



# FOUNDATIONS OF OUR KNOWLEDGE OUR WAY

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1.1	OUR VISION AND PURPOSE FOR OUR KNOWLEDGE OUR WAY	2
1.2	INDIGENOUS KNOWLEDGE SYSTEMS	4
1.3	INDIGENOUS KNOWLEDGE GOVERNANCE AND PROTOCOLS	6
1.4	INDIGENOUS KNOWLEDGE, CULTURES AND COUNTRY	7
1.5	COLONISATION AND INDIGENOUS KNOWLEDGE	10
1.6	THE BENEFITS OF LEARNING FROM EACH OTHER AND FROM COUNTRY	19
1.7	LESSONS TOWARDS BEST PRACTICE FROM THIS CHAPTER	20

## HIGHLIGHTS

- Our vision for looking after Country our way
- Opportunities to learn together through Indigenous-led and co-developed Best Practice Guidelines
- Ancient wisdom is held by diverse knowledge holders
- Evidence is generated through sharing lived experiences
- Indigenous Australian knowledges are informed by peoples' deep relationships with the natural environment
- Indigenous Australian knowledges and practices are reliant on a balance between people and place-based sharing of their learnings and understandings
- Indigenous Australians combine observation and reflection to inform better practice
- International protocols strengthen and validate Indigenous Australian knowledges and guidelines

## 1.1 OUR VISION AND PURPOSE FOR OUR KNOWLEDGE OUR WAY

The Guidelines have been created with the understanding, articulated so powerfully in the *Uluru Statement from the Heart*<sup>1a</sup>, that:

*Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.*

*This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.*

This ancestral tie is central to using our knowledge for looking after our land and sea Country<sup>b</sup>. Our knowledge is current, relevant, dynamic and adaptable. We<sup>c</sup> use it today, as we did in the past, to look after Country *our way*.

a [https://www.referendumcouncil.org.au/sites/default/files/2017-05/Uluru\\_Statement\\_From\\_The\\_Heart\\_0.PDF](https://www.referendumcouncil.org.au/sites/default/files/2017-05/Uluru_Statement_From_The_Heart_0.PDF)

b Country is upper case where it refers to the traditional land and sea territories of Aboriginal and Torres Strait Islanders.

c We in these Guidelines refers to Indigenous Australians writing about our knowledge, except where otherwise indicated. Both Indigenous and non-Indigenous authors have contributed to writing these Guidelines. All of the text has been reviewed and co-authored with Indigenous people, so that we are confident that the Guidelines genuinely reflect Indigenous-led voices about *Our Knowledge Our Way*.

Our connection to Country is alive and part of us, and underpins our vision for *Our Knowledge Our Way* in caring for Country<sup>d</sup>:

Indigenous people are empowered to look after Country *our way*

Improved environmental conditions and multiple social, cultural and economic benefits come from effective Indigenous adaptive management of Country.



Figure 1.1. Cultural connections at Kimberley Ranger Forum, Pender Bay 2017. Above: Bardi Jawi dance at the Welcome Ceremony. Below: Ranger at open microphone evening. Photos: Kimberley Land Council

d This vision was established by the Project Steering Group, including members from the Northern Land Council, Kimberley Land Council, Cape York Partnership, and Nyamba Buru Yawuru.

Our **purpose** in producing these Guidelines is to **support learning, by both ourselves and our partners, about good ways of using our Indigenous knowledge to look after our land and sea Country.**

These Guidelines give Australian Indigenous Peoples a voice about what is best practice in working with our knowledge in caring for Country, which is alive and deeply connected to us<sup>2</sup>.

*Country in Aboriginal English is not only a common noun but also a proper noun. People talk about country in the same way that they would talk about a person: they speak to country, sing to country, visit country, worry about country, feel sorry for country, and long for country. People say that country knows, hears, smells, takes notice, takes care, is sorry or happy. Country is not generalised or undifferentiated ... country is a living entity with a yesterday, today and tomorrow, with a consciousness, and a will toward life. Because of this richness, country is home, and peace; nourishment for body, mind, and spirit; heart's ease.*

Debra Bird Rose<sup>2</sup> (p.7).

Key Articles in the United Nations Declaration of the Rights of Indigenous Peoples<sup>e</sup> (UNDRIP) provide the basis for our approach *that Indigenous people must decide what is best practice in working with our knowledge* (Box 1-1)<sup>f</sup>.

*Box 1-1 Key Articles in the United Nations Declaration of the Rights of Indigenous Peoples that provide the basis for the development of the Guidelines*

**Article 4**

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

**Article 11**

Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with Indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

**Article 12**

Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

**Article 13**

Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

**Article 19**

States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

**Article 31**

Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

In conjunction with Indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

e [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

f Similar principles recognising Indigenous Peoples' rights are found in other international law and policy, for example in the Operational Guidelines to the World Heritage Convention (<https://whc.unesco.org/en/guidelines/>), and the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage ([http://portal.unesco.org/en/ev.php-URL\\_ID=17716&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=17716&URL_DO=DO_TOPIC&URL_SECTION=201.html)).

These Guidelines are Indigenous-led and co-developed, respecting the principle that:

Indigenous people must decide what is best practice in working with our knowledge.

As detailed in pages iv-v, Indigenous leadership of the Guidelines is through:

- Indigenous-led Project Steering Group
- Indigenous-led case studies
- Indigenous lead co-authors for each chapter
- Indigenous review, consultation and input
- Face-to-face discussions about the Guidelines at meetings and workshops (Table i, p.iv).

Co-development of the Guidelines comes through:

- Co-writing and editing by research staff at CSIRO and NAILSMA
- Adopting the world-leading IUCN Best Practice Protected Areas Guidelines Series as a model for *Our Knowledge Our Way*
- Co-writing and reviewing with our Australian Committee for IUCN Reference Group
- Discussions with the Indigenous Peoples Organisations in IUCN and their support team within the IUCN Commission on Environment, Economic and Social Policy.

### 1.1.1 Who are the Guidelines for?

The Guidelines first and foremost aim to *benefit* our Indigenous colleagues across Australia by highlighting their empowered, active, knowledge-driven practices in caring for their Country. In addition, the *target audience* of the Guidelines are those who support and enable caring for Country, including staff of Indigenous and partner organisations, policy-makers and the wider community.

These Guidelines may also be of interest to First Nations, Indigenous Peoples and partners in other countries who also seek ways to keep culture and connections with Country alive, overcoming the challenges posed by colonisation, industrialisation and capitalism.

Most of all, we hope that our pride and success will inspire others throughout Australia and across the world. Our practices and tools bring people together to value the ancient and continuing knowledge and wisdom of First Nations/Indigenous Peoples in the ecologically sustainable development and management of land, sea, skies and waterways in Australia and across the world.



Figure 1.2. Land and sea rangers discussing the OKOW Guidelines at the NT Ranger Forum (see page vi). Photo: Patch Clapp

## 1.2 INDIGENOUS KNOWLEDGE SYSTEMS

Our Indigenous knowledge systems include practices that have supported our sustainable livelihoods on Country for millennia<sup>3</sup>. These knowledge systems keep our Country alive and determine the social roles and responsibilities of people, other living creatures, the wider environment, and our management of land and sea.

Land and sea management activities keep our plant and animal foods plentiful and diverse. These activities are also important for other goals, like cleaning (burning) the Country to make lands accessible<sup>4,5</sup>. The sustainability of our lives on Country is dependent upon our knowledge systems.

The importance of our knowledge is deeply embedded in our Aboriginal and Torres Strait Islander ways of speaking in, about, and with Country<sup>6</sup>. *Traditional Owners* is our way of talking about those people who have inherited the rights and responsibilities to Country from their ancestors and ancestral beings. Indigenous knowledge connects us with Country, and also with our cultures, languages and laws. Across Australia, there are hundreds of Indigenous societies with different cultures, languages and laws, all with deep connections to their own Country (Figure 1.3).



*Box 1-2 What are Indigenous and local knowledge systems? Excerpt from IPBES 5/15/Annex II to decision IPBES-5/1<sup>h</sup>*

Indigenous and local knowledge systems are in general understood to be bodies of integrated, holistic, social and ecological knowledge practices and beliefs pertaining to the relationship of living beings, including people, with one another and with their environments. Indigenous and local knowledge is grounded in territory, is highly diverse and is continuously evolving through the interaction of experiences, innovations and various types of knowledge (written, oral, visual, tacit, gendered, practical and scientific). Such knowledge can provide information, methods, theory and practice for sustainable ecosystem management. Many Indigenous and local knowledge systems are empirically tested, applied, contested and validated through different means in different contexts.

Maintained and produced in individual and collective ways, Indigenous and local knowledge is at the interface between biological and cultural diversity. Manifestations of Indigenous and local knowledge are evident in many social and ecological systems.

### 1.3 INDIGENOUS KNOWLEDGE GOVERNANCE AND PROTOCOLS

Our knowledge is closely connected to our governance – our ways of deciding about how knowledge continues to be practiced, by whom, where and in what form. The most fundamental principle for good governance of Indigenous knowledge is that of our rights, as set out in the United Nations Declaration on the Rights of Indigenous Peoples and other international laws and policies, to self-governance or autonomy (Article 4), and the requirement for free, prior and informed consent for any usage of our knowledge (Article 11) (Box 1-1).

Indigenous knowledge is owned, performed and shared by groups of people, the Traditional Owners of that knowledge. In some Australian Indigenous societies, knowledge is protected by *managers or caretakers* who have rights through kinship to supervise and control the use and performance of certain aspects of knowledge. Not all knowledge is freely available. Only Traditional Owners who have knowledge, specific relationships, and special rights and responsibilities can speak for Country<sup>10</sup>. Different groups have different rules for knowledge, for how, when and with whom it can be shared<sup>11</sup>. Some knowledge can only be shared when we are on-Country, and sometimes several senior custodians need to be present. Some knowledge is shared only through special ceremonies, dances or songs. Following our knowledge protocols is vital for our cultural safety and obligations.

Speaking for Country involves having the rights to Country, listening to Country, interpreting that knowledge, and communicating it to others<sup>7</sup>. As Patricia Marfurra McTaggart explains<sup>12</sup> (p.135):

*Us Mob are different from all other Aboriginal people: different language, custom, culture, songs and dances*

In Australia, we keep our Indigenous governance strong, working within the constraints of non-Indigenous governments now on our traditional territories. Our governance systems emphasise networks, and collective decision-making among self-defined social groups<sup>13</sup>. Our governance systems connect us with rights over our knowledge, as explained by Rose<sup>14</sup> (p. 2):

*Knowledge ... points to Country and to relationships between the possessor of knowledge and the Country to which it refers. Performance of knowledge (through song, dance, story, history, use of Country) is a performance of ownership: it identifies the person as one with rights and responsibilities to that Country.*

<sup>g</sup> <https://www.ipbes.net/event/ipbes-5-plenary>

## 1.4 INDIGENOUS KNOWLEDGE, CULTURES AND COUNTRY

Indigenous knowledge comes from Country, from our ancestors and ancestral beings present in Country today. Our use of the term *Country* can challenge non-Indigenous people's understanding of the word. When we talk of Country, we are referring to all of those places that Traditional Owners speak for, the landscapes and the particular named sites and significant places within those landscapes<sup>15,16</sup>. A person's Country might include land, and sea. It might include freshwater places, and/or the intertidal zone. It includes the cosmos, and the winds and clouds.

We are connected to our Country in many and diverse ways<sup>2,15,17</sup>. Our kinship relationships connect us as Aboriginal and Torres Strait Islander Peoples within a network of other people, plants, animals and features in the landscape<sup>18</sup>. These relationships are formed through Country<sup>19</sup>. Connection is maintained through our knowledge and through our actions to care for our Country. Our physical presence on Country re-produces our knowledge, including of seasonal and long term changes<sup>19</sup>. We renew our relationships with Country through gathering, preparing, sharing and eating food from Country. We collect, prepare and use plants as medicines and for the creation of arts and crafts. We observe and talk with Country. We look after our sacred sites and dance, sing and hold ceremonies about the life-giving nature of Country<sup>20,21</sup>.

Caring for Country keeps our cultural life, identity, autonomy and health strong<sup>9,22-24</sup>. Kinship, language and culture come together in our land and sea management activities and shape our health and well-being<sup>22,23,25</sup>. We rely on our power to look after Country – if we fail in our obligations to keep our Country healthy, we believe that the health of the Traditional Owners will also fail<sup>26</sup>.

Our cultures are rich and diverse across our language and clan groups. We sometimes use the English words *law* and *lore* as a way to talk about our cultures. *Culture* in the Indigenous sense has legal, political, and moral force. Many

Indigenous people talk about the unchanging nature of this law and culture, and how this is different from non-Indigenous laws, which seem to constantly change<sup>27</sup>. Culture and Country are spoken about together:

*When I talk about culture, I talk about the Country. The Country is alive. The river, the land they're all an energy system ... It's also a healing mechanism – this relationship between land and people – we need to have this connectivity to Country.*

Anne Poelina<sup>29</sup> (p.19)

The *Dreaming* is important in all Australian Aboriginal cultures, and has different names – Ngujakura<sup>29</sup>, Altyerre<sup>30</sup>, Tjukurpa<sup>31</sup>, and many others. During the Dreaming, ancestral beings in both human and animal form moved across the land singing, fighting, marrying ... or tricking or helping one another. As they travelled, they created all parts of Country – the lands, waters, plants and animals, rock features, the people, languages, ceremonies. They also established the moral, practical and spiritual laws that still govern our Indigenous societies. At journey's end, the ancestral beings transformed themselves into important waters, hills, rocks, stars and metaphysical entities. Knowledge of the stories of those ancestors is held collectively by senior people, with some culturally strong knowledge held by select individuals. Ancestral beings generated some of the earliest Indigenous knowledge and persist as part of Country. The land itself also contains and reveals knowledge, as do the species which keep it alive<sup>32</sup>.

Culture and Country, and the laws and practices that nurture and protect them, place a heavy obligation on current custodians to protect and pass on as much as we can to subsequent generations<sup>33</sup>. Yolŋu Traditional Owners explain this well in Case Study 1-1, (excerpt from the Dhimurru Indigenous Protected Area Management Plan 2015-2022).

# CASE STUDY 14

## Ancestral spirit beings of the Dhuwa and Yirritja in Yolŋu culture

Authors: Dhimurru Aboriginal Corporation



- Dhuwa and Yirritja are ancestral beings in Yolŋu culture
- The journeys of Dhuwa and Yirritja created the world and linked people in a network of life
- Art, dance, song and deep connectedness of kinship connect us to Country, people, beliefs, knowledge, law, language, symbols, ways of living, sea, land and objects

Ancestral Spirit Beings of the Dhuwa and Yirritja moieties created us and the known world – the celestial bodies, land, sea, living plants and animals. The journeys of these ancestral creators created our landscapes and seascapes and breathed life into all living things on our Country. The origins of these ancestral beings, their behaviour as they crossed the landscape, their meetings with other ancestral beings and their resting places have marked our land and sea Country with sites of great significance to us. From these ancestral journeys and the network of important sites created across the land and sea, we gain our names, our identity and our way of life.

We call up the names we have for important places in our land and sea Country for different reasons and purposes – some are deep and secret. We celebrate and respect these creation journeys with their network of important sites in everyday life and in more serious ceremonial rituals. They link us to each other and our world, they connect us to our land and sea Country and everything within it. Our stories do not work alone; we are endowed with art, dance, song and deep connectedness of kinship. We weave together the narratives of ancestral beings, important and sacred sites and creation activities across the lands of inter-related estate owning and language groups. All this is our cultural heritage, which gives us our society, our traditions of politics, history and knowledge and guidance on how to live in harmony with our land and sea Country.

Indigenous cultural heritage is dynamic. It includes tangible and intangible expressions of culture that link generations of Indigenous people over time. Indigenous people express their cultural heritage through 'the person', their relationships with Country, people, beliefs, knowledge, law, language, symbols, ways of living, sea, land and objects all of which arise from Indigenous spirituality<sup>33</sup> (p. 46).

We are connected into family groups that link us with each other, and with plants and animals known as our *totems*. Kinship systems and totems are different among our many cultures. The Warmun community in the east Kimberley have explained their Kija system:

*Everyone is born into a skin group and has a skin name ... There are sixteen skin names in the Kija skin system. The skin name we are given depends on our mother's name (Figure 1.4).*

*Female skin names are passed from mother to children in two cycles. In the first cycle, if a woman's skin name is Nangari, her daughter's skin name is Nangala.*

*Each female name has a matching male name (Table 1-1). The matching names are brothers and sisters. When Kija marry, they must choose someone from the other skin name cycle.*

*We believe the Kija skin system was given to us by our Spirit Ancestors who created this Country. They have skin names as well. Each skin name is also connected with an animal. We call these our totems (Table 1.2). So our skin systems link us with our Dreaming and with animals that live in our Country (Warmun Community<sup>34</sup> pp.10-12).*

Figure 1.4. Kija skin cycles. Source: Pelusey and Pelusey, 2006

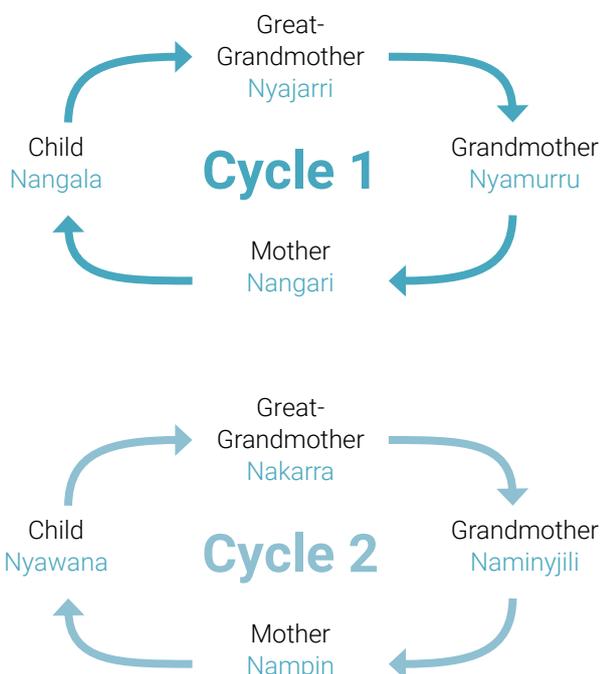


Table 1.1. Kija brother and sister skin names. Source: Pelusey and Pelusey 2006

Cycle one skin names		Cycle two skin names	
Sister	Brother	Sister	Brother
Nyajarri	<b>Jawalyi</b>	Nakarra	<b>Jakarra</b>
Nyawurru	<b>Juwurru</b>	Naminyjili	<b>Jungurra</b>
Nangari	<b>Jangari</b>	Nampin	<b>Jampin</b>
Nangala	<b>Jangala</b>	Nyawana	<b>Janama</b>

Table 1.2. Kija skin names and totems. Source: Pelusey and Pelusey 2006

Female skin name and totem		Male skin name and totem	
Nyajarri	Bush turkey	<b>Jawalyi</b>	Dingo
Nyawurru	Emu	<b>Juwurru</b>	Crocodile
Nangari	Crow	<b>Jangari</b>	Eagle
Nangala	Brolga	<b>Jangala</b>	Goanna
Nakarra	White-tailed kangaroo	<b>Jakarra</b>	Kangaroo
Naminyjili	Magpie	<b>Jungurra</b>	Frill-necked lizard
Nampin	Black-headed snake	<b>Jampin</b>	Hawk
Nyawana	Water monitor	<b>Janama</b>	Hill python

The Anpernrrentye framework for enhanced application of Indigenous ecological knowledge in natural resource management is a model developed between Arrernte Aboriginal people and researchers to build understanding<sup>30</sup>. It shows how Arrernte knowledge about plants is connected to all aspects of Arrernte life.

The figure shows major domains (large circles) and associated elements or values of the plant species (small circles). These elements are equivalent to cultural values inherent in a plant species. There are many and complex interrelationships between a bush food species, Dreaming, Country, and people. Thus, species have multiple connected values<sup>30</sup>.

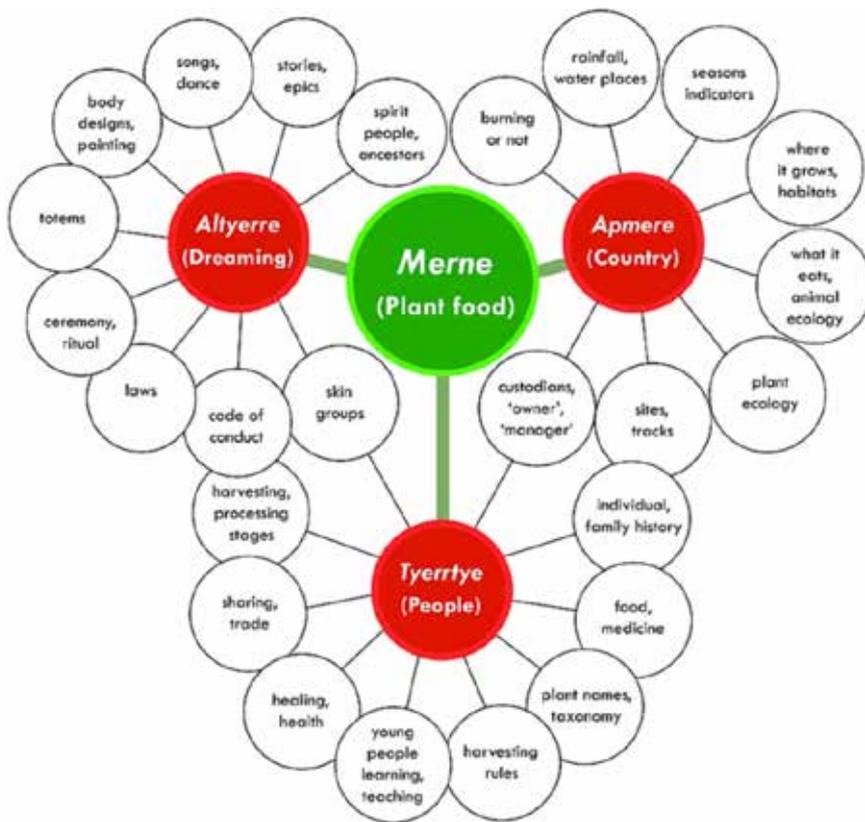


Figure 1.5. The Anpernirrentye framework. Source: Walsh, Dobson and Douglas (2013); Figure 2

## 1.5 COLONISATION AND INDIGENOUS KNOWLEDGE

### 1.5.1 Impact of colonisation

The colonisation of Australia has led to devastation of much of our Country, for which we feel a heavy responsibility. These words from a Juwaliny-Walmajarri woman help to explain her responsibility to care for her traditional lands, her waterholes, or jila<sup>35</sup> (p.40):

*We were crying when we saw that place [when we returned to our desert homelands]. The waterholes were black with the kura [faeces] of the camels. We had to clean that place out, clean out all the kura and kumpu [urine]. We did that juju [ritual]. We tell the water we're sorry, we're back now; we won't leave you for such a long time again. When we leave that place, we tell the jila, [waterhole] 'don't worry, we'll come back, we'll see you next time ...'*

Juwaliny-Walmajarri woman

For thousands of years, we occupied and took responsibility for our lands and seas, with boundaries established through intimate cultural relationships and languages (Figure 1.3). First contact between Aboriginal Australians and British colonisers in 1788 quickly escalated into frontier violence. Cultures and lands were divided in ways that continue to split Australia. One of the most immediate devastating impacts of British colonisation was the introduction of diseases. Many of the Eora people from the foreshores of Sydney Harbour died from small pox in the first years of colonisation. Frontier conflict varied widely in duration and intensity in Australia from the 1790s to the 1930s<sup>36</sup>.

Massacres of our people occurred across Australia, the most widely documented occurring at Forrest River NT and Myall Creek NSW<sup>36</sup>. Colonisation dramatically reduced the numbers of our people. Government policies of forced removal from our land and assimilation with the colonising society led to decline of our Indigenous languages<sup>37</sup>. Estimates of the number of languages spoken in Australia before colonisation vary, but sources suggest a figure of between 200 and 300<sup>37</sup>. In the 2016 Census, around 160 of these languages were reported as being spoken at home, and only 13 by children<sup>38</sup>.

This colonial aftermath has powerfully shaped our experiences as Indigenous Australians from the late 1700s to the present day. Our social, political, economic and spiritual well-being continues to be systematically eroded<sup>39</sup>. This has a far-reaching impact on Indigenous culture and knowledge. Our Aboriginal and Torres Strait ancestors showed resistance, bravery and above all, extraordinary resilience in the face of colonisation<sup>8</sup>. We have kept our knowledge alive and strong throughout the time since colonisation, and now are finding safe ways to share it. For example, we have kept our knowledge of the powerful connections and responsibility of Darkinjung, Darug, Gundungurra, Dharawal, Wanaruah and Wiradjuri people for our Country in the mountains around Sydney, despite ongoing destruction of our sites and our societies. Our adaptive cultures, continuing practices and connections to the ancient art, historic events, songs and stories of what is now known as the Greater Blue Mountains, are gaining recognition as part of the outstanding values of this World Heritage Area<sup>40</sup>.

Now is the time for recognition, reconciliation and starting the journey to healing. Towards this goal, the Dr Charles Perkins AO Annual Memorial Oration was established in acknowledgement of his tireless dedication to human rights and social justice for Indigenous Australians. Each year, a spokesperson within the field of Indigenous and non-Indigenous race relations is invited to give the oration.

## 1.5.2 Healing impacts of colonisation with Indigenous knowledge

Our response across Australia to transition away from colonisation is to begin the healing of Country together with the healing of our Peoples. This is not to gloss over or trivialise the devastation that our people endure from the disasters inflicted by colonisation – but to show that we continue, and our pathway continues, for the future of our Indigenous societies<sup>41</sup>. As Dja Dja Wurrung woman, Rebecca Phillips explains<sup>42</sup> (p.1):

*Dhelkunya Djandaki, Dhelkunya Murrup, Dhelkunya Djaara Ngulumbarra – Murun dhelk (Healing our Country, Healing Spirit, Healing People gathering together – living good health). Dhelkunya Dja – healing land or make good Country – is the foundation of knowing that we are all a part of something much bigger than ourselves. That we are connected to the health and well-being of our environment and our community. Healing one part will help heal another.*

Rebecca Phillips

In *The Elders' Report into Preventing Indigenous Self-harm and Youth Suicide*<sup>28</sup>, Elders explain the impact of colonisation on the loss of culture, and the critical reasons for rebuilding cultural strength:

*The only way to stop suicide is to fulfil our cultural obligation to teach our young people because that's what we have been brought up with, strength of character through strength of culture, not by white man's cultural obligation, we need to educate our young ones culturally.*

George Gaymarrangi Pascoe<sup>28</sup> (p.46)

*We want Government to support the Elders so we can teach culture to our young people – when they have culture first they have the very thing that will hold them strong through their lives no matter what they choose to do or where they choose to do it.*

Eustice Tipiloura<sup>28</sup> (p. 9)

We know our young people are responsible for carrying knowledge forward for the benefit of future generations<sup>30</sup>. The youth need opportunities to learn about how to construct, rehearse, perform and celebrate knowledge practices collectively, as well as knowledge of place names and stories. Art centres are very important for keeping our practices going<sup>43</sup>.

*Corroboree and painting are like our archives. This is what the art centre is. That's what the Old People wanted. It keeps us strong and keeps connection to Country and gives us strength to live in the white man's world.*

Gabriel Nodea, Kija Artist and Chairperson of Warmun Art<sup>43</sup>

Older people today don't find many opportunities to be out on Country with our younger generations to share knowledge, such as about healthy bush tucker<sup>44</sup>. Many Traditional Owners want to record knowledge before it is lost, as older knowledge holders pass away:

*There is a small group of us older people still trying to follow the way of the ancestors. We are worried about what young kids are thinking. Kids today are moving with time too fast ... too quickly. We need to get all these things documented and kept archived and when the little kids are older they can go back to those things ... and know two ways. When they are going to school they are learning 'that' way, and when they are here with us they are learning 'our' way.*

Patricia Marrfurra McTaggart<sup>12</sup> (p.138).

*I made this painting after eating bundjunu (bush orange) ... I was thinking about how we used to eat when I was a child ... I was thinking about nowadays ... and about the rubbish that our children eat.*

Yolŋu Elder Mulkuŋ Wirrpanda, explanation for her first bark painting of Bundjunu (*Capparis umbonate*)<sup>44</sup>

When we welcome people to our Country, we are deeply sharing these connections, inviting the visitors to listen and form their own connections, and become part of this journey of healing. As Aunty Shaa Smith, story holder for Gumbaynggirr Country explains, Welcome to Country is a time for everyone to acknowledge Country themselves (Case Study 1-2).



CSIRO

# CASE STUDY 1-2



## *Dunggiidu ngiyaanya ganggaadi* (Heed the Call of Dunggirr, Koala)

Authors: Aunty Shaa Smith, Neeyan Smith, Sarah Wright, Paul Hodge and Lara Daley

- Yandaarra, Gumbaynggirr for 'shifting camp together'
- Living protocols in the face of colonisation
- A planting ceremony, *Dunggiidu ngiyaanya ganggaadi*
- Healing Country and people together, coming back into the whole and placing us in the web of life



Planting the eucalyptus trees for Dunggirr: North Farm.  
Photo: Yandaarra

We call ourselves Yandaarra, which is Gumbaynggirr for a group shifting camp together. We are Aunty Shaa Smith, story holder for Gumbaynggirr Country, her daughter, Neeyan Smith, and Sarah Wright, Paul Hodge and Lara Daley, three non-Gumbaynggirr academics from the University of Newcastle which sits on Awabakal Country. We see Yandaarra as binding beings together, living the protocols of Maangun, the Lore/Law, of the Dreaming. We also see Yandaarra, our research, as a re-creation story. It's about remembering what was (what is) as part of recreating, rebinding, remaking protocols as we honour Elders and custodians, human and non-human, past, present and future. Our intercultural collaboration requires us to know our place and histories.

Though it is not the same everywhere, for Yandaarra on Gumbaynggirr Country, Aunty Shaa suggests a need to see the violence of colonisation as part of a creation story as well. It is destruction but it is also creation. We are in that creation time now. The *Dunggiidu ngiyaanya ganggaadi* (Heed the Call of Dunggirr, Koala) planting ceremony is one such gathering and yarn that took place in November and December, 2018 connecting three places on Gumbaynggirr Country: North Farm, Scotts Head and Yarriabini.

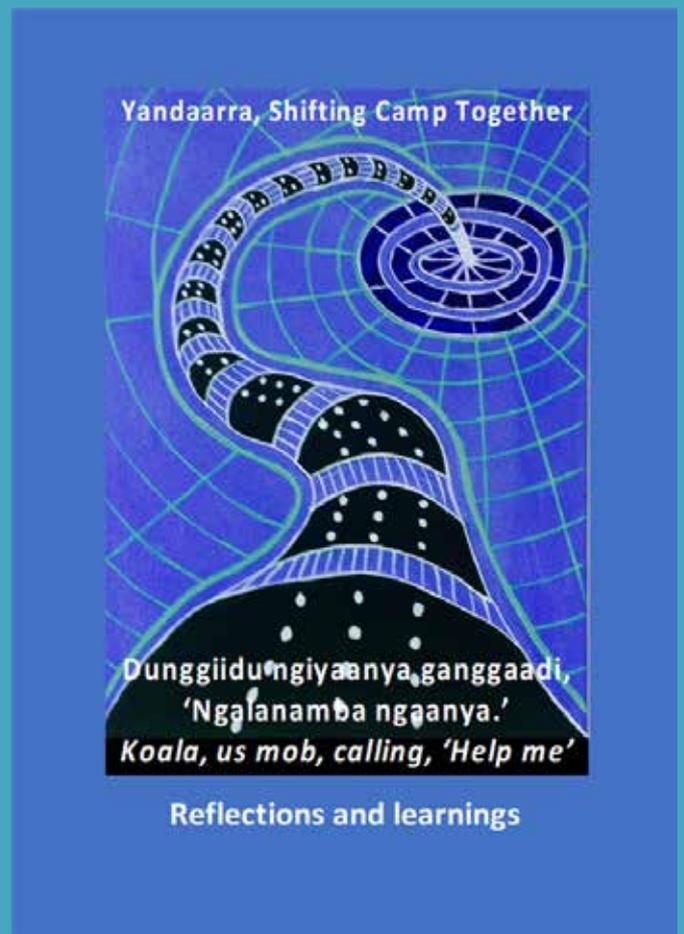
*Dunggiidu ngiyaanya ganggaadi* is Country speaking, Country calling. Heeding the call, Yandaarra, the Jalligirr Biodiversity Alliance of NRM practitioners, Bellingen Landcare and local landholders came together at North Farm, a property just outside of Bellingen on the mid-north coast of NSW. Calling in ceremony and the Old Fellas, connecting the eucalyptus tree planting for improved Dunggirr habitat to the Dunggirr creation story, Aunty Shaa invited those present to connect and belong in place, in and on Gumbaynggirr Country, in new ways. As Aunty Shaa reminds us:

.....  
*There is no longer just Gumbaynggirr people on Gumbaynggirr Country. We are at a stage where radical change is necessary, and Gumbaynggirr wisdom can help create a new pathway of how to live on and with Mother Earth as kin.*  
.....

In heeding the call of Dunggirr, in creation time now, Aunty Shaa led the story, which continued at Scotts Head and Yarriabini as she followed the Dreaming yarn and its lessons on how to live now. This yarn is the recreating, rebinding, remaking of protocols for NRM practitioners and those working on and with Country. This honouring, this remembering, learning our responsibilities to Maangun, Lore/Law, is at the heart of Yandaarra as we shift camp together on Gumbaynggirr Country. For Aunty Shaa:

*The Dreaming stories hold and carry the Lore/Law of how to live on this earth. And that Lore/Law has been passed on for thousands upon thousands of years, from generation to generation for so long.*

Aunty Shaa invited those present, the non-Gumbaynggirr as well as Gumbaynggirr participants, to invite in their ancestors as part of building that relationship to Gumbaynggirr Country. Opening up difficult conversations, people shared what came in for them as they 'called in' their ancestors, 'warts and all', including recognising colonising legacies and violence so prevalent in Australian race relations. For Aunty Shaa, acknowledging these difficult pasts, as part of 'calling in' is to accept that destruction is part of the healing and building of an honest relationship with place, to belong now on Gumbaynggirr Country.



Heed the Call of Dunggirr, Koala planting ceremony invitation. Artwork: Aunty Shaa. © Yandaarra



Planting ceremony participants: North Farm. Photo: Yandaarra

### 1.5.3 New protections needed for Indigenous knowledge rights

The frequent calls for wider use and application of traditional knowledge, innovations and practices is of concern to Indigenous communities<sup>45</sup>.

Indigenous cultural and intellectual property (ICIP) rights are based in customary laws which are not properly recognised by the Australian nation-state or international legal systems. Commonly, once our knowledge leaves our customary territories, we lose control over its future use<sup>46</sup>. Misappropriation and misuse of our Indigenous knowledge is frequent. A recent discussion paper highlighted some of these problems:

- Indigenous languages and clan names are being used without the consent of the Traditional Custodians
- Copyright law passes ownership of Indigenous knowledge to the recorder of the knowledge, unless there is an agreement that protects the copyright. Once Indigenous knowledge is recorded, controlling access, use and interpretation of underlying Indigenous knowledge contained in those works is often beyond the control of the Indigenous knowledge rights owners
- Fake Indigenous arts and crafts products are being sold
- Traditional knowledge of Indigenous Peoples is being commercially exploited without benefits flowing to communities
- Indigenous knowledge of genetic resources (e.g. edible plants) is being used to commercialise products (e.g. bush foods) without benefits being shared
- Sacred and secret knowledge is being used in ways that are considered harmful by traditional custodians<sup>11</sup>.

Currently, international ICIP law does not provide adequate protection for Indigenous knowledge<sup>47</sup>. ICIP law focuses on protecting 'new' information that has been 'discovered'. Indigenous knowledge that is transgenerational and communally shared is considered to be in the public domain and unprotectable. We want to protect our Indigenous knowledge and reclaim ownership of Indigenous and local knowledge (ILK) materials released

publicly through unauthorised access. The well-established protection of intellectual property (IP) in inventions, literary and artistic works, designs, symbols and images through patents, and copyright can help<sup>48</sup>. Traditional knowledge labels or an emerging biocultural label concept can also be used to identify and clarify which material has community-specific restrictions regarding access and use<sup>49</sup>, and be a tool in delivering and implementing cultural protocols directly into digital repositories and across available software platforms. Nevertheless, new national laws and policies are needed to provide the protections sought by Indigenous Peoples<sup>50</sup>. IP Australia<sup>h</sup> is looking at ways the IP system can better support Aboriginal and Torres Strait Islander Peoples to protect and benefit from their Indigenous knowledge.

Any legal regime that affords reasonable protection for Indigenous knowledge must also provide security for:

- Sacred property (images, sounds, knowledge, material, culture or anything that is deemed sacred and, thereby not commodifiable)
- Knowledge of current use, previous use, and/or potential use of plant and animal species, as well as soils and minerals
- Knowledge of preparation, processing, or storage of useful species
- Knowledge of formulations involving more than one ingredient
- Knowledge of individual species (planting methods, care for, selection criteria, etc.)
- Knowledge of ecosystem conservation (methods of protecting or preserving a resource that may be found to have commercial value, although not specifically used for that purpose or other practical purposes by the local community or the culture)
- Biogenetic resources that originate (or originated) on Indigenous lands and territories
- Cultural property (images, sounds, crafts, arts and performances)
- Classificatory systems of knowledge, such as traditional plant taxonomies<sup>51</sup>.

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h <https://www.ipaustralia.gov.au/about-us/public-consultations/indigenous-knowledge-consultations>

Protection of these 'components' of traditional resources would be adequate only if they are conserved, maintained, and enhanced *in situ* – as a part of the lands, territories, and cultures of the Peoples themselves<sup>46</sup>.

In Australia, options to improve the current situation include:

- Requiring free, prior and informed consent and access and benefit-sharing in government-funded programs
- Standardising research protocols and guidelines
- Making protocols enforceable
- Greater use of trademarks and branding
- Developing standard research agreements that ensure the rights over knowledge are with the Indigenous people
- Changes to the Native Title Act 1993 (Commonwealth) and other legislation to respect and protect Indigenous rights and interests to our knowledges, and
- Specific legislation for Indigenous knowledge<sup>11</sup>.

#### 1.5.4 Knowledge sharing protocols

Our knowledge protocols are vital to positive experiences in sharing knowledge. It is our business to know and follow our own cultural protocols when sharing knowledge within each of our different Traditional Owner groups.

We have worked together with scientists and others to establish protocols and guidelines for sharing knowledge outside. For example, scientists and Traditional Owners worked together in a National Environmental Science Program project that distilled four key lessons for sharing fire knowledge<sup>27</sup> (p.22):

1. Indigenous peer-based knowledge sharing on Country, for example through 'fire walks', promotes and grows Indigenous knowledge which is highly valued by Indigenous fire practitioners and leaders across Australia, and critical to effective partnerships.
2. Knowledge sharing between Indigenous and non-Indigenous fire experts and practitioners is key to managing contemporary landscapes. Sharing can be formal or informal and needs to be co-designed with Traditional Owners and empower Indigenous decision-making to effectively support Indigenous fire management partnerships.

3. Knowledge sharing relationships are key for collaborative and adaptive management. They inform partnership negotiation, design, and the monitoring and evaluation of the multiple benefits, risks, opportunities and practices of Indigenous fire management projects and partnerships.
4. Successful Indigenous fire knowledge practices and partnerships are embedded in and influenced by knowledge about people, Country and fire institutions. Systems thinking can help link Indigenous and non-Indigenous knowledge and facilitate knowledge partnerships.

Many of our Indigenous groups, through their representative organisations including Prescribed Bodies Corporate, Aboriginal Corporations and Land Councils, are formulating their own protocols and guidelines for partnerships. For example, in their Healthy Country Plan<sup>52</sup>, the Bardi Jawi have established *Traditional Owner Engagement and Protocols* that apply to knowledge sharing (Box 1-3).

*Box 1-3 Bardi Jawi: Traditional Owner engagement and protocols<sup>52</sup> (p. 7).*

#### **Traditional Owner Engagement and Protocols**

Agencies often have difficulty in engaging and consulting effectively with Traditional Owners. Time constraints and not knowing who to speak to often result in poor outcomes for everyone.

An outside agency or individual may be welcomed to a community and believe that the matter they are there to discuss has been well received. They may believe that permission has been obtained for the proposed work to go ahead. In many cases work may be stalled later over heritage, legislative or intellectual property concerns. Under native title, a council oversees crucial decision-making processes. The Bardi Jawi Niimidiman Prescribed Body Corporate (RNTBC) is the peak council and must be formally approached about any matter that may affect Bardi Jawi land and sea Country.

Any proposal concerning research, joint management or development to do with cultural heritage, use or documentation of traditional knowledge, or on-ground works, must be referred to the RNTBC for consideration. Failure to refer a project may lead to legal action.

Source: Kimberley Land Council and and Bardi Jawi Niimidiman Aboriginal Corporation RNTBC

In the absence of good laws to protect our ICIP, we work with contracts and protocols for recognition of our rights<sup>53</sup>. Agreement-making between Traditional Owners and partners, based on following Indigenous knowledge protocols, can provide for both customary law and Australian nation-state legal protection. We have developed agreements about using our local cultural protocols for working with our governments to ensure free, prior and informed consent for their activities. For example, the Dja Dja Wurrung Clan's Aboriginal Corporation (DDWCAC) supported the processes of FPIC for a Joint Management Plan with the Victorian Government. Dja Dja Wurrung (DDW) people engaged in collective understanding through several activities including: DDW Champions Focus

Groups, with several held on Country; Healthy Country Planning workshops; the DDWCAC Annual General Meeting; opportunities for interactive online mapping; and a three-day 'Map-a-Thon' workshop in collaboration with Parks Victoria. The DDWCAC Board made decisions at six Board meetings held during 2017-18 (Box 1-4)<sup>54</sup>.

Indigenous leaders in Perth worked with the National Trust of Australia to provide guidance about how our rights and understanding of knowledge, respect and ownership are the foundations for interpreting our heritage. Rights and understanding underpin the practical methods of an Indigenous Reference Group and agreement-making (Box 1-5)<sup>55</sup>.

*Box 1-4 Dja Dja Wurrung people's cultural protocols for free, prior and informed consent for joint management plan with the Victorian Government<sup>54</sup> (p.16)*

**Dja Dja Wurrung free, prior and informed consent (FPIC) timeline**

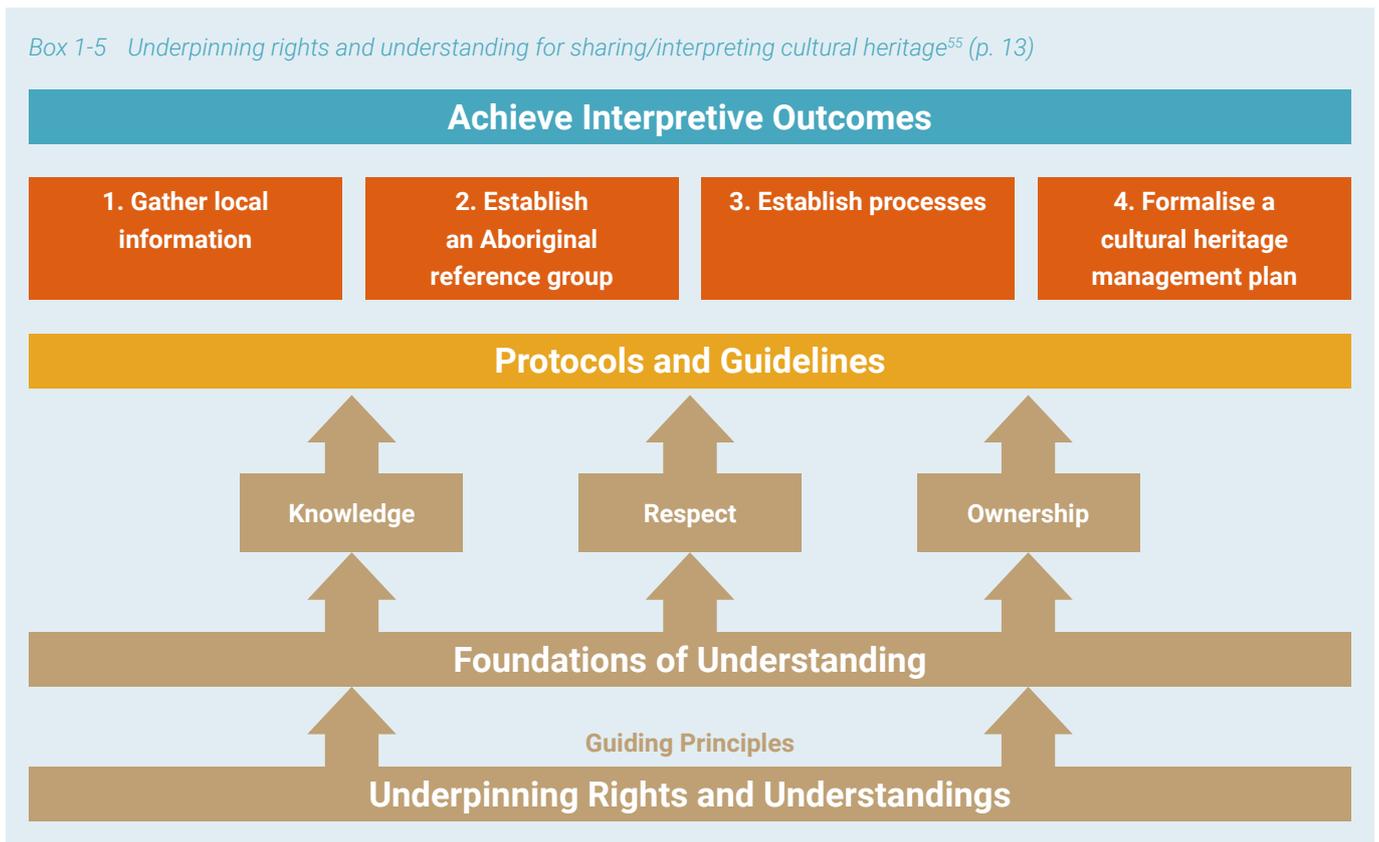
DDW Participation and Consultation

May 2017	DDW Champions Focus Group: Bendigo input to scope of the plan
June 2017	DDW Champions Focus Group: Hepburn Regional Park on-Country discussions
August 2017	DDW Champions Focus Group: Kooyoora State Park and Wehla Nature Conservation Reserve on-Country discussions
October 2017	DDW Champions Focus Group: Paddys Ranges State Park and Kara Kara National Park on-Country discussions
November 2017	DDW Enterprises and Conservation Management; Healthy Country Planning workshop
December 2017	DDWCAC Annual General Meeting: Project display and interactive mapping
December 2017	DDW Map-a-thon: Interactive mapping over three days
February 2018	DDW Champions Focus Group: Greater Bendigo National Park on-Country discussions
May 2018	DDW Champions Focus Group: Feedback on draft Plan
August 2018	DDW Champions Focus Group: Discussions of final Plan

**Dja Dja Wurrung free, prior and informed consent (FPIC) timeline**

DDWCAC Board decision-making and consent

May 2017	DDWCAC Board: Consent to scope of Plan
October 2017	DDWCAC Board: Consent to summary of stakeholder engagement
February 2018	DDWCAC Board and DDLMB: joint meeting about Draft Plan
February 2018	DDWCAC Board: Consent to Draft Plan for public release
July 2018	DDWCAC Board: Consideration of Final Plan
August 2018	DDWCAC Board: Consent to Final Plan



There are also important guidelines for knowledge sharing that have been developed by Australian organisations, including the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS), the National Health and Medical Research Council (NHMRC), the Australian Government, and others:

- Ethical guidelines for research with Aboriginal and Torres Strait Islander Peoples<sup>i</sup>
- Guidelines for Ethical Research in Australian Indigenous Studies<sup>j</sup>
- We're a Dreaming Country: Guidelines for interpretation of Aboriginal Heritage<sup>k</sup>
- Working with Indigenous knowledge in Natural Resource Management – Guidelines for Regional Bodies<sup>l</sup>
- Indigenous Engagement with Science: Towards Deeper Understanding. Expert Working Group Report<sup>m</sup>.

i <https://www.nhmrc.gov.au/research-policy/ethics/ethical-guidelines-research-aboriginal-and-torres-strait-islander-peoples>

j <https://aiatsis.gov.au/research/ethical-research/guidelines-ethical-research-australian-indigenous-studies>

k <https://www.nationaltrust.org.au/wp-content/uploads/2015/09/WereaDreamingCountryWEBOct13.pdf>

l <https://webarchive.nla.gov.au/awa/20090217231544/http://pandora.nla.gov.au/pan/94645/20090214-0001/www.environment.gov.au/indigenous/publications/pubs/guidelines.pdf>

m [https://www.industry.gov.au/sites/default/files/2018-10/inspiring\\_australia-indigenous\\_engagement\\_with\\_science-towards\\_deeper\\_understandings\\_2013.pdf](https://www.industry.gov.au/sites/default/files/2018-10/inspiring_australia-indigenous_engagement_with_science-towards_deeper_understandings_2013.pdf)

## 1.6 THE BENEFITS OF LEARNING FROM EACH OTHER AND FROM COUNTRY

As Indigenous people, we enjoy learning from each other, and from Country. Recent research has shown that sharing knowledge can be negatively associated with our well-being, while learning is positively associated<sup>56</sup>. We think this is because of our heavy responsibilities to follow cultural protocols when sharing knowledge, a responsibility that is not always well understood by those with whom we may be asked to share.

Seven key messages about the benefits of Indigenous land and sea managers learning from each other were identified at the Kimberley Ranger Forum in 2017:

1. Being on Country, welcomed by Traditional Owners, following cultural protocols and reciprocity, sets the tone for respectful and collaborative deliberations, creating the right environment for learning, sharing and growing together.
2. Rangers are empowered through social cohesion, collegiality and a sense of pride experienced at the Forum.
3. Groundedness in Indigenous cultural ways of knowing, being, doing and learning through story, song, dance, art, language, family and kinship connections are most important in creating a safe space where Aboriginal and Torres Strait Islander Peoples can be who we are – honouring and acknowledging how we best learn, share from and grow with each other.

4. Peer-to-peer exchanges and one-on-one interactions allow for more targeted learning and follow up.
5. Exchanging/sharing common experiences, successes and challenges allows rangers to feel heard, valued and understood in being central to the success of any land and sea management program, through identifying what works and why in policy, program design and on-ground activities. This also supports women rangers and land managers to be stronger and more confident in our own roles and decision-making.
6. Engaging in practical, hands-on activities together, particularly the realistic first-aid scenarios, building the tables, the smack-down on the beach and fixing machinery, are great ways to undertake training.
7. Greater formal and informal interaction between rangers and non-Indigenous invitees to Forums can cultivate more of a collaborative working culture (collaborative empowerment)<sup>57</sup>.

*I love hearing the ideas and different perspectives from different people and the way they work on Country.*

Cissy Gore-Birch,  
Kimberley Ranger Forum, August 2017.

The Forum was uplifted by happiness and unity of purpose. We hope that these Guidelines will also be a source of happiness and unity of purpose. We have included numerous links to videos and online material throughout the Guidelines and in the future would like to produce more videos and online tools to support people who like to learn in different ways.

Figure 1.6. Hundreds of Indigenous rangers from across northern Australia gathered at the Kimberley Ranger Forum in 2017.  
Photo: Kimberley Land Council



## 1.7 LESSONS TOWARDS BEST PRACTICE FROM THIS CHAPTER

### Important ideas and guidance from Indigenous Peoples:

- Indigenous knowledge is highly diverse and has many different terms – traditional ecological knowledge (TEK), local knowledge, cultural heritage, lore and practices
- Indigenous knowledge is owned by groups of people: Traditional Owners of that knowledge, and is protected by customary laws
- Different groups have different protocols – rules that govern knowledge. This includes protocols about who holds and shares knowledge, when and with whom
- All Traditional Owners have heavy responsibilities to follow knowledge protocols, keep and pass on our knowledge, and to keep Country and cultures strong
- Our knowledge governance emphasises networks and collective decision-making among self-defined social groups
- Our knowledge connects us to our Country and our cultures, which are diverse across Australia
- Colonisation eroded our social, political, spiritual and economic well-being
- Practising our knowledge and knowledge protocols helps healing
- Learning through Indigenous peer-to-peer knowledge exchange on Country, following local cultural protocols, is an enjoyable and successful way to strengthen our knowledge.

### Resources and guidance for partners:

- Following the knowledge governance and protocols of the Traditional Owners of that knowledge is vital to positive experiences in using and sharing knowledge, as is the respect and recognition of rights of ownership by Indigenous Peoples of their Indigenous cultural and intellectual property (ICIP)
- Free, prior and informed consent and benefit-sharing agreements are recognised nationally and internationally as necessary for positive knowledge sharing
- Many national, regional and local guidelines formulated by Indigenous Peoples and specific Traditional Owner groups exist that can help partners support positive experiences in knowledge sharing
- Support for Indigenous governance practices, usually based on networks and collective decision-making, is vital for following knowledge protocols
- Relationships between people underpin positive experiences in knowledge sharing
- Groundedness in Indigenous cultural ways – story, song, ceremony – creates a safe space for sharing.

### Actions and issues for Indigenous people and partners in working towards best practice:

- Respectfully working together on knowledge can foster reconciliation and healing to overcome the legacies of colonisation
- ICIP are based in customary laws that are not properly recognised in Australian or international legal systems.
- Agreement-making between Traditional Owners and partners, based on Indigenous knowledge protocols, can provide for both customary law and Australian nation-state legal protection
- New laws are needed to provide protection for ICIP.