

Artist: Darcy Nicholas



# Innovation in Indigenous participation: Inclusion or self-determination?

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# Rights to participation

Min requirement is recognition & promotion of Indigenous peoples' rights to:

- Cultural identity
- Traditional lands & territories
- Self-determination
- Meaningful participation
- Follow their own visions for future

# Reality



- Little consultation
- Lack of influence on decisions

(Source: <http://www.firstnations.de/mining/tahlta-klabona.htm>)



# Indigenous Participation

*Capacity of Indigenous people to shape directly the way in which environmental issues and impacts are identified and defined, and the manner in which such issues are addressed over short and long term*

(O'Faircheallaigh and Corbett, 2005)



(Source: [vcontinentalsummitabyayala.blogspot](http://vcontinentalsummitabyayala.blogspot))

i.e.

- Meaningful
- Equitable
- In keeping with traditional decision-making practices & custodial obligations



# Pressures to improve

International  
community

Political  
presence

Costs &  
litigation

Project  
closures

Damage to  
image

(Source: Carter & Ruwhiu, 2015)



# Common responses

- **Corporate social responsibility** (ethical values & philanthropic responsibility)
- **Social license to operate** (response to societal & community expectations & ongoing acceptance)
- **Impacts and benefits agreements** (impacts, commitments, Indigenous share in benefits of operation)



# Common responses

- Corporate social responsibility (ethical values & philanthropic responsibility)
- Social license to operate (societal acceptance of operations & on-going monitoring)
- Impacts and benefits agreements (impacts, commitments, Indigenous share in benefits of operation)

Difficult to operationalise  
Critiqued as forms of tokenism



# Currently

- Absence of alternative concepts
- Unwillingness to pursue alternatives addressing both short term & long term gains

i.e. engagement that

- Listens & responds to community expectations
- Is genuinely informed by Indigenous communities' values, knowledge frameworks, aspirations

(Source: Carter & Ruwhiu, 2015)





# And remember

The historical context of colonisation which  
CSR, SLO, IBA don't resolve



(Source: <http://www.lyncampbell.name/colonisation-of-australia.html>)



# Barriers

- Dispossession of land/resources
- Subjugation to imperialism/capitalism
- Dev of sub-class on margins without capacity
- Limited power & influence
- Difficulty of translating Indigenous world views for non-Indig legal & administrative contexts
  - Framework, discourse, institutional apparatus = culturally alien



# What is to be done?

- A hybrid reality of in-between-ness of the core/coloniser & periphery/colonised relationship



(Source: Fenichel, 2015)



# A model

## Treaty of Waitangi

### Claims Settlement Process



Each settlement begins a new era of relationship: manawhenua & govt, informed by knowledge & practices of both parties

- Each knowledge system has influence
- Management processes lead to mutually agreed solutions

(Source: Carter & Ruwhiu, 2015)



# Ngāi Tahu - the iwi

(Source: <http://ngaitahu.iwi.nz/>)



# Co-existence

- Government-to-Government
- Mutual recognition of separate but co-existing authority



(Source: <https://wvpd.ca/index.php/first-nations>)



# Capacity Development

- Building decolonising intercultural capacity among non-Indigenous actors
- Recognising Indigenous planning capacities rooted in customary laws & cultural traditions
- Accepting conflict as a constitutive element



Trajectory:  
**Self-determining Indigenous  
peoples invite settler agencies  
to their planning table  
on their own terms**

Not mere inclusion





# Primary References

- Carter & Ruwhiu in Katharina Ruckstuhl, Michelle Thompson-Fawcett, Lyn Carter, Diane Ruwhiu, Janet Stephenson, Te Kipa Kepa Brian Morgan (2015) *Where Go the Indigenous in the Mining Nation?* Ngā Pae o te Māramatanga, ISBN 978-0-9864622-6-9
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- Porter, L & Barry, J (2016) *Planning for Coexistence? Recognizing Indigenous rights through land-use planning in Canada and Australia*, Ashgate