement actually which was show your Sámi blood or be proud of being Sámi. So my uncle was one of those starting to writing poetry and publishing it. There were singers, juoiggus - traditional Sámi singers and all kind of cultural workers that are kind of collecting, gathering more and more people. It was really, a kind of era where young Sámi all of a sudden realised that I'm a Sámi, it's okay. I'm proud of it, not ashamed of it. It was a hell of a difference.” (Sámi Male).*

Sámi People are reclaiming and reusing their Sámi language, along with cultural traditions and knowledge. *Sámi árbediehtu* is emerging as important in the contemporary lives of Sámi People. By focusing on cultural and language revival, the Sámi People are finding new ways to engage, including politically, with the world around them (Balto and Kuhmunen 2014). These new political ways are strengthening younger generations to continue the strive for Sámi leadership and self-determination (Balto and Kuhmunen 2014).

***Insights into Sámi knowledge through exchange of Indigenous cultural experiences and family interactions.***

*Personal reflections (by the author) - Family experiences of Traditional Knowledge:*

*A party of about six or seven people involving men and kids, including my husband and two girls, then aged 7 and 5, accompanied with some senior women, got into a small boat and headed up the river to a secluded spot. From there they began a very steep but relatively short hike up the hill past the tree line to collect an assortment of berries. Traditional Sámi families have collected berries for all time, including the common Blueberry, and also the Lingonberries 'Lingon', but most important to them are the Cloud berries.*

*While they were away, I was invited to sit inside a traditional Sámi hut called a lavvu – the hut Sámi people would use as a temporary and transportable shelter while they were traveling with their reindeer herd. More permanent structures are known as goahti made with fabric and poles and covered with peat moss or timber. I sat with a senior Sámi man who had been a reindeer herder all his life. As he began to share his story with me of his life and of his culture, he continually asked me about my Indigenous heritage and if we did have, or shared similar experiences, knowledge and beliefs as he and his culture. We shared stories of 'our old people'. We found it surprising to learn of similarities amongst our experiences, such as government policies to remove the children from their communities and families. Language was another topic discussed freely. For Sámi, language is central to their identity as a result of the Swedish government. He found my lack of my native language surprising. However, he understood why, after I explained the government policies that restricted Australian Indigenous people from speaking. His understanding came with sympathy.*

*Interpretations of experiences:*

*The days I shared talking with many Sámi people, such as this day, provided an insight into our shared histories as Indigenous people. We share many similarities in experiences from colonisation. Today, many decades and in some cases hundred years past, we as Indigenous people continue to hold these vivid stories. The stories have been passed down through the generations and live in our lived experiences today.*

## 5.4 A new World Heritage Area in Sweden

### 5.4.1 Sweden recognises the cultural values of Sámi in World Heritage

In the early 1980s the Swedish government began discussions and preparations for a world heritage nomination, and in 1989 formally nominated, Sjaunja—a nature reserve in the Norrbotten county in northern Sweden—to the UNESCO World Heritage List as a natural heritage site only (Dahlström 2003). However, the World Heritage Committee rejected the application based on IUCN evaluating committee recommendations after its inspections in 1990 (Green 2009). From the perspective of the World Heritage Committee, “Sjaunja was simply not regarded as unique or grand enough to be nominated according to “outstanding universal values”” (Dahlström 2003, 243). In response, Sweden expanded the nomination to take in a larger geographical area. As a result, they had to consult more broadly, including with interested stakeholders such as the Swedish National Heritage Board (SNHB), Swedish Environmental Protection Agency (SEPA), local municipalities, the county administration, the Sámi Parliament and local *Samebys* (Dahlström 2003). The amended nomination, still based only on natural criteria, was circulated to those interested parties for comment in 1995 (Dahlström 2003). The Sámi Parliament at first resisted, objecting to the name ‘The Lapponian Wilderness Area’ and argued that it was a Sámi cultural landscape, as opposed to a ‘wilderness area’ (Green 2009). The name was subsequently changed to simply “the Laponian Area” (Green 2009, 103). The final draft was sent to the head of Ájtte, the mountain and Sámi museum in Jokkmokk<sup>34</sup>, for inclusion of Sámi cultural values to make up part of the background information to the nomination document (Dahlström 2003, Green 2009). A subsequent decision was made that the cultural values should be recognised as part of the region’s outstanding universal significance (Dahlström 2003). In 1996, the Swedish government sent a nomination to the World Heritage Committee which was based on extended areas and on meeting both natural and cultural criteria (Green 2009). Later that same year, UNESCO designated the Laponian Area as a mixed natural and cultural world heritage site covering an area of 9,400 km<sup>2</sup> and comprising 95 percent protected areas (Hovik, Sandström, and Zachrisson 2010). Four national parks and two natural reserves make up the protected area estate of Lapponia (Hovik, Sandström, and Zachrisson 2010). See Figure 11 below for its location. The Laponian Area (as it was named on the

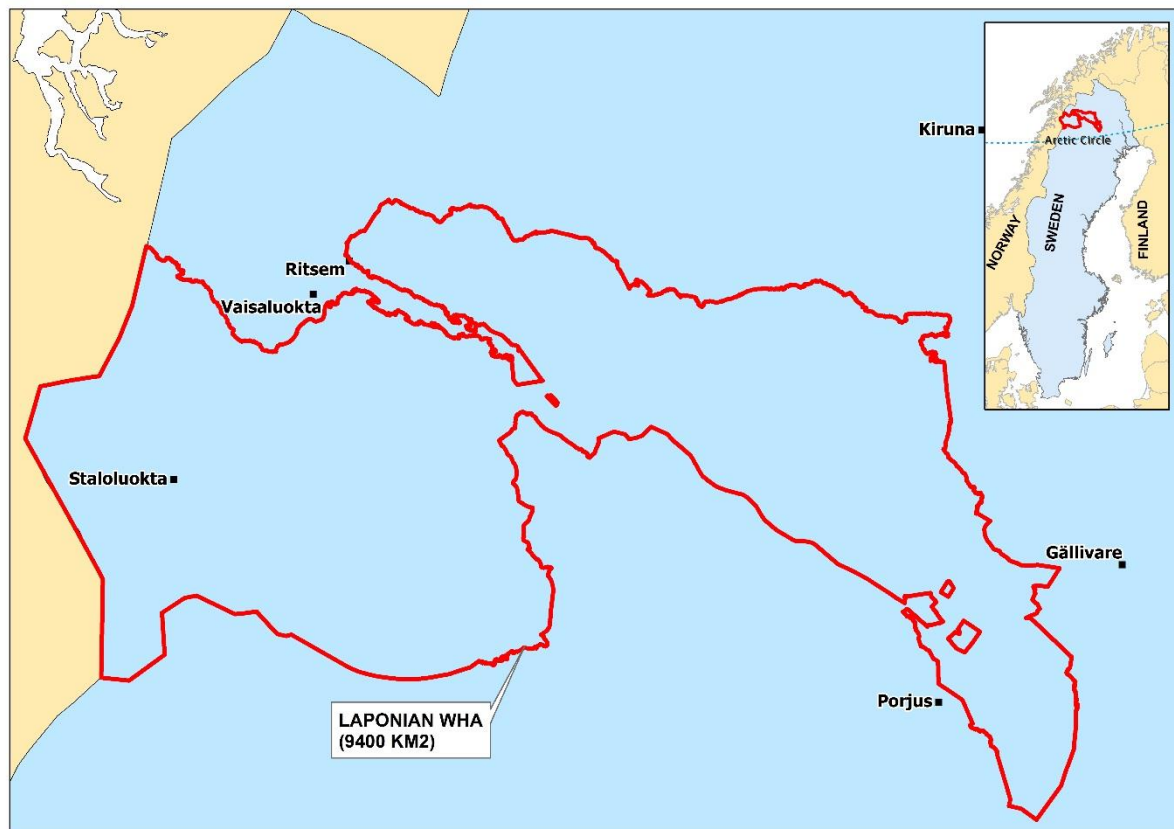
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<sup>34</sup> Jokkmokk is a small town in northern Sweden, in the heartland of the Sámi *Sápmi*. Many Sámi People reside there.

world heritage list), was listed based on the property meeting three natural criteria and two cultural criteria:

“The Committee decided to inscribe the nominated property on the basis of *natural criteria (vii), (viii) and (ix)* and *cultural criteria (iii) and (v)*. The Committee considered that the site is of outstanding universal value as it contains examples of ongoing geological, biological and ecological processes, a great variety of natural phenomena of exceptional beauty and significant biological diversity including a population of brown bear and alpine flora. It was noted that the site meets all conditions of integrity. The site has been occupied continuously by the Saami people since prehistoric times, is one of the last and unquestionably largest and best preserved examples of an area of transhumance, involving summer grazing by large reindeer herds, a practice that was widespread at one time and which dates back to an early stage in human economic and social development”.<sup>35</sup>

Figure 11 Map – the Laponia World Heritage Area (LWHA), Sweden



Map adapted from website, See – the Laponian Area – <http://whc.unesco.org/en/list/774/> accessed 15 August 2016

<sup>35</sup> See Website, the Laponian Area – <http://whc.unesco.org/en/list/774/> accessed 15 August 2016



The move to a mixed site nomination that recognised both natural and cultural values was a big change for Sweden, particularly in terms of recognition of the *Sámi* culture:

*“Well the World Heritage decision in itself has recognised the Sámi culture in a positive way. I know that they first discussed to make Lapponia just a natural heritage. But then they changed it from UNESCO and said you have to incorporate also the Sámi tradition and by recognising that I think that the Sámi community was strengthened in that area.”* (Non-Sámi Female).

This change resonated with a broader shift in Sweden and globally towards a nature conservation paradigm that is inclusive of people:

*“Earlier it was - more that you protected the nature from people, so you wanted to exclude man, man-people from protected areas. Now you have more of a vision that the people are a part of the area. So that you have to have the understanding of the local people so that the management of the area is going - is being good. So, people are more included now in that work.”* (Non-Sámi Female).

As Lapponia included both the natural and cultural values for the world heritage property, management of Lapponia as a unique world heritage property with mixed values now acknowledged the need to respect the roles of *Sámi* People and their culture:

*“All our work with Lapponia, we have to take care of and consider the Sámi culture and respect it ... [previously] all the authorities have been only working with the nature values. Now suddenly they had to change and work with the culture values also.”* (Non-Sámi Male).

#### ***5.4.2 Sámi as joint managers in Lapponia: establishing and implementing shared governance***

Almost fifteen years after UNESCO’s listing of Lapponia as a world heritage site, and following various attempts to develop a suitable management process, a new joint management structure and board, with the *Sámi* People, the Laponiatjuottjudus (Lapponia Administration, management organisation) was established in 2010 (Reimerson 2015). The fifteen year negotiations with the Swedish government and the *Sámi* People began by establishing a ‘Lapponia Council’ soon after the inscription (Green 2009). This Council consisted of representatives from the county administration, two municipalities (Jokkmokk and Gällivare), Mijá Ednam (representatives of the *Samebys* with land inside

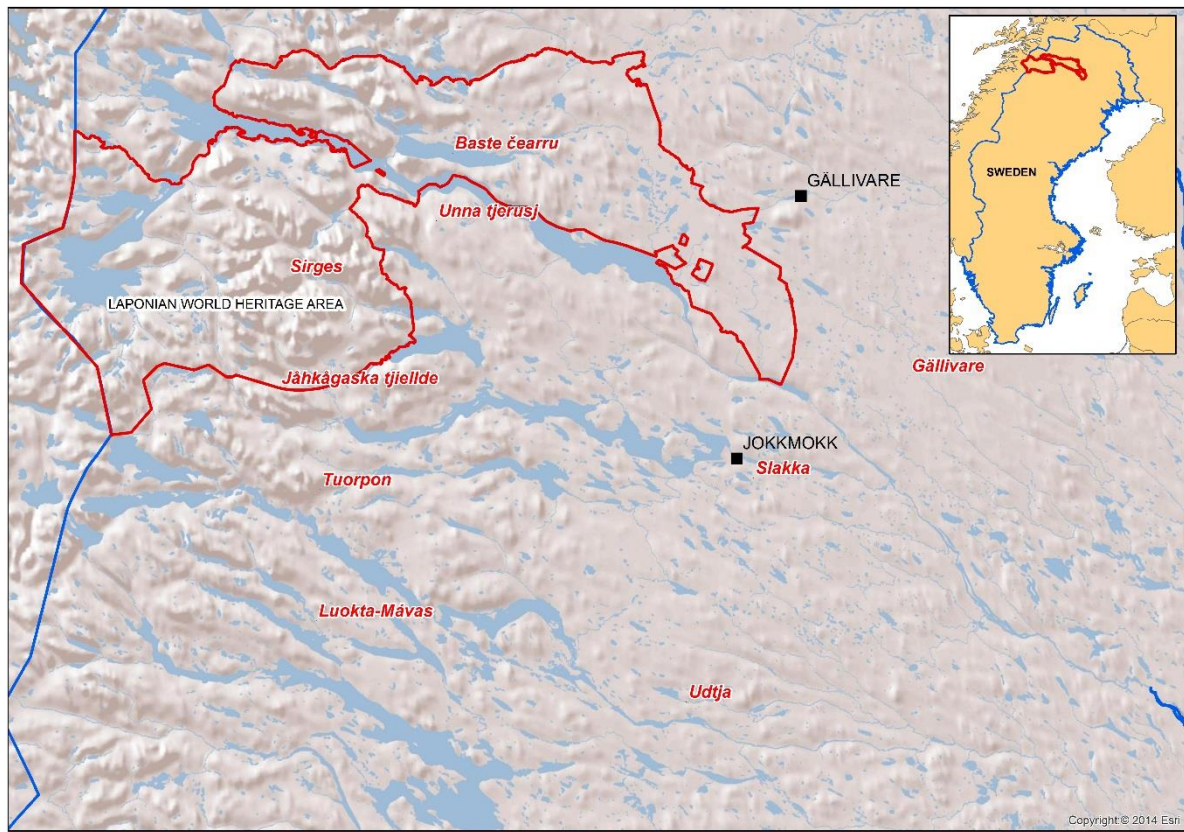
Laponia), the municipality tourism department, and the Ájtte museum (Green 2009). However, “the *Sámi* communities made clear that they would not accept a management organisation without strong *Sámi* influence and control, but state and municipality representatives were initially not prepared to meet that demand” (Reimerson 2015, 3).

The *Sámi* representatives walked away from negotiations in 2001 and the process was discontinued (Green 2009, Reimerson 2015). The *Sámi* representatives believed “their claims and needs were not being heard or respected” (Reimerson 2015, 3). In 2006, the Swedish government appointed the Norrbotten County Administrative Board (CAB) to convene a committee with the aim to create a new organisation for the protected area management that has strong *Sámi* influence (Reimerson 2015). In 2009, the committee recommended “a joint proposal for a new organisation structure for Laponia – a non-profit organisation, Laponiatjuottjudus” (Reimerson 2015, 3). Representatives to the Board of Laponiatjuottjudus included: members from the *Samebys*; the CAB; the two municipalities; and the Swedish Environmental Protection Agency (SEPA) (Reimerson 2015). Nine *Samebys* are active in Laponia (See Figure 12 below). They hold the majority on the Board. Therefore, “the CAB, the SEPA, and the two municipalities each have one representative on the board, and the nine RHCs<sup>36</sup> jointly appoint five representatives.” (Reimerson 2015, 4). A total of nine members on the Board work together to develop the Laponiatjuottjudus (Reimerson 2015).

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<sup>36</sup> RHC = Reindeer Herding Corporations

Figure 12 Map – approximate locations of the traditional estates of the nine Sámi groups within (and adjacent, recognising they move in and across Laponia) the Laponia World Heritage Area.



Map adapted from website - <http://laponia.nu/en/world-heritage-site/land-of-nine-communities/> accessed on 30 May 2017

In the early stages of negotiations for the development of Laponia, Sámi People’s position met a lot of resistance:

*“The first thing we did was to write down what we wanted ... the Sámi perspective and they didn't like it at all. A very big problem. The men from the Local Council and the County Administrative Board went berserk. Yeah and there were big conflicts. [They said] “You can't ask for that.” We wanted to have the majority of the seats on the board, decision making power from the outset, and they reacted very strongly.” (Sámi Male).*

Given this context, the ultimate success in achieving a majority of Sámi people on the Board was viewed as a major and positive change:

*“We didn't give up. We didn't back [down] on that point. Yes, I feel with majority on the Board now we can implement things in a completely different way now. I think we can make it happen in another way now.” (Sámi Male).*

The Laponia Board now provides a space and an opportunity for Sámi to come together with various levels of government and engage directly in making decisions about land management within the world heritage boundary. The Board is a forum where they can collectively utilise Sámi approaches to make decisions about the WHA. Interviewees reported that all Board decisions had been made through consensus. One of the non-Sámi interviewees characterised the Board adopted Sámi approaches as having four dimensions:

*“One, we are working in consensus. We have to be united in our decision and as I understand it's a traditional way to discuss and make decisions in the Sámi society. They discuss and discuss and then they agree we are doing it like this. That's one and I think it's a very powerful way of working if you have the common goal ... it takes time, but you get the very strong decision. [Two] is what we call Council ... a concept when you discuss with interests, different interests, a matter of common interests. You have maybe - we are working with local people, with hunting interests, with fishing interests, with tourist interests, with water power interests, with windmill interests to discuss how we are working with Laponia ... third... this kind of arena for learning with other interests. Then the fourth matter is... this traditional knowledge... They have been living and working here for a long, long time and they have a knowledge that we have to take care of it and handle it in our decision making and in our daily work actually, not only in decision making, but also in the daily work, so four different angles.” (Non-Sámi Male).*

Another non-Sámi interviewee described these consensus-based decision making approaches, although different to the Swedish nation-state's democratic norms of voting, as equitable:

*“In the Swedish government or in a board you vote on things but not - in Swedish daily life you don't make decisions by voting. You make decisions after discussions and that's no different from the Sámi way of doing things. You discuss until you have reached some agreement then you make your decisions and that's equal.” (Non-Sámi Female).*

The Swedish government's provision of significant resources and support for Sámi determined processes, in a Sámi controlled organisation, is strongly welcomed by many Sámi People:

*“So the State gives the opportunity to the indigenous people to find their way of governing something. I have never seen that before in my life working in Sámi organisations... You never have the money. Here, you do get it from the State and you’ve got the finance and the funding and it’s still saying, try to do it in your way. That’s, I think, one of the most beautiful [things] with Laponia, that you are given the possibility to make truth about it, about the dreams you had... This is the first time we have someone saying, do it in the new way and try to find new ways and you’re free to do that.” (Sámi Female).*

However, financial support to Laponiatjuottjudus does not extend to the Sámi members to participate in the Board. As their daily occupation is as working reindeer herders, there is no reparation for missing their reindeer work to participate in the Board duties. Furthermore it is important to note that it is only Sámi who are reindeer herders, and therefore part of a *Sameby*, who are eligible for Laponia Board membership, further entrenching the divisions within Sámi societies and further alienating those who do not herd reindeer. Moreover, Sámi cultural governance is viewed as separate to the Laponia decision-making process described above, and ongoing Sámi cultural governance through the villages is not viewed as part of shared governance at Laponia:

*“Of course there are, if you say other organisation for the Sámi villages. They are, of course, discussing strategies. I suppose they are discussing strategies that are important for Laponia but they haven't got the direct influence in the management. I can also think that [SSR] the Sámi reindeer herding organisation I think they are interested and maybe they are also discussing strategies which may or may not influence Laponia.” (Non-Sámi Female).*

The Board’s powers are also fairly constrained, with the County Administrative Board retaining significant decision-making authority in Laponia. “In 2011, the Government issued a regulation allowing the CAB to transfer management of the Laponian area to Laponiatjuottjudus, and in 2012, the CAB made their formal decision to transfer management of Laponia to the new organisation for a trial period of two years. The CAB officially transferred the task of managing Laponia to Laponiatjuottjudus on 1 January 2013.” (Reimerson 2015, 4). However, Laponiatjuottjudus still does not have authority over issuing permits such as for helicopter flights or excavations within Laponia. Those decisions still rest with the County Administrative Board. One non-Sámi interviewee expressed concern that the Board would find these decisions difficult because they involved regulating the activities of Sámi People with whom they have many connections:

*“We can also wonder if the Laponiatjuottjudus also should be able to make the decisions about permits inside Laponia... Because it's a lot of decisions that are influencing their own people. So, then they have to sit on two chairs. But it's a possible - it's possible that in future the Laponiatjuottjudus can be the decision making party as well.” (Non-Sámi Female).*

Sámi interviewees, on the other hand, saw their closeness to their people as a benefit, but also recognised the need to demonstrate the added value of their roles in the Board, compared to the County Administrative Board:

*“It can be difficult for the community to see the difference between Laponiatjuottjudus making the decisions and the County Administrative Board making decisions. We have to find ways to show there are differences because there are people in the Sámi community having the knowledge, talking the language, being closer to the community working in the board and in the practical and at the office. But I think still we have difficulties in showing the differences. I think there can be a lot of scepticism. We have to find some good practice to show and involve the community better than we do.” (Sámi Female).*

Another interviewee identified a need to also change the way the County Administration Board (CAB) operates, so that it actually supports Sámi aspirations. Currently the CAB regulates Sámi hunting of predators in accordance with directive of the European Union, and the incentives provided by the Sámi Parliament for monitoring predator populations:

*“We have meetings on a regular basis with the Sámi villages so the County Administered Board ... once a year we have a meeting with [all] of the Sámi villages. It's a very popular meeting... nearly all the villages are represented. It's a tradition that's been going for I think almost ten years ... a lot of meetings concerning predators and predators - hunting predators, hunting and we are responsible for the inventory... Sámi villages will get paid from the Sámi Parliament 250,000 for each of the family of predators they locate, they are counting how many... predators, wolverines are having babies, puppies, or whatever they call it... People can hunt the predators or if the numbers are too big can they cull, they can hunt bears and lynx... if there are a lot of damages if a lynx is killing a lot of reindeers on the same spot they can apply to us and we can decide for hunting down that particular lynx or wolf... it's strictly regulated to the art and the habitat directive of the EU, European Union.” (Non-Sámi Female).*

The current shared governance arrangements were established for a trial period, which were extended for a further two years, as alluded to above. Both the *Sámi* Parliament and the Swedish Environmental Department are following the progress and will consider the outcomes of an evaluation before the Board's organisation and functions become permanent (*Laponia Management Plan 2006*).

### 5.4.3 *Laponia Management Plan and Sámi knowledge*

Management arrangements for Laponia are described in the Management Plan<sup>37</sup> as contemporary and modern, built on key values of those interested, and shaped by a holistic approach to: “the natural environment and its high values, the living *Sámi* culture and reindeer industry, the historical heritage that previous land use has given rise to” (*Laponia Management Plan 2006*, 16). The Laponia management plan identifies the *Sámi* People as Indigenous People, acknowledges their territorial rights, and gives support to their quest for self-determination of the *Sámi* identity and rights more broadly, as acknowledged in national and international law (*Laponia Management Plan 2006*, 13). Reimerson (2015) describes the Management Plan as being true to the original views the *Samebys* put forward in the early negotiations, in that it “positions the *Sámi* as Indigenous People and, as such, holders of rights to land, water, and natural resources” (Reimerson 2015, 12). These *Sámi* rights and their ownership of land are viewed as co-existing with the rights and ownership by the Swedish nation-state:

*“It's always been this question, who is the owner of the land, and we have put that aside... If you go to the registry of land of course there is the Swedish state, the areas where Laponia is, or a large part of them, and the Sámis say no, it's our land. It is two different opinions. We have two; now we are where we are we have to deal with it as it is. I think that's really the strength of Laponiatjuottjudus.”* (Non-*Sámi* female).

As described in the Laponia Management Plan, the overall management goal is that:

*“The Laponian World Heritage is managed in such a way that its values are preserved for the future. The World Heritage is an asset for development. Management of the World Heritage is a joint effort, and is carried out respecting the partners' differing conditions and in accordance with the Management Plan. The work of management is a learning process (searvelatjna) which*

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<sup>37</sup> See <http://laponia.nu/en/world-heritage-site/> accessed 30 May 2017

continually develops and is renewed, with core values at its base. 'Laponiatjuttjudus' is a model for managing valuable nature and cultural sites" (*Laponia Management Plan 2006*, 22).

The Management Plan establishes 'The Task of Laponiatjuttjudus' which determines the actual work to be achieved, including duties of the staff, and in some cases the duties of the partner organisations to Laponiatjuttjudus. A large part of this is about activities to do with the landscape, plants and animals of Laponia. Laponiatjuttjudus employs many Sámi People as staff, which provides opportunities for Sámi to work directly on their Sápmi and connect with the landscape and people once again. Sámi People are now doing research into the animals they hunt, and used to hunt.

The Management Plan reflects a commitment to the reindeer herding industry, described as an intrinsic value within the world heritage area, as a key part of the Sámi culture. The Management Plan also recognises that Sámi have rights under the *Reindeer Grazing Act*. The IUCN (1996) summary document of the Laponia world heritage nomination recognised: "The indigenous Saami families lived in the landscape moving seasonally in scattered villages and probably had a significant impact in localized areas because of the numbers involved and the length of time they spent on the land." (IUCN 1996, 103). However, Sámi People do not see reindeer herding in terms of an "impact"; rather Sámi have knowledge about how and when reindeer stimulate positive changes while adapting to seasonal conditions. Sámi interviewees explained how the reindeer scratching through the ice in winter to get to lichens stimulates the early growth when the spring arrives. The female reindeer do this as they retain their antlers usually longer than the males. Land use within Laponia by the Sámi People and their domesticated reindeer is recognised as having influenced the conditions and integrity of the landscape (IUCN 1996).

As described in the Management Plan, "In a landscape which is covered by snow for more than half of the year, familiarity with snow and ice has been traditional knowledge for survival" (*Laponia Management Plan 2006*, 23). One of the non-Sámi interviewees explained how contemporary reindeer herding practices are adaptations based on a continuum with Sámi traditional knowledge, which remains a constant in their lives:

*"Sámi people is that they have traditions that they take care of, but they are also adapting the modern way of life. So for instance you have development in reindeer herding. The reindeer herding is not the same as for 50 years ago or 20 years ago or 100 years ago or 300 years ago, but they still have the knowledge about the reindeer needs and behaviours, but they use*



*snowmobiles or motorcycles or helicopters and radios and whatever in their herding work, but they still have the knowledge how the reindeer behaves for instance.” (Non-Sámi Male).*

Sámi People have also adapted their practices to take account of the impacts of industrialisation:

*“We are now changed with the material around us, like... plastic, have iron, aluminium, things that can't go into nature. We can't just do as we did 300 years ago when we just had the stones and wood things... we can't just leave things behind in our yard... So it's an adaption ... that we construct our reindeer herding together to affect nature as little as possible.” (Sámi Male).*

The impacts of the dams for hydroelectricity are more difficult for Sámi to adapt to, because the ice corridors along the rivers are no longer available:

*“They could use the frozen ice and travel along and now they can't because the water is going up and down and the ices get bad.” (Non-Sámi Female).*

Due to these impacts, the hydroelectric power company on the river compensated the Sámi People. Historically, that compensation was through payment. Today they provide weather-specific roads and continuous access across the river:

*“It's still a problem, and they have to compromise nowadays to make an ice road for us to get over [the river]... sometimes it is closed very early, earlier than you expect it to do. Then they have to provide us with transportation, other transportation, [such as] helicopter transportation. So they are compensating during spring when the ice is getting weak [too].” (Sámi Female).*

Impacts of forestry are also difficult for Sámi People to adapt to. Even though Sámi meet regularly to communicate with the forestry industry about logging plans, they find the industry is not willing to talk about the loss of hanging lichens, critical to reindeer grazing, which Sámi perceive as having reduced in extent by 80-90%. Sámi People feel that the forestry industry does not appear to have any ideas about how to restore the lichens. Changes to weather and climate, as well as these impacts from industrialisation, require ongoing experimentation and adaptation of reindeer herding practices. Sámi People encounter challenges in trying to adapt to the current rate of change:

*“Nature is changing and we have to follow it. But if we don't have time to watch the nature or think about it, we won't have the possibilities to change things and try new things. Nine out of 10 times, the change was wrong, but it learns you something. One of the 10 times, it's going to*

*be right decision or a right thing to try. With that comes better reindeer herding... The weather changes. The external threats threatens. The land changes. The possibilities change. So we have to like always follow the nature and change... We have to follow and we don't have time to do it. I don't have time to do it.” (Sámi Male).*

The Management Plan sets out how Laponiatjuttjudus aims to give particular emphasis to Sámi decision making, processes and coordination of work, and embedding and incorporating Sámi *árbediehtu* as much as possible (Reimerson 2015, 8). Sámi People have deep knowledge of the landscape, including ancient hearths and house foundations on which they rely when they travel with their reindeer herds (*Laponia Management Plan 2006*). Some of these sites are remnants of the early Sámi societies, dating back to the Palaeolithic period, towards the end of the last Ice Age, about 10,000 years BP (IUCN 1996). A research program on predators that involves Sámi Elders, language and knowledge recording is now under way and aims to draw on that knowledge:

*“Working with the Sámi names and the Sámi languages, making information in Sámi, using traditional knowledge, or at least started to use it... I think using the language, Sámi’s [language is] just as important as Swedish in the management. I think there are no other areas like Laponia or national park that you have Sámi as a management language, for instance.” (Sámi Female).*

Other projects bring science and Sámi knowledge together:

*“They have put together the scientific knowledge and the reindeer's traditional knowledge, how the reindeer are grazing affects or impacts the biodiversity. This is a story that we are going to tell in our information about Laponia in the exhibitions and so forth.” (Non-Sámi Male).*

However, processes to embed Sámi *árbediehtu* are recognised by both Sámi and non-Sámi interviewees as being at an early stage of development:

*“From my perspective, Laponiatjuottjudus have just started with using Sámi knowledge... It takes time to use traditional knowledge and do it well, it always takes more time. I think too that the people working at in the management has the Sámi knowledge and they practice it in their daily life... there are a lot of us are bearers of the Sámi knowledge, as there are indigenous people working at the management.” (Sámi Female).*

There are aspirations to further raise awareness about these examples of Sámi knowledge and culture, for example:

*“What we're trying to do now in the next management plan will be to have a better understanding of the reindeer culture and its values in the Laponia area... I think there's still a lot of knowledge to be presented and to be from a different angle. I don't know really how to explain, but kind of traditional, this is how we teach Sámi culture. Now we can - a lot of it is I think ecological knowledge, how it intertwines, the nature and the - man and nature, woman and nature, like this.” (Non-Sámi Female).*

#### **5.4.4 Sámi organisational governance in Laponia**

Today, there are nine Sámi village organisations or *Samebys* actively engaged within the Laponia World Heritage Area (*Laponia Management Plan 2006*, 35). There are six mountain *Samebys* and three forest *Samebys*. Five of the mountain *Samebys* have territories totally within the Laponia boundary which have usufructuary rights and the others cross over to include land outside the boundary (*Laponia Management Plan 2006*). All groups vary in size with the largest being Sirges with approximately 385 members, 96 companies (*Samebys*) and a maximum number of 15,500 reindeer allowed (*Laponia Management Plan 2006*, 35). The organisational governance arrangements structure the *Sameby* according to limitations on herd size, numbers of families, and numbers of reindeer owners:

*“We are about 100 families, Sirkas [Sirges] Sámi village, this territory and 15,000 reindeer so there are maybe 400 reindeer owners in our village... ours [territory] is about three Swedish miles broad and 30, 35, Swedish miles long following this water down to Lulea... we move down here [lowlands] and the winter land is down here... In November, beginning of November we send up 10 people, snow machines, snowmobiles and helicopter and take down the reindeer, all 15,000 reindeer down here. When the mountain stops and the forest begin here we take them in a corral and make small winter groups, 10 or 15 winter groups with 1,000, 2,000 reindeer in each... It's easier to take care of 1,000 reindeer in winter and hold them together.” (Sámi Male).*

The challenges for *Samebys* in Laponia cannot be separated from the challenges to the Sámi communities in general. Implementing and maintaining cultural governance arrangements is challenging for many Indigenous Peoples (Hunt 2008, Martin 2005). For Sámi communities, in the past, flexible time arrangements enabled members from each of the reindeer herding families and *Samebys* to assemble and hold discussions about their reindeers and grazing pastures. Historically, the start of a reindeer muster or migration would be the opportunity to assemble for customary

governance, to discuss, plan and make their decisions according to *Sámi árbediehtu*. Today, *Sámi* maintain their customary reindeer herding practices through assembly of *Sameby* members, using modern technology to assist. Both the herding activities and the assembly of people for decision making is assisted with snow mobiles, radios, aircraft and motor cycles. While these innovations have made reindeer herding physically easier, because *Sámi* People do not need to run or walk as much as in the past, they have also made it more expensive. Communication, particularly the mobile phone, and other technological innovations, have made things much safer:

*"In the 1980s we got the possibility to use a telephone in the mountain areas so we could call down to the civilisation by air. It was a very big revolution to use the telephone in the mountains. Now after 1990 the mobile telephone came and it is very much used. There are many, many technical change during my lifetime. It has been - became much easier basically and more safe with telephones and airplanes and you can call an ambulance wherever you are. You're very safe and you don't need so much."* (*Sámi* Male).

Debates about the environmental impacts of reindeer herding on the overall integrity of Lapponia at times focus on these technologies, rather than its condition as a cultural landscape, reflecting colonial views of authentic culture as unchanging (IUCN 1996). As the summary document of IUCN (1996) noted "the use of motor cycles is not seen as a threat to the integrity of the site which does not mean that local impacts should not be addressed. It is recognized that there may be wider spread impacts from the use of snowmobiles and motor cycles resulting from the noise they emit and the ability they give operators to chase down species. A Saami Council spokesperson confirmed that the Saami are not going to leave the "Yamaha Way" and go back to their traditional way of herding reindeer. Rather, they recognize that they need to address how they can lessen the impact reindeer herding has on the land. Overgrazing is another issue in which the Saami are cooperating with the SEPA [Swedish Environmental Protection Agency]." (IUCN 1996, 103). For *Sámi* People, the protection and the integrity of world heritage also means being able to practice their cultural governance. These practices have in some ways become easier through the use of mobile phones and other technology. Such technologies make it easier to communicate with one another regarding times for members to assemble to discuss important issues.

However, the *Samebys* are struggling to find appropriate pathways for *Sámi* decision making in accordance with the norms of cultural governance, particularly as many of their decisions are made through consensus building. Decisions about day-to-day issues, for example calf marking, are

relatively straight forward, as herders gather within the reindeer corrals for discussions at the end of the day. However, the nation-state edicts that only economically viable reindeer herders, and their families, can belong to a *Sameby* cause many *Sámi* internal conflicts. Some communities accept members who are not working full time on reindeer into their *Samebys*, but this is also perceived as causing challenges:

*“It's a structural problem I think we have in our Sameby that we are too many involved, so no-one has the responsibility. The responsibility on each individual is too small. So no-one feels responsibility... it's catastrophic. Then we have lost many hundred years of knowledge just so fast if we don't have any more full time reindeer herder working people... [We could] lose everything else that we have. We will do that if we don't have full time working people with our reindeer who lives with it.” (Sámi Male).*

Decreasing numbers of *Samebys* and permitted numbers of domesticated reindeer, coupled with pressures to secure a suitable and stable economic income from reindeer husbandry, are challenges for *Sámi* reindeer herders to make suitable and sustainable long term decisions regarding their livestock. Access to suitable lands for *Sámi* to graze their livestock is becoming increasingly rare and competition over available lands is increasing. Now the *Sami* find the need to negotiate with neighbouring groups to share territories for their herds, and then to separate reindeer herds that have become mixed. In regards to Lapponia, support from Laponiatjuttjudus to *Sámi* reindeer herders to discuss issues relevant to their everyday businesses, and to the management of the world heritage area, are limited. There is little recognition by governments (and/or industry groups) of the need to assist *Sámi* People to be able to discuss these broader issues. In the absence of a forum to support *Sámi* coming together for customary decision making, most of the everyday decisions remain at their own level of involvement in their own *Samebys*:

*“The board [of the Sameby] is there, it is just reindeer herders and then we have the numbers... If all members want to keep on gathering reindeer for the market, then the board - we do it... at the first, I discuss it with my Siida, my family group. The one of us who's in the board picks that with him or her and discusses it further with the board.” (Sámi Male).*

*The Sámi* are increasingly being forced to undertake complex negotiations with neighbouring groups, other reindeer herders and non-reindeer herders, and with other external industry groups such as hydroelectricity companies, forestry companies and mining companies who have interest in their broader *Sápmi*. This process also triggers a requirement to consult and consider opinions of other

members of the *Siida*, and come to suitable arrangements and decisions, thereby implementing, respecting and adhering to cultural customary governance. However, limited support is available for these meeting processes to occur, putting further pressure on the *Samebys* as business organisations. In the past, families would contribute money to enable their spokesperson to go and negotiate with others. Now, *Samebys* are trying to get the external parties who want to negotiate to pay a fee to support attendance (while away from their reindeer herding business), as the requirements for decision making are threatening economic viability:

*“Our Samebys economic is also on our knees because of this much discussions take so much time and costs money... about new roads that's going to take place or fencing around the railways or problems with the railways... with reindeer being hit by railway freight trains... road, railways, forestry, hydropower, everything that affects us.” (Sámi Male).*

The *Samebys*, as the business organisations, currently carry the costs for meetings with development interests, many of which seek letters of support for the location of proposals. For example, interviewees described how a windmill company requested a confirmation from the *Sameby* that they are able to access and use an area to build windmills. The *Sameby* boards generally address these issues without needing to assemble all members. However, the costs are still substantial:

*“Every one of our costs in the Sameby are paid by the reindeers [as a loss of income], so the reindeer carries much costs that aren't directly reindeer herding. So all these meetings, all this driving to the meetings, it's paid by the reindeers. That's where it goes wrong, I think. We have to meet the threats together, I think it's the only way to do it. Yeah, but it pretty much affects our work.” (Sámi Male).*

The burden on the reindeer herders and their *Sameby* is twofold. It costs time away from their work with their reindeer and it costs them time and money to have to come together and consult with external companies interested in their *Sampi*. *Sámi* assert that the development interests should pay these costs (as they are lost incomes), but have not yet succeeded in achieving that. The *Sámi* families currently pay the costs for their *Sameby* Board members to attend meetings. However, neither the forest companies nor the mining companies require the permission of the *Samebys* for their activities:

*“The lumber industry presents the plans for next year; where they are going to clear cut. So it's a kind of information meeting. They [the Sámi] have no say actually. The same with mines... They just present the information and say this is what we intend to do if it's economically good sense and so forth... a few persons in the [Sameby] board that have to deal with those questions.*

*Then come back and explain to the [Sámi] members what happens. They [the Sámi] have no power. They can listen and they can get the information, that's it." (Sámi Male).*

On the other hand, some Sámi members see these negotiations and requirements as a new set of skills and expertise, producing opportunities for younger members to become involved in more diverse ways:

*"We also [now] have to have people that are good on those things, who can talk, who can talk in a good way, who knows how to write papers, how to read papers, how to react on them, how to handle those kind of things." (Sámi Male).*

Sámi People are increasingly required to engage with the external world around them in ways that are not typical for them, and present challenges to their traditional way of life. These challenges echo the pressures and limitations that have resulted from colonisation and ongoing impacts to their livelihoods. For Indigenous governance, this creates complexities and tests opportunities for Indigenous Peoples to maintain cultural governance arrangements amidst contemporary measures for decision making.

#### **5.4.5 Sámi cultural governance in Lapponia**

Current governance arrangements at the levels of the Laponiatjuottjudus and its Board provide only limited pathways to enable and/or support true Sámi cultural decision making to be reflected in world heritage management. The lack of power delegated to the Laponiatjuottjudus Board in relation to key issues such as resource utilisation, is viewed as an impediment to application of customary practices and knowledge:

*"We [Laponiatjuottjudus] don't have the power to make decisions on things like fishing or predators. We have some influence on the reindeer herding but still there is the Sámi Parliament having the voice... things that we can actually manage like trails and huts and those kinds of things are not always that close to the traditional knowledge of the Sámi people. That means that we have to find new ways to use the [Sámi] traditional knowledge." (Sámi Female).*

In addition, Sámi are faced with adapting their customary governance to apply their knowledge to constructs of the Swedish nation-state:

*“If you're managing fishing then you can use your traditional knowledge for fishing in a very lateral way but if you're managing something that the Swedish State has constructed and you want to use your traditional knowledge on that, you have to find new ways of doing it.” (Sámi Female).*

On the other hand, time taken up in considering how to find these new ways interferes with the urgent need to continue direct engagement with reindeer herding that strengthens Sámi knowledge:

*“The reindeer herding is heading in a wrong way here, because we work too little with directly reindeer herding. That means that we lose knowledge and culture and social aspects. I would like to change that [so] those people who are reindeer herders... just do that, so not to lose more traditional knowledge, culture and cultural knowledge and to improve the reindeer, to improve and to follow the reindeer and to be able to [suit] the reindeer herding into the future, because everything is changing. Climate is changing. Society is changing. We have to adapt into that in our own way.” (Sámi Male).*

Engagement between Sámi and non-Sámi parties, based on shared projects regarding Lapponia, tend to result in strengthened relationships and mutual benefits. Sámi People also have the chance to gain economically through indirect tourism opportunities such as:

*“The Padjelanta Trail is a good example. Many Sámi sell fish and bread and reindeer meat.” (Sámi Male).*

Tourism also has significant impacts in Lapponia that Sámi would like greater influence over. However, reindeer herders are limited in their ability to access other economic activities, as they are not permitted to earn extra money other than from reindeer herding while maintaining *Sameby* membership:

*“Hopefully they'll give us a possibility to influence tourism, for example, so it won't be bothering the reindeer herding and I will like our life here... We have never really been against hiking tourism. But we want to be able to control it. But we want to be able to Influence and or Guide [the tourist]” (Sámi Male).*

The Board of Lapponia and the organisation Lapponiatjuottjudus have the potential to support mutually beneficial outcomes and build relationships with the Sámi communities through support for legislative reform that removes these restrictions on economic diversification.



## 5.5 The future for the Sámi People's influence on Indigenous knowledge application in Laponia

Sámi People aspire to maintain their identity including through self-determination, leadership and nation-building (Balto and Kuhmunen 2014). Elements of these are referred to in the Laponia Management Plan, together with the strong desire to apply and incorporate the Sámi language, traditional knowledge and other practices (Balto and Kuhmunen 2014). Laponia World Heritage Area therefore does provide some opportunities for the Sámi People to apply their Indigenous knowledge, and realise their aspirations for a better future. However, this case study highlights that the current governance arrangements pose a number of barriers to reaching the full potential. For instance, the Laponia Board does not have power over key matters of concern to Sámi, such as predator management, and authority over issuing permits. These restrictions limit the reach of shared governance. Many aspects of the Sámi organisational governance through the *Samebys*, such as restrictions on membership and economic diversification, limit opportunities for Indigenous knowledge application. In addition, the *Samebys'* organisational governance imposes numerous resource and equity constraints. These constraints result in ongoing challenges for Sámi People to have the time and financial resources to support consensus decision making as required under cultural governance arrangements. Further, Sámi Peoples' time spent with their reindeer on the land is declining and therefore reducing opportunities to maintain, practice and pass on cultural knowledge.

Sámi People are very aware of the barriers and opportunities through the world heritage status for Laponia, and the broader context of the overall status in the nation state. Sámi People see their adaptability as a strength that ensures their ongoing cultural survival:

*“Sámi way of life. It's modernising. It's always changing over time. That's a good thing because it's always renewing and it's always important. It stays important because it's changing over time. So it's not fixed in a way, so that's the good thing. The same with language now you get new words and you get these modern expressions in the language. It's a way to make it [the language] useable today. You have to have these new expressions otherwise you just speak about [the] same things, reindeer herding or something. But you also have to have this language [change] that's involved with TV and computer things and everything.” (Sámi Female).*

On the other hand, some reindeer herders are concerned for future generations and the survival of traditional knowledge. They identify that the key period between 15 and 25 years old, when younger Sámi People need to be away from their traditional territories for the purpose of gaining education and other experiences, is also the key period for becoming truly skilled as a herder:

*“I think we'll have a hard time in 30 years... If you don't have that time of 10 years when you just herd reindeer and you go places and do things outdoors that you wouldn't have done then you don't do those things if you don't have time. You have to do those trips and those weeks or months in the woods or in the mountains when it's not really necessary. When you're a skilled reindeer herder, you know when to work. You know when to be out, when it's important and when you have to be there [in the mountains]. But where we are now, we aren't giving the education to younger reindeer herders.” (Sámi Male).*

While Sámi appreciate their rights within Lapponia, the entrenched opposition to their rights and interests more broadly in Swedish society affects the management of Lapponia. These battles are underpinned by cultural differences that prevent a positive and full engagement and building a true understanding between the Sámi and non-Sámi cultures:

*“Two different cultures met but there was no exchange. They don't understand us and our parents didn't understand them. We had lawyers, lawyers too. We had lawyers but they didn't understand us either. So we feel that they'd been overridden. That is a well-known fact – in all these situations concerning cooperation, participation, regulations and forestry management, for example forest industries or the hydroelectric power industry they never understood what we meant, they don't understand reindeer herding, they don't understand our Sámi culture or our way of living and how we use the land.” (Sámi Male).*

Sámi People's position as a minority population within the nation-state continues to skew power relationships:

*“I think it's easy to forget about the Sámi when you're discussing politics in Stockholm... we have 20,000 Sámi in Sweden as a whole. So it's a very small minority and... none of us who is living here are really in the focus of the Government. They are not interested in the north of Sweden but they are of course interested in the richness of our [laughs] forests and mines and so on... most Swedish politics, politicians are avoiding the question of the Sámi people... They might invite some Sámi people to a different national day or something like that. But they don't really*

*want to decide anything that is important. So they are dancing around the hot fire.” (Non-Sámi Female).*

On the other hand, connections of both Sámi and non-Sámi People to the north of Sweden, a relatively isolated area, do bring people together:

*“In the end of the day Norrbotten has only 230,000 inhabitants. We are so very few so we have to work together. The Sámi people are dependent on the Swedish people because if there weren't any Swedes there wouldn't be any gas stations or schools or hospitals. So we have to work together. We are also dependent on the Sámi people in a way.” (Non-Sámi Female).*

Laponia similarly is an arena that is bringing Sámi and non-Sámi people together into a more equitable relationship, but it is not yet accepted as something that could be adapted more broadly in Swedish society:

*“In the beginning of 2000 the politics changed so the Government and its institutions started to talk about protected areas in a different way... we haven't been able to change on every level yet. But Laponia is a very good example on how you can work with a protected area. But it's also a rather expensive way of doing things. So we won't be able to do it everywhere and I don't think that the local communities or the Sámis, if they are represented, want to do it in all areas. So you have to choose the areas where you work like this, I think. The Laponia is different from other parts of protected areas because the Sámi traditions are acknowledged in the World Heritage decision. So that makes it rather unusual as well.” (Non-Sámi Female).*

As a construct, world heritage presents the Sámi People with opportunities; some positive, and some not so. Despite the colonial legacies, the Sámi People have been able to focus on self-determination, empowerment and leadership for and amongst communities in Laponia. Their Board majority reflects this. However, Sámi Peoples' knowledge and governance arrangements in relation to the management of the Laponia World Heritage Area remain constrained by the lack of broader recognition of Sámi People by the Swedish nation-state. The future ability of Sámi to influence the management of Laponia, and improve Indigenous knowledge application, will depend on changes to nation-state arrangements. Further analysis of how this and other factors influence Indigenous knowledge application in Laponia will be through the comparative analysis in Chapter 6.

## 5.6 Summary

On face value, Sweden appears to be revolutionizing the world with its bold attempts and progressive new approaches to global issues facing contemporary societies. However, Sweden's Indigenous People, the *Sámi* People, still face extremely paternalistic, power ridden actions from the nation-state through ongoing marginalisation regarding their lives, activities, rights and future livelihoods (Broderstad 2011, Lantto and Mörkenstam 2008, Morkenstam 2005). The Laponia World Heritage Area is a Swedish nation-state construction designed to protect, promote and manage some of our world's most 'outstanding universal values', including *Sámi* People's cultural values (IUCN 1996). Laponia World Heritage Area therefore protects, promotes and manages the unique ongoing occupation by the *Sámi* People and their exceptional relationship with their reindeer herds, noted since the earliest stages of human interaction (IUCN 1996). Despite the unprecedented governance arrangements for management of Laponia to take account of these values, current day management still fails to fully respect or recognise *Sámi* customary governance arrangements for a landscape they have sustainably managed since time immemorial.

Laponia, as a protected area, benefits from a shared governance arrangement, through the Laponiatjuottjudus organisation, that has been accepted by the *Sámi* People. They have embraced the opportunity to empower themselves through new opportunities to renew culture and protect their lands and livelihoods. However, Laponiatjuottjudus as an organisational management structure is restrictive due to the nation-state's legislative and colonialist rhetoric governing all Swedish *Sámi* (Baer 2017). Future management of this protected area to fully recognise and support true *Sámi* customary governance and Indigenous knowledge will require changes to these nation-state provisions.

# Chapter 6. Comparative Analysis and Discussion

## 6.1 Results of Cross-case Comparative Analysis

The cross-case comparative analysis is presented according to six thematic areas identified as key to conditions under which Indigenous governance recognises and supports Indigenous knowledge in protected areas. Three themes (cultural governance, organisational governance and shared governance) came from the literature and were the basis of interview questions and investigative propositions for case studies in the Wet Tropics World Heritage Area in Australia and Laponia World Heritage Area in Sweden. Three more themes emerged under content analysis: self-determination, empowerment and leadership.

## 6.2 Conditions under which Indigenous governance recognises and supports Indigenous knowledge in protected areas

Analysis revealed that aspects of self-determination, empowerment, leadership, as well as arrangements for cultural, organisational and shared governance, influence different aspects of Indigenous knowledge application.

### 1. Self-determination:

When Indigenous Peoples (and communities) **self-determine** the way they engage with protected areas, **Indigenous knowledge** is drawn upon widely, multiple actors are involved and different types of knowledge are mobilised with different people.

### 2. Empowerment:

When Indigenous Peoples (and communities) are **empowered** through engagement with protected areas, other people respect and recognise **Indigenous knowledge**, supporting strategies for sustainable livelihoods.

### 3. Leadership:

When Indigenous Peoples (and communities) are **leaders for and within** their communities through engagement with protected areas, **Indigenous knowledge** is negotiated between groups in effective and respectful ways, while remaining under the control of Indigenous people.

### 4. Cultural governance:

When Indigenous cultural governance is **equally valued in management** of protected areas, cultural institutions manage **Indigenous knowledge**. Rules regarding who can access knowledge, how it is to be passed on, differences between men's and women's knowledge, and when it can be used, are decided based on customary laws (lore systems) and traditions.

### 5. Organisational governance:

When Indigenous People's **organisations align with and enhance** cultural governance in protected areas, these organisations better support **Indigenous knowledge** application.

## 6. Shared governance:

When Indigenous People's cultural governance **contributes to effective and collaborative** shared governance in protected areas, **Indigenous knowledge** is valued, recognised, and is as powerful as scientific knowledge.

### 6.2.1 Self-determination, and its influence on Indigenous knowledge application for Sámi and Bama

**Self-determination:** When Indigenous Peoples (and communities) **self-determine** the way they engage with protected areas, **Indigenous knowledge** is drawn upon widely, multiple actors are involved and different types of knowledge are mobilised with different people.

#### 6.2.1.1 Sámi self-determination in Laponia – strengths and weaknesses in supporting Indigenous knowledge application

Sámi People negotiated for many years to self-determine involvement in Laponia World Heritage Area management through Sámi Advisory Committee-supported Sámi majority Board. As described in detail in Chapter 5, the Sámi people refused to accept government-determined options for a Board without a Sámi majority. UNESCO, in the world heritage inscription that listed and recognised cultural, as well as natural values, mandated this success. As a result of this self-determined protected area engagement, Sámi people mobilise a significant body of Indigenous knowledge from a large number of people. For example:

*“The strength is that we have a majority in the Board, which means there are a lot of Sámi people in the Board. We have a big Board... there are a lot of people representing and being there and speaking and giving the Sámi community a really strong voice in the point of Laponiatjuottjudus. That’s a strength.” (Sámi Female).*

Board decision making respects Sámi Indigenous knowledge, ensuring Sámi people determine who is involved, how they are engaged and what knowledge is shared.

However, selection of *Sámi* members to the Board is restricted to reindeer herders, and thus is not self-determined. ‘Fisher’ or ‘hunter’ *Sámi* are not recognised in the protected area management process. As explained in Chapter 5, this is a direct legacy of the Reindeer Herding Act (including its many amendments). Decision making in Lapponia focuses on outstanding universal values (OUVs) as UNESCO recognised under the world heritage listing. Reindeer herding is recognised as an essential element of the OUVs. Therefore, ongoing protection and maintenance of those values requires that *Sámi* Indigenous *árbediehtu* (traditional knowledge) be mobilised and applied through decision making. As other *Sámi* activities and practices are not recognised, inclusion of broader *Sámi* Indigenous knowledge is limited. For example:

*“You can only be in the Board if you are a part of the Sameby and being a fisher Sámi you have no power in that way even though you're in Lapponia. [It's a] big conflict between reindeer herding and non-reindeer herding and the rights tied to the Sameby membership. In Lapponia that gets very clear because you can only be in the Board, you can only be in the power making system [through] being tied to the Sameby.” (Sámi Female).*

This restriction limits the types of Indigenous knowledge that can influence decision making. With management strategies focused on the OUVs, Indigenous knowledge application tends to follow. For instance, Indigenous knowledge about managing potential threats to reindeer grazing areas from tourism can draw on a range of knowledge about reindeer herding. On the other hand, *Sámi* fishers’ knowledge of fish behaviour, habitats, breeding and seasonal cycles is explicitly excluded.

### ***6.2.1.2 Bama self-determination in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application***

*Bama* have also negotiated over many years to self-determine involvement in protected area management. As a result, though not representing a majority, two Aboriginal Directors are appointed to the WTMA Board, and a *Bama* Advisory Committee is established. As described in Chapter 4, these successes were negotiated through the 2005 Regional Agreement, a key milestone in the *Bama* journey in world heritage management (Cultural Values Project Steering Committee 2016b) (See Figure 7, page 107). Although *Bama* lacked the *Sámi* mandate derived from UNESCO’s cultural values listing in Sweden, as the WTWHA listing is only for natural values, the Regional Agreement was Indigenous-led, ensuring *Bama* draw on cultural and traditional knowledge from across the 20 tribal Aboriginal groupings. In addition, the Regional Agreement enabled *Bama* to mobilise non-Indigenous



actors to contribute different knowledges. *Bama* viewed this process as clearly self-determined. For example, the Chairperson of the Rainforest Aboriginal Advisory Committee (RAAC) to WTMA Board, expressed at the time:

*"I see this as a unique opportunity for the Traditional Owners of the Wet Tropics World Heritage Area to have much greater input into the way our traditional lands and country are being managed."* (Russell Butler Jr) (Wet Tropics Management Authority 2005, 6).

Furthermore, recognition of native title rights, IPAs and joint management in the protected area estate is progressing self-determination (see Figure 8, page 109 and Figure 9, page 110, in Chapter 4), with *Bama* in a stronger position to argue for increased engagement with multiple actors, and promoting recognition, renewal and application of Indigenous knowledge held by different *Bama* groups (Cultural Values Project Steering Committee 2016a, Rainforest Aboriginal Peoples 2013, RAPA 2013).

Despite this renewed advocacy, *Bama* remain limited in their engagement in the Wet Tropics WHA. As Indigenous cultural values in the WHA continue to go unrecognised at the international level, management organisations necessarily prioritise natural values. *Bama* lack the specific mandate to use Indigenous knowledge and are restricted in managing cultural values. While management and legislative documents, such as the *WH Conservation Act*<sup>38</sup> acknowledge that: "Aboriginal people have occupied, used, and enjoyed land in the Area since time immemorial...It is, therefore, the intention of the Parliament to recognise a role for Aboriginal peoples particularly concerned with land and waters in the Area, and give Aboriginal people a role to play in its management." (*WH Conservation Act, p.1*)<sup>39</sup>, the UNESCO inscription remains unchanged. In contrast to the Laponia case, therefore, legal and specific cultural values management remains outside the mandate of the WTWHA managers and Indigenous actors' formal (and legal) decision making influence is limited. Furthermore, traditional practice remains a perceived threat to natural values. For example:

*"...how long does it take to get that [area] heritage listed or listed in that way? Where it [is] protected properly? I think government needs to make sure that when Aboriginal people identify places like that [for protection], that it's automatically straight ahead, [protected]. Because in white society, a building pretty [much] goes straight on the heritage list straight away. A really sacred site, how long does it take to get protected?"* (*Bama Male*).

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<sup>38</sup> The WH Conservation Act refers to The *Wet Tropics of Queensland World Heritage Area Conservation Act 1994* (Commonwealth) and is described in detail in Chapter 5.

<sup>39</sup> As above.



Figure 14 Bama Word Cloud



## 6.2.2 Empowerment, and its influence on Indigenous knowledge application for Sámi and Bama

**Empowerment:** When Indigenous Peoples (and communities) are **empowered** through engagement with protected areas, other people respect and recognise **Indigenous knowledge**, supporting strategies for sustainable livelihoods.

### 6.2.2.1 Sámi empowerment in Lapponia – strengths and weaknesses in supporting Indigenous knowledge application

The Sámi community's empowerment through engagement in Lapponia is most evident in the research activities that the Lapponiatjuottjudus organisation supports, described in Chapter 5. Sámi control research initiatives centred on strategies for supporting sustainable livelihoods. Sámi use of Indigenous *árbediehtu* (traditional) knowledge draws attention to cultural activities that ensure appropriate engagement in the research projects, which prioritise use of Sámi language, including through community Elders visiting sites of significance and sharing their cultural and spiritual stories associated with those places. Sámi *Samebys* and individuals are remunerated for their involvement in the research. The research itself therefore becomes part of the Sámi livelihood strategy.

Through incorporating *árbediehtu* into research, others value *Sámi* knowledge and engagement in Lapponia. Projects drawing on *Sámi árbediehtu* knowledge, such as predator monitoring, assessing biodiversity impacts, and developing potential adaptation strategies for reindeer grazing pastures, are recognised as important for Lapponia. For example:

*"...our [research] projects working with tradition and knowledge and in my job [I] go out meeting elders as [my] daily work. I [think it is] important - you have a management [organisation] saying you should work with tradition and [Sámi] knowledge. The people working with [management of] Lapponia feel it's important and if you feel it's important you'll do it and you'll prioritise that work."* (*Sámi* Female).

Furthermore, these activities catalyse recognition and respect for *Sámi árbediehtu* knowledge as equally important to western scientific knowledge:

*"I'm collecting the [traditional] knowledge from people from the Lapponia area about the wolverine, how it moves and where and what time of year [it moves]. Then we are going to compare it with scientific data and see if it's the same or isn't, and how we can use the traditional [Sámi] knowledge more. This big project is counting how many wolverines there are and lynx and bear and then the reindeer herders get paid [through] the Sameby [in that] area."* (*Sámi* Female).

*Sámi* empowerment enables Indigenous *árbediehtu* knowledge and cultural traditions to influence protected area management.

*Sámi* empowerment has not, however, been sufficient to engender support for aspirations to diversify their livelihoods substantially beyond reindeer herding. The Reindeer Herding Act constrains *Sámi* lifestyles, particularly within Lapponia. More specifically, the *Sámi* are restricted in reindeer stock numbers, influencing the income earned from reindeer grazing by the *Samebys* and their members. Further, abilities to earn a living and secure sustainable economic business from other opportunities are also dramatically reduced. For example, legislative regulations continue to impose restrictions that preclude *Sámi* from increasing and diversifying their incomes:

*"...the Reindeer Act specifies... [reindeer herders] can engage in no economic activity other than herding. Furthermore, no individual herder can obtain more than 50% of his income from a non-herding source without running the risk of expulsion from the Sameby"* (Beach 2007, 5).

*Sámi* People are therefore limited in their ability to develop sustainable livelihoods based on and utilising Indigenous *árbediehtu* knowledges, other than for reindeer herding and practice, meaning that Indigenous *árbediehtu* knowledge is not fully respected, recognised or valued outside its limited application to reindeer herding in Lapland. A legacy of nation-state legislative constructs, limited access to alternative economic opportunities such as tourism remains a major barrier.

#### **6.2.2.2 *Bama* empowerment in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application**

*Bama* empowerment in the protected area is evident in initiatives such as: Indigenous ranger programs; gender specific business (e.g. men's and women's business) support programs; youth groups; cultural camps focused on knowledge transfer; and projects and activities that contribute to the natural and cultural resource management of the protected area. Opportunities for *Bama* to practice and transfer Indigenous knowledge from Elders to younger generations are critical to empowering *Bama* as individuals. During these knowledge transfer activities, *Bama* discuss and develop strategies for sustainable livelihoods and also earn income from working in ranger programs and support for gender specific activities.

Empowered *Bama* individuals work more successfully with, and gain respect and recognition from, the non-Indigenous community:

*"...[if we are] masters of our own destiny and realise what we do really impacts on the political arena and the voters out there, while embracing that they're part of the community like us, so if we can positively affect the broader community, then that's a huge win for us."* (*Bama* Male).

*Bama* who are empowered with cultural knowledge think, act, engage and respond to others in positive ways:

*"The more people out there that understand this responsible cultural leadership, the better. So that was why it was a really big issue [for us]. When you start to empower people to think like that and to act like that, to behave like that and to have the positive influence, then you're really on your way to delivering stuff."* (*Bama* Male).

On the other hand, there are still barriers to *Bama* realising potential for sustainable livelihoods through opportunities related to: tourism; business; and employment within WTMA. Tourism opportunities are limited because regulation restricts licences to operate in some parts of the WTWHA, with permits for some popular sites, such as Cape Tribulation in the Daintree National Park, fully allocated for decades. If/when permits do become available, Indigenous tourism businesses may find it difficult to compete with non-Indigenous businesses that are more easily able to meet the numerous regulatory requirements for holding permits. Social injustices, power imbalances, inequalities and marginalisation engender lower levels of confidence, skills, experience and education when compared to the broader non-Indigenous population (Commonwealth of Australia 2017). Ongoing socio-economic disadvantage creates added challenges to *Bama* succeeding in business and employment in a region that is highly competitive in both spheres. An Indigenous employment strategy could support employment opportunities for *Bama* in the Authority (WTMA).

### **6.2.2.3 Critical commonalities or differences**

Indigenous empowerment, for example through research activities in Lapland and employment as rangers in the Wet Tropics, fosters respect for Indigenous knowledge, and opens opportunities for livelihoods based on this knowledge. However, in both cases parameters established by the nation-state constrain these opportunities to a greater or lesser extent. In the *Sámi* case, constraints arise primarily from rules limiting economic activity to reindeer herding. In the *Bama* case, a more general failure to close the socio-economic gap between Indigenous and non-Indigenous Australians, coupled with a highly competitive and heavily regulated local context that favours non-Indigenous people, constrains Indigenous empowerment.

### **6.2.3 Leadership, and its influence on Indigenous knowledge application for *Sámi* and *Bama***

**Leadership:** *When Indigenous Peoples (and communities) are leaders for and within their communities through engagement with protected areas, Indigenous knowledge is negotiated between groups in effective and respectful ways, while remaining under the control of Indigenous people.*

### **6.2.3.1 Sámi leadership in Lapponia – strengths and weaknesses in supporting Indigenous knowledge application**

Sámi people build leadership for and within their communities in many different ways. For instance, the *Sámi Parliament*, in following its mandate, focuses on language, culture and education to renew, strengthen and protect Sámi culture and traditions. As described in Chapter 5, the *Sámi Parliament* is responsible for establishing schools so that Sámi children have the opportunity to learn Sámi language and culture. Sámi have also secured support and resources, albeit limited, to establish programs such as for teaching the language in schools, for Sámi-only kindergartens, and for teaching *Sámi Duodji* (handicraft) to young Sámi in vocational training centres. The *Laponiatjuttjudus* supports embedding Sámi *árbediehtu* (traditional) knowledge, including language, into the world heritage management plan and all its activities (*Laponia Management Plan 2006*). This commitment reflects strong leadership in negotiations between different Sámi groups and with the *Laponiatjuttjudus*. As a result, recognition of *árbediehtu* (traditional) knowledge has expanded beyond a focus on reindeer. A participant explains:

*“I would say, the language, for me as a person, [it] is even more important than the reindeer herding, I think for me, as I’m not born and raised with reindeer herding, language has been important, even more important for me [being] Sámi.” (Sámi Female).*

Leadership in decision making provides for ongoing discussion and engagement between the various Sámi groups. For example:

*“I think there is a lot of different ways of Sámi decision making because I have seen the work with Lapponia. It has been very, very effective and productive because we have reached results. I think we work very, very parallel to the Sámi way of working and decision making and management in Lapponia.” (Non-Sámi Male).*

Sámi acknowledge the benefits of working together and promoting the ‘Sámi way’ of doing things and making decisions to negotiate the most effective ways to engage in the protected area. For example:

*“We are all very involved in every question at the Laponiatjuottjudus. They are using this way like trying to get back to the Sámi way of working [with decisions]. We have this like co-working style and I think that’s a very big strength because I can see that I get a lot of help from my co-workers and [is similar to Sámi ways to do things].” (Sámi Female).*

Nation-state imposed divisions and classifications challenge the *Sámi* people (Chapter 5). Within Lapponia, *Sámi* are afforded usufructuary rights as reindeer herders based on *árbediehtu* knowledge of reindeer herding. *Sámi*, however, are custodians of much Indigenous knowledge beyond reindeer herding, and their leadership has enabled intra-group negotiations to bring this knowledge to management of Lapponia. The strength of Indigenous leadership is clearly linked to recognition of sovereignty, cultural identity issues, and institutional and constitutional arrangements and concerns (Dodson and Smith 2003, Rowse 2005, 2012, Smith 2016, UNEASCP 2013). *Sámi* face ongoing obstacles in building leadership, due to lack of recognition of their rights more broadly in Swedish society (Baer 2017). Lapponia has provided a unique opportunity:

*“...if you look at national parks in Sweden, Lapponia is like an island where you have this construction with Sámi majority and just outside you have another completely [different] situation and the Sámi people are still struggling with the question [that we have] within Lapponia. This is like the reality in Sweden, [but] looking after Lapponia is like a very unique good thing.” (Sámi Female).*

However, while unique, the opportunity for *Sámi* leadership to support negotiations among *Sámi* is seen as limited:

*“We get clear instructions that we have to be involving all the [local] people in Lapponia but I think still there can be some frustration [from those we don’t work with outside Lapponia]. Also, people [Sámi] can’t be on the Board if they are just fishing people [they have to be] reindeer herding people.” (Sámi Female).*

Despite ongoing challenges, *Sámi* leadership navigates and negotiates with *Sámi* members and *Samebys* to restore and draw upon Indigenous *árbediehtu* knowledge in this protected area.

### **6.2.3.2 *Bama* leadership in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application**

Diversity amongst the 20 Aboriginal tribal groups in the Wet Tropics is strong (Cultural Values Project Steering Committee 2016a). While kinship ties, common experiences and shared cultural beliefs and traditions link many of the *Bama* groups, strong leadership is critical to negotiating with these groups to ensure Indigenous knowledge is applied in ways that respect each group’s customs and community law systems. Traditional owners in the Wet Tropics have groupings at local clan or family level, tribal



level, and legal entity level, regionally and sub-regionally (Wet Tropics Management Authority 2017).

A participant explains:

*“Well there's the traditional structures that are still alive and thriving. There's different levels of those as well, so the traditional structures according to law and custom that's there. So the tribal group and sub-tribal group and family groups and language groups and those sorts of elements from a very core traditional law and custom point of view [still] exist.”* (Non-Bama Male).

*Bama* participants recognised how leadership needs to be multi-scalar and cross regional to overcome intergroup tensions that can create barriers to the application of Indigenous knowledge. Particular leadership skills required include: accountability to own tribal group; strong awareness of pressures and needs of community; and ability to lead by example. Good leadership brings *Bama* together:

*“It's really up to the people and the people that are involved and how strategic they are, how innovative they are, and above all else I think their ability to bring other people into the space and really the ability to foster really good strategic leadership amongst our mob.”* (Bama Male).

*Bama* recognise the value of leadership in enabling *Bama* to work together effectively, and allowing a diversity of Indigenous knowledges to be applied in the WTWHA:

*“I think they [Bama] really need to talk to each other and really support each other, and the only way that can happen is through really good leadership at all different levels.”* (Bama Male).

However, *Bama* interviewees acknowledge that their own communities fail to some extent to support other *Bama*. At the regional level, *Bama* are working to overcome this by pursuing opportunities for leadership training in *Bama* communities (Cultural Values Project Steering Committee 2016a).

Another constraint on Indigenous leadership is non-Indigenous ignorance about the role of Elder-leaders in *Bama* communities. The leadership of Elders is essential to bringing various Indigenous groups together to negotiate and navigate common issues around Indigenous knowledge. Participants in the research point out that limited resources from government to support *Bama* communities to work with Elders contributes to difficulties with enabling *Bama* groups to apply Indigenous knowledge in the protected area. Missed opportunities to pass Indigenous knowledge on to the next generations may also compromise the ability to produce future community leaders.

In addition, the emphasis and focus remains on those *Bama* with western education, who find it easier to articulate and engage with the nation-state about the protected area.

*“All this negotiating... With everyone, make us mob have conflict and fight, its lateral violence... we have to start on [the] same page and then we can stand together and fight the governments together ... this [way] has no leadership.” (Bama Male).*

Leadership for, and within, *Bama* communities can support the inter-group negotiations that are essential to apply Indigenous knowledge in protected areas. However, effective leadership requires appropriate levels of support, resources, and understanding to flourish.

### **6.2.3.3 Critical commonalities or differences**

For *Sámi* and *Bama*, effective leadership is critical to applying Indigenous knowledge in the respective protected areas. Negotiating intra-group requires strong cultural foundations, knowledge of customary institutions and understanding of the people. Furthermore, in both cases, barriers to the exercise of leadership result from limitations in: resources; recognising the need for leadership; support to communities to build their own leaders; and support to develop long-term community support strategies.

## **6.2.4 Cultural governance, and its influence on Indigenous knowledge application for *Sámi* and *Bama***

**Cultural governance:** *When Indigenous cultural governance is equally valued in management of protected areas, cultural institutions manage Indigenous knowledge. Rules regarding who can access knowledge, how it is to be passed on, differences between men’s and women’s knowledge, and when it can be used, are decided based on customary laws (lore systems) and traditions.*

### **6.2.4.1 Sámi cultural governance in Lapponia – strengths and weaknesses in supporting Indigenous knowledge application**

Broad consultation and taking time to reach consensus is central to *Sámi* cultural governance, as explained in Chapter 5. Indigenous cultural governance must support decisions to apply indigenous

knowledge. *Sámi* institutions determine rules for accessing and using Indigenous *árbediehtu* knowledge and sharing it with others. The *siida* is a type of pre-colonial *Sámi* social community structure, described as a community of family groups, led by a council of Elders and responsible for certain areas (Dahlström 2003). *Samebys* support the *siida* as essential to decision making about reindeer herding activities and *Sápmi*.

In Laponia the *Laponiatjuottjudus* does provide some support for cultural governance arrangements. *Sámi árbediehtu* knowledge and the role of *Samebys* are valued in the management of the protected area and are seen as important components in the overall decision making process (*Laponia Management Plan 2006*).

*“...you have to incorporate the Sámi tradition and by recognising [it] I think that the Sámi community [has been] strengthened by that... I also think that [SSR] the Sámi reindeer herding organisations, they are interested and maybe they are also discussing strategies which may or may not influence Laponia. The Sámi - they know about the reindeer herding questions there and they know about a lot of other things [too]. So there are people that know a lot and [we] are meeting with them and they are participating in the different meetings on a regular basis with the Sámi villages, we have a meeting with [all] of the Sámi villages.”* (Non-Sámi Female).

However, recognition of, and support for, *Sámi* cultural governance is restricted in significant ways. For example, when industry groups are interested in business and/or development opportunities on the *Sápmi* (lands), consultation with the *Sámi* is encouraged, but not compulsory. As discussed in Chapter 5, the interests of industry groups in the region prevail on most occasions. Further, the provision for resources to assist *Sámi* in their consultation is neither compulsory nor readily available, often causing challenges for *Sámi* with consultation and negotiation processes. The *Samebys* (reindeer corporations), as incorporated legal entities, have specific responsibilities to represent members and to engage with others on members' behalf (Beach 2001). However, the *Samebys* are not usually financially supported to consult with their members according to cultural governance requirements. External stakeholders often do not fully understand the complexities of consulting with all of the *Sameby* members, and therefore cannot appropriately nor respectfully engage with the *Samebys*. Financial support to *Samebys* is not mandated under any political policy, protocol or legislative reform process, therefore leaving it at the will of external stakeholders and any others who wish to consult with *Sámi* People.

As also explained in Chapter 5, the *Laponiatjuottjudus* does not resource broader consultation with the *Samebys*. This absence of support to *Samebys* can have detrimental impacts on all the members of the *Sameby*. For example, when an external company chooses not to resource a *Sameby* member (usually the ‘chairperson’ or spokesperson) to consult and engage with their *Sameby*, it is difficult to gather all members’ perspectives. As a result, engagement may be restricted to those members ‘present’ at the time, or easy to access, and the full suite of Indigenous knowledge (*Sámi árbediehtu*) does not contribute to the decision process. Participants in the research explained that at times the collective *Sámi árbediehtu* knowledge of historic or past grazing pastures, vegetation types and condition, grazing routes particular to the group and even seasonal availability and presence, are not considered nor recognised in decision processes. Further, individual *Sámi* who consult with *Sámi* families encounter many problems. For example, as all *Sameby* members are working reindeer herders who rely on income from this practice, someone must cover for a member who leaves this core work to consult with other *Sameby* members on behalf of an external party. Without compensation, this causes extreme stress on the reindeer herder, his or her family, and *Sameby*. For example:

*“That’s a big problem, because it takes more and more time for the [Sameby] Board [to talk it through]. It [means the Board does] less things. So the workload for the [Sameby] Board has increased a lot. Our Sameby economics is [down] because of these discussions [with companies] take so much time and costs money. It’s time away from their reindeers. We have to pay the Sameby board something at least... a kind of salary for that day they’re off to discuss [with the companies].” (Sámi Male).*

While *Sámi* cultural governance is necessary to decision making around applying *Sámi* Indigenous *árbediehtu* knowledge, the reverse is also true: fulfilling cultural responsibilities; determining the appropriate people with the necessary knowledge; determining when to utilise and share that knowledge; and ensuring customary laws (*lores*) and traditions are followed, depends on *Sámi* Indigenous *árbediehtu* knowledge. Valuing and resourcing *Sámi* cultural governance in protected area management is critical for effective application of Indigenous knowledge.

#### **6.2.4.2 Bama cultural governance in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application**

*Bama* cultural governance requires that the right person (or people) speak for country. Individuals engaged directly in making decisions about *Bama* knowledge application on their traditional lands need to have the authority, legitimacy, cultural knowledge, cultural approval and support from the broader tribal group (Sutton 1998). Furthermore, only people with direct blood line links have customary rights within a particular tribal group and area, and thereby the authority to speak (and make decisions) regarding that specific area (Sutton 1998). However, many Indigenous customary practices and cultural knowledge systems were disrupted as a result of colonisation and have since adapted, allowing new governance models to emerge amongst Indigenous communities (Sullivan 2010). This together with increased recognition of Aboriginal Peoples' rights to land has resulted in changes to the way that ownership and management rights and responsibilities are supported. Indigenous Protected Areas (IPAs) provide opportunities for Indigenous communities to maintain cultural institutions to underpin management strategies (Davies et al. 2013).

An IPA, through voluntary agreement with the Australian government, described in Chapter 4, provides Indigenous communities with resources and support to manage country according to plans which they develop (Smyth 2006). These self-determined plans emphasise the role of customary institutions (Davies et al. 2013). IPAs recognise both the biodiversity and cultural significance of the area under management (Smyth 2006). When IPAs include these cultural governance arrangements, it enables involvement of the right people, which in turn enables Indigenous knowledge application. For example:

*"I think creating that advisory committee was one of the first good practices that we could go through. That was all part of this IPA and I think that IPA, it was a good thing and it really, especially by creating this proper governance where you've got the right people [involved] - there's a higher authority again which is that advisory group [to] make them decisions about our land." (Bama Male).*

*Bama* cultural governance enables Indigenous knowledge to be applied, and vice versa, Indigenous customary decision making rules, through culturally appropriate institutions, are required to implement cultural governance. As discussed in Chapter 4, some Aboriginal communities entwine cultural governance responsibilities with more contemporary organisational institutions (Sullivan

2010). When cultural governance is valued and supported equally in the protected area, Indigenous knowledge application is enhanced.

IPAs recognise and resource *Bama* cultural governance in the WTWHA:

*“IPAs together with Indigenous Ranger groups and support programs were hence identified as being highly effective mechanisms due to their capacity to be adaptive and collaborative, to provide a context that supports wider recognition of Indigenous peoples’ rights and responsibilities, and ongoing reconciliation in Australian communities.”* (Cultural Values Project Steering Committee 2016b, 18).

As described in Chapter 4, IPAs always prioritise the use of Indigenous knowledge in all aspects of management. However, government funding for IPAs depends on government commitments and policies of the time. Funding for protected area management of \$64 million from 2014-15 through to 2017-18 was provided under the National Landcare Programme<sup>40</sup>. In May 2017, the Australian Government committed \$15 million for new protected areas, and a further five years funding for existing protected areas<sup>41</sup>, but the level of funding has not yet been announced. An extensive public campaign applied pressure on the government to secure these funds<sup>42</sup>.

However, while the IPAs operate under cultural governance, the State of Queensland holds powers that can override land management decisions:

*“...external policy frameworks – the State sets the policy parameters for land management. The State identifies what the economic, environmental priorities are, and for agreement to be reached, traditional owners have to agree to that. Yet so much of those land use decisions are based on poor government policy and poor decisions over decades. But it's always indigenous land-use practice [and knowledge] that has to give way to the State's priorities.”* (Non-Bama Male).

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<sup>40</sup> As per website - <https://www.environment.gov.au/land/indigenous-protected-areas> accessed on 25 January 2017.

<sup>41</sup> As per website - <https://ministers.dpmc.gov.au/scullion/2017/extra-30m-provide-compliance-training-indigenous-rangers> accessed on 3 June 2017

<sup>42</sup> As per website - <http://www.countryneedspeople.org.au/> accessed on 3 June 2017

Government and *Bama* priorities differ, with multiple barriers to support of *Bama* priorities:

*“In national park management traditional owners would frequently want to be able to curtail access to particular sites in accordance with traditional law, and yet the State’s imperative is presentation [and] protection. The role so often for the traditional owners becomes weed management and other lower skilled exercises.”* (Non-*Bama* Male).

In addition, internal *Bama* consultations and discussions necessary to cultural governance are simply not recognised nor resourced other than through the IPAs. For example:

*“That involves an Indigenous governance process not [being] funded, making decisions about how we work with the National Parks. National Parks want us to come and talk to them about fire and visitor management and all that. None of that’s resourced. There’s no resourcing for that. So the money to identify who the proper and traditional owners are is just not [available]. [It] involves getting people together to talk through to discuss [issues], to agree on connection, agree on the context of all the inter-marrying and all the other things that have happened. None of that’s resourced; that takes time. So government policy doesn’t want to fund that, [and it] doesn’t necessarily recognise that.”* (Non-*Bama* Male).

When Indigenous cultural governance is equally valued with mainstream governance, as occurs in the IPAs, application of Indigenous knowledge is enhanced. *Bama* continue to struggle to access resources to support cultural governance in the WTWHA.

#### **6.2.4.3 Critical commonalities or differences**

Indigenous cultural governance is based on customary rules and laws (lores) supported by Indigenous knowledge systems thousands of years old (Sutton 1998). However, for non-Indigenous people, Indigenous cultural governance processes and underlying customary institutions can be difficult to identify. Nevertheless, both *Sámi* and *Bama* Peoples have, in some cases, had their cultural governance systems recognised and valued, resulting in enhanced application of Indigenous knowledge. Obtaining support for cultural governance has required them to adapt and manipulate contemporary Indigenous governance institutions for compatibility with cultural governance conditions. In addition, both cases are dependent on the nation-state to recognise and support contemporary Indigenous organisations to implement cultural governance. However, nation-state support for cultural governance is essentially an unintended outcome of support for Indigenous

organisations. Furthermore, an underlining difference in the two cases is that *Bama* cultural governance usually exists where Aboriginal rights to land are recognised. For *Sámi*, no such rights are recognised.

### ***6.2.5 Organisational governance, and its influence on Indigenous knowledge application for Sámi and Bama***

**Organisational governance:** *When Indigenous People's organisations align with and enhance cultural governance in protected areas, these organisations better support Indigenous knowledge application.*

#### ***6.2.5.1 Sámi organisational governance in Laponia – strengths and weaknesses in supporting Indigenous knowledge application***

*Samebys* (reindeer corporations) have specific responsibilities to represent members and administer and account for all reindeer herding activities in a specific area (Sara 2009). *Samebys* also provide the opportunity to draw upon and support *Sámi* cultural governance, and in doing so, enhance Indigenous knowledge application. *Samebys* apply Indigenous knowledge to facilitate traditional cultural governance:

*“...decisions are made by talking and not [just] meetings. It's an old method among us [same how Sámi used to do it] to just start discussing. I start discussing with one people and we gather our opinions. Eventually the whole Sameby is making a decision out of everyone's small thoughts about things.” (Sámi Male).*

As a recognised legal entity under the Reindeer Herding Act(s), the *Sameby* is an access point to *Sámi* decision making for non-Indigenous society. Furthermore, *Sámi* People expect the *Sameby* to adapt, as they have done in the past, to meet changing cultural responsibilities. The *Sameby* aligns its decision making with the cultural institutions of the *siida*. The *siida*, as described above, are led by a council of Elders from a community of family groups responsible for certain areas (Dahlström 2003). *Samebys* often continue to involve Elders as an essential part of decision making about reindeer herding activities and *Sápmi*. *Samebys'* complex responsibilities and legal status as corporations



enable Sámi people to engage effectively with non-Sámi actors about issues affecting Sápmi. For example:

*"...we have said, if you want to have us with you [the forestry] company for example, we have to discuss and see your plans. You have to pay us to have that discussion. This is an effect that you make on us, we not making this effect on you. Sometimes when we say yes, we can come to a meeting and discuss it with you if you can pay for our trip to get there. They do [pay for us to travel] but not always. It is important the Sameby does this. For me, I talk first with my siida, my family group, then take to the Sameby board to discuss [further]." (Sámi Male).*

The *Sameby* has the ability to align with Indigenous cultural institutions and ensure customary rules surrounding knowledge, its use and application, are considered in decision making.

However, the 1971 amendment to the Reindeer Herding Act(s) changed the operations of *Samebys*, making it more difficult to align with cultural governance (Dahlström 2003). For example:

*"...in decision making it's very hard to change, because we have always done [it] like that. They [the decisions] have to be talked about so much and prepared in our minds to make a change, so that could be hard. It's a longer line to make changes than in this [today's] democratic way, I think, or where the majority - where you vote and the majority makes the decision. The more reindeer you have, the more votes you get. And sometimes we make decisions for the reindeer herders, not for the reindeer. That's a weakness in my mind." (Sámi Male).*

Sámi People adapt and modify contemporary governance structures, including corporations, for compatibility with traditional cultural institutions. In doing so, Sámi marry Indigenous knowledge with contemporary formal governance structures.

#### **6.2.5.2 Bama organisational governance in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application**

Many *Bama* organisations were established in the WTWHA as a result of native title recognition (see Chapter 4). For example:

*"...the environment we live in and work in has [now] changed over the past eleven years, particularly with native title and formation of Prescribed Bodies Corporates (PBCs)." (Phil Rist –*

Director, Wet Tropics Management Authority Board) (Wet Tropics Management Authority 2016, 1).

As discussed in Chapter 4, because PBCs were formed to administer native title processes that recognise customary law and traditional connections to land, these organisations are inherently aligned with cultural governance. *Bama* see these organisations as enabling greater recognition of Indigenous knowledge:

*“I think your Aboriginal voice is [now] being listened to a lot more, I think, through organisations like XX and others, and through the Native Title Act and PBCs [we are heard]. So that's a positive thing, but it's a fine balance as well.” (Bama Male).*

Another participant expressed that the alignment with cultural institutions that is required in PBCs strengthens their authority:

*“It is [a] strength... They're in a position to talk [directly] with government heads. They are [now] able to talk to the top government [person] including local, state and national, heads of government departments. That wouldn't have happened if their people hadn't have come together [through this] process.” (Bama Female).*

Despite advances stemming from recognised rights to lands, Aboriginal People continue to encounter many barriers that limit the extent to which organisational governance aligns to and enhances cultural governance. The inherent alignment of PBCs with cultural governance, resulting from native title as the recognition of customary law regarding land ownership, is constrained by the rules about how PBCs must be constituted. For instance, PBCs must be governed through an elected Board of Directors who represent and have final responsibility for decision making on behalf of all members (Bauman, Strelein, and Weir 2013). This mode of decision making, for many Aboriginal groups, does not reflect cultural decision making which requires clan and family level involvement. Traditionally, Elders are authority figures who have cultural knowledge and responsibility for decision making for the community. In the PBC arrangements, higher emphasis is placed on the organisational governance structure than the cultural authority of community Elders. This can cause distress in a community:

*“...that is not within the policy structure or makeup of the organisation [and] the old people [now] get disheartened... because they've lost that [authority] place. They're no longer the key person for that country. Although in our [traditional] lore they're the king, they're [always] the boss, [but] not anymore.” (Bama Male).*

In addition, changes in authority structures and decision making processes can confuse and alter perceptions. For example:

*“Before – people’s governance was within their family. They were governed by their families. They weren’t governed by everybody else [as they] are now.” (Bama Male).*

Another participant discussed how individual families and/or family groups can assert control over areas and influence decisions at the expense of others. For example:

*“...a couple of families tried to claim ownership of this particular bit of land and they say no you can’t camp over there, that’s our land. That’s happened ...they prevent others from coming in.” (Bama Female).*

Despite their strengths, participants in the research recognise that *Bama* organisations are constrained in their capacity to align with cultural governance:

*“...prescribed body corporates, a land trust - they’re not actually indigenous structures. They’re western [origin-based] structures. They don’t always [fit] well together.” (Non-Bama Male).*

These *Bama* organisations often depend on funding that is tied to projects with specific outcomes and deliverables. Many of the outcomes and deliverables reflect government policy, and not the priorities of *Bama* to enhance and strengthen the application of knowledge. Amongst the very limited funding available for Aboriginal organisations, little is available to support cultural governance within clan and or family groupings. Contemporary organisational governance structures, in most cases, unfortunately limit opportunities for cultural governance to occur, restricting Elders’ ability to fulfil their cultural responsibilities and continue their fundamental cultural roles.

### **6.2.5.3 Critical commonalities or differences**

In both *Sámi* and *Bama* cases, Indigenous organisational structures support cultural governance to some extent. In both cases, the organisations are established through legal mechanisms and sometimes in response to recognition of specific rights, or of specific roles. However, while the nation-state provides opportunities for these organisations, it also imposes many constraints that limit their effectiveness in aligning with cultural governance. Despite this, *Sámi* and *Bama* have adapted and created opportunities to align with cultural governance, which both depends on Indigenous

knowledge, and enhances its application. Recognising this imperfect fit, people continue to apply Indigenous knowledge and cultural imperatives wherever they can.

### *6.2.6 Shared governance, and its influence on Indigenous knowledge application for Sámi and Bama*

**Shared governance:** *When Indigenous People's cultural governance contributes to effective and collaborative shared governance in protected areas, Indigenous knowledge is valued, recognised, and is as powerful as scientific knowledge.*

#### *6.2.6.1 Sámi shared governance in Laponia – strengths and weaknesses in supporting Indigenous knowledge application*

Shared governance in Laponia occurs through Sámi majority membership on the Board of Management, together with non-Indigenous partners. This framework has enabled Sámi to advance Indigenous *árbediehtu* knowledge as equally important to scientific knowledge. Board members have built a collaborative decision making process. For example:

*“...we are working in consensus - that is [Sámi] way. We have to be united in our decision and as I understand it's a traditional way to discuss and make decisions in the Sámi society. We have made every decision so far has been taken in consensus, in negotiation and we are united in [all] the decisions. They [the Sámi] have been living and working here for a long, long time and they have a knowledge that we have to take care of it and handle it in our decision making and in our daily work actually [so we can] learn from each [other].” (Non-Sámi Male).*

However, the Board does not hold full responsibility for all decisions in the world heritage area (Reimerson 2015). Therefore, the Sámi remain limited in the range of decisions in which they can participate and to which they can apply Indigenous *árbediehtu* knowledge:

*“...like management questions that are tied to traditional knowledge and where you are working with the traditional knowledge is very strong. But we (Sámi people) don't have the power to influence those questions that much. Laponiatjuottjudus is not an authority like the County Administrative Board [and] we don't have the power to make decisions on things like fishing or predators. We [only] have some influence on the reindeer herding.” (Sámi Female).*

Therefore, the appreciation of Sámi Indigenous *árbediehtu* knowledge as equal to scientific knowledge is limited:

*“...things that we can actually manage like trails and huts and those kinds of things are not always that close to the traditional knowledge of the Sámi people. That means that we have to find new ways to use [our] traditional knowledge.” (Sámi Female).*

Furthermore, the nation-state retains right of decision making on some issues. Whilst negotiations at Board level do attempt to engage with these issues, they are not the ultimate decision makers:

*“So Laponiatjuottjudus has nothing to do with the administration of predators. But [at the Board] we are of course discussing predators. We are - the Government decided that we - the Board can, if we want to, let Laponiatjuottjudus take part in some of the responsibilities concerning the predators. But we haven't decided to do that yet because Laponiatjuottjudus has had too much to do with everything so far. But maybe in the future they can take part in predator decisions.” (Non-Sámi Female).*

#### **6.2.6.2 Bama shared governance in the Wet Tropics – strengths and weaknesses in supporting Indigenous knowledge application**

Shared governance arrangements in the WTWHA provide for two *Bama* Directors on the management Board (Wet Tropics Management Authority 2017). This is a significant milestone for the Wet Tropics, as discussed in Chapter 4, See Figure 7 page 107. Adding *Bama* representation to the Board was a significant shift requiring legislative amendments to the *Wet Tropics World Heritage Protected and Management Act 1993*. In addition, the preamble of the *Wet Tropics of Queensland World Heritage Area Conservation Act 1994 (Commonwealth)* recognises the connection of Aboriginal People to the land and the need for Indigenous People to play a role in the management of land and waters in the area (*Wet Tropics of Queensland World Heritage Area Conservation Act 1994*).

Shared governance also occurs through partnership arrangements for the three IPA dedicated and managed areas (see Chapter 4, in particular See Figure 8, page 109). These partnership arrangements enable *Bama* to apply Indigenous knowledge alongside scientific knowledge. For example:

*“One of the most immediate changes for Rangers working on country is the increase in their technical skills. Technical skills encompass Traditional Ecological Knowledge (TEK) and Western scientific knowledge related to land and sea management.” (SVA Consulting 2016, 29).*

A goal of the IPA programme is to achieve and recognise the equal contributions of Indigenous knowledge and scientific knowledge:

*“Support the integration of Indigenous ecological and cultural knowledge with contemporary protected area management practices.” (SVA Consulting 2016, 10).*

However, despite governance sharing arrangements associated with the WTMA Board, and IPAs, the extent of shared governance is still not ideal from *Bama* perspective. The two *Bama* Board Directors sit alongside five non-Indigenous Directors. Decision making offers limited opportunities to embed *Bama* cultural knowledge and governance into WTMA frameworks. The *Bama* are ‘add-on’ to an existing governance framework, rather than contributing to genuine negotiated shared governance. As pointed out by one of the participants:

*“...the environmental policy is very deficient and is hindering the engagement of the indigenous governance into the broader decision making of world heritage management and use. [To] improve people's involvement in decision making about world heritage or protected areas then that environmental [policies] and how that process has incorporated traditional knowledge in that decision making – [is] very deficient.” (Non-Bama Male).*

Further, the nation-state retains ultimate power and discretion through Ministerial appointments of all Directors while also retaining the right to oversee any or all Board decisions. Scientific knowledge is given priority, as the legislation requires that a Scientific Advisory Committee underpins the decisions of the Authority. Additionally, *Bama* Indigenous knowledge is not widely known or valued:

*“...national parks and wildlife in terms of how they do their [fire] burning or even Wet Tropics Management Authority making decisions about environmental management or environmental impact or those sorts of things. That level of traditional knowledge engaged in that decision making doesn't happen. The frameworks around that, be it a regional agreement, [or] be it a National Heritage Listing, [or] be it a future World Heritage Listing hasn't elevated and hasn't included that traditional knowledge in the decision making.” (Non-Bama Male).*

Indigenous governance in the Wet Tropics is complex, dynamic and multi-layered. For example:

*“Across the wet tropics region today, there are about 80 legal entities representing or progressing Rainforest Aboriginal peoples’ interests. These include at least 18 registered native title body corporates (RNTBCs), five cultural heritage bodies (operating pursuant to the Aboriginal Cultural Heritage Act 2003 Qld) and 18 registered Land Trusts (operating pursuant to the Aboriginal Land Act 1991 Qld). These legal entities and corporations increasingly constitute multi-tiered Indigenous governance at the intersection between Indigenous knowledge and more localised ‘country-based’ governance systems, and the Australian nation-state’s statutory and legal systems developed to recognise Indigenous territorial rights and other claims.”*  
(Cultural Values Project Steering Committee 2016a, 6).

Shared governance arrangements need to take account of this complexity. Equity between the nation-state and *Bama* is unlikely to be achieved only by *Bama* constituting a majority on the Board (although that will be necessary). While the complexity is challenging, it is important to acknowledge local-tribal-group levels of Indigenous governance have rights and customary responsibility to speak for their own country.

### **6.2.6.3 Critical commonalities or differences**

For both *Sámi* and *Bama*, shared governance arrangements exist and promote equity between respect for Indigenous knowledge and science. However, the arrangements are limited in scope and effectiveness. Differences in the two cases reflect the respective nation-states’ legal foundations that establish the shared governance arrangements. For *Sámi*, equity between Indigenous knowledge and science occurs in matters over which the Board has jurisdiction, but many issues lie outside Board jurisdiction. For *Bama*, equity between Indigenous knowledge and science occurs to some extent in IPAs, but the nation-state is able to override decisions on many matters. Despite the differences, the shared governance arrangements impose similar limitations on the scope and extent of equity between Indigenous knowledge and science.

## **6.3 Conclusions**

The cross-case comparative analysis identified six key influences on the extent to which Indigenous knowledge is supported by Indigenous governance: self-determination, empowerment, leadership,

cultural governance, organisational governance, and shared governance. Each of the case studies demonstrated strengths and weaknesses in meeting the conditions that enable Indigenous knowledge to be applied.

Furthermore, the examples where the conditions were not met in each of the case studies largely arose because of the nation-state frameworks that constrain the ways in which Indigenous rights are recognised. In Sweden, the *Sámi* meet the conditions largely because of successful negotiations to create a Lapland management organisation with a majority of *Sámi* People on its Board. The establishment of *Laponiatjuottjudus* has also heralded many changes for the *Sámi* People. As one participant explains:

*“Before the Laponiatjuottjudus - they were nothing. There wasn't any real engagement before Laponiatjuottjudus came along – not with any Sameby, nothing with Sámi people. Was only with nature, was only with protection for nature and so was just the state of Sweden.”* (Non-*Sámi* Female).

In the case of Australia, it is primarily through IPAs that *Bama* achieve the conditions of Indigenous governance that support application of Indigenous knowledge:

*“I think that IPAs, is a good thing and really, especially by creating this proper governance where you've got the people, there's a higher authority again which is that advisory group [of] Elders [with the] correct knowledge for country.”* (Bama Male).



# Chapter 7. Implications and Conclusions – including for Management and Research

## 7.1 Introduction of this chapter

This chapter discusses implications and conclusions from the research project. I first present a synthesis of findings, followed by reflections on advances in Indigenous research methodology, and their outcomes. I then discuss implications for protected area management, giving attention to influences of Indigenous Peoples' sovereignty of governance, nation-state sovereignty, and shared governance. Management implications are identified in three contexts: the global context; the Wet Tropics context; and the Laponia context. Ongoing barriers to understanding and applying Indigenous Peoples' sovereignty of governance are identified, together with the ways these hinder the application of Indigenous knowledge in protected areas. A number of practical and innovative suggestions are made about solutions for these barriers globally, as well as in the Laponia and Wet Tropics contexts. The next section assesses the potential and real limitations of the research. Finally, I draw together recommendations for future work, including future application of the Empowering Indigenous Lens approach and potential research questions. The conclusion revisits the research aims and summarises outcomes.

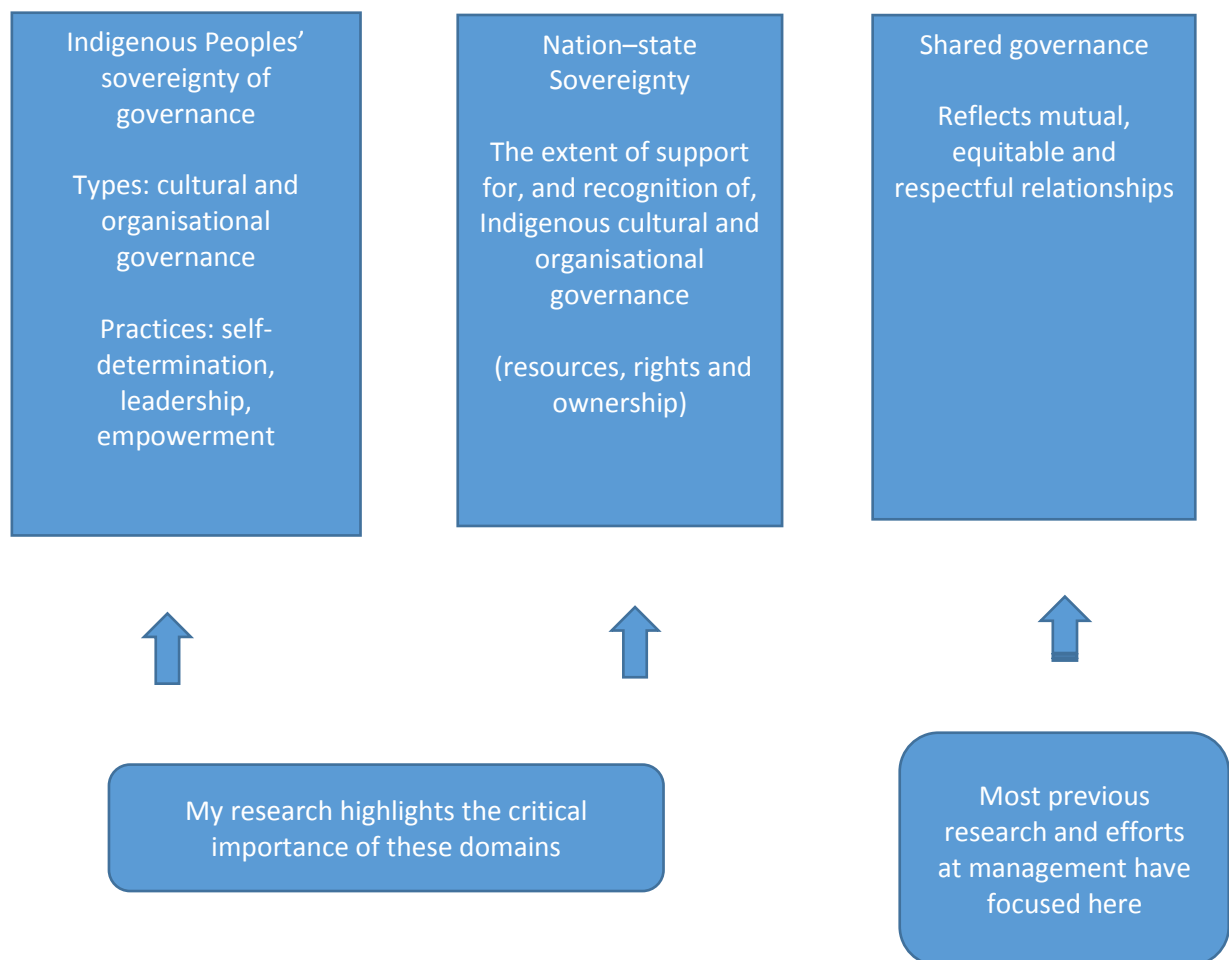
## 7.2 Synthesis of Findings

### *7.2.1 Conceptual model: key influences on Indigenous knowledge application in protected areas*

Figure 15 below presents a conceptual model that synthesises findings about key influences on Indigenous knowledge application in protected areas. The three major influences identified in this research as affecting how Indigenous knowledge is applied in protected areas are: (1) Indigenous Peoples' arrangements to express sovereignty of governance; (2) arrangements of nation-state

sovereignty that support and/or influence Indigenous governance; and (3) shared governance arrangements (See Figure 15). Indigenous Peoples’ sovereignty of governance is expressed across two major domains: types of governance (cultural and organisational governance), and practices of governance (self-determination, empowerment and leadership). Cultural legitimacy is achieved when practices and types of Indigenous governance are linked. Influences of Indigenous and nation-state sovereignty on application of Indigenous knowledge in protected areas were largely “invisible” in previous research, which strongly focused on the influences of shared governance and power (von der Porten, de Loe, and Plummer 2015, von der Porten and de Loë 2013).

Figure 15 Three key influences that affect Indigenous knowledge being applied in protected areas



## 7.2.2 *Indigenous sovereignty of governance*

Previous research has identified that Indigenous governance affects how and whether Indigenous knowledge is applied to support social-ecological sustainability (Hill, Pert, et al. 2012, Tengö et al. 2017). von der Porten, de Loe, and Plummer (2015) argue that approaching Indigenous Peoples as self-determining nations is critical for effective collaborative environmental governance. This research builds on this position and identifies how practices of Indigenous governance underpin cultural legitimacy of two types of Indigenous governance: Indigenous organisational governance, and Indigenous cultural governance.

Indigenous governance and Indigenous knowledge are intrinsically linked, as Indigenous worldview, epistemology and ontology form the basis of both. Practices of Indigenous governance that give cultural legitimacy (Smith 2005a, Smith 2011) rely on Indigenous knowledge. Cultural legitimacy of governance occurs when Indigenous Peoples have the opportunity, and resources, to self-determine governance arrangements built on cultural norms that reflect sovereign decisions they make for themselves (Smith 2011).

### 7.2.2.1 *Types of Indigenous Governance*

The research revealed there are two types of Indigenous governance that operate in protected areas: cultural (sometimes known as customary) governance, and organisational governance. Indigenous Peoples' sovereignty of governance operates, in both Lapland and the Wet Tropics WHAs, through underlying cultural governance practices, and through specific Indigenous organisations. In the Wet Tropics, *Bama* People benefit from opportunities, such as through Native Title determinations that specifically recognise Indigenous rights to country to various extents (Figure 9, page 110 in Chapter 4). Native Title recognition requires new Aboriginal organisations that work under customary law connections to country, but are arranged to take on responsibilities under the *Native Title Act 1993*, to be established. This arrangement presents challenges as well as opportunities for many Aboriginal communities. It has enabled *Bama* People to develop governance structures that assist them to meet community aspirations and cultural responsibilities, including for their country, and to self-determine much of their engagement with external actors. The great benefit for *Bama* is that these new Aboriginal organisations support and enable cultural governance, and often support shared governance, for example through declaration of Indigenous Protected Areas. As shown in Chapter 4,

cultural governance recognises, respects and strengthens customary decision making rules and supports application of Indigenous knowledge. Empowering Indigenous Peoples to determine cultural governance systems supports application of *Bama* knowledge, for example through the IPAs, and promotes sovereignty of governance.

Similarly, in Laponia, the *Sámi* People are embracing opportunities arising from requirements for Indigenous organisations to be established. For instance, *Samebys*, created from nation-state legislative intervention, enable *Sámi* People to apply and draw on cultural governance systems, and in some cases drive shared governance arrangements. While *Samebys* focus on and administer reindeer herding practices, they also support the application of Indigenous knowledge through cultural institutions. Members of *Samebys* have opportunities to engage with external industry groups, to consult about business opportunities on *Sápmi* (lands), and in doing so, to apply knowledge of culturally legitimate decision making. In both case studies, Indigenous Peoples embrace opportunities to support and enable expression of Indigenous sovereignty through cultural and organisational governance, thereby supporting the application of Indigenous knowledge in protected areas.

#### **7.2.2.2 Practices of Indigenous Governance**

The effectiveness of cultural and organisational Indigenous governances (in supporting Indigenous knowledge) depends on Indigenous governance practice, depicted as self-determination, empowerment and leadership. Self-determination strategies are those developed by and within community groups using multiple knowledge and multiple actors. Indigenous Peoples' self-determination extends to: representation; ways in which they come together; ways in which they make decisions; approaches to draw on customary knowledge systems; engagement with modern contemporary society; and building a future for current and forthcoming generations (Cornell 2002b, Cornell 2006, Dodson and Smith 2003, Hunt and Smith 2007, Smith 2016). Empowerment occurs when others recognise individuals and communities while creating sustainable livelihoods and nation-building strategies under Indigenous control (Cornell 2002c, Cornell and Kalt 2007, Smith 2011). Indigenous leaders that foster strong individuals and communities negotiate and collaborate with others now and into the future (Cornell 2002c, Dodson 2009, Ivory 2008). The cases studies demonstrate that self-determination, empowerment and leadership are the three practices that underpin effective Indigenous organisational and cultural governance. However, the nation-state

exercises overarching sovereignty that influences and constrains Indigenous Peoples' practices to develop effective sovereignty of governance. The different ways in which the Australian and Swedish nation-states recognise Indigenous Peoples' rights and interests profoundly affect the expression of Indigenous identity and options for exercising Indigenous self-determination, and in turn, arrangements for shared governance.

In the Wet Tropics, for example, *Bama* Peoples and their communities exercise self-determination and leadership when negotiating with the Management Authority (WTMA) and other state and national government agencies. An example was negotiations about the *2005 Wet Tropics World Heritage Area Regional Agreement*, which established a framework for cooperative management and engagement of Indigenous Peoples with government partners in the WHA. *Bama* People, in this example, exercised cultural sovereignty based on decision making and engagement via cultural governance responsibilities with each of twenty tribal groups. Each tribal group self-determined engagement and decision making mechanisms, ensuring cultural legitimacy, accountability and cultural responsibility to customary rules and decisions. The application of Indigenous knowledge in this case was strengthened through involvement of Elders and/or culturally appropriate decision makers. *Bama* drew on Indigenous knowledge and cultural institutions to enable effective decision making about the Regional Agreement.

However, the overall situation continues to present challenges for *Bama*. In the Wet Tropics, the overarching sovereignty of the nation-state to retain legislative powers over the world heritage area, recognising only its natural values on the international level, significantly constrains *Bama* People from exercising self-determined roles and responsibilities in the protected area. The management authority (WTMA) retains the overall decision making responsibility through its powers under the *Wet Tropics World Heritage Protection and Management Act 1993 (Qld)*. Despite the presence of two Indigenous Directors, *Bama* People are not equally represented on the Board, and nation-state legislation regulates Indigenous representation. This type of sovereignty often disregards Indigenous cultural governance.

In the case of Laponia, the *Sámi* People hold majority membership and representation on the Board of their management authority (*Laponiatjuttjudus*). However, potential Indigenous members are restricted to only *Sámi* reindeer herders, as the relevant legislation does not recognise other *Sámi* who may not be reindeer herders. This limits the involvement of others with specific Indigenous

knowledge. In both examples, the nation-state limits application of Indigenous knowledge. Recognition and support for Indigenous governance is similarly limited.

Furthermore, the extent to which *Sámi* and *Bama* exercise self-determination of Indigenous governance in turn affects leadership and empowerment, and ultimately application of Indigenous knowledge. Within Laponia, shared governance through the Board of *Laponiatjuttjudus*, respects *Sámi* practices of self-determination of membership and decision making. As a result, *Sámi* knowledge of reindeer determined the research focus for monitoring and management of predators. This research into predators supported *Sámi* People to lead, develop and direct the research. *Sámi* People mobilised resources to involve Elders and knowledge holders with specific understanding of predator behaviours, movement, breeding cycles and other factors that impact reindeer herds. Support for the project came from the Board, where *Sámi* People can influence and shape priorities. The *Sámi* involved Elders and specific knowledge holders, empowering their communities, irrespective of status as *Sameby* members. The Swedish nation-state is responsible for all world heritage values, natural and cultural, with attendant responsibility and motivation to support *Sámi* knowledge contributions to these research projects.

In the case of the Wet Tropics, IPAs established in the world heritage area emerged from *Bama* People and their communities actively managing country and seeking support from government agencies for a more formal management arrangement. Formal recognition came later as a result of political pressure to extend funding and opportunities for IPAs in the Wet Tropics WHA. (See Figure 9, page 110 in Chapter 4). These actions from *Bama* reflect a self-determined approach to managing country, requiring individual leadership within communities to argue the case both internally and externally for a better mechanism to support active land managers. The IPA plans manage biodiversity as well as recognise and incorporate substantial Indigenous knowledge. As discussed in Chapter 4, the *Caring for Kuku Nyungkal Country* Plan articulates a vision to: “maintain our Nyungkal culture, belief, customs and law/lore; sustain, conserve, and preserve our country, landscapes, waters, mountains and all our cultural sites; [and to] care for our people and their social and economic wellbeing” (Kuku Nyungkal *Bama* et al. 2012, 1). This IPA plan establishes strategies to protect, and transfer to younger generations, Kuku Nyungkal knowledge of culture, ceremonies, language, lore, law, identity and sites (Kuku Nyungkal *Bama* et al. 2012). The contribution of Indigenous knowledge is recognised in the IPA plans as critical to the effectiveness and long term sustainability of IPAs. In both case studies, practices of self-determination, leadership and empowerment enabled Indigenous People to retain control over knowledge, and to ensure application of Indigenous knowledge.

### 7.2.3 Nation-state Sovereignty

The overarching sovereignty of the nation-state, in both of the case studies examined, continues to shape and influence, and in some cases, limit Indigenous engagement in the respective protected areas. For example, in the case of Sweden, the nation-state up until recently did not recognise the *Sámi* as an Indigenous Peoples. The Swedish Constitution mentions *Sámi* People as a minority and recognises their culture and community life as distinct and important. However, until the *Sámi* Act came into place in 1992, establishing a *Sámi* Parliament to work towards promoting a living *Sámi* culture, *Sámi* identification and recognition was missing from government formalities. The Swedish nation-state now recognises *Sámi* People under criteria outlined in the *Sámi Parliament Act 1992*. The Swedish nation-state retains the right to determine *Sámi* identity, such as through membership of reindeer economic organisations (*Samebys*) (see Chapter 5). This ongoing ‘input’ by the nation-state remains a significant influence on modern day *Sámi* governance. Additionally, the nation-state interventions around membership of *Sámi* reindeer organisations have driven tribal divergences (e.g. between coastal/fishing *Sámi* and *Sámi* reindeer herders) that significantly affect the *Sámi* community as a whole. Strict criteria determine eligibility for *Sámi* reindeer organisation membership, rather than customary bloodline descent or self-determined identity. Further, the nation-state controls *Sámi* economic entrepreneurship and security in relation to reindeer herding. Implications of these legislative enforcements for the modern *Sámi* reindeer industry include influences on *Sámi* governance systems and knowledge application.

In the case of the Laponia WHA, while the Board of the *Laponiatjuttjudus* comprises a majority of *Sámi* members, the Board itself does not hold full responsibility or control over decisions about the world heritage area. The nation-state retains the right to make decisions over a number of significant aspects, for example, issuing permits for helicopter flights, which *Sámi* reindeer herders often utilise to move their herds. *Sámi* do not have the ability to determine membership of their reindeer herding organisations (*Samebys*), with membership determined by legislation restricting members to only ‘active’ reindeer herders. This restriction excludes *Sámi* who hold knowledge of grazing pastures, individual capabilities of reindeer (as people have specific knowledge of individual reindeer), knowledge of seasonal pathways for translocation, and so on.

In the Wet Tropics, recognised outstanding universal values (OUVs) of the world heritage area are natural values only. Cultural values are not formally recognised, leaving their protection in the hands

of goodwill partnership collaborations. Further, in the Wet Tropics the IPA program offers opportunities to recognise the role of Indigenous Peoples and their knowledge contributions to land management. However, governance systems exclude many *Bama* Peoples and groups from making decisions and having input to IPA initiatives.

Even where IPAs are in place, *Bama* People are prevented from utilising their full range of Indigenous knowledge. Specifically, they cannot apply Indigenous knowledge of how and when to burn country, as a raft of nation-state policies and regulations prevent this from occurring (Hill, Baird, and Buchanan 1999). This is especially concerning as *Bama* Peoples' burning practices are recognised as nationally significant and protected under the EPBC Act (*Environment, Protection, Biodiversity and Conservation Act 1999 (Cth)*).

In both case studies, research findings demonstrate that the nation-state remains a strong influence, and in some respects, remains in control of Indigenous Peoples' affairs. By doing so, the nation-state continues to shape Indigenous Peoples' engagement in society in general. The dominant society imposes restrictions and limitations on Indigenous Peoples that affect the conditions under which Indigenous governance can be recognised and can support Indigenous knowledge in protected areas. Effective conditions for Indigenous governance to support Indigenous knowledge occur where the nation-state exercises sovereignty in ways that provide for recognition and respect for cultural (customary) governance and organisational governance through recognising such things as resources, rights and ownership.

#### **7.2.4 Shared Governance**

Focus on shared governance arrangements (or co-management) within the literature has largely been on power-sharing arrangements, knowledge contributions and skills and expertise (Bauman, Haynes, and Lauder 2013, Campbell et al. 2013, Cronkleton, Pulhin, and Saigal 2012, Dudley et al. 2010, Hill et al. 2014b). More recently, attention had been paid to ensuring recognition of Indigenous governance, rights and knowledge in protected areas (Borrini-Feyerabend et al. 2014, Borrini-Feyerabend et al. 2013a, Borrini-Feyerabend and Hill 2015) with calls to engage with Indigenous Peoples as self-determining nations (von der Porten, de Loe, and Plummer 2015). This research highlights how shared governance fundamentally is an outcome of Indigenous Peoples' sovereignty of governance, and how the nation-state sovereignty supports and influences Indigenous Peoples' sovereignty of governance.



However, as an outcome of the relationship between Indigenous Peoples' sovereignty and nation-state sovereignty, arrangements for shared governance are nevertheless important. In the shared governance associated with the Board of *Laponiatjuttjudus*, with a majority of *Sámi* People, mutual, equitable and respectful relationships have developed. Both *Sámi* cultural values and the region's natural values are recognised as of global significance in the World Heritage listing. The shared governance arrangements in the Wet Tropics WHA are less supportive—*Bama* are a minority on the Board, and the *Bama* cultural values are recognised only to be of national, not global significance.

## 7.3 Key innovations and Outcomes

The study adapted a particular research methodology and this, in itself, was an innovation and an outcome of the research. These include: the Empowering Indigenous Lens as both an adjunct and alternative to the Indigenous critical and Indigenous standpoint approaches; the practical guidance provided by the 'Walking together' approach; and insights from bringing Indigenous research into the sustainability domain.

### 7.3.1 *Focus of using the Empowering Indigenous Lens*

The Empowering Indigenous Lens emerged during the research as an alternative approach to a 'critical lens' approach. The research originally planned to focus more on critically analysing the barriers of the nation-state and understanding these barriers and their influences on Indigenous Peoples' knowledge and governance in protected areas. The critical lens would have given an analytical perspective highlighting positives and negatives of nation-state structures and origins, and Indigenous accommodation and resistance to their encroachment (Nicholls 2009, Rowe, Baldry, and Earles 2015, Alfred and Cornassel 2005, Prout and Howitt 2009). It may have also revealed some of the challenges regarding epistemological perspectives common to Western approaches, in contrast to those from an Indigenous epistemological perspective (Rowe, Baldry, and Earles 2015). However, a critical perspective pays less attention to understanding how Indigenous societies remain resilient and maintain their survival as distinct people despite the nation-state, through commitments to preserving Indigenous knowledge and affirming rights (Johnson et al. 2007). The Empowering Indigenous Lens is an adjunct to the critical approach that recognises that "dominant paradigms serve to maintain the status quo, whereas developing paradigms emerging from non-dominant ways of thinking (e.g., from

Indigenous peoples' world views) can act as catalysts for social justice and change." (Rowe, Baldry, and Earles 2015, 3).

The Empowering Indigenous Lens (EIL) builds on Indigenous standpoint theory, which privileges and empowers the standpoint of the Indigenous researcher (Foley 2006, Nakata 2007). The EIL aims to provide a broader context that empowers Indigenous societies with whom the Indigenous research interacts, moving beyond "Indigenist" research that according to Rigney (1997), (Rigney 2001, 2006) can only be carried out by Australian Indigenous Peoples with Australian Indigenous communities. Standpoint theory offers new ways for Indigenous individuals to challenge the cultural interface and terms of engagement with Western sciences and other aspects of the nation-state (Nakata 2015, Moreton-Robinson 2013). The Empowering Indigenous Lens, on the other hand, explicitly recognises Indigenous knowledges in a place-based context, with emphasis on shared lives, experiences and knowledges of Indigenous Peoples from that place. Positioning 'place' as central to people, their lives and their experiences also means bringing the "knowledges, struggles and rights of Indigenous peoples to the forefront" (Johnson 2012, 834) of the research. As Johnson (2012) describes, "uncovering our place-based knowledge and acknowledging it as a significant part of our ontology. Recovery of place connections means recognising the importance of particular places within our lives." (Johnson 2012, 834).

Firmly embedding an 'Empowering Indigenous Lens' approach to focus on Indigenous Peoples' lives and societies recognises and supports connections to place that underpin knowledges. This approach supports and empowers Indigenous Peoples to (re)build nation-building strategies, self-determine engagement and empower communities to maintain knowledge and governance systems. Adopting this approach enables the scope for further action and agency. As the study was embedded in the lived experiences of Indigenous Peoples and had a co-creation methodology, the end result enables challenging of dominant paradigms and leads to possibilities for transformation.

### *7.3.2 Practical outcomes of using the "Walking Together" approach*

The "Walking Together" approach provides practical guidance about methods for Indigenous scholars to effectively conduct research through the development and use of Indigenous methodologies. As noted in Chapter 2, the Indigenous research *paradigm*, and its basis in Indigenous epistemology and

ontology, has received more attention to date from Indigenous scholars than the *methods* required to implement it (Kovach 2009, 2010).

The “Walking Together” approach is a relationship-based approach, recognised as an important element to Indigenous research methodologies (Wilson 2001, 2008). “Walking Together” relationships were engaged through the stages of: case study selection (through invitation); data collection (through conversations that follow cultural protocols as the context for the interview); analysis (through use of visual means); feedback (through personal interactions following cultural protocols); and reinterpretation and reassessment (that takes on board the feedback). These steps build on approaches by other Indigenous scholars, including “conversation” (Kovach 2010) and “yarning” (Bessarab and Ng'andu 2010). The approach can provide benefits for the Indigenous researcher and the Indigenous People(s) involved in the research. For instance, implementing this approach supported me as the Indigenous researcher to follow cultural protocol, to show respect for time and knowledge contributions by other (often older) Indigenous Peoples, and to strengthen trust and confidence that knowledge and input would be respected, honoured and protected. In other words, by following the “Walking Together” approach, I was able to show respect and reciprocity to the people and their traditional lands through the work we did together. By maintaining focus on my spirit as an Indigenous person I was maintained integrity, and the integrity of the research project, particularly through respecting and emphasising existing relationships and those established through the research. The approach meant that we, as Indigenous Peoples, could safely share experiences and stories from our lives and histories with confidence and pride and without fear of embarrassment or censure.

The innovation and outcome of this approach is that relationships have been forged to conduct further research or undertake implementation of particular projects that may arise from the study. The co-research process brings ownership of the study by the Indigenous communities and enables it to be a living document beyond being an academic thesis. It also sets precedents and principles of research with Indigenous Peoples and consolidating empowering practices in research.

### ***7.3.3 Insights for the sustainability domain***

Indigenous Peoples’ knowledge is valued as contribution to initiatives around sustainability, biodiversity management and for achieving basic human needs (Khor 2002, Tengö et al. 2014). More

recently, Indigenous knowledge systems were recognised for their ability to underpin adaptation to change—highly relevant given the complex and urgent issues in the current period of global change (Mistry and Berardi 2016). This research did not aim to identify adaptation strategies relevant to sustainability, but nevertheless some examples were discussed in the interviews. In Chapter 5, the *Sámi* People describe losses of lichen and impacts on ice corridors in the rivers previously used to move reindeer. They are applying and advocating for adaptations to both reindeer herding practices and landscape management to ensure sustainability of reindeer herding in the face of these changes. Similarly, in Chapter 4, *Bama* describe losses of habitat, and changes to fire management practices that in the past supported cultural resources. The *Bama*, like the *Sámi*, are advocating for restoration and rehabilitation of culturally important plants and animals, and traditional fire practices, in the face of these changes. These examples suggest that enabling Indigenous knowledge application will provide insights that are helpful for sustainability in this era of rapid global change.

### 7.3.4 Outcomes

The key outcome from my research to protected area scholarship in particular, is in exposing the ‘invisible’ role of Indigenous Peoples’ sovereignty of governance in determining application of Indigenous knowledge in protected areas. I argue that the Indigenous developed research approach, successfully applied, was critical to this outcome. Arrangements for Indigenous sovereignty of governance are expressed across two major domains: types of governance (cultural and organisational governance) and practices of governance (self-determination, empowerment and leadership). Cultural legitimacy is the link between practices and types of Indigenous governance. Understanding these complex, yet significant influences and constraints in society, underpins new insights and solutions identified in this research and contributes to the protected area scholarship. My research design was based on an innovative methodological framework that enabled Indigenous culturally appropriate approaches to highlight some of the threats and opportunities that Indigenous People encounter in protected area management. The “Empowering Indigenous Lens” together with the ‘Walking Together’ approach are worthy of further testing by anyone interested in innovative solutions to seemingly intractable problems.

## 7.4 Implications for Management

### *7.4.1 Implications for the Global Context*

The World Heritage Committee adopted into its 2016 Operational Guidelines a clause (123) encouraging State Parties to demonstrate, as appropriate, that they had obtained free, prior and informed consent (FPIC) of Indigenous Peoples for all new World Heritage nominations (UNESCO 2016). The aim of this amendment was to better align the World Heritage Convention processes with international human rights conventions, in particular the United Nations Declaration on the Rights of Indigenous Peoples (UN-DRIP) (Disko, Tugendhat, and García-Alix 2014). Addressing this provision, as core to new nominations for world heritage listing, is now standard practice. Taking account of Indigenous Peoples' sovereignty of governance in the World Heritage FPIC process requires opportunities to self-determine cultural and organisational governance. In Cape York Peninsula, Australia, FPIC for a proposed world heritage nomination process is providing opportunities for Indigenous People to develop strategic plans for traditional estates (Hales et al. 2013).

This research highlights that Indigenous cultural governance critical to FPIC is founded on place-based connections and histories that are unique to each Indigenous society. Understanding diversity of Indigenous Peoples in particular, and their unique approaches to cultural governance, will be critical for developing effective FPIC. In the international context, space needs to be created for Indigenous Peoples and their organisations to develop and establish their own pathways for FPIC.

### *7.4.2 Implications for the Wet Tropics Context*

In the Wet Tropics context, the implications for management are discussed according to the three key influences: Indigenous Peoples' sovereignty of governance; nation-state sovereignty; and shared governance (as in Figure 15, page 193).

#### ***7.4.2.1 Indigenous Peoples' Sovereignty of Governance:***

There are two main implications for management in the Wet Tropics case in relation to Indigenous Peoples' sovereignty of governance. The first is for the *Bama* Peoples' focus to remain on strengthening and prioritising their own types of Indigenous governance. Building and strengthening *Bama* cultural governance and organisational governance is critical for effective application of Indigenous knowledge in the WTWHA. *Bama* People's prioritisation of strengthening Indigenous institutions will also support both cultural and organisational governance. As shown in Chapter 4, *Bama* People prioritise cultural activities and programs that enable them to continue the practice of culture, to pass Indigenous knowledge onto younger generations, and to follow customary knowledge and knowledge holders. These priorities are critical to improving application of Indigenous knowledge. Some examples presented in Chapter 4 include: establishing and valuing Elders Councils; continuing and building on-ground Ranger programs; developing youth initiatives that support sharing of cultural knowledge and practice; and cultural preservation and language workshops on country. Such initiatives underpin and support a self-determined approach by *Bama* for their own communities. They create opportunities to develop leadership qualities within individuals and communities. *Bama* seek opportunities that empower individuals and communities to regain control, to take responsibility, to make strong decisions and to 'just do it'. The *Rainforest Aboriginal Strategic Engagement Framework* identified cultural heritage protection and recognition, self-determination, and economic participation as the top three *Bama* priority interests in the context of managing the world heritage area (Wet Tropics Management Authority 2017). Furthermore, these elements reflect principles of nation-building strategies, cultural legitimacy, empowerment and self-determination (Cornell 2002c, Cornell 2006).

The second implication emerging from the findings for management of the Wet Tropics is for *Bama* People to continue to voice self-determined preferences for ongoing and enhanced engagement in the world heritage area, particularly with the Wet Tropics Management Authority (WTMA). Indigenous People have the right to self-determine means to represent, engage and negotiate (United Nations 2008, 2009). This research suggests that Indigenous knowledge application will be enhanced where *Bama* Peoples self-determine representation, engagement and negotiation processes. This already occurs in many situations, however it is essential it is recognised and supported by the nation-state and by all *Bama* Peoples and communities. The relevance of engagement at multiple levels—the individual level; the family level; the tribal; the sub-regional level; and the regional level—needs to be recognised. Support for *Bama* People to establish a network at the sub-regional and/or regional level would strengthen the multi-level approach and support *Bama* to participate in political

engagement and/or strategizing. It could also occur at the individual, family and/or tribal levels where *Bama* can build capacity to better support themselves and each other in engagement with the protected area. *Bama* People can benefit from engagement at one or more levels, and also at the state, national and global levels.

#### **7.4.2.2 Nation-state Sovereignty:**

The research findings imply that better recognition and support of Indigenous Peoples' rights and responsibilities by the Australian nation-state will enhance application of Indigenous knowledge in the WTWHA. Nation-state actions continue to influence and limit the application of Indigenous knowledge, particularly as a result of listing only natural values in the Wet Tropics World Heritage Area. The Australian nation-state could improve Indigenous knowledge application by addressing specific responsibilities as emerged from the *2005 Wet Tropics World Heritage Area Regional Agreement* (Regional Agreement). The commitment to support the consideration of cultural values for world heritage listing, as identified in the Regional Agreement, is best advanced through *Bama* People leading a process to recognise cultural values. This could eventuate in the nation-state, with the support and FPIC of *Bama* People, to nominate the Wet Tropics cultural values to the international committee for inscription onto the world heritage list. The management organisation (WTMA) identified this as a desired strategic five-year outcome (Wet Tropics Management Authority 2017). The research also identified that improving shared governance arrangements to provide for more equitable power sharing and equal status, for example through a *Bama* majority on the WTMA Board, will enhance Indigenous knowledge application. Empowering *Bama* People to self-determine and lead processes about cultural values is an important step on the journey to more equitable shared governance that can support the application of Indigenous knowledge to protected area management.

The management organisation (WTMA) has identified four priority areas to support *Bama* Peoples in the management of the world heritage area (Wet Tropics Management Authority 2017, 12). The first is 'community engagement', including supporting Rainforest Aboriginal People to express their knowledge, culture and management practice, and to develop more meaningful and effective engagement through building and maintaining healthy relationships. The second is 'partnerships', including supporting collaborations between governments and other sectors and improving natural-cultural alignment across all levels of management. The third is enabling *Bama* involvement in terms of the *Wet Tropics World Heritage Protection and Management Act 1993*, including through activities

for protection, conservation, presentation, rehabilitation and transmitting natural values to future generations. The fifth and final priority is for enabling *Bama* roles in the 'World Heritage Convention' particularly in relation to meeting Australia's obligations and the natural-cultural linkages (Wet Tropics Management Authority 2017, 12). The nation-state, in taking action here, tries to implement processes for self-representation and identification that demonstrate cultural authority and legitimacy. The research suggests that these actions will strengthen application of Indigenous knowledge.

Furthermore, the research supports giving *Bama* People the opportunity to choose how to represent their rights and interests in diverse ways that strengthen Indigenous knowledge application. Some practical examples could include *Bama* Peoples moving from an engagement model where there are strict processes restricting and limiting involvement, to one where they are free to choose participants based on specialised skill sets and who can provide advice that is applicable to many regional groups.

#### **7.4.2.3 Shared Governance:**

The research findings suggest that shared governance arrangements between the nation-state and Indigenous Peoples should be based on mutual, equitable and respectful relationships that support the application of Indigenous knowledge in protected areas. Realignment to provide for more equitable relationships through balancing the numbers of Directors on the WTMA Board could support the application of Indigenous knowledge. Equal numbers of Indigenous and non-Indigenous Directors would enable opportunities for: more equitable knowledge contributions to emerge; the ability to recognise and value the diverse Indigenous knowledge types and holders of that knowledge; the diverse Indigenous governance types that exist within each of the tribal groupings to be better recognised and supported; local *Bama* tribal groups to engage directly in management decisions through the involvement of more Indigenous Peoples on the Board; and the involvement in direct decision making to be embedded across all areas affecting world heritage area management. Multiple benefits to the management organisation (WTMA) and for the *Bama* community have been identified as a likely outcome of strategic engagement with *Bama* (Wet Tropics Management Authority 2017). *Bama* and the nation-state would both benefit from more equitable sharing of resources including for example: financial resources; capacities and skills; training in non-Indigenous governance systems; and financial management. More equitable resource sharing with the Queensland Parks and Wildlife



Service (QPWS) for on-ground management would also support application of *Bama* knowledge. *Bama* tribal groups could have the opportunity to engage in direct employment and resourced Ranger work activities on their country. Resourcing further IPAs within the region would also enhance Indigenous knowledge application, while providing multiple benefits to biodiversity, Indigenous communities, the wider Australian communities and governments (Davies et al. 2013, Hill, Pert, et al. 2013). The concept of a 'World/National Heritage Indigenous Protected Area' that received greater resources in order to achieve a higher level of management, consistent with world heritage status, is worthy of further consideration. Such an approach would enhance the management and protection of the world heritage area through creation of a network of IPAs across the WTWHA (Cultural Values Project Steering Committee 2016a). Shared governance arrangements between the nation-state and Indigenous Peoples that reflect mutual, equitable and respectful relationships are likely to enhance Indigenous knowledge application. Creating space for these opportunities to develop requires effort to identify pathways that build on existing statutory arrangements for the WTMA Board, on existing relationships and improving the sharing of resources and knowledge.

### ***7.4.3 Implications for the Laponia Context***

As in the case of the Wet Tropics above, implications for management of Laponia are discussed in accordance with the three key influences (see Figure 15, page 193).

#### ***7.4.3.1 Indigenous Peoples' Sovereignty of Governance:***

The *Sámi* People exercise practices of Indigenous governance in relation to management of Laponia. For example, Chapter 4 shows how *Sámi* People's engagement in the negotiations with the Swedish nation-state regarding the nomination and composition of the *Laponiatjuttjudus* Board were guided by culturally governed decision making. *Sámi* People involved directly in the negotiations also drew on a wider *Sámi* committee of people to discuss and input to the structural arrangements. The *Laponiatjuttjudus* focus on *Sámi* culture, language, traditions and knowledge, empowers *Sámi* through, for example, the predator monitoring research project. *Sámi* People's aspirations are to continue to drive research priorities to focus on approaches, research methodologies and research outputs that maintain, revitalise, strengthen and promote *Sámi* cultural practices and knowledge.

The research findings suggest that application of Indigenous knowledge will be strengthened through cultural revitalisation. Opportunities for *Sámi* People to develop cultural camps with Elders, other knowledge holders and all *Sámi* People, regardless if they are ‘practicing’ reindeer herders or not, will assist Indigenous knowledge application in Lapland. Furthermore, by coming together, *Sámi* will be able to discuss opportunities, strengthen their identities and unite as *Sámi* Peoples to overcome the splintering impact of nation-state policies. *Sámi* Peoples may benefit from developing a network among reindeer herders within the World Heritage Area, similar to that of the Ranger groups and networks within the Wet Tropics region.

Approaches used by *Sámi* People in negotiations, community building, everyday actions, and teaching younger generations demonstrate strong governance practices. Self-determination, leadership and empowerment underpin *Sámi* governance. However, a risk for *Sámi* Peoples is maintaining focus only on those *Sámi* who are ‘practicing’ reindeer herders. Including all *Sámi* Peoples is key to successful nation building, to ensure cultural capacity building, future generational stability, community sovereignty, self-determination and empowerment (Cornell and Kalt 1998, Dodson and Smith 2003, Marmot 2016b, Smith 2016).

#### **7.4.3.2 Nation-state Sovereignty:**

The research findings suggest that Indigenous knowledge application in Lapland will be enhanced if the Swedish nation-state better recognises Indigenous Peoples’ rights and responsibilities. The Swedish nation-state becoming a signatory to the *ILO Convention*, and subsequently implementing relevant domestic legislative amendments, is likely to enhance Indigenous knowledge application. Implementation of the *ILO Convention* will require support for *Sámi* Peoples through dedicating resources, and recognising rights and ownership. Recognition of the *Sámi* People as Indigenous Peoples of Sweden, and also of the adjacent countries that overlay *Sámi Sápmi* (*Sámi* traditional lands) is an important step to support *Sámi* knowledge and governance. This recognition needs to be of all *Sámi* People regardless of whether they are reindeer herders or not.

*Sámi* Peoples’ knowledge application in Lapland is also likely to be strengthened through allowing *Samebys* full access to all opportunities to develop economic stability and diversity for current and future *Sámi* generations. Ensuring that *Samebys* are able to better support *Sámi* cultural governance is a critical empowering step. *Sámi* People’s rights to determine membership of *Samebys* and to

determine economic development opportunities that are right for them, are supported by the UNDRIP, in particular (United Nations 2008).

The research findings also highlight how delegation of full responsibilities to the Board of Lapland is likely to enhance the application of *Sámi* knowledge. The Board, with a majority of *Sámi* People, has the capacity and knowledge to make effective decisions about all issues affecting the natural and cultural values of the World Heritage Area. With further delegation of powers to the Board, *Sámi* People would have enhanced ability to: embed Indigenous land management approaches and techniques; incorporate cultural, historical and Indigenous knowledges; and create opportunities to empower more *Sámi* People and communities to play active roles in engagement with and in the World Heritage property.

#### **7.4.3.3 Shared Governance:**

In the case of Lapland, collaborative partnerships and shared governance is the basis for current management arrangements that have evolved over several years through negotiations about managing natural and cultural values of the World Heritage Area (Dahlström 2003, Green 2009, Reimersson 2015). *Sámi* practices of governance of self-determination, leadership and empowerment are fundamental and embedded principles of the shared governance arrangements for management of the Lapland World Heritage Area. In practice, day-to-day actions, management plans, presentation, promotion and protection of the world heritage area are collaboratively constructed and implemented. The *Sámi* case study identified that there are opportunities to strengthen this collaboration in the presentation and promotion of the World Heritage values through the Swedish tourism and visitor centres. *Sámi* People aspire to collaboratively develop the messages and information portrayed to the public about visiting Lapland.

## 7.5 Limitations of the research

### *7.5.1 Theoretical parameters as a limitation*

The literature review began with a focus on three theme areas: Indigenous knowledge system(s), Indigenous governance system(s) and protected areas. The literature search on these themes led to inclusion of key theories related to defining Indigenous ecological knowledge and Indigenous knowledge (Agrawal 2002, Barnhardt and Kawagley 2005, Cajete 2000b); the characteristics of Indigenous governance (von der Porten and de Loë 2014b); links between Indigenous knowledge, governance and sustainability (Borrini-Feyerabend and Hill 2015); and the treatment of Indigenous knowledge and governance in protected areas and protected area management (Dudley et al. 2010, Hill, Pert, et al. 2012). The review of literature also addressed theories related to nation building, empowerment, leadership and self-determination.

Chapter 3 presents the outcomes of the literature review, and demonstrates a wide lens across the central topics of Indigenous knowledge, governance and protected areas. Nevertheless, numerous theories relevant to these topics were not addressed. For example, theories from political ecology, such as post-structuralism, and critical realism, that can address challenges facing minority groups in empowering their epistemology, were not examined (Forsyth 2008). Theories of governance transition, and the roles of path-dependency in constraining choices, were similarly not considered (Hill, Halamish, et al. 2013). While theories of power from sociology were addressed in relation to empowerment, many aspects of power were not considered including, for example, power as conduct-shaping through condign, compensatory and conditioning means (Boonstra 2016, Galbraith 1983). I look forward to scholars of sociology, political ecology and other disciplines broadening the theoretical lens on the outcomes of this research.

### *7.5.2 Case-study parameters as a limitation*

The research findings are drawn from only two case studies, which potentially limits the relevance of the conceptual model of Indigenous governance influences on Indigenous knowledge application (see Figure 15, page 193). Further testing of the conceptual model, which links success in Indigenous knowledge application to the characteristics of Indigenous sovereignty of governance, nation-state

arrangements to recognise Indigenous sovereignty and equitable mutually-beneficial shared governance arrangements. I welcome testing of this conceptual model on other world heritage properties in either of the two countries, or other countries. Funds for this project were limited, and it was not possible to acquire additional funding to expand this research.

While the available time and resources to engage participants at each of the case study sites were not great, this did not impose any significant limitation on the research findings. Validity of the results from the case studies was established through triangulation of data to seek convergence, and member checking in the “Walking Together” stages.

### *7.5.3 Parameter of the innovations in Indigenous research methodology*

As noted above, the Empowering Indigenous Lens builds on the growing literature, particularly by Indigenous scholars, including: Barnhardt and Kawagley (2005); Battiste (2007); Bishop (1998); Chilisa (2012); Dodson (2007); Foley (2003); Johnson (2012); Langton (1998); Martin (2008); Moreton-Robinson (2013); Nakata (2004b); Louis (2007); Rigney (2006); Smith (2000a); Smith (2012); Watkin-Lui (2012); Wilson (2008); Wilson (2004); Yellow Bird (2005) and Yunupingu (2002). The lack of focus in the EIL approach on critical perspectives could be considered a limitation. In addition, its applications in the sustainability and protected area domain may mean that it is not relevant to discipline areas such as education or health. Finally, the EIL specifically focuses on empowering Indigenous voices, with resultant limitations in recognising non-Indigenous perspectives. However, given the overwhelming dominance of non-Indigenous voices in the existing literature, this empowerment of Indigenous voices contributes much needed balance.

## **7.6 Recommendations for future work**

### *7.6.1 Further application of the Empowering Indigenous Lens*

The approach of the Empowering Indigenous Lens was appropriate for me for this research project. In this chapter, I have reviewed, analysed and articulated the benefits and the challenges of using this research methodology, confirming its applicability and appropriateness for investigating a question about protected area management. Research methodology that engages with Indigenous Peoples on

their terms, reflects and respects their worldviews, ontologies and epistemologies, and supports Indigenous Peoples to progress priorities for future research have proven highly relevant to questions about managing protected areas. The findings suggest ways to improve the management of each of the protected areas contextualised in the case studies, providing the ability for impact from the research in the “real world”. Accompanying the application of recommended changes (such as more cultural camps) would benefit from research to investigate questions like: “What are the most effective Indigenous approaches to build cultural governance?”

Further application of the Empowering Indigenous Lens as a research methodology in future protected area and/or sustainability research is likely to similarly identify new insights that carry implications for improving management. The use of more Indigenous-driven approaches to research can benefit and diversify contemporary paradigms as well as strengthen the impact of the research in areas such as ecosystem management, biodiversity conservation and more generally, adaptation and mitigation of global challenges facing society today and in the future.

### *7.6.2 Further research questions*

Understanding the conditions by which Indigenous knowledge is recognised and supported by Indigenous governance in protected areas has produced contributions for Indigenous communities, for academia and for sustainability and management of protected areas more generally. However, potential future research investigations could look into issues such as:

- Would support for cultural camps, Indigenous rangers and Elders Councils lead to better recognition and application of cultural governance within the Wet Tropics World Heritage Area? And which might be the best approach?
- Do methodologies such as participatory modelling have a role in supporting culturally based decisions in Indigenous communities? If so, what are the best ways to engage the community?
- Does the reindeer herding industry in northern Sweden really enable local Indigenous communities to build sustainable livelihoods for current and future generations?
- How can the lessons of Laponia World Heritage Area provide recommendations to the World Heritage Commission Guidelines?

## 7.7 Conclusion

This research addressed the question “under what conditions does Indigenous governance support the application of Indigenous knowledge in protected areas”. In addressing this question, the research aimed to:

- Analyse different concepts of Indigenous knowledge in the Wet Tropics World Heritage Area in Australia and Laponia World Heritage Area in Sweden;
- Analyse different models of Indigenous governance that are relevant to these protected areas and identify their key features;
- Critique the effectiveness and success of Indigenous governance arrangements in recognising and supporting Indigenous knowledge in protected areas in Australia and Sweden; and
- Evaluate existing protected areas frameworks through the lens of Indigenous governance and recommend policy changes for improved recognition and support for Indigenous knowledge for biodiversity conservation.

Analysis of the different concepts of Indigenous knowledge identified that it is: holistic; includes rules and decisions about social interactions between members of a group; is place-based and specific to that place; and is based on customs and traditions. Indigenous knowledge is characterised by generally not being visible to the nation-state, and being subject to nation-state definitions and influences. Indigenous knowledge is facing the possibility of being lost.

Analysis of the different models of Indigenous governance identified that their key features include:

- Cultural (customary) governance – based on customary laws (lores) and traditions;
- Organisational governance – reflective of nation-state legislative arrangements, prescriptive of operations and has member involvement; and
- Shared governance – reflects mutual, equitable and respectful relationships.

Critique of the effectiveness and success of Indigenous governance identified that support for the application of Indigenous knowledge occurs when: Indigenous People are able to exercise self-determination; empowerment and leadership and can occur within communities; and organisational

governance is underpinned by a focus on cultural governance. This is a critical enabler for Indigenous Peoples to make claims on the nation state to recognise Indigenous knowledge and governance.

The evaluation of existing protected area frameworks underpins several recommendations for policy changes to improve Indigenous knowledge application:

- For Indigenous Peoples to strengthen their cultural governance through existing organisational institutions, with a focus on culture and traditions;
- For the nation-state to improve arrangements to recognise Indigenous governance in protected areas; and
- For Indigenous and government partners to move toward more equitable and mutually-beneficially arrangements for shared governance.

The aims of the research have been achieved and the outcomes underpin my conceptual model (See, Figure 15, page 193) which links improved application of Indigenous knowledge to Indigenous Peoples' sovereignty of governance; Nation-state sovereignty; and shared governance. Dissemination of this model, and other findings of the research, through publications in the peer-reviewed literature is underway and further publications are planned (See Table 3 and Table 4 in Appendix 4, page 268).

While there has been progress made globally towards recognition of the cultures, traditions and values of Indigenous Peoples there is considerable way to go. There are 370 million Indigenous People globally, 65 per cent of the world's land area is under customary systems and 18 per cent of Indigenous Peoples' legal rights to land are formally recognised as owned or controlled (Rights and Resources Initiative 2015, Secretariat of the United Nations Permanent Forum on Indigenous Issues 2014). History and scholarship demonstrates that the rights of Indigenous Peoples around the world have been achieved through the empowerment of the Peoples themselves, through recognition of culture and identity and enabling self-determining nations. In a world that faces environmental, social and economic sustainability challenges on a planetary scale, Indigenous traditional knowledge and governance processes provide key ways forward towards in providing solutions to challenges. Indigenous peoples' unique and vibrant cultures embedded in traditional beliefs and customs urgently need ongoing support for their kinship and family networks to survive (Berkes 2012). While Indigenous Peoples will undoubtedly survive and draw on varied cultural imperatives (United Nations 2009), it is hoped that this research may assist providing an evidence base that will provide resilience to unjust structural barriers for Indigenous knowledge to thrive. The application of this research aims



to support the connections with the spiritual world, cosmology and the living to enable a continuum of knowledge linking people, the natural world and ancestors.



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# Legislations, Guidelines, Regulations and Conventions

*National Statement on Ethical Conduct in Human Research*

*Values and Ethics: Guidelines for ethical conduct in Aboriginal and Torres Strait Islander health research*

*Guidelines for Ethical Research in Australian Indigenous Studies*

*United Nations Declaration of the Rights of Indigenous Peoples 2007*

*Aboriginal Land Rights (Northern Territory) Act 1976*

*Racial Discrimination Act 1975*

*Aborigines and Torres Strait Islander (Land Holding) Act 1985*

*Native Title Act 1993 (Commonwealth)*

*Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Commonwealth)*

*Wet Tropics World Heritage Protection and Management Act 1993 (Queensland)*

*Wet Tropics Management Plan 1998*

*Wet Tropics of Queensland World Heritage Area Conservation Act 1994 (Commonwealth)*

*Environment Protection and Biodiversity Conservation Act 1999) (Commonwealth)*

*Cape York Heritage Act 2007 (Queensland)*

*Nordic Sámi Convention (Sámi Convention)*

*International Labour Organisation's (ILO) Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries 1989*

*Convention on Biological Diversity*

*World Heritage Convention*

*Instrument of Government (Sweden) (The Sweden Constitution)*

*Act of Succession 1533 (Sweden) (The Sweden Constitution)*

*Freedom of the Press Act 1766 (Sweden) (The Sweden Constitution)*

*Fundamental Law on Freedom of Expression (Sweden) (The Sweden Constitution)*

*Sámi Parliament Act 1992 (Sweden)*

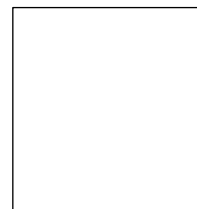
*Reindeer Grazing Act(s) (1886, 1898, 1917, 1928 and 1971) (also known as the Reindeer Husbandry Act) (Sweden)*

*Laponia Management Plan 2006 (Sweden)*



# Appendix 1

## Appendix 1 – Information sheet, consent form, interview questions



### Information Sheet for Research Project

<b>Principal Investigator</b>	Ms Leah Talbot
<b>Project Title</b>	<b>Indigenous governance, knowledge and power in Protected Areas of Australia and Sweden.</b>
<b>School / University</b>	School of Arts and Social Sciences – James Cook University
<b>Organisation</b>	Ecosystem and Biodiversity Knowledge and Systems – CSIRO

You are invited to take part in a research project looking at Indigenous Peoples in Australia and Sweden, who are involved with land management arrangements of their traditional lands.

The aim of this research project is to; *look at and understand how Indigenous People in the Wet Tropics World Heritage Area Australia and the Laponia World Heritage Area in Sweden, use their traditional knowledge and traditional ways to make decisions about the management of their traditional lands.*

The research project is being conducted by **Leah Talbot**, and will contribute to a PhD at James Cook University. If you agree to be involved in the research project, you will be invited to be interviewed. The interview, with your consent, will be audio-taped, and should only take approximately 1 – 2 hours of your time. The interview will be conducted at a venue of your choice and at a time that is suitable to you. With your consent, you may also be photographed.

There are limited risks associated with the interview and there should be no risks for participants. Participation is voluntary and may be stopped at any stage of the research. Your responses and contact details will be strictly confidential. The data from the study will be used in research publications, reports and maybe used in conference and workshop presentations. You will not be identified in any way in these publications. The use of photographs may also be used in research reports and publications (technical reports, presentations, journal articles), and public communications (fact sheets, posters, web pages, newsletters, magazines, media) and maybe used in conference and workshop presentations.

If you have any questions about the research, please contact –

Principal Investigator:

**Leah Talbot**

James Cook University / CSIRO

Phone: +61 7 4059 5004

E: [leah.talbot1@my.jcu.edu.au](mailto:leah.talbot1@my.jcu.edu.au)

Or [leah.talbot@csiro.au](mailto:leah.talbot@csiro.au)

**Professor Hurriyet Babacan**

James Cook University

Phone: +61 7 4232 1497

E: [Hurriyet.babcan@jcu.edu.au](mailto:Hurriyet.babcan@jcu.edu.au)

Supervisors:

**Dr Ro Hill**

CSIRO

Phone: +61 7 4059 5013

E: [ro.hill@csiro.au](mailto:ro.hill@csiro.au)

**If you have any concerns regarding the ethical conduct of the study, please contact:**

**Human Ethics, Research Office**

**James Cook University, Townsville, Qld, 4811 Phone: (07) 4781 5011 ([ethics@jcu.edu.au](mailto:ethics@jcu.edu.au))**

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## **Interview Questions for participants**

### **Indigenous Community**

1. Tell me about your understanding and practice of IEK\*
2. How has this changed over time
3. What are the current governance mechanisms (structure of agencies, formal and informal power, decision making processes)
4. How has the current governance mechanisms changed over time
5. What are the influences on governance (culture, identity, gender, government, funding) How has this influenced the governance structures in your community
6. What are the strengths and weaknesses of current governance mechanisms in relation to practice of IEK in your IPA\*\*
7. How does your community engage with external 'others' in relation to IEK\* in IPAs\*\*
8. What impact has engagement with external others had on your governance structures (probe for compromise, change and conflict)
9. What would you like to see as good practice in governance in your community in relation to IEK\* and land management
10. What policy changes would you recommend to improve recognition of IEK\*

### **Non-Indigenous Community**

1. What is your understanding and practice of IEK\*
2. What issues influence the practice and recognition of IEK in protected area
3. What current Indigenous governance mechanisms are you aware of (structures in the community, legislative and un-legislative, power) in relation to land management
4. How do you engage with the Indigenous community, organisational and decision making mechanisms
5. What do you think are the strengths and constraints of Indigenous governance mechanism in relation to the practice of IEK\* in land management
6. What are the external influences impacting on Indigenous governance and use of IEK\*
7. What are the current impacts of external policy frameworks on Indigenous governance and their use of IEK\*
8. What policy changes would you recommend to see IEK\* recognised and supported in the management of PAs

Note:

\*IEK = Indigenous ecological knowledge

\*\* IPA = Indigenous Protected Area

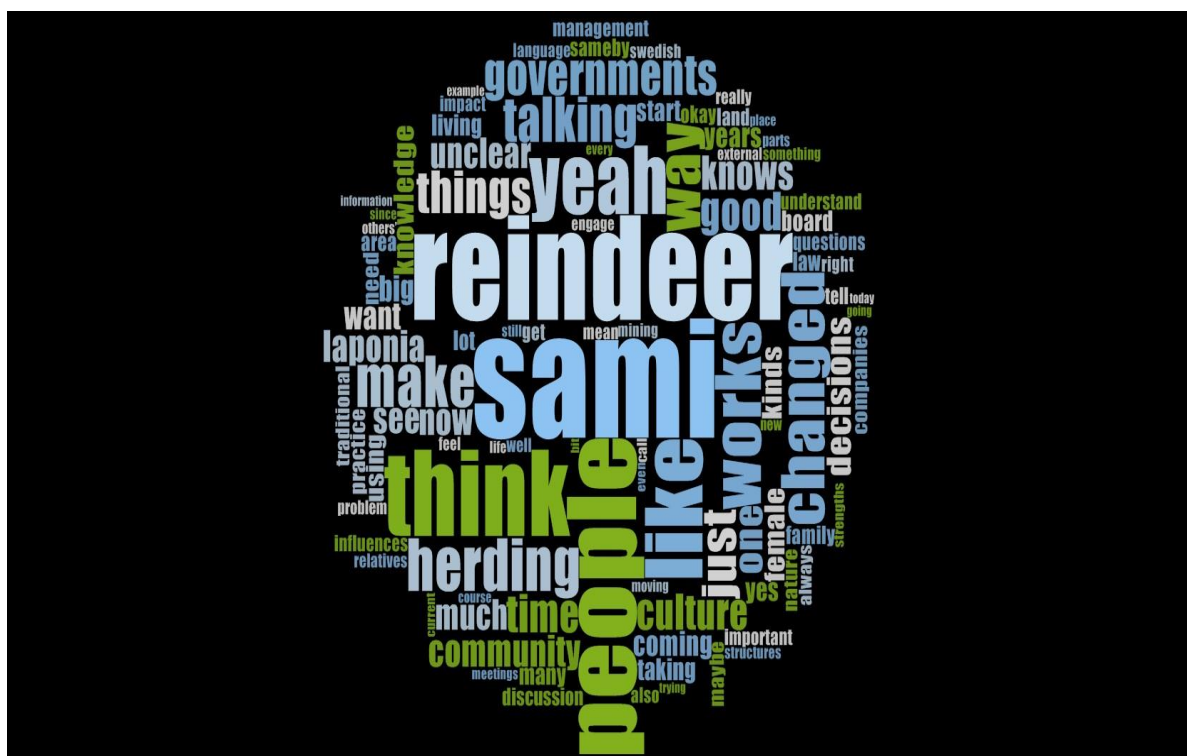
# Appendix 2

## Appendix 2 – Data Analysis Findings – knowledge sharing exercise – All Sami Data

### Word Frequency Discussion – Data Chart

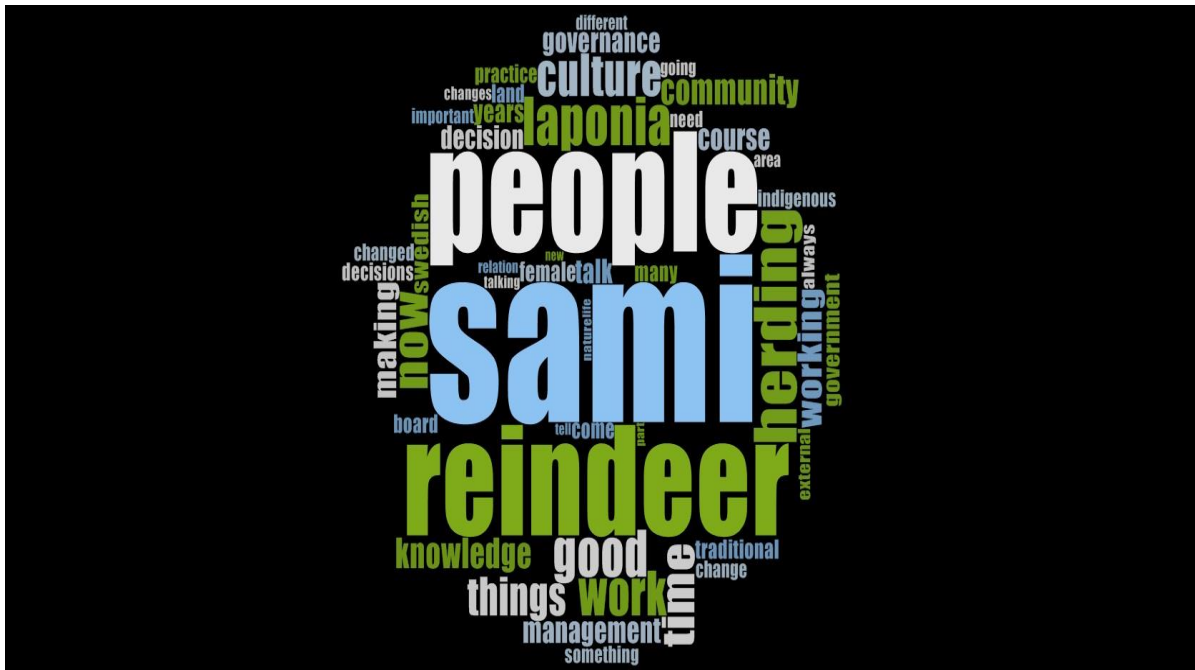
A word frequency data analysis will list the words most frequently spoken and therefore appearing in the data analysis tool.

For example, this **Word Cloud** displays the top 100 words spoken by all interviewees.





Another example, in this word cloud it displays the top 50 words spoken by all interviewees.



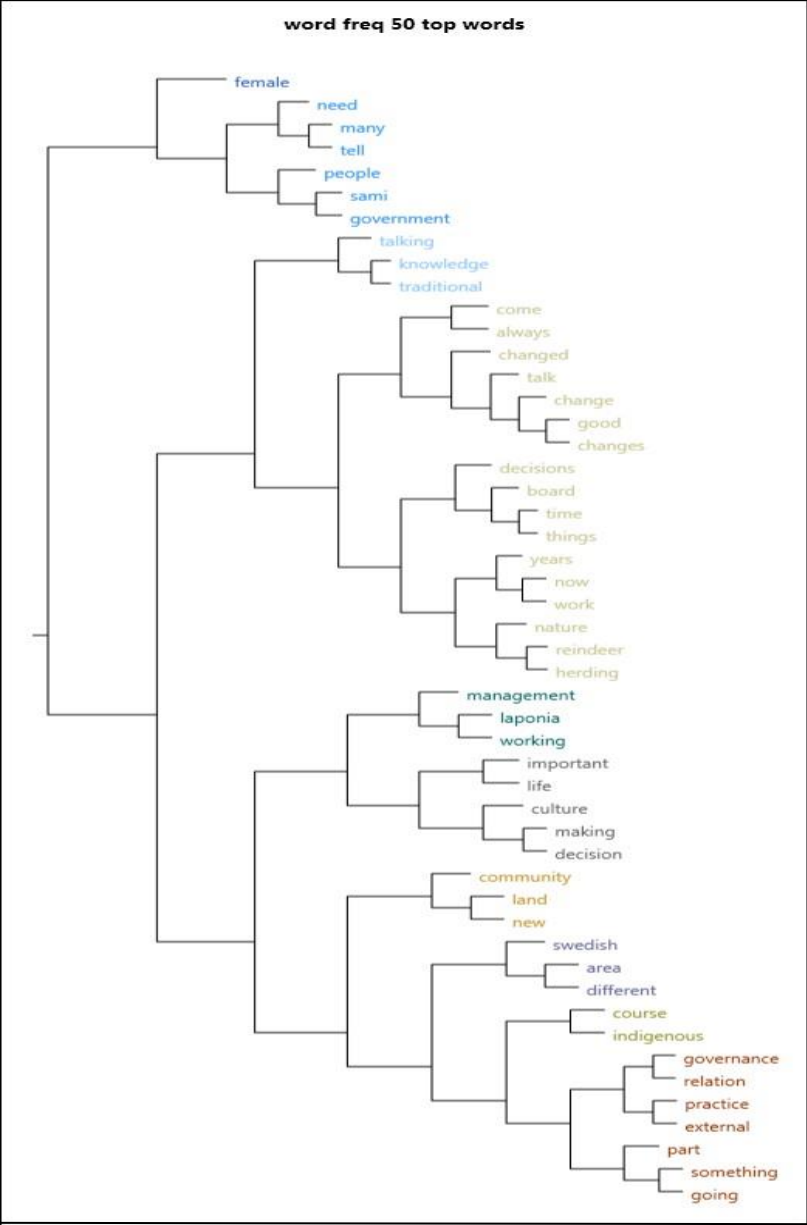
In both instances, it displays that **people**, **Sami**, **reindeer**, are central to everyone's conversations. What do you see emerging as most frequent words?

#### Word Frequency Discussion – Data Charts

Another way to visualise this and to look and discuss some of the emerging words and themes, are by looking at a **Word Tree**. Looking at the top 50 words spoken by everyone, they can now be clustered into groups or themes.

In this display, it appears that a number of theme areas are appearing including;

- Culture and Knowledge discussions and sharing
- Importance of change and influences
- Critical time for decision making involving reindeer herding
- Effective management of Laponia
- Importance of cultural survival in making decisions
- Significance of the community engaged in future land management
- Differences in Swedish laws and regions
- Direction and course for Indigenous people
- Effective practical governance engagement



## Tag Cloud – Data Chart

Another way to look at this or think about it is to use a **Tag Cloud**. The Tag Cloud shows the top 100 words most frequently appearing words displayed alphabetically. The size and density of the font indicates frequency – the larger the word, the more frequent it appears.

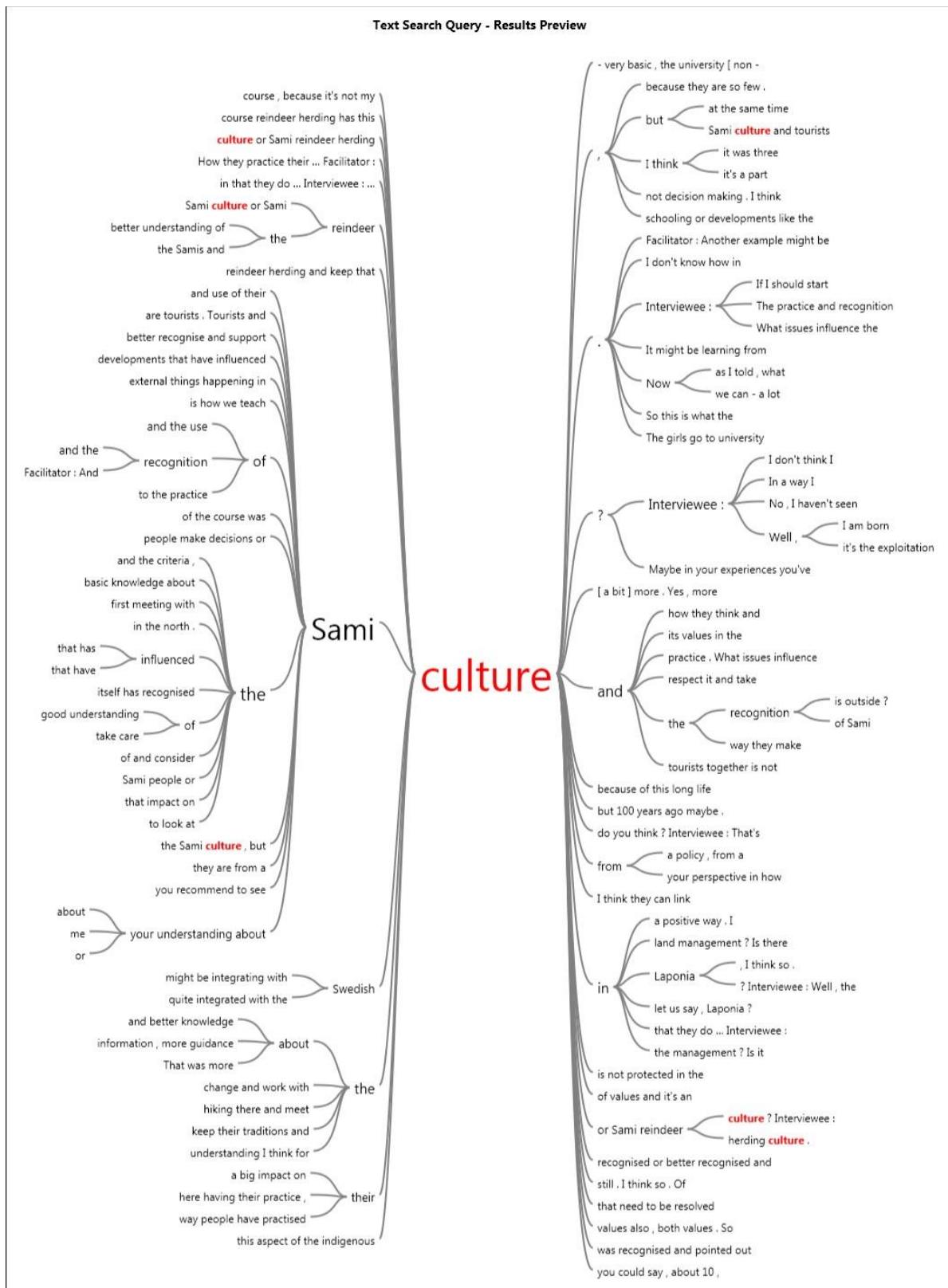
also always area big bit board call **change** coming community  
companies course **culture** current **decision** different discuss engage  
even external family feel female get **going good governments**  
**herding** impact important indigenous influences interests issues **just**  
kinds knowledge **knows** land language **laponia** law legislation life  
**like** living lot **making** management many maybe mean  
meetings mining **much** nature need new **now** okay **one** organisation  
parliament parts **people** policy practice problem question really  
**reindeers** relatives right sameby **sami**  
see something start still strengths structures swedish taking **talks** tell  
things **think** time traditional trying **unclear**  
understand using want **way** well **works yeah**  
years yes

Again, the most frequent words emerging are **people**, **reindeers** and **Sami**.

What do you see as most frequent words? What does it mean to you??

## Word Tree – Data Chart

Another type of **Word Tree** is to look at the most frequently occurring word – it is placed at the centre of the tree. It shows the branches from the central word and how they are spoken and linked to the centre word.

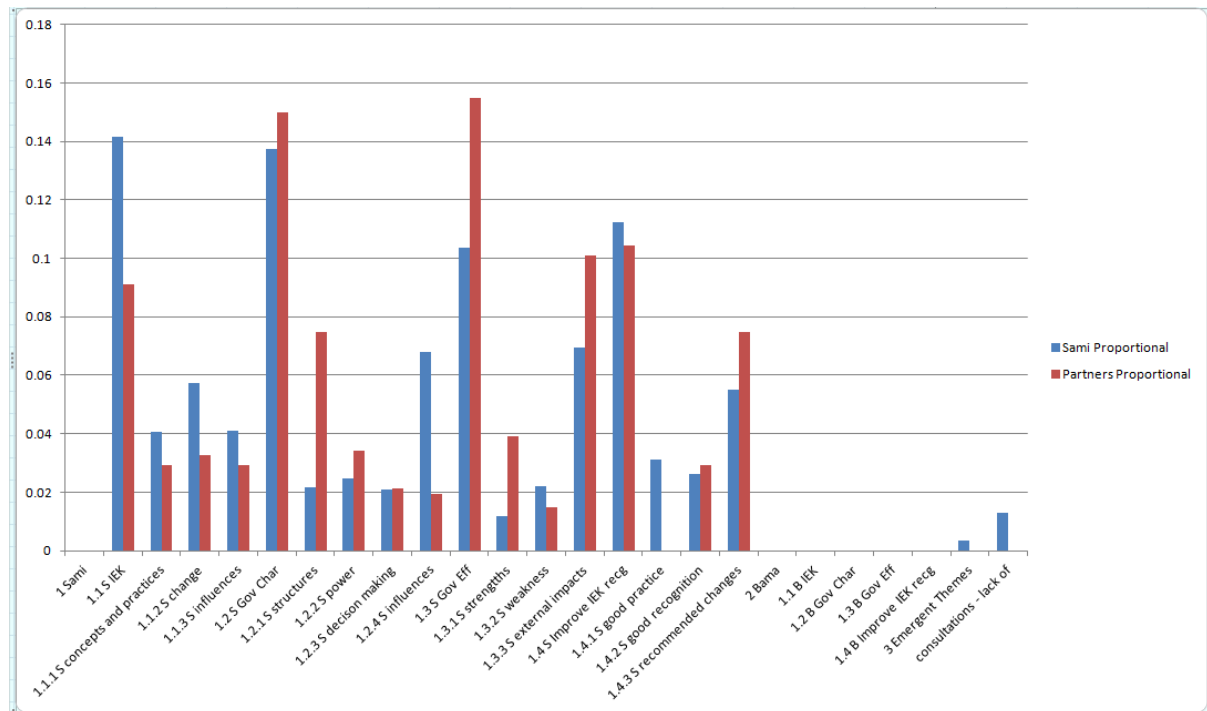


## Coding Analysis

In this analysis we looked at the themes the interviewees discussed, and we counted the number of times people talked about each theme. We calculated what proportion of their talking was related to each theme.

Proportional data is simply the number of times people talk about a theme, divided by the number of times people talk about **all** the themes. So the proportion is “0.14” for IEK (Sami culture and knowledge) means that 14% of the times they talked about a theme, it was about IEK (Sami culture and knowledge).

## Matrix Coding – Data Charts



## Proportional Discussion – Data Chart

The four top themes that were talked about the most number of times were the **same** for the **Sami** and the **Partners** (but in a different order). These are:

- Indigenous ecological knowledge (IEK)
  - are better referred to as *Sami culture and knowledge*. It includes all things about Sami and Partners ideas of what IEK is about, for example; culture and tradition.
- Governance characteristics
  - includes all the characteristics and influences on Sami Governance (decision making, processes, structures and influences).
- Governance effectiveness
  - includes all the success factors in Sami governance – what works well and why, the strengths and weaknesses.
- Improving Indigenous ecological knowledge (IEK) recognition
  - includes all the information about evaluating existing practices and recommending needs for change in Sami protected area frameworks, that relate to Improving the recognition of Indigenous ecological knowledge (IEK) (Sami culture and knowledge).

Out of the top four areas that are common for Sami and the Partners, the theme that was spoken about the **most** number of times by the **Sami** is – Indigenous ecological knowledge (IEK) (Sami culture and knowledge).

Out of those same four top areas, the one that was spoken about the **least** number of times by the **Partners** is - Indigenous ecological knowledge (IEK) (Sami culture and knowledge).

Therefore, in terms of proportional data;

- from this data analysis chart, the theme talked about the **smallest** number of times (as a proportion of their total talking) by the **Partners** is **weakness**.
- from this data analysis chart, the theme talked about the **smallest** number of times (as a proportion of their total talking) by the **Sami** is **strengths**.

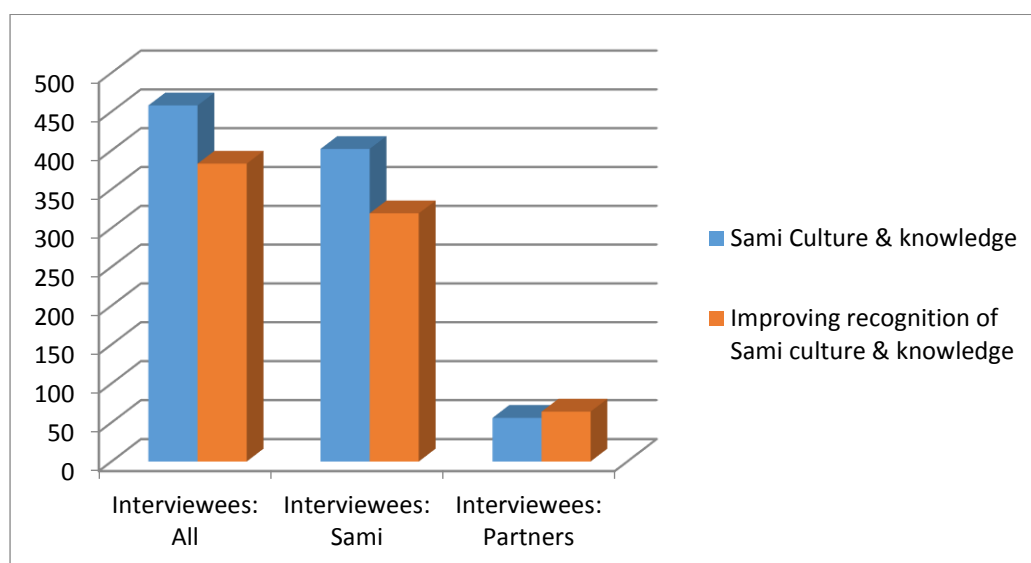
We then looked for the themes where there is the **greatest** difference between the number of times **Sami** talked and the number of times their **Partners** talked. We found the greatest difference between Sami and Partners were in the number of times they talked about:

- **Structures –**
  - the **Sami** spoke **least** about Structures (as a proportion of the total number of times they talked).
  - the **Partners** spoke **most** about Structures (as a proportion of the total number of times they talked).

The data shows that there is not a huge difference, but it does exist in the 4 top areas, as mentioned above;

- Indigenous ecological knowledge (IEK); (**Sami** talked about **more** times as a proportion of their total talking);
- Governance characteristics; (**Partners** talked about **more** times as a proportion of their total talking);
- Governance effectiveness; (**Partners** talked about **more** times as a proportion of their total talking); and
- Improving Indigenous ecological knowledge (IEK) recognition (**Sami** talked about **more** times as a proportion of their total talking).

#### Improving the Recognition Discussion – Data Chart



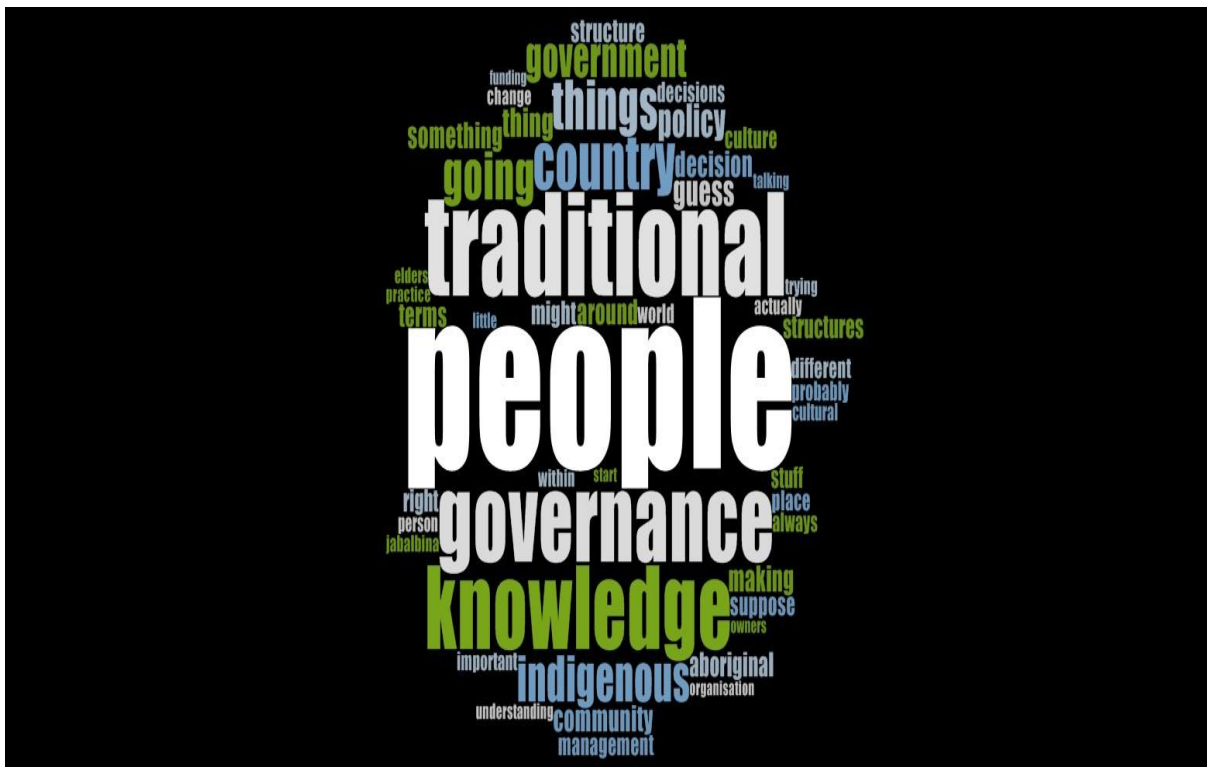
In the analysis of two of the top four areas, Indigenous ecological knowledge (IEK) (Sami culture and knowledge) and Improving recognition of Indigenous ecological knowledge (IEK) (Sami culture and knowledge), this chart shows;

- The **most** spoken about area to the **Sami** is about Indigenous ecological knowledge (IEK) (Sami culture and knowledge).
- The **most** spoken about area to the **Partners** is Improving recognition of Indigenous ecological knowledge (IEK) (Sami culture and knowledge).





Another example, in this word cloud it displays the top 50 words spoken by all interviewees.



In both instances, it shows that **people**, **traditional** and **governance**, (**knowledge** is also very close) are central to everyone's conversations. What do you see emerging as most frequent words?

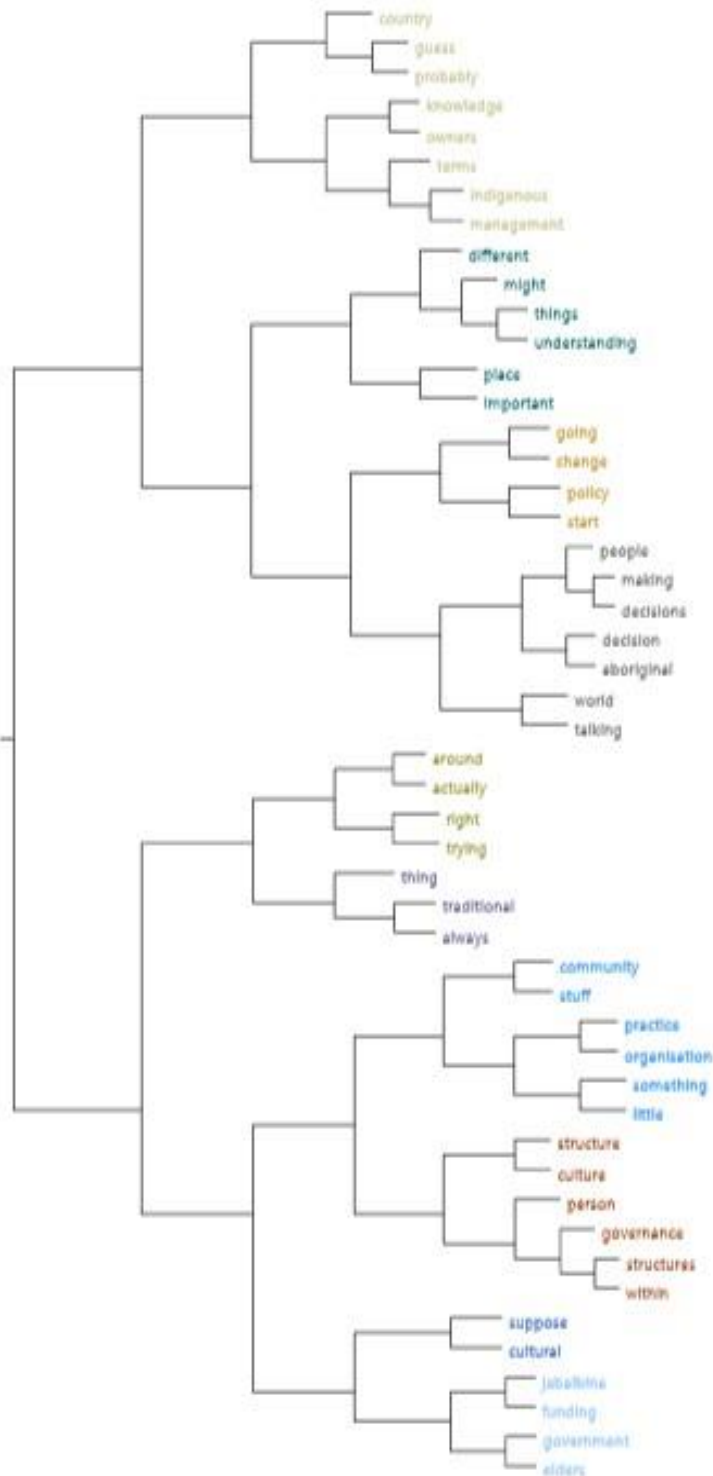
#### Word Frequency Discussion – Data Charts

Another way to visualise this and to look and discuss some of the emerging key words and themes, is by looking at a **Word Tree**, which groups together words that are often spoken together.

Looking at the top 50 words spoken by everyone, they can be clustered into groups or themes.

In this display, it appears that a number of these areas are appearing including;

### word freq top 50 bama only



### In Summary:

- Indigenous knowledge and management of country
- Different understandings of place is important
- Policy change
- Aboriginal People and decision making
- Maintaining traditional links / ways should be attempted (always 'traditional' is the right thing to try')
- Community organisations continue to practice (culture)
- Cultural structures embedded in governance structures are better for the people
- Elders and culture are now dependant on government funding

## Tag Cloud – Data Chart

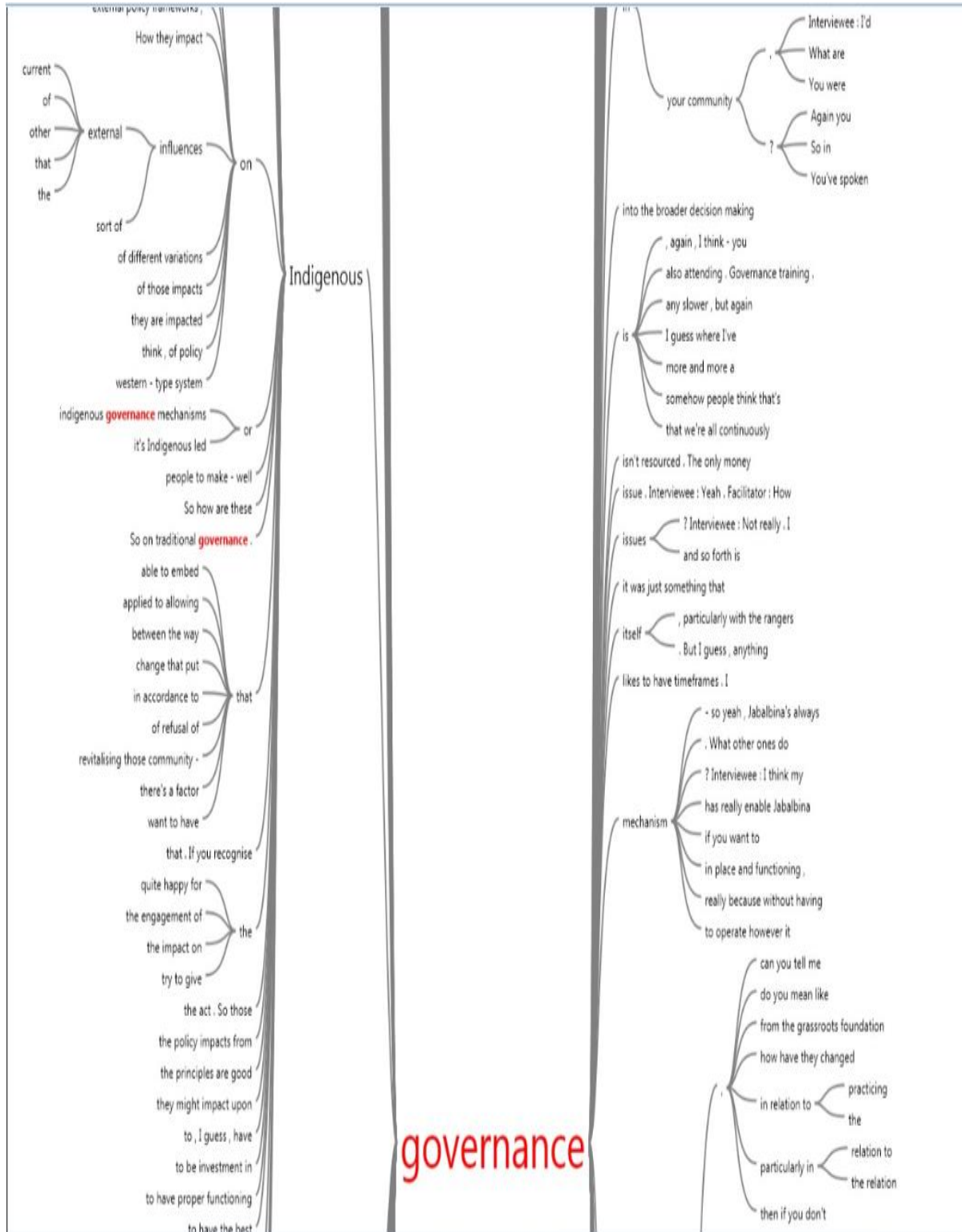
Another way to look at this or think about it is to use a **Tag Cloud**. The Tag Cloud shows the top 100 words most frequently appearing words displayed alphabetically. The size and density of the font indicates frequency – the larger the word, the more frequent it appears.

actually always anything area around **back** based bit board body  
change **come** community connection  
**country** culture day decision different elders else  
end engage even example external getting give **going**  
good got **governance**  
great **guess** hard help impact important indigenous  
influences information issues jabalbina **knowledge** land level  
little live look making management mean mechanisms  
meetings might mob name **need** now old organisation owners part  
particular **people** person place policy  
practice probably process question recognise resources right sense something  
**sort** start strengths structure stuff suppose sure **talk** tell  
terms **things** time together **traditional** trying  
understanding view whether white whole within **work** world

Here, it shows that **governance** is the most popular appearing word, followed by **people**, **traditional** and **country**, (**knowledge** is also very close). What else do you see emerging as most frequent words?

Word Tree – Data Chart

Another type of **Word Tree** is to look at the most frequently occurring word – it is placed at the centre of the tree. It shows the branches from the central word and how they are spoken and linked to the centre word.

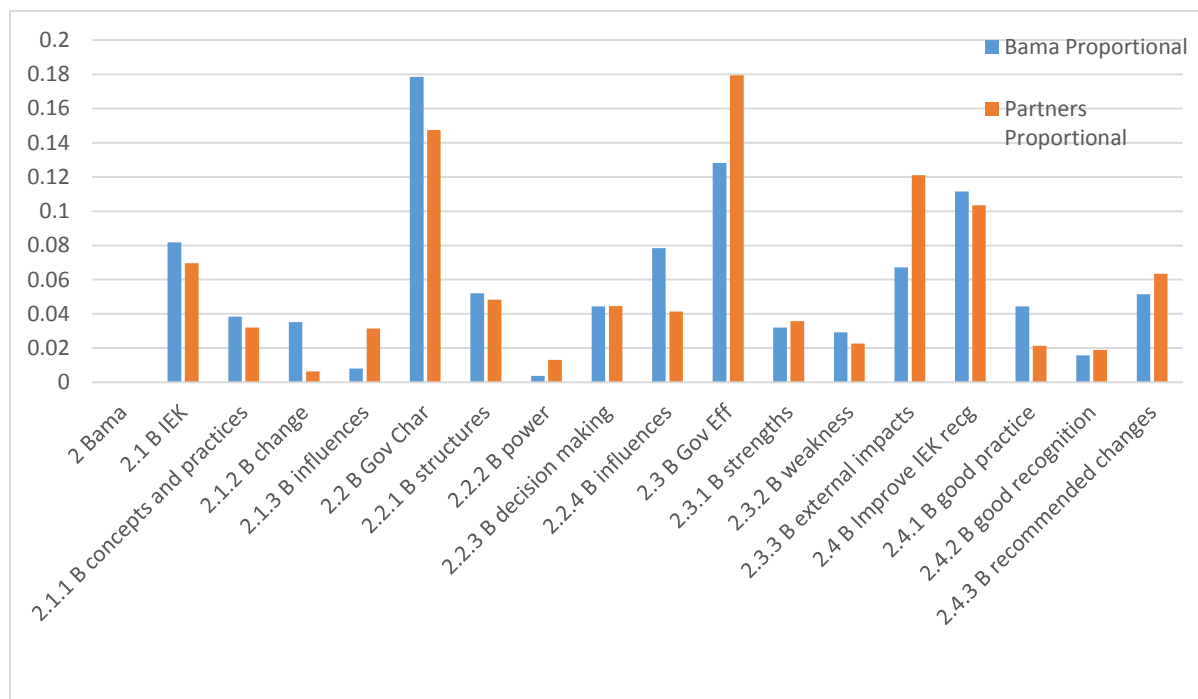


## Coding Analysis

In this analysis we looked at the themes the interviewees discussed, and we counted the number of times people talked about each theme. We calculated what proportion of the number of themes they discussed were about a particular theme.

Proportional data is simply the number of times people talk about a theme, divided by the number of times people talk about **all** the themes. So the proportion is “0.08” for IEK (Bama culture and knowledge) means that 8% of the times they talked about a theme, it was about IEK (Bama culture and knowledge).

### Matrix Coding – Data Charts



### Proportional Discussion – Data Chart

The four top themes that were talked about the **most number** of times were **different** for the **Bama** and the **Partners**. In order, these are:

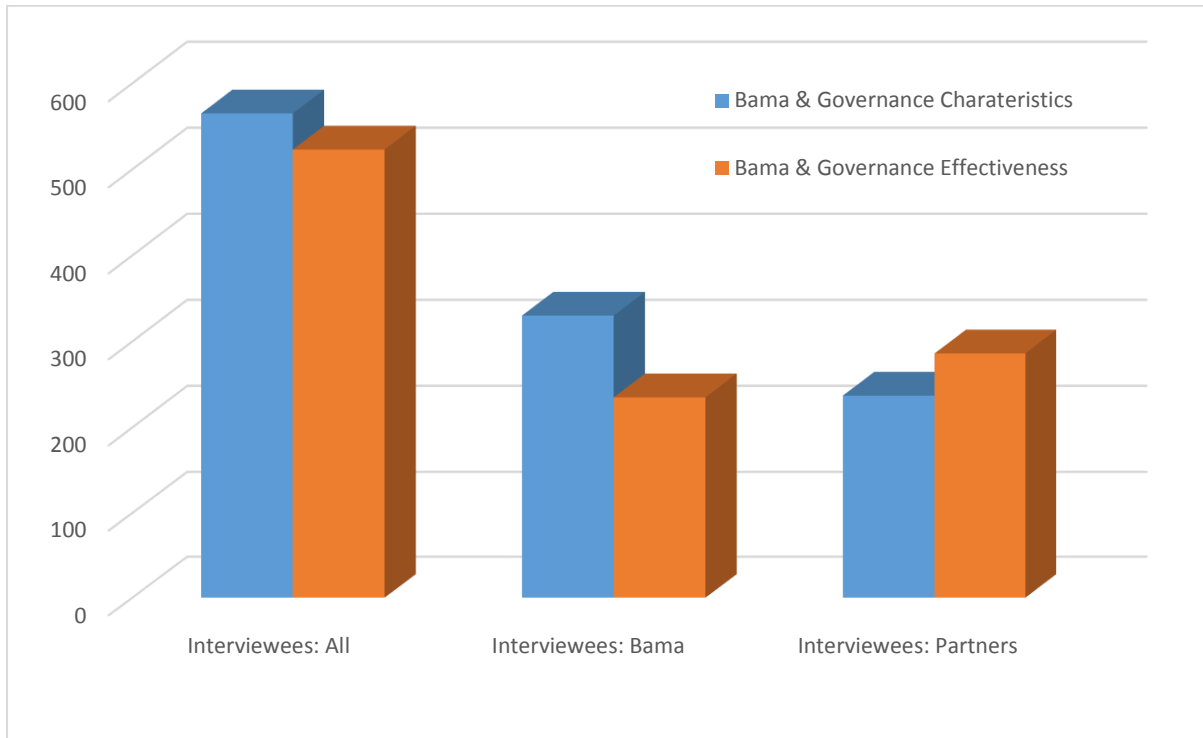
Top themes	Bama (blue)	Partners (red)
<b>1</b>	<b><i>Governance characteristics</i></b> Includes all the characteristics and influences on Bama Governance (decision making, processes, structures and influences).	<b><i>Governance effectiveness</i></b> Includes all the success factors in Bama governance – what works well and why, the strengths and weaknesses.
<b>2</b>	<b><i>Governance effectiveness</i></b> Includes all the success factors in Bama governance – what works well and why, the strengths and weaknesses.	<b><i>Governance characteristics</i></b> Includes all the characteristics and influences on Bama Governance (decision making, processes, structures and influences).
<b>3</b>	<b><i>Improving Indigenous ecological knowledge (IEK) recognition</i></b>	<b><i>External Impacts</i></b> Includes all the data on Bama and Partners ideas about external impacts on Bama governance.

	Includes all the information about evaluating existing practices and recommending needs for change in Bama protected area frameworks, that relate to Improving the recognition of Indigenous ecological knowledge (IEK) (Bama culture and knowledge).	
<b>4</b>	<b><i>Indigenous ecological knowledge (IEK)</i></b> Are better referred to as <i>Bama culture and knowledge</i> . It includes all things about Bama and Partners ideas of what IEK is about, for example; culture and tradition.	<b><i>Improving Indigenous ecological knowledge (IEK) recognition</i></b> Includes all the information about evaluating existing practices and recommending needs for change in Bama protected area frameworks, that relate to Improving the recognition of Indigenous ecological knowledge (IEK) (Bama culture and knowledge).

In further analysis of the Proportional data set, we can see the following;

- Out of the top two areas that are common for Bama and the Partners, the theme that was spoken about the **most** number of times by the **Bama** is – **Governance characteristics** [which includes all the characteristics and influences on Bama governance (decision making, processes, structures and influences)].
- The theme that was spoken about the **least** number of times by the **Bama** is – **Governance effectiveness** [includes all the Includes all the success factors in Bama governance – what works well and why, the strengths and weaknesses.
- Out of the top two areas that are common for Bama and the Partners, the theme that was spoken about the **most** number of times by the **Partners** is – **Governance effectiveness** [includes all the Includes all the success factors in Bama governance – what works well and why, the strengths and weaknesses.
- The theme that was spoken about the **least** number of times by the **Partners** is - **Governance characteristics** [includes all the characteristics and influences on Bama governance (decision making, processes, structures and influences)].

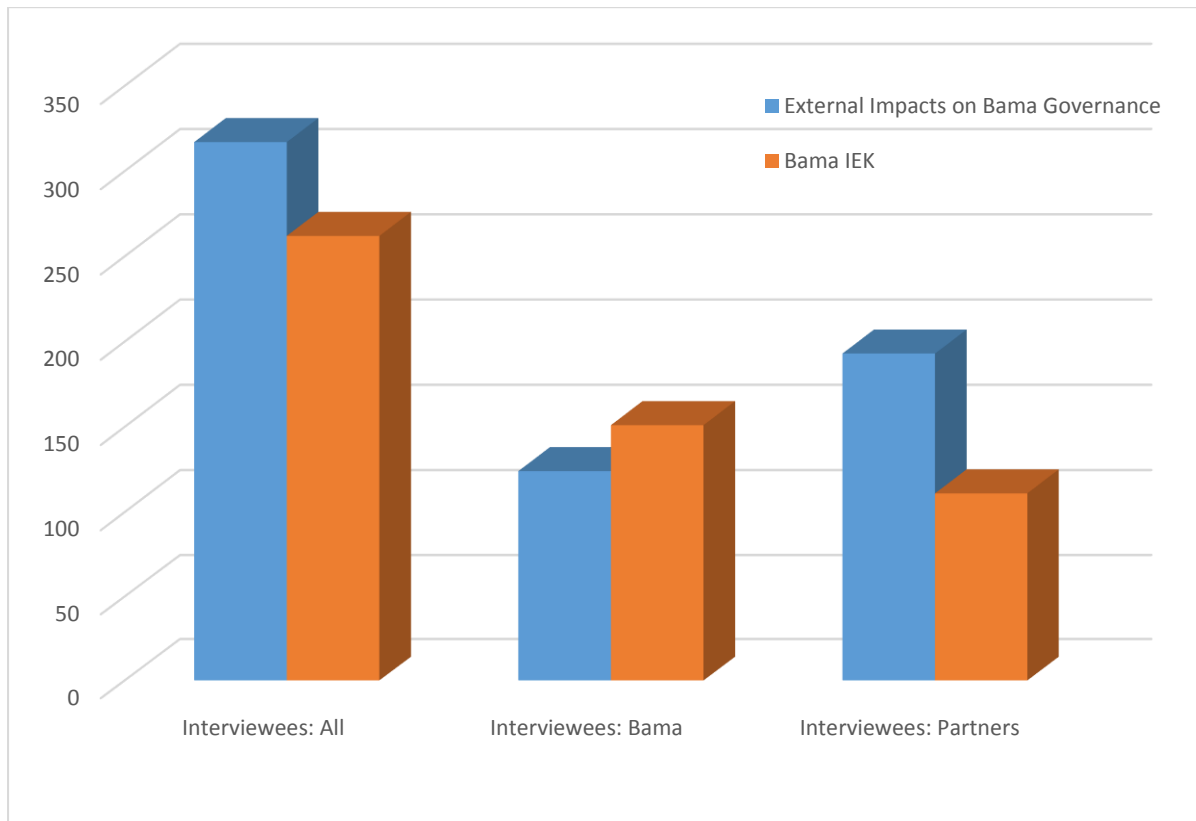
## Discussion on Governance – Characteristics and Effectiveness



So in this chart, the focus looks at Bama Governance – in terms of the Characteristics and the Effectiveness.

What appeared in this data analysis snapshot, was **Partners** spoke more about what works well and why, the strengths and weaknesses (effectiveness) about Bama governance. While the **Bama** spoke more about the decision making, processes, structures and influences on Bama governance (characteristics).

## Discussion on External Impacts and Indigenous ecological knowledge (IEK)



We then looked for the themes where there is the **greatest difference** between the number of times **Bama** talked and the number of times their **Partners** talked. There were two equal themes that showed the **greatest difference**. They are;

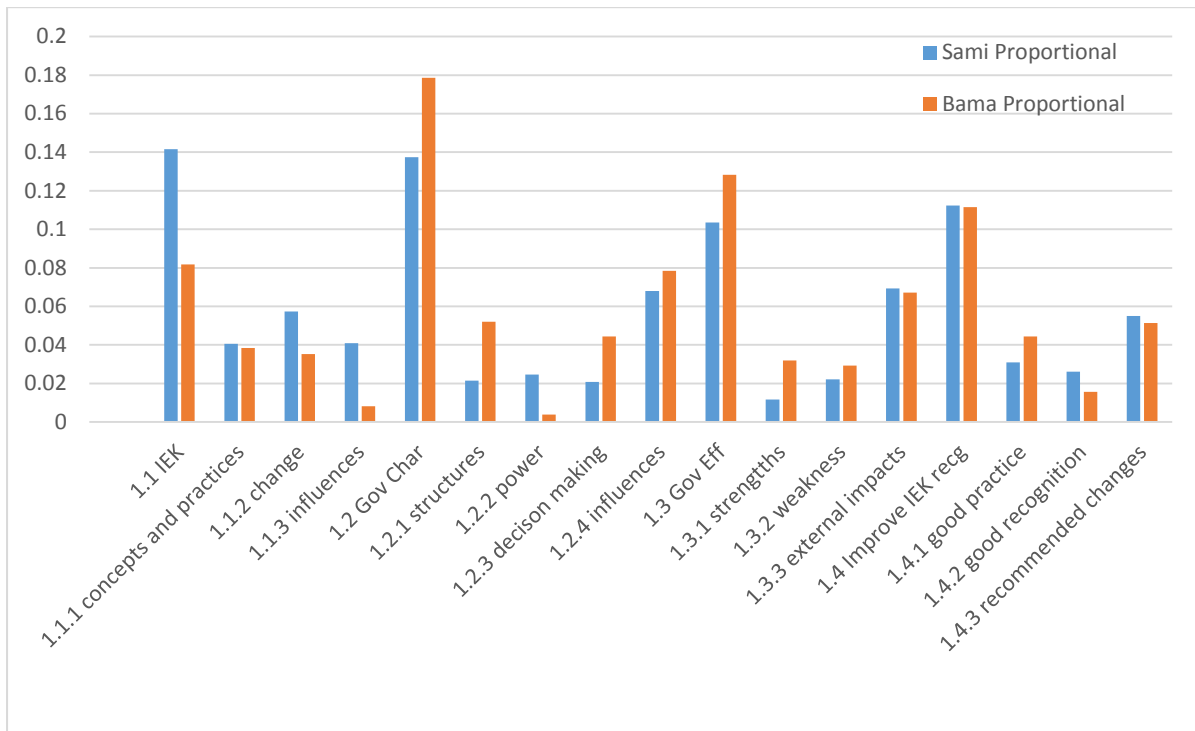
- **External impacts on Bama governance** (Includes all the data on **Bama** and **Partners** ideas about external impacts on Bama governance).
- **Bama IEK** (better referred to as *Bama culture and knowledge*. It includes all things about Bama and Partners ideas of what Indigenous Ecological Knowledge is about, for example; culture and tradition)

Therefore, what appeared in this data analysis snapshot, showed us that;

- **Partners** spoke more about the **external impacts** on or to Bama governance.
- **Bama** spoke more about **Bama culture and knowledge** and the ideas of what Indigenous Ecological Knowledge is about, for example; culture and tradition.
- But everybody, both **Bama** and **Partners**, spoke **more** about the **external impacts** to Bama governance, rather than on Bama Indigenous Ecological Knowledge (Bama culture and knowledge).



**Proportional Discussion – Data Chart – Indigenous Only – Bama and Sami**



In the analysis of the data between **Bama** and **Sami** (so only the Indigenous interviewees), the data shows the difference between the key themes **spoken mostly** and the key themes **least spoken** about between all the Indigenous interviewees.

In terms of the themes **mostly spoken** about, the proportional data shown here;

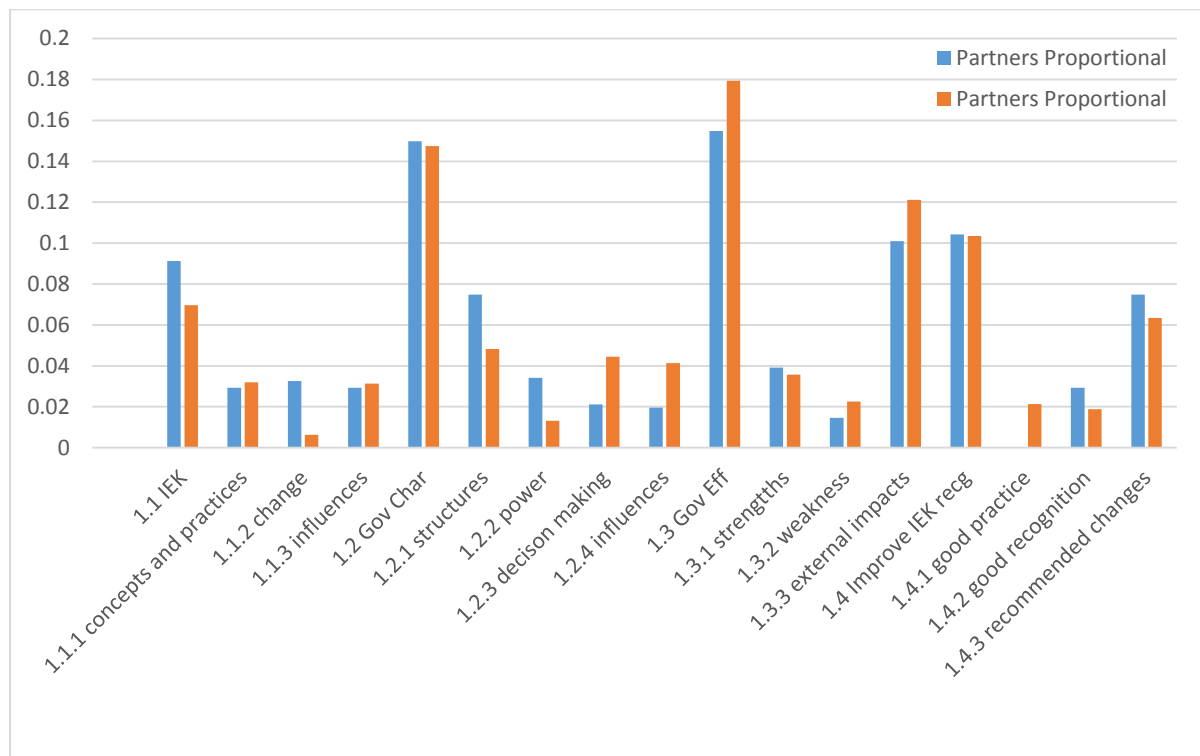
- The theme talked about the **most times** (as a proportion of the themes they discuss) by the **Sami** is **Indigenous ecological knowledge (IEK)** (better referred to as *culture and knowledge*. It includes all things about Sami ideas of what IEK is about, for example; culture and tradition).
- The theme talked about the **most times** (as a proportion of the themes they discuss) by the **Bama** is **Governance characteristics** (includes all the characteristics and influences on Bama governance (decision making, processes, structures and influences).
- However, the **Governance characteristics** was spoken about the **second most number** of times by the **Sami**, so was almost close to the **Bama**.

In terms of the themes **least spoken** about, the proportional data shown here;

- The theme talked about the **least times** (as a proportion to their total talking) by the **Sami** is **Strengths** (which is all data about Sami strengthens on governance) as it relates to Sami governance.
- The theme talked about the **least times** (as a proportion of their total talking) by the **Bama** is **Power** (which is all data about Bama ideas on formal and informal power) as it relates to Bama governance.

In addition to this analysis of the proportional data, what is also of interest, is the **exact same number** of times that both **Sami** and **Bama** talked about **the same theme**, in proportion to their total talking. The theme is **Improving Indigenous ecological knowledge (IEK) recognition** (which includes all the information about evaluating existing practices and recommending needs for change in Bama / Sami protected area frameworks, that relate to Improving the recognition of Indigenous ecological knowledge (IEK) (culture and knowledge).

**Proportional Discussion – Data Chart – Partners Only – Bama and Sami**



In the analysis of the data between **(Bama)-Partners** and **(Sami)-Partners** (so only the ‘Partner’ interviewees), the data shows the difference between the key themes **spoken mostly** and the key themes **least spoken** about between all the Partner interviewees.

In terms of the themes **mostly spoken** about, the proportional data shown here;

- There was two equal themes talked about the **most times** (as a proportion to the themes they discuss) by the **(Sami)-Partners**: one is **Governance characteristics** (includes all the characteristics and influences on Sami governance (decision making, processes, structures and influences); the other one is **Governance effectiveness** (which includes all the Includes all the success factors in Sami governance – what works well and why, the strengths and weaknesses).
- The theme talked about the **most times** (as a proportion of their total talking) by the **(Bama)-Partners** is **Governance effectiveness** (which includes all the Includes all the success factors in Bama governance – what works well and why, the strengths and weaknesses).

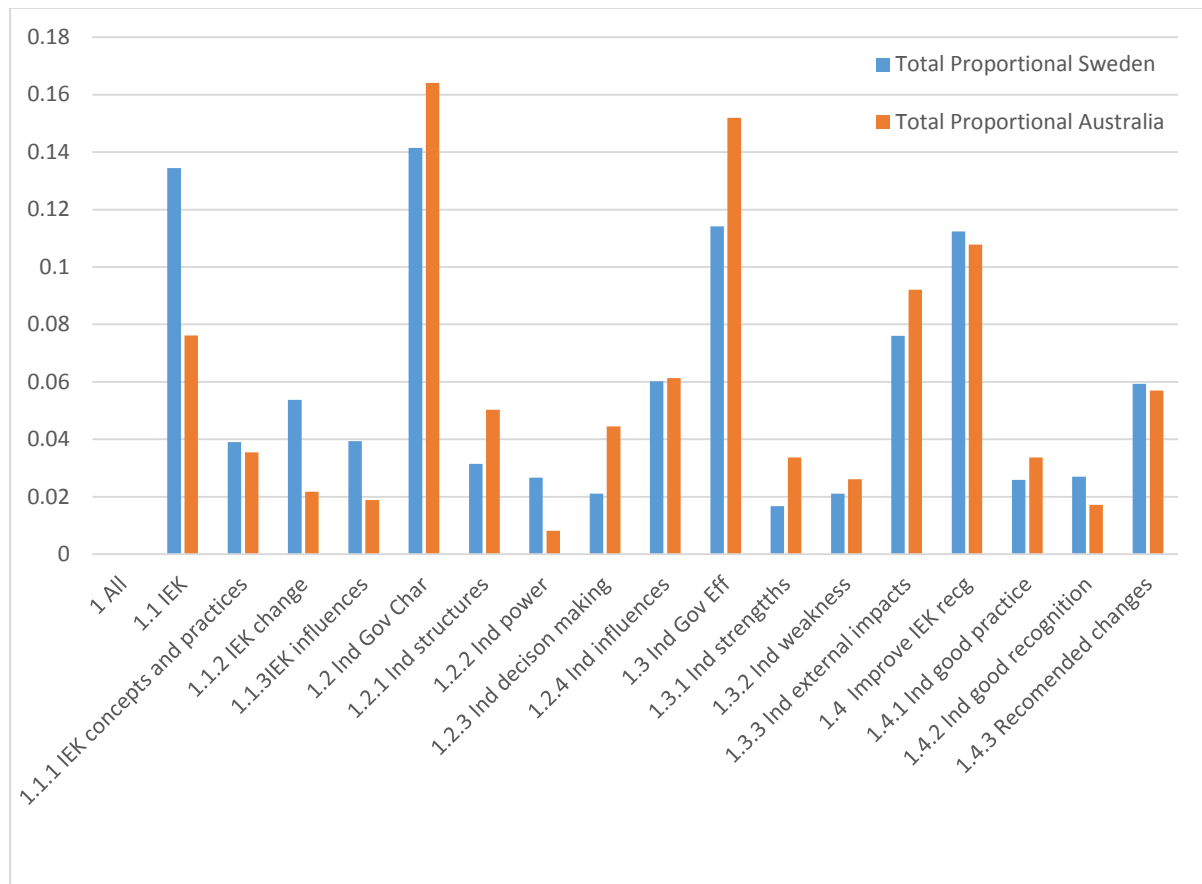
In terms of the themes **least spoken** about, the proportional data shown here;

- The theme talked about the **least times** (as a proportion to their total talking) by the **(Sami)-Partners** is **Good practice** (which includes all data about Sami and Partners ideas on what is good governance) as it relates to Sami governance.
- The theme talked about the **least times** (as a proportion of their total talking) by the **(Bama)-Partners** is **Change** (which includes all data about how Bama Indigenous Ecological Knowledge has changed over time).

Another interesting appearance in this analysis of the proportional data, which is **exactly the same** as the **Indigenous only** (Bama and Sami), is the **exact same number** of times that both **(Sami)-Partners** and **(Bama)-Partners** talked about **the same theme**, in proportion to their total talking. The theme is **Improving Indigenous ecological knowledge (IEK) recognition** (which includes all the information about evaluating existing practices

and recommending needs for change in Bama / Sami protected area frameworks, that relate to Improving the recognition of Indigenous ecological knowledge (IEK) (culture and knowledge).

**Proportional Discussion – Data Chart – all Interviewees – Total Sweden and Total Australia**



In the analysis of all the data between **(Total)-Australia** and **(Total)-Sweden** (so all interviewees combined), the data shows the difference between the key themes **spoken mostly** and the key themes **least spoken** about between all the all interviewees.

In terms of the themes **mostly spoken** about, the proportional data shown here;

- The theme talked about the **most times** (as a proportion of their total talking) by the **(Total)-Australia** interviewees and **(Total)-Sweden** – was **exactly the same – Governance characteristics** (includes all the characteristics and influences on Bama / Sami governance (decision making, processes, structures and influences).
- So for the theme talked about the **most times** (as a proportion of their total talking) by the **(Total)-Australia** interviewees was, **Governance characteristics** (includes all the characteristics and influences on Bama governance (decision making, processes, structures and influences).
- The theme talked about the **most times** (as a proportion of their total talking) by the **(Total)-Sweden** interviewees was, **Governance characteristics** (includes all the characteristics and influences on Sami governance (decision making, processes, structures and influences).

In terms of the themes **least spoken** about, the proportional data shown here;

- The theme talked about the **least times** (as a proportion to their total talking) by the **(Total)-Sweden** interviewees is **Strengths** (which is all data about Sami strengthens on governance) as it relates to Sami governance.
- The theme talked about the **least times** (as a proportion of their total talking) by the **(Total)-Australia** interviewees is **Power** (which is all data about Bama ideas on formal and informal power) as it relates to Bama governance.

# Appendix 4

Table 3 Publications during candidature (2013-2017)

Published	Relevant Chapter
Hill. R., Robinson. C., Pert. P., Barber. M., Lyons. I., Maclean. K., <b>Talbot. L.</b> , Moran. C., <b>2017</b> "Integration Science for impact: fostering transformations towards sustainability", in <i>Social Science and Sustainability</i> , edited by H. Schandl & I. Walker, 23-50, CSIRO Publishing.	Methodology Chapter
Kennett, R., T. Tran, <b>L. Talbot</b> , T. Heffernan, and Barton. M. <b>2015</b> . Implementing Native Title Indigenous Leadership in land and water livelihoods. Report of a workshop at the 2015 National Native Title Conference, Port Douglas, Qld. Canberra, ACT: Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS).	Theory Chapter
Pert, P. L., R. Hill, K. Maclean, A. Dale, P. Rist, J. Schmider, <b>L. Talbot</b> , and L. Tawake. <b>2015</b> . "Mapping cultural ecosystem services with rainforest aboriginal peoples: Integrating biocultural diversity, governance and social variation." <i>Ecosystem Services</i> 13:41-56.	Theory Chapter
Hill, R., P. L. Pert, K. Maclean, T. Bauman, E. Bock, A. P. Dale, M. Flynn, A. Joyce, S. McDermott, V. Mundraby, P. Rist, B. Rampton, J. Schmider, <b>L. Talbot</b> , and L. Tawake. <b>2014</b> . Indigenous peoples and biodiversity protection in wet tropics country: from co-management to collaborative governance. Volume 2 Participatory Evaluation Results. In <i>Report to the National Environmental Research Program</i> . Cairns Online: Reef and Rainforest Research Centre Ltd.	Findings and Case Description – Australia Chapter
Hill, R., P. L. Pert, K. Maclean, T. Bauman, E. Bock, A. P. Dale, M. Flynn, A. Joyce, S. McDermott, V. Mundraby, P. Rist, B. Rampton, J. Schmider, <b>L. Talbot</b> , and L. Tawake. <b>2014</b> . Indigenous peoples and biodiversity protection in wet Tropics country: from co-management to collaborative governance. Volume 1 Interim policy-relevant findings. In <i>Report to the National Environmental Research Program</i> . Cairns Online: Reef and Rainforest Research Centre Ltd.	Findings and Case Description – Australia Chapter
<b>Talbot, L. 2013</b> . "Engaging Indigenous Communities in World Heritage declarations: processes and practice." In <i>Keeping the Outstanding Exceptional: The Future of World Heritage</i> , edited by P. Figgis, A. Leverington, R. Mackay, A. Maclean and P Valentine, 134-139. Sydney and Canberra: Australia Committee for IUCN and the Australian Government.	Methodology Chapter

Table 4 Planned publications from 2017 onwards

<b>Proposed Authors</b>	<b>Proposed Title</b>	<b>Proposed Journal</b>	<b>Proposed Date</b>
<b>Talbot. L.</b> , Hill. R., Babacan. H	Indigenous Research: facilitating improvements in the Australian land management context	Geographical Research	2017
<b>Talbot. L.</b> , Hill. R., Babacan. H + Others?	Indigenous cultural and organisational Governance in protected area management	Current Opinion in Environmental Sustainability	2018
<b>Talbot. L.</b> , Hill. R., Babacan. H + Others?	Nation-state constraints on Indigenous knowledge in protected areas of Australia and Sweden	Environmental Science & Policy	2018
<b>Talbot. L.</b> , Hill. R., Babacan. H + Others?	The role of an Empowering Indigenous Lens in understanding collaborative management in protected areas	Geoforum	2019
<b>Talbot. L.</b> , Hill. R., Babacan. H + Others?	Making the Invisible Visible – how Indigenous knowledge can be supported in protected areas	Geoforum	2019

