

Authority, Knowledge and Values: Indigenous Nations Engagement in the Management of Natural Resources in the Murray-Darling Basin

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Introduction

Engagement between indigenous peoples and the intergovernmental mechanisms of the Murray-Darling Basin Initiative² has resulted in important benchmarks for Australian governments in their efforts to include indigenous peoples in natural resource management. Since 1999, the Indigenous Nations³ of the Murray River Basin have expanded the decision-making processes of the Murray-Darling Basin Ministerial Council (Ministerial Council) to include recognition of the authority, knowledge and values of the Indigenous Nations in the management of their country.⁴

This chapter examines the opportunities that arose when, despite a history of competing interests, shared priorities and values among the indigenous and settler populations become evident as the very survival of the river ecosystems was threatened by unsustainable water-use practices. We look at the interests that indigenous people asserted in the management of this environmental crisis, in particular relying on their responsibility and authority as traditional owners. To this end, we discuss the way in which indigenous peoples have organised – largely outside existing mechanisms such as native title – to respond to the inter-governmental structures that govern the extensive geographic footprint of the Basin located across four States – Queensland, New South Wales, Victoria, South Australia – and the Australian Capital Territory. While this is a story of indigenous people's initiative, we outline the governance structure of the Murray-Darling Basin and, in particular, the place of community engagement within this structure. This structure, being an example of the new 'whole-of-government' approach to issues of national importance, provides some insight into Australia's proposed new way of implementing public policy, especially in indigenous affairs. Within this context, specific community engagement processes, such as the Indigenous Action Plan (discussed below) and *The Living Murray* (Murray-Darling Basin Commission 2005), are examined to measure both the likely

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The frustration for indigenous people in seeking to settle with the state is that, too often, governments fall at the final hurdle. The demand on indigenous people to demonstrate capacity and coherence and, at the same time, to compromise to reach final and binding agreements is not matched by the state. When indigenous people demonstrate their readiness to settle and propose clear implementable options that go beyond rhetoric, the lack of capacity and unity within government is often revealed.

However, the initiatives of the Ministerial Council and the effort of the Indigenous Nations of the Murray-Darling Basin do have the capacity to achieve settlements in relation to the engagement of indigenous peoples in natural resource management. Despite the evidence of ongoing difficulty in settling the final stages of some of these examples, the relationship between the Indigenous Nations and the Murray-Darling Basin governing structures will set benchmarks in Australian public policy. To reach their potential, the risks must be honestly identified and confronted and the goodwill and good faith established between the Commission and the indigenous community must be honoured.

Notes

- 1 The authors would like to thank Steven Ross, Murray Lower Darling Rivers Indigenous Nations (MLDRIN) coordinator, and Lee Joachim, MLDRIN member, for their insightful comments on drafts and to Steven for distributing the draft to MLDRIN members. The authors have had the privilege of working with the Indigenous Nations on these issues in various ways throughout the past few years and thank them for their generosity and acknowledge the contribution of their knowledge and expertise to the ideas developed in this chapter. However, the views expressed in this chapter are those of the authors and do not represent the views of MLDRIN or any Indigenous Nation.
- 2 The Murray-Darling Basin Initiative is a unique partnership between governments and community that gives effect to the 1992 Murray-Darling Basin Agreement. See <http://www.mdbc.gov.au/about/murraydarling_basin_initiative-overview> viewed 6 January 2005.
- 3 'The Indigenous nations' is the title preferred by the various indigenous groups whose traditional lands and waters are located along the course of the Murray River; these groups formed a federation to protect their interests when government initiatives to deal with the water and related environmental and economic issues were undertaken by the Murray-Darling Basin Initiative.
- 4 Thus is the vernacular term used by Aboriginal traditional owners when referring to their land (see Sutton 1995). See also ch 6.
- 5 Other spellings of these names are provided in the *AIATSIS Language Thesaurus*, August 2006, <<http://www.aiatsis.gov.au>>, accessed 10 October 2006; see code SI54; eg Mutti Mutti is listed as Madhi Madhi and Barkindji is Paakintyi.
- 6 See footnote 5.
- 7 This was a resolution of the Basin Wide Gathering, 19-21 May 2004.
- 8 Australia has a federal system of government. The location and expanse of the Murray-Darling Basin draw in a number of States and the Commonwealth and thus inter-jurisdictional issues have always been central to management of the Basin and its resources. The border between Victoria and New South Wales is the southern bank of the Murray River.
- 9 Queensland signed in 1996, with the Australian Capital Territory participating in a more limited sense under a Memorandum of Understanding which was signed in 1998

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(Commission 2006c, viewed 27 January, <http://www.mdbc.gov.au/about/the_mdbc_agreement>).

- 10 During the 2004 federal election campaign, State Premiers terminated their support of the Commonwealth Government's National Water Initiative, which has funding and policy implications for the Murray-Darling Basin, because of a dispute over national competition payments. The State Premiers reversed their position again six months later.
- 11 The CAC has reportedly contributed to the development and implementation of policy and programs in salinity management, integrated catchment management, the establishment of the cap on diversions, environmental flows, and the establishment of the MDB Leadership Program (CAC 2003). See, for example, the Integrated Catchment Management Policy (Ministerial Council 2001) and the Basin Salinity Management Strategy 2001–2015.
- 12 This policy approach is packaged as 'The First Step' of *The Living Murray*. At these six SEAs, water flows are to be recovered and managed to increase the environmental rehabilitation of birdlife, vegetation, wetlands, aquatic vegetation and native fish, including maintaining the Murray River mouth (COAG 2004). Each SEA has a Community Reference Group which reports to the Community Advisory Committee.
- 13 The support for indigenous engagement under *The Living Murray* is also ensured in The Living Murray Business Plan (Ministerial Council 2005a, p 23).