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Finding the Keys to Unlock Successful Aboriginal Community Governance: Case Studies of Three Aboriginal Councils in North Queensland, Australia

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Background

In Australian Indigenous policy, the 1970s heralded the beginning of a shift from paternalistic policies of assimilation and integration to an approach that sought to facilitate greater self-determination for Aboriginal and Torres Strait Islander peoples. New Indigenous representative and service delivery organizations emerged at the national level, culminating in the Aboriginal and Torres Strait Islander Commission (ATSIC), and at the regional level. At the local level, administration of Indigenous populations by church missions and state government authorities gave way to new corporate models for Indigenous community governance, with structures ranging from small, incorporated associations to full-fledged local governments. A significant diversity of Indigenous governance models has evolved in the past three decades, the product of an enthusiasm for policy experimentation and the fragmented government involvement in Indigenous affairs that is characteristic of Australia's federalism.

Despite this diverse and lengthy experience of Indigenous governance development, there remains little consensus about the optimal governance structures and processes for Indigenous people to achieve their aspirations and determine their futures. Indeed, the continuing high levels of disadvantage of Australia's Indigenous population has prompted a reassessment in recent years of policy frameworks that emphasized the devolution of decision making and service delivery to Indigenous organizations. Governments have withdrawn support for national and regional representative bodies—the abolition of ATSIC being the most notable example¹—and developed new policy frameworks that emphasize direct partnerships with local Indigenous communities, predicated on negotiated partnership agreements.² The focus has now turned to the community level, where governments are looking to Indigenous community governance structures to engage with governments in partnerships that will effect real changes to improve the living conditions of Indigenous populations. Yet, the preoccupation in recent decades with Indigenous governance structures at the national level has led to an

“institutional and policy gap” (Huggins 2002, 2), which has in turn led to calls for a more systematic assessment of “what works and what doesn’t” in relation to Indigenous governance practice (Smith 2002, 28; Westbury and Sanders 2000, 20).

In Queensland, Indigenous communities have over twenty years’ experience of self-management through community councils that have the status of local government authorities. These councils are ideal sites for examining what is required for Indigenous communities to harness the tools of self-governance in order to determine their futures. As part of doctoral research, the author conducted case studies of three north Queensland Aboriginal councils in 2005 and 2006.³ The focus of the research was to identify the particular governance attributes, institutions, and practices that contribute to or inhibit the successful performance of a community government in an Aboriginal community, along with the contextual factors that shape the differences in governance attributes between communities.

Conceptual Issues

The concept of community government performance is central to this paper and requires some discussion. In many studies on governance, the term “good governance” is used, which carries a normative connotation. The utility of the concept of good governance is problematic, however, because it gives rise to a tendency to conflate questions regarding the outcomes of governance with questions regarding the “proper” processes to practice governance. In other words, when someone says that governance is “good,” it is never clear whether they are saying that it is good because the right decisions have been made, or whether they are simply saying that the decisions have been made in the right way. To avoid this confusion, the research adopted the pragmatic approach of focusing on the concept of “community government performance,” which simply encompasses the extent to which a community government achieves the outcomes desired by its constituents. From this starting point, the key question becomes: What governance attributes, institutions, or practices determine community government performance?

A potential criticism of this approach is that the focus on community government performance reveals an ethnocentrically Western viewpoint that community governance is purely a matter of delivering services and programs and that whether governance is practiced in a manner that is consistent with a community’s cultural values is not important. As Hunt and Smith (2006, 59) suggest, “Indigenous people judge organizations by their processes, not just their outcomes—means are as important as ends.” While this is certainly true, it does not undermine the validity of an approach that focuses on community government performance.

Performance is assessed in terms of whether the community government achieves the outcomes desired by constituents, which may well include, in addition to outcomes regarding services and programs, objectives regarding the way governance is practiced and perhaps the need to respect cultural values in

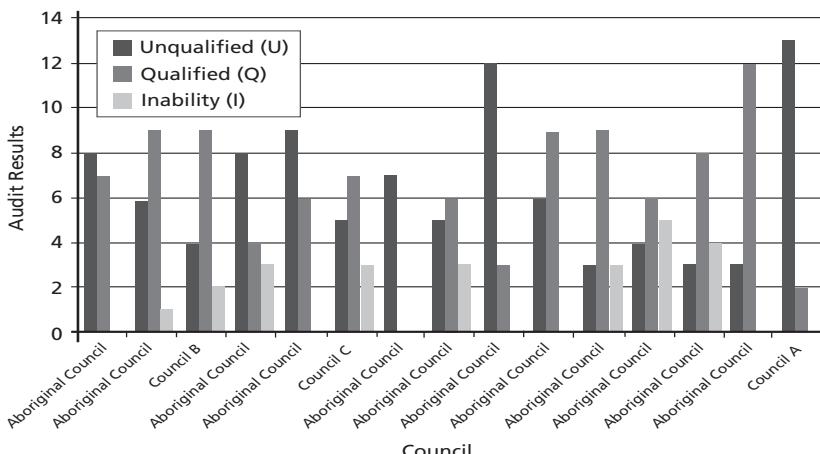
governance practice.⁴ The outcomes desired by constituents will be shaped by the prevailing values of the community at a particular point in time. Indeed, the case studies illustrate that the values shaping the direction of Indigenous community governments, as in other areas of community life, are often in conflict with each other; Indigenous people increasingly aspire to mainstream standards of living at the same time as wishing to retain a separateness from the mainstream and to protect and revitalize traditional Indigenous lifestyles. Cowlishaw (2004, 315) has described these questions of values and identity as part of “an ongoing tension surrounding the future of Aboriginality.”

A focus on assessing an Aboriginal council’s performance, therefore, does not require the imposition of external values about what the outcomes of community governance ought to be. Rather, a key task in the case studies was to identify each Indigenous community’s articulation of the outcomes sought from its community government, which represents that community’s particular expression of self-determination. The research highlighted a high degree of commonality in the desired outcomes sought by the residents of the three case study communities along with some divergent aspirations associated with each community. It was clear that the overriding community government priority for residents in all three communities was for the delivery of infrastructure, services, and programs that would improve their standard of living. Thus, the performance of an Aboriginal council could be reasonably measured by an evaluation of the following core community government outcome areas:⁵

- Delivery of essential services, including roads, water, sewerage, and waste management
- Provision of community infrastructure and facilities (libraries, parks, recreation facilities, community halls) to improve quality of life
- Environmental health services and animal control
- Community and town planning
- Making local laws to manage health and amenity issues in the community
- Sustainable land and natural resource management
- Provision of quality public housing
- Provision of employment programs including Community Development Employment Projects (CDEP)
- Delivery of quality social services in areas such as aged care, child care, family support, suicide prevention, and local justice initiatives
- Managing businesses for the benefit of the community
- Fostering economic development in the community

Additional outcomes sought by Indigenous residents that do not relate directly to service provision are:

- Advocacy and representation of the community’s interests to other levels of government and the wider world

Figure 4.1: Historical Audit Results for Queensland Aboriginal Councils (1992–2006)

Source: Queensland Audit Office audit reports

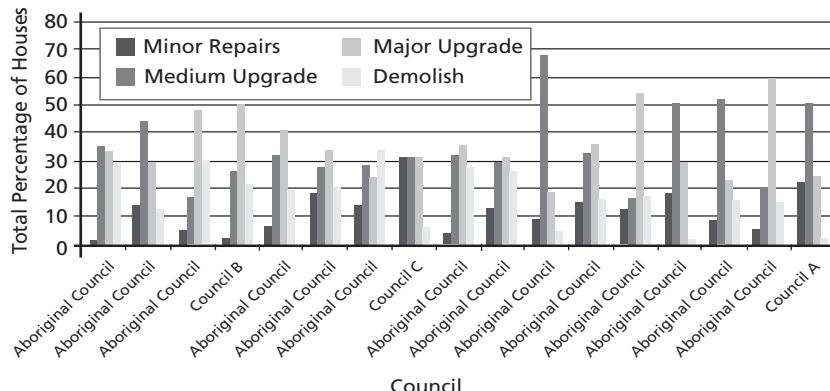
- Financially accountable management of resources allocated to the community
- Strengthening Indigenous culture and promoting respect for cultural identity

In measuring community government performance, it is important to recognize that relative priorities differ across communities and at different points in time. Any assessment of a council's performance needs to take account of its particular mix of priorities and weightings across its range of activity areas.

Research Design

The selection process for the initial two case studies in 2005 was designed to identify a high-performing and a low-performing council. This task was made difficult by the lack of accurate comparative performance data for Queensland's Aboriginal councils. The data most frequently used by the state government to evaluate and compare the performance of Aboriginal councils has been the results of the annual audits of council financial statements by the auditor general. This data is summarized in **Figure 4.1**.⁶

While audit performance is an indicator primarily of financial management performance and not the delivery of programs and services, government officers interviewed in 2005 expressed a view that it was linked to councils' performance in other areas. The audit data revealed a standout performer over the preceding decade, which was selected as the first case study, referred to here as Council A. As **Figure 4.1** illustrates, Council A has consistently received unqualified audits, receiving only two qualified audit opinions since 1992. A second case study,

Figure 4.2: General Condition of Aboriginal Council Housing, 2003

Source: Aboriginal and Torres Strait Islander Housing Program, 2003

Council C, was selected from a group of councils with a poor record of audit performance, particularly in the preceding five years.⁷

Council housing condition data, one of the few sources of comparative data about service delivery performance available, confirmed the preliminary indications about these two councils' relative levels of performance. **Figure 4.2** shows the assessment of repairs required to council-owned housing in fifteen discrete Aboriginal communities in Queensland. The condition of housing is a reliable measure of the effectiveness of councils' housing management and maintenance programs, as the age of housing is broadly comparable across the communities. The data show that the condition of council housing at Council A is better than in any of the fifteen Aboriginal communities, and significantly better than at Council C. For example, only 2% of houses owned by Council A were assessed as being in such poor condition that they required demolition, while 34% of houses at Council C required demolition.

Following data collection at Councils A and C, a third case study, Council B, was selected. This council was chosen because, on the face of it, it exhibited many of the contextual factors that had emerged as apparently important to the high performance of Council A, yet its performance was poor with respect to the available comparative data about audit results and housing management. The case study of Council B offered the opportunity to further test the validity of the preliminary conclusions drawn from the first two case studies.

The selection of case studies also provided a diversity of circumstances. Council A is located in a larger Aboriginal community, closer to a regional population centre. Council B is located in an average-sized community that is close to a non-Indigenous town and is not remote from a regional population centre. Council C is located in a smaller, more remote community.

The research design combined the analysis of a wide range of documentary data, including statistics, government reports, council minutes, and council plans, with extensive fieldwork in the three communities based on interviews, focus groups, and direct observation. The interviews and focus groups were conducted with councillors and council staff, as well as external stakeholders such as community residents, community organizations, external auditors, and government agency representatives. Transcripts of interviews, notes, and electronic records such as council minutes were coded and analyzed using qualitative data analysis software.

The data collection for the case studies focused on three broad areas: the performance of the council; the governance attributes, institutions, and practices that determine such performance; and the contextual factors that have shaped the governance attributes, institutions, and practices in each community. The relevant time period for the assessment of performance and the examination of governance attributes, institutions, and practices was generally the period from 2000 to 2006. The importance of historical factors necessitated a much longer-term view of the contextual factors affecting the three councils.

How Were the Three Councils Performing?

To address the overall research question of what determines Indigenous community government performance, it was necessary to develop a more detailed understanding of the dimensions of council performance in the three councils than that offered by the available comparative data used in the initial case study selection. Thus, performance indicators were devised for each of the identified community government outcome areas described earlier and data were sought from whatever sources were available. Reliable performance measurement data were scarce in relation to many council activities. Even in relation to programs or services directly funded by government agencies, performance measurement systems were weak. Government agencies generally exhibited a much greater focus on obtaining financial accountability acquittals than reports of performance outcomes, and the precise outcomes sought from grants were often vague or undefined. Nevertheless, through a combination of analysis of available data and interviews with stakeholders, it was possible to draw conclusions about the relative performance of the three councils in achieving the particular outcomes desired by their constituents.⁸

The results of the performance assessments largely confirmed the basis for the initial selection of the case studies. Council A proved to be delivering a high standard of programs and services across a wide range of outcome areas, in most cases equal or superior to many mainstream local governments. The council's performance over the past decade was particularly outstanding in the creation of employment opportunities in the community, provision of new community infrastructure and facilities (including a community hall, shopping centre, training

centre, and pool), and establishment of much-needed social services such as a child-care centre, community health centre, and aged persons hostel.

The council performance data confirmed that during the period from 2000 until the time of the case studies in 2005–2006, Councils B and C had both struggled to meet the outcomes desired by their constituents. For example, the case studies found deficiencies in the provision of basic services, virtually non-existent environmental health services, substandard housing, major deficits in community infrastructure and facilities, and endemic financial management problems. From about 2004, however, there was evidence of some improvement in Council C's performance, which was a valuable finding where it could be linked with changes in the council's governance practices at that time.

What Governance Attributes, Institutions, and Practices Determine Council Performance?

In order to explain the relative levels of performance of the three councils, the case studies turned to perhaps the most critical aspect of the research project, which was identifying the governance attributes that characterize governance in each of the councils. Governance attributes encompass the institutions—in the non-formal sense of a set of shared norms and behaviours—and the processes and practices that make up a council's distinctive approach to governance. The collection of data was focused on the governance attributes that have been suggested by the literature on governance, both in Indigenous and other contexts, as being important to government performance. The past decade has seen a growing number of attempts to formulate broad principles for “good governance” in contexts ranging from international development (Graham, Amos, and Plumptre 2003; United Nations Development Program 1997), public sector organizations (Independent Commission on Good Governance in Public Services 2004), private sector boards (Standards Australia 2003), non-profit organization boards (Carver 2008), and local governments (CPA Australia 2005). There is an implicit assumption in much of this work that following these good governance principles will lead to better government performance (CPA Australia 2005, 5), but the empirical basis for this is rarely spelt out. In the Indigenous governance context, the Harvard Project on American Indian Economic Development has espoused a set of governance-related attributes that its proponents believe to contribute to successful economic development within Indian reservations, based on empirical studies over two decades (Cornell and Kalt 2002).

In Australia, however, research into Indigenous governance has largely been limited to government reviews and reports or anthropological and ethnographic studies. Government reviews tend to focus on policy and practice issues regarding legislative frameworks and administrative arrangements for Indigenous governance, while contemporary community governance issues tend to be peripheral to the focus of most anthropological research. In the past decade, however, a series

of policy-oriented research papers on issues related to Indigenous community governance has been published by the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University (Martin and Finlayson 1996; Sanders 2004; Smith 2002; Westbury and Sanders 2000). CAEPR's focus on Indigenous community governance has intensified since extensive fieldwork began in 2004 under the Indigenous Community Governance Project (ICGP) (Hunt and Smith 2007). This research, however, also follows a largely ethnographic approach. Its methodology is not conducive to conclusively identifying the governance attributes that contribute to Indigenous community government performance because it has not evaluated the performance of the case study organizations in any systematic way.⁹

A review of the literature reveals a considerable overlap in the various prescriptions of “good governance,” both in the general literature about governance and in the growing body of work about Indigenous governance in Australia and elsewhere. Attributes such as the separation of powers, the rule of law, equity and fairness, strategic vision, effective and efficient administration, community engagement, and strategic external engagement feature strongly in the literature cited above. The research design had the objective of eliciting data that could test whether there is indeed a causative link between these governance attributes and the performance of the three councils. The findings in relation to each of these key issues are discussed in turn below.

Separation of Powers

The importance of a clear separation of powers between an organization’s elected leaders or board and its operational staff is frequently highlighted in the literature on governance. A good governance manual for Australian local governments, for example, states that “councillors are responsible for strategy and policy, while administrations are responsible for advice, implementation and operations” (CPA Australia 2005, 10). The case studies revealed that such a separation of powers had been institutionalized at Council A to a much greater extent than at Councils B and C. At Council A, the councillors were aware that the focus of their role was to set the direction and develop policy at the strategic level, leaving the day-to-day administration of council business to the CEO and the administration. The council’s managers had clear lines of responsibility and reporting to the CEO. This led to a stable and strong administration that many observers believed to be fundamental to Council A’s successful administrative performance. The clear separation of roles and responsibilities had empowered the council’s managers to manage their respective programs without the threat of unwarranted political interference in their day-to-day operations.

In contrast, at Councils B and C, the case studies found that councillors regularly interfered in administrative and operational matters. This interference was sometimes personalized in nature, such as where a councillor sought to influence an operational matter on behalf of a particular constituent, typically

a member of the councillor's family. On other occasions, the interference was systemic in nature, as where councillors believed that they had a legitimate role in directing administrative staff in the performance of their day-to-day duties. For example, at Council B, the councillors tended to deal with numerous micro-level operational issues at their monthly meetings, such as requests for screen doors for houses, requests to use council equipment, and the organization of workers' rosters.

It was evident that interference by councillors in operational matters that are properly the responsibility of the CEO and council managers affects the council's performance in several ways. Firstly, the systemic interference by councillors in the management of workforces of Councils B and C had compromised the council administrations' ability to manage effectively. A clear manifestation of this was these councils' inability to balance their budgets due to councillor-directed over expenditure on wages. Secondly, interference of a personalized nature at Councils B and C had undermined the authority of the CEOs, destabilized the workforce, and created inconsistent and inequitable outcomes. This contrasted with the approach of Council A, which was to rely on the administration staff to deliver programs and services using agreed-upon program criteria that focus on principles such as identified need, equity, and efficiency. Thirdly, the institutionalizing of the separation of powers at Council A had led to a more strategic focus by councillors than was the case in the other two councils. The benefits of this strategic orientation for a council's performance are discussed below.

Some commentators have pointed out that the doctrine of separation of powers is somewhat unrealistic and artificial, because elected leaders inevitably have a degree of involvement in operational matters and senior administrative staff usually play an important role in making policy and setting strategic direction (Etzioni-Halevy 1985; Graham 2006). The case studies support the view that there is often a grey area between strategic and operational aspects of a council's business and that the strategic role is best seen as a partnership between the elected leaders and senior managers. This does not, however, dilute the importance, in terms of the smooth running of a community government, of elected leaders clearly understanding the limits to their role in relation to matters that are operational in nature.

Rule of Law

The rule of law can be understood as a system in which the laws or rules are public knowledge, are clear in meaning, and apply equally to everyone, including the government (Carothers 1998). The United Nations lists the rule of law as one of the "universal principles" of good governance (United Nations Development Program 1997), and an orientation towards rules and policies is frequently cited as important to effective governance (Cornell and Kalt 2002, 12; Hunt and Smith 2006, 29; Indian and Northern Affairs Canada 2001, 28). The case studies showed that Council A had a much greater orientation than the other two councils towards

the consistent application of laws, rules, and policies in conducting its business. A councillor explained that it is “really important … to have policies in place so that you can make good, honest, correct decisions—and consistent decisions.” By contrast, an officer from Council C noted that “historically, everything’s been done with a nod and a wink—there’s never been any policies.”

Furthermore, the evidence showed a greater level of consistent enforcement and compliance with policies at Council A than at Councils B and C. For example, in relation to the perennially contentious issue of use of council vehicles, the attempts at regulating private usage at Councils B and C had repeatedly failed, with the councillors often being the first ones to breach the policy. A former CEO of one of these councils lamented, “You’ll find an absence of consistency of application. It’s the most frustrating thing. You’d have a unanimous resolution at a council meeting on a Tuesday and on the Wednesday, you’ll have a councillor breaking it.” This comment illustrates an important finding from the case studies, which is that the governance culture of a council and a community, including its orientation towards a rules-based environment, is largely set by the example of those at the top of the organization. In the case study of Council A, it was clear that the councillors did not see themselves as above the council’s rules and policies and council minutes revealed several instances of the collective council calling individual councillors to account for their actions.

The research highlighted that a significant factor undermining the consistent and fair application of rules and policies is the pressure on councillors and staff from family and kin. As a former CEO of Council C commented, when a decision-maker faces a choice between following a council policy and meeting an obligation to kin, “traditional obligation always wins, and that’s the issue.” A clear finding from the Council A case study, however, was that the rule of law may provide the key to resolving the problem of family and kinship pressures in practice. At Council A, councillors and council staff had come to understand that a key advantage of a policy-driven approach is that it protects them from the pressure of family obligations as well as from allegations of favouritism when they are making decisions. This is consistent with a finding of the Indigenous Community Governance Project, which reported that some Indigenous organizations are using “corporate governance devices,” including policy formulation and codes of conduct, “in order to collectively address issues that might otherwise prove difficult to negotiate owing to kin-related avoidance behaviour, hierarchical leadership etiquette, or the pressure of meeting family responsibilities” (Hunt and Smith 2006, 17).

There was substantial evidence from the case studies that respect for the rule of law enhances community government performance. In core service areas such as housing management, the benefits for performance of a policy-based approach can be clearly identified. For example, at Council A the strict enforcement of the rule that tenants are responsible for paying for damage that they cause had contributed to houses being better cared for and in better condition than in other Queensland

Aboriginal communities. In the area of financial management, comprehensive policies and procedures and strong internal controls were pivotal to Council A's exemplary audit performance over the past decade. In contrast, at Councils B and C the lack of consistent enforcement of policies around use of council resources, such as vehicles, had led to resource wastage and poor standards of financial accountability reported in successive audit opinions. A policy-oriented approach had also assisted Council A in meeting its objectives of achieving accreditation for its aged-care and child-care facilities. Council C, on the other hand, had failed in its attempts to receive funding for a child-care facility due to its inability to demonstrate that the relevant policies and systems were in place.

A key benefit of a policy-oriented approach is that it leads to more fair and equitable outcomes in service delivery and resource allocation because it stipulates a rational set of criteria and therefore limits the scope for arbitrary or preferential criteria to influence decision making. The contrast between the councils was most pronounced in relation to the process for allocation of public housing. Council A had developed a policy based on time on the waiting list combined with needs-based criteria such as medical conditions or disability. In allocating a house, the council followed the housing manager's recommendation, which was determined by the policy. At Councils B and C, there was no housing allocation policy and waiting lists were not being used as a basis for housing allocation. Instead, the allocation of a house was the subject of bargaining around the council table. On several occasions, the outcome of this process was councillors being allocated new houses.

At Council A, it was also observed that the council's commitment to a rules-based environment and to backing up the decisions made by staff had led to a stable and committed workforce who took pride in their systems and processes. At Councils B and C, staff felt frustrated by councillors overriding decisions they had made based on council policy, leading to an organizational culture that was disempowering for staff. The absence of the rule of law ultimately manifests itself in higher turnover of staff and difficulty attracting skilled people to work for the organization.

Strategic Vision

Strategic vision is another governance attribute commonly cited in recipes for "good governance" (United Nations Development Program 1997). For example, the Harvard project emphasizes the need for a strategic orientation towards long-term "nation-building" as the key to economic development in an Indigenous community (Cornell and Kalt 2002). In the case studies, the strategic orientation of leaders within the respective councils emerged as a key point of differentiation between the councils. Councils B and C exhibited an orientation towards short-term issues, an approach described by councillors and staff as "crisis management" and "putting out bushfires." An observation made by a number of stakeholders during the research was that members of Aboriginal communities, including their

leaders, often exhibit a tendency to live from day-to-day, paying less attention to long-term plans or aspirations. Nevertheless, long-term thinking has been much more prevalent at Council A. The council CEO explained: “Since I’ve been here, since ‘97, there’s been a consistent element within the council that’s said, ‘what are we aiming for, where do we want to be in five, ten, twenty years’ time, how is it that we go about achieving this?’” Council A’s strategic orientation was evident in the fact that it had produced comprehensive five-year community development plans in 1996 and 2003 and had actively used these plans to guide its activities. The deputy CEO noted, “We’re getting [the plan] out and ticking it off—what we’ve done, what we haven’t done, what’s still relevant.”

While community plans and strategic plans had been commissioned by the other councils, it was apparent that very few people within the councils were even aware of their existence, let alone what was contained in them. At Council C, however, there had been a significant change in the council’s strategic orientation from about 2003 to 2006 as the result of an intensive community development and mentoring process facilitated by a senior government officer placed in the community. A grassroots community plan had been produced and had attracted the commitment of the council, with one observer noting, “this is the first time that I’ve really seen the community or the councillors so excited about a plan.” At the time of the 2006 case study, there were signs that Council C’s newfound strategic orientation had started to bring about improvements in the council’s performance. For example, stakeholders reported a greater level of productive activity in the community and the council had become much more focused in its negotiations with government funding providers.

The case study evidence suggests that it is important for a council to not only engender a strategic orientation, but to build a clear, consistent, and shared strategic vision. At Council B, many capable individual councillors had put forward long-term visions over the years for the council and the community, but the council had never built a shared vision around which to mobilize the council and the community. The disabling effect on the council of the lack of a shared vision was a consistent theme in the interviews with stakeholders at Council B. One councillor explained the problem using the metaphor of steering a canoe:

We’ve got to share values. Every time I put my paddle in this way, the chairman’s putting his paddle in the opposite direction ... It takes time and the longer it takes, the community becomes stalemated and it’s staying in one place. That’s the sad thing of it.

Whereas the absence of a shared vision was the defining feature of Council B’s governance, at Council A, the clarity and consistency of the shared vision over two decades has been the hallmark of the council’s governance. To use the canoe metaphor, councillors and staff at Council A have been paddling in the same direction for twenty years and have made substantial progress as a result. Council

A's vision has been singularly focused on achieving self-management—that is, building the capacity to effectively manage the community's affairs and take control of the community's future direction. What is remarkable about this vision is that it has not been driven by a single leader or even a small group of leaders, but by a generation of leaders in this community. Consequently, turnover in the elected councillors or senior staff of the council has not affected the council's strategic direction—new incumbents have simply taken the torch and moved forward. As the mayor of Council A explained: "This council didn't come about the position where it is if there wasn't a long-term goal by previous councils. We basically built on what was already here." Thus, major projects and initiatives at Council A were continued across the terms of different councils, a stark contrast to the frequent changes in direction evident at Council B.

The link between strategic vision and council performance was strikingly evident from the disparity between the councils in accumulating infrastructure, facilities, and services. A review of Council A's major priorities from its 1996 community development plan reveals that by 2006, almost all of these priorities had been achieved. By contrast, the lack of new facilities and services at Councils B and C over the past decade are a testament to these councils' failure to build a shared vision around which to mobilize the community's resources. This point is particularly salient in the case of Council B, which has an abundance of financial and natural resources as well as a significant pool of skilled human capital, all of which it has been unable to harness to achieve the community governance outcomes desired by its constituents.

Effective and Efficient Administration

Most discussions of good governance highlight the arguably self-evident point that government performance requires an effective and efficient administration. This was certainly confirmed by the case studies of Aboriginal councils, with the highest-performing council demonstrating superior effectiveness and efficiency in all aspects of administration. The case study of Council C was illustrative of the serious governance difficulties that arise from a lack of administrative capacity. The dearth of skilled administrative staff within this council had led to an unsustainable reliance on two or three senior officers to undertake the majority of administrative tasks. For example, the accountant was required to undertake activities as basic as doing the cash count of takings from a council enterprise. While a finding that effective and efficient administration is important for community government performance is hardly surprising, the evidence from the case studies provided some valuable indications about the attributes, institutions, and practices that underpin good administration in an Indigenous community government context.

The effectiveness of financial administration is an important issue for Aboriginal councils as it tends to be the focal performance indicator in governments' assessments of council performance and it influences councils' access to ongoing government funding. The case studies highlighted that financial management

performance is linked to the extent of elected councillors' scrutiny of financial matters and their commitment to strengthening internal controls. Council A's meeting minutes revealed a strong focus on internal controls that was not evident at the other councils. While Council A was achieving both a high standard of financial performance and positive performance across a range of other outcome areas, it should not be assumed that sound financial administration will guarantee high performance in other areas. Council C experienced a period of solid financial management in the late 1990s, but the consensus of those interviewed for the case study was that the council was failing at that time in terms of delivery of services and programs desired by the community. Conversely, at a time when it was improving its overall performance from 2004 to 2006, it was continuing to receive poor audit reports.¹⁰

Possibly the most important foundation for good administration indicated by the evidence is the stability of staffing of the council. Informants repeatedly cited this factor to explain both good and poor administrative performance. Continuity of staff contributes to administrative performance in a number of ways: staff come to know their jobs intimately and understand the council's systems; they have the opportunity to build their skills over a sustained period; they gain familiarity with the broader government institutional environment in which they work; and they are able to create beneficial networks and long-term relationships with funding agencies. At Council A, the continuity within the council's administration had also created a level of stability in the council's rules and systems that insulated its services and operations from the vagaries of inappropriate political interference following changes in the elected council.

Significantly, the cross-case comparison highlighted a key difference in approach that may explain the higher level of stability of staffing in Council A than in the other two councils. That is, Council A had actively instituted positive human resource management strategies that created an environment in which staff felt recognized, valued, and supported. Examples of such measures include the provision of salary increments based on industrial awards, and reward and recognition processes that included annual staff awards. Crucially, Council A had been able to retain and "skill up" local Indigenous residents by putting in place systems that protected staff from community and family pressures and provided professional development opportunities. The development of a supportive work environment had created a level of pride that generated positive performance in a way that was self-perpetuating. As an observer of Council A noted, "[t]here is a lot of pride, because once you have an efficient administration running, you want to maintain it." This organizational culture stood in sharp contrast to the situation in Council B, where many skilled and qualified individuals in the community were unwilling to work for the council or take up positions of responsibility due to a high degree of politicization and conflict within the council workforce and a generally unsupportive organizational environment.

Investing in training and professional development is an obvious strategy for building a stable and competent community government workforce. A sustained investment in developing the workforce has been a central feature of Council A's agenda since the 1980s, evidenced by the employment of a dedicated training officer, development of regular training plans, and construction of a community training centre. Over two decades, many local staff had obtained qualifications and risen through the ranks to the point where most of Council A's management positions (including the CEO and deputy CEO) were occupied by local Indigenous community members with some form of tertiary or trade qualification. It was important that such investment in staff development was not only substantial, but also targeted to meeting the council's priority needs. Council B had also invested significantly in the education and development of staff and community members, yet this had not translated into substantially improved council performance, partly because it had not been strategic in terms of meeting the particular organizational needs of the council.

Community Engagement

The governance literature cited earlier contains various iterations of the importance of community engagement to good governance.¹¹ It was somewhat surprising, therefore, that the evidence about the link between the quality and extent of community engagement and the performance of the Aboriginal councils was ambiguous. The case studies revealed that all three councils had poor levels of community engagement, measured in terms of the perceptions of constituents about the adequacy of engagement, an analysis of the councils' actual practices, and an assessment of the extent to which constituents were aware of the councils' activities and plans. Isolated instances of positive community engagement had improved outcomes in areas such as increasing the motivation and productivity of council workers and enhancing community commitment for council initiatives. There were also instances where the absence of community engagement negatively affected council outcomes, such as poor consultation about the design and siting of a community hall leading to low utilization by the community.

On the other hand, some evidence pointed to the proposition that processes of engaging the community might have a negative effect on council performance in some areas because they are contrary to administrative efficiency. At Council A, staff justified their lack of community engagement by the fact that it was too time-consuming and resource-intensive, created unnecessary conflict, and achieved little benefit. They were adamant that the community was better off if the council "just got on with the job" of efficiently delivering services. Support for this position can be found in the fact that Council A had achieved a high level of performance across many of its outcome areas despite having poor community engagement practices—in fact, in many respects Council A practiced less community engagement than the other councils.

The only way to reconcile the conflicting evidence about the importance of community engagement is to conclude that the extent to which community engagement will enhance community government performance depends on the particular activity in question. Bishop and Davis (2002, 18) have pointed out that in public administration, “form follows function so that the character of a policy problem decides whether, and through what instrument, [public] participation is possible.” The authors warn against an absolutist view that engaging the community is essential to every government activity: “Participation is not an absolute virtue, only an appropriate response in particular circumstances” (2002, 19). In the context of an Aboriginal council, for example, there will be little benefit in engaging the community in issues such as the provision of essential water, sewerage, and waste management services, but community engagement will be critical to the success of activities that depend on the support of the community.

Strategic Engagement with Government

Aboriginal councils’ external engagement with state and federal governments is one of the most crucial aspects of their business, due to their almost complete reliance on government for funding and resources. The reports on the findings to date of the Indigenous Community Governance Project have placed a strong emphasis on the considerable constraints to Indigenous governance that result from the prevailing “governance environment” (Hunt and Smith 2006, 39–48). The case studies of the three north Queensland Aboriginal councils confirmed the dysfunctional aspects of the relationship between councils and government. The main difficulty for councils is that the relationship undermines council autonomy: firstly, by circumscribing councils’ capacity to set and pursue their priorities in order to meet constituents’ desired outcomes; and secondly, by suffocating councils with an overwhelming administrative compliance burden combined with demands for councils to participate in seemingly endless consultation and planning exercises.

There was an appreciable difference between the way the three councils have responded to this malaise, and their responses have had a marked impact on their performance. Councils B and C tended to adopt an isolationist and sometimes confrontational stance in response to the demands of the relationship with government. They have sought to preserve their autonomy by disengaging with government. In contrast, a commitment to effectively engage with government has underpinned Council A’s strategy for achieving self-management over the last two decades (Limerick and Yeatman 2008). Council A considers strategic engagement with government as the best means to overcome the constraints on autonomy imposed by the funding processes and bureaucratic environment. The council’s engagement is both strategic and pragmatic in that it seeks to work within the system and draw government into partnerships that are on the council’s terms and contribute towards achieving the council’s plans and priorities. Most importantly, the council’s leaders have made the psychological shift from approaching

the relationship with government with an expectation of dependency to an acceptance that the council must take responsibility for the outcomes sought from the engagement.

Martin (2003; 2004) has written about the need for Indigenous governance organizations, and Indigenous societies generally, to strategically engage with the dominant society in order to better achieve their aspirations. The benefits for an Aboriginal council of strategically engaging with government are readily evident in the enhanced service delivery outcomes that Council A has achieved through the positive working relationships between the council's staff and officers within government agencies. At the strategic level, Council A's effective engagement with government has increased its access to funding and infrastructure and ensured that government resources are negotiated on terms favourable to the council and congruent with the community's desired outcomes.

What Contextual Factors Shape a Council's Approach to Governance?

The third area of focus for the case studies was an examination of the broader contextual, cultural, and historical factors that have shaped each council's particular approach to governance. Having ascertained the level of a council's performance and identified the governance attributes, institutions, and practices that appeared to determine this level of performance, the key questions that emerge are: What factors explain why the council adopted these governance attributes, institutions, and practices? What contextual factors explain why Council A has adopted the particular mix of governance attributes and practices that have proven successful? Conversely, what has prevented Councils B and C from adopting these successful governance practices in order to better meet their constituents' desired outcomes? These are complicated questions involving the interplay of multiple factors, many of which arise from the unique historical and cultural attributes of each community. The research investigated an array of issues, including each council's access to financial and natural resources, the community's remoteness, the community's exposure to the mainstream, the prevailing educational levels in the community, the impact of family and kinship relationships, the impact of Aboriginal cultural values and lifestyles, the history of governance over the past century, the prevailing governance norms and values, differences in leadership styles, and the extent of social capital in the community. A brief overview of some of the key explanatory factors that emerged from the research is provided here.

Education

While one might expect the education levels within a community to have a determinative effect on the capability and performance of its community government, the case studies illustrated that improving education generally does not guarantee the improved performance of an Aboriginal council. Although there was no doubt

that Council A's investment in education and skills had enhanced its performance and that the poor educational levels of many of Council C's staff had stifled its performance, it was Council B's experience that was most illuminating. Council B is situated in a community with a history of comparatively high levels of education, yet it had not been able to harness this pool of human capital for the council's benefit. As mentioned earlier, deficiencies in the council's organizational practices and culture had discouraged many skilled individuals from taking up positions of responsibility. These problems were compounded by the lack of a shared strategic vision around which to mobilize and motivate community members. Moreover, the less strategic approach at Council B had led to a situation where the skills and qualifications that individuals had gained were often poorly matched with the needs of the council. This contrasted with Council A's approach, where the council's support for education was seen as inextricably linked with its broader vision of achieving community self-management. A striking feature of Council A was the number of qualified local Indigenous staff who occupied senior management positions within the council, including the CEO and deputy CEO positions. This is an outcome of a long-term, strategic, and planned investment in training and professional development for staff. In sum, the case studies suggest that education is a necessary, but not sufficient, foundation for improved Indigenous community government performance.

Exposure to the Outside World

A contextual factor that appeared to be more important than formal education in shaping the communities' approach to governance was the extent to which residents of the community had gained skills, experience, and a broader perspective through exposure to the outside world. The level of wider exposure of residents and staff at Council A, through boarding school, work, and the local church, was considered by many participants in the research to be a key factor in the council's superior performance. A former chairperson of Council A expressed the view that his council was "better organized and governed than the other northern communities" because residents of his community "have more experience in the broader community." This proposition is reinforced by the fact that in the case study of Council C, community residents' lack of exposure to the outside world was repeatedly raised as a key constraint to the council's progress. Moreover, an overall observation from the three case studies was that the council staff who observers considered to be the most effective were generally those who had had some experience outside their community.

One of the reasons why constituents' broader exposure to the outside world may have an upward pressure on council performance is that it seems to influence the expectations of community residents as consumers of council services. A councillor of Council A pointed out that there was an expectation in the community and the council that services would be of a high standard "because we've got first-hand experience of seeing how services are provided in Cairns [a nearby

regional centre]." The residents' experience of mainstream towns was a key factor in shaping the desire for mainstream standards of service delivery in this community. At Council C, on the other hand, it was evident that many residents tolerated a poor standard of services largely because they did not know what the standard of services was in other communities. A community development facilitator explained that this lack of exposure also constrains the ability of residents to formulate a strategic vision for the community: "How can you imagine anything else, when you've never experienced it? How do you imagine what it's like to have small businesses in a place when you've never even seen it, let alone experienced it?"

The extent of a community's remoteness from the mainstream is clearly relevant in terms of residents' capacity to gain exposure outside the community. In this respect, Council A, which is located close to a regional centre, has a clear advantage over Council C, which is in a remote part of north Queensland, at least a day's drive from a regional centre. Proximity to a regional centre has provided Council C's constituents with opportunities to engage with non-Indigenous people through education, sport, and accessing services. It also provides advantages to the council in terms of lower costs for delivery of services.

Once again, however, the case study of Council B confounded any temptation to attribute a council's performance to a single factor such as the community's level of exposure to the outside world or its proximity to the mainstream. Council B is located in a community that is not remote and where residents have a long history of travelling and working outside the community and engaging in the non-Indigenous mainstream society and economy. The case study illustrates that access to a pool of local residents who have gained skills and experience outside the community will not, in itself, translate to improved council performance if the council is unable to capitalize on this potential resource.

Financial and Natural Resources

A council's access to financial and natural resources was not useful in explaining the relative performance of the case study councils. Council B is in the most advantageous position regarding resources due to a regular stream of royalties over a long period of time from a mining venture on the council's land. Although some of this income has been used to provide educational bursaries for community residents, it has also been used to subsidize the council's operations, typically to cover unsustainable expenditure on wages. The council's advantage in terms of financial resources has not translated into higher levels of council performance or even improved community infrastructure. Council C also had access to significant resources over a long period of time as a result of a very profitable alcohol canteen run by the council. Again, this income was not invested or expended for long-term benefit, but was largely spent on subsidizing operational costs of the council. The highest performing council, Council A, has had no royalty income and little revenue from council business enterprises.

Paternalism and Dependency

An historical factor that has had a profound impact on the practice of Indigenous governance is the conditions of paternalism and dependency that characterized the administration of Indigenous communities by governments and church missions throughout much of the twentieth century. In all three of the case study councils, this common history had imprinted community residents with attitudes of dependency towards authority, the focus of which had transferred from government and church authorities to the new Aboriginal councils following the grant of self-management in the 1980s. The case studies highlighted that the expectation that the council would look after residents' every material need was a suffocating burden on the councils.

A further legacy of mission history was a tendency amongst community leaders to emulate the disengaged and authoritarian leadership styles of their government and missionary predecessors. In the two decades since the handover of authority from the government, however, leadership within the three councils had evolved along markedly different trajectories, with consequent differences in council performance. At Council C, the historical condition of dependency had deepened into a debilitating state of apathy, from which a weakened leadership had been unable to stir the community. At Council B, an inherited authoritarian, individualistic, and confrontational leadership style had created a level of instability and conflict that had undermined the community's capacity to build a shared vision and embrace the opportunities inherent in self-management. At Council A, on the other hand, a consensual and collaborative leadership ethos had created conditions of stability and continuity. The council's approach was underpinned by a shared vision of self-management, which had provided the impetus to break the shackles of dependency to an extent that was not evident at the other case study councils. A feature of Council A's governance culture was the willingness to proactively and independently pursue the community's agenda and to take responsibility for the ultimate outcomes.

Political Norms and Values

One of the key areas for investigation in the case studies concerned the prevailing political norms and values within each community and how this has shaped the communities' different approaches to community governance. A central finding in this regard was that many of Council A's positive governance practices and attributes were shaped by an underlying orientation by community leaders towards making decisions in the interests of the whole community rather than family or sectional interests. Writers on Indigenous governance issues have highlighted the centrality of family and kinship relationships in Aboriginal political culture and the tendency towards "localism" in Aboriginal political orientation (Martin and Finlayson 1996). At Councils B and C, these characteristic Aboriginal cultural norms had a significant impact on community governance. As noted earlier, the pressure for leaders to give effect to their obligations to family and kin in their

public roles had undermined governance principles such as the separation of powers and the rule of law.

At Council A, on the other hand, while core Indigenous cultural values about the centrality of family and kin remained strong in the general community, political norms had evolved to the point where there was a strong orientation towards the “whole of community” interest amongst political leaders. The orientation towards the broader community interest and the eschewal of a family orientation in decision making at Council A was associated with an overriding commitment to equity and fairness that was not as strongly evident in the other two case studies. The reasons why a strongly egalitarian norm and a whole of community orientation had evolved to a greater extent at Council A are complex and are discussed in greater depth elsewhere (Limerick 2008). Whatever the causes, these political norms are crucial to explaining many of the differences between Council A’s approach to governance and that of the other councils.

Conclusion

The case studies reported here confirm the relevance to Aboriginal governance of many of the attributes, institutions, and practices commonly raised in the literature on good governance in both Indigenous and non-Indigenous contexts. Specifically, the research suggests that the keys to unlocking successful community government performance in an Aboriginal community are to be found through fostering a clear separation of powers, respect for the rule of law, a strategic orientation based on a shared vision, positive and strategic engagement with government, and an effective and efficient administration featuring a commitment to sound financial management, a stable workforce, and human resource management practices that value, support, and develop staff. In fact, not only are these governance attributes relevant in an Indigenous governance context, they take on a particular importance in the context of the unique pressures faced by leaders and staff within Indigenous community governments. An Aboriginal council is one of the most challenging governance environments, where leaders and staff are faced with profound levels of community disadvantage, a bewildering and disempowering bureaucratic framework, and for local community members, suffocating personal pressure arising from family and kinship obligations. The case studies illustrate that adherence to sound governance practices underpinned by a shared vision can provide the protection, the security, and the inspiration for leaders and staff of an Aboriginal council to effectively meet their constituents’ desired community government outcomes.

Significantly, the research further highlights a range of contextual factors that shape an Aboriginal community government’s particular approach to governance, including the extent to which it adopts performance-enhancing governance institutions and practices. An Aboriginal community government is more likely, although not guaranteed, to be successful where it has access to skilled

and experienced community members whose education matches the community government's needs and who have had a significant degree of exposure to the outside world. A community that has been able to overcome the historical legacy of dependency and take steps towards assuming responsibility for self-management is also more likely to exhibit effective community governance. Finally, an Aboriginal community that has evolved strongly egalitarian norms that place an orientation towards the "whole of community" interest before partisan family and kin interests is more likely to adopt positive governance institutions and practices.

The research provides an empirical basis to guide the efforts of policy-makers and Indigenous leaders to improve the performance of Indigenous community governments. It suggests the need for strategies such as the following:

- A focus on good governance training, resources, and capacity-building for leaders and staff of Indigenous governments, highlighting the appropriate application in Indigenous contexts of conventional governance principles such as the separation of powers and the rule of law
- Support for Indigenous governments to develop long-term visions, shared across the community leadership and reinforced with relevant strategic plans
- Building the capacity of leaders and staff of Indigenous governments to strategically engage with government and other external stakeholders
- Greater community engagement training and support for Indigenous governments
- Including a strong focus on human resource management within any administrative capacity-building initiatives for Indigenous governments
- Support for Indigenous governments to develop long-term and strategic workforce development strategies, including provision for investing in education for community members that is relevant to the community government's workforce needs
- Initiatives to increase the mobility of residents of Indigenous communities with a view to increasing their exposure to living and working in mainstream society
- Reforming the governance environment for Indigenous governments (e.g., funding processes and compliance regulations) to maximize their opportunities to overcome their historical relationship of dependency, exercise greater autonomy, and assume responsibility for self-management

With a sustained investment in these areas, the evidence from the north Queensland Aboriginal councils reported here suggests that Indigenous community governments hold the potential to become a viable tool for Indigenous self-determination.

Endnotes

- 1 An example in Queensland was the abolition of the state-wide Aboriginal Coordinating Council (ACC) in 2004.
- 2 At the federal level, this policy framework was set out in the new arrangements for Indigenous affairs (Office of Indigenous Policy Coordination, 2004). In Queensland, the same negotiated partnership philosophy underpins the Partnerships Queensland policy framework (Department of Aboriginal and Torres Strait Islander Policy, 2005).
- 3 The author gratefully acknowledges the support of the Queensland Department of Local Government, Planning, Sport, and Recreation for sponsoring the fieldwork phase of the PhD research project.
- 4 Indeed, the case studies of the Aboriginal councils indicated that the stated objectives of all three councils included not only a strong focus on quality service delivery and improving the quality of life in the community, but statements about respecting tradition and valuing Indigenous culture.
- 5 While these outcome areas were all Queensland Aboriginal council responsibilities at the time of the case study research in 2005 and 2006, the management of community housing has since been taken over by the Department of Housing and some Community Development Employment Projects (CDEP) schemes are now administered by other providers.
- 6 Unqualified audit opinions indicate that relevant financial management standards have been met, while a qualified opinion indicates some deficiencies in financial management and an inability to form an opinion indicates substantial financial accountability problems (sometimes referred to as a “disclaimed” opinion).
- 7 Although Council C received a number of unqualified audit opinions in the late 1990s, every audit since 2000 has resulted in a qualified or disclaimed audit opinion.
- 8 A by-product of the research was the development by the researcher of a detailed performance measurement framework for Indigenous councils. The framework was developed for the Department of Local Government, Sport, and Recreation and included performance measures that could be populated by available government data along with performance measures that could be populated by a data collection template completed annually by Indigenous councils. The department has used elements of the framework but to date has not had the resources to fully implement it.
- 9 The research has, however, yielded some anecdotal findings about perceptions of what constitutes “effective community governance.” For example, a summary of the research indicates that the constituents of Indigenous governance organizations assess governance effectiveness in terms of:
 - Getting results on the ground
 - Fair distribution of benefits
 - Effective communication and consultation
 - Proper behaviour of leaders
 - Transparency of the organization
 - Capacity to successfully engage with non-Indigenous stakeholders
 - Good financial management

(Hunt and Smith, 2006, 58)
- 10 In fact, the CEO explained that it was an explicit strategy for the council to focus on mobilizing community activity and getting the organization functioning rather than the bureaucratic compliance necessary to improve audit results.
- 11 This is couched in a variety of terms such as “accountability to constituents,” “community participation,” “engaging stakeholders,” “effective communication and consultation,” and “openness and transparency.”

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