



## Money Matters: Payment for the participation of Yolŋu knowledge Authorities in academic teaching and research work.

### Michael Christie

The Teaching from Country program began with an explicit challenge to address the question of how, and how much, Yolŋu consultants would be paid for their teaching and research collaborations. We took the opportunity of a well-funded and well-publicised program to focus upon some longstanding difficulties in which clash Indigenous and institutional understandings of knowledge, value, authority, and accountability, as well as Indigenous and institutional practices around the flows of knowledge and money. During the Teaching from Country program we found ourselves working with scientists from the CSIRO, and community engagement officers from the Power and Water corporation of the NT Government who were addressing similar problems. We had also been considering the issue in our ongoing work with the Yolŋu consultants<sup>1</sup>.

Many Aboriginal people often feel exploited in research work, that their knowledge practices are not properly understood, recognised or valued. In our discussions we were given the example of the consultations for the High Court hearing regarding Yolŋu rights over the tidal waters in Blue Mud Bay. The consultant anthropologists were paid up to \$2,000 per day, and senior Yolŋu knowledge authorities upon whom the anthropologists' representations ultimately depend, were paid much less.

Money is an important part of the knowledge economy in both the Yolŋu and the institutional world. In inviting Yolŋu knowledge authorities to participate in Teaching from Country, we bought into a responsibility to work out the money business carefully collaboratively, and generously.

We also bought into the responsibility to learn about and comply with Yolŋu laws of access, representation and accountability. We were very conscious of recent cases involving other universities where some Yolŋu had been induced to exceed their traditional rights under Aboriginal law to represent others, or tell their stories. They have found themselves in trouble with their elders, who have condemned the arrogance of both the Yolŋu and the academics. There are many examples. In his interview on Intellectual property, Yinjiya gave the example of a Yolŋu deciding to give a sacred dilly-bag to his 'best friend', a politician. It was not only (or even especially) his own clan group that were angry with him<sup>2</sup>. There were other groups who have quite specific rights over the conduct of the sacred business which made real the bag and its possible work.

So our work involved working together western and Yolŋu laws and practices protecting intellectual property, and western and Yolŋu practices of placing monetary value upon participation, and organising appropriate payment in appropriate ways.

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<sup>1</sup> see [www.cdu.edu.au/yaci](http://www.cdu.edu.au/yaci)

<sup>2</sup> See the paper by Yinjiya and Dhāngal: *Intellectual Properties*

## **Institutional expectations of Indigenous knowledge work**

‘Informants’, ‘sitting fees’, ‘payments for participation’, ‘public participation’, ‘knowledge authorities’, ‘co-researchers’: universities and governments have various ways of understanding, labelling, and valuing the contributions of Indigenous people. Each of these bears within it a set of assumptions around roles, accountabilities, value and so forth, which should be examined if we are to negotiate an equitable solution.

Our programs (Yolŋu studies, Yolŋu consultants, Internetworking communities etc<sup>3</sup>) had enjoyed a long and productive history of properly supervised collaborations over Yolŋu knowledge. However we found a range of different perspectives around the university and in government. Often the academic or government worker make clear that, so far as they are concerned, they are doing the Aboriginal people and their communities a favour. The Aboriginal people on the other hand, might believe that they are being asked to contribute their valuable knowledge to an equal collaboration. In recent meetings with the Power and Water Corporation’s Community of Practice group, some government people were adamant that Aboriginal community members should not be paid for their ‘participation’ in consultations, working on an unspoken assumption that the government is doing Aboriginal people a favour and that Aboriginal people unambiguously and unanimously *want* government services. But government can’t actually do their work unless people cooperate, and these arrangements are usually referred to as ‘partnerships’ – but on whose terms are the partnerships negotiated?

Clearly there will be times when government or university people make agreement with Aboriginal people without money changing hands. But this should not always be the case. And when it is the case, we should be very clear and in agreement about the nature of the consultation. If the plumber arrives to talk to the householder about the repair of a tap, then the householder would not be paid. If the Power and Water representatives want to make agreement with Yolŋu traditional owners about the location of a new bore, then particular people with particular knowledge and authority to speak for country need to be enlisted. Within traditional Aboriginal society, the knowledge to work in this situation has value and can be exchanged (it is owned and located) in ways often quite different from within a western institution. And often in ways quite similar.

When I filled out that part of the ethics application for the Teaching from Country program which declared that Aboriginal people would be paid for their contributions, the committee came back to me to ask why these payments might not constitute an ‘inducement’. They were eventually satisfied with my answer that the Yolŋu we worked with understood their knowledge to have value and the potential to make a significant contribution to agreement making with academic knowledge. It would be disrespectful *not* to make payment, and quite inconsistent with accepted practices – both within the Yolŋu community and with the history of our research collaborations. It is because of this history of success that we were confident that we could successfully negotiate payments.

## **Yolŋu Styles of participation with institutional knowledge**

Our commitment to putting some formal policies and practices in place for the payment of Yolŋu Knowledge authorities led us to reflect upon some of the Yolŋu work that has gone into Teaching from Country. At the top, we have clan elders sitting mostly silently listening in the background, whose presence and supervision guarantees the authority of younger people to speak on behalf of particular groups. We saw Garaŋalawuy, Yiŋiya’s older brother at Dhamiyaka (trial 24)<sup>4</sup>. Yiŋiya made clear that without his authority he would not be teaching at all, and took the opportunity to point out how teaching from country made all the permission and supervision requirements so much easier. Not only were the land and the trees right there to

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<sup>3</sup> See [www.cdu.edu.au/yaci](http://www.cdu.edu.au/yaci), [www.cdu.edu.au/yolngustudies](http://www.cdu.edu.au/yolngustudies), [www.cdu.edu.au/inc](http://www.cdu.edu.au/inc)

<sup>4</sup> <http://learnline.cdu.edu.au/inc/tfc/trials24.html>

participate in the teaching, but also the senior knowledge authorities were on hand to permit, to agree, to supervise, to evaluate. He said very little but was paid for his participation.

Most of the teachers in Teaching from Country came from what could be called a second tier. They are not the most senior members of their clan group but they are senior enough to speak with authority. They know full well what they can and can not say, and in our case, had enough experience with nonYolŋu people and education to have a fairly good idea of what the students could be expected to understand and to learn. They were as close to bilingual and bicultural as we could hope and were paid well for their skill and their knowledge.

In our project we also used language workers who did transcription and translation of texts we were recording. These people and others who wrote philosophical papers were paid a flat rate of \$30 per 100 words. Then finally, we had money available for ‘mentorees’ – mostly younger people who were invited to observe and help alongside our research-consultancy work – to give them an idea of how the processes work, and start them off feeling confident to participate in these cross-cultural engagements.

While doing the teaching and research work around Teaching from Country, we continued to do some consultancy work – to which we were already committed. In this work, we needed to consult with Traditional owners of particular places whom we were consulting about their own area of authority – in this case with respect to land and water management agreements. But we also met with Community members in kin groups in community settings whose opinions about water management proposals we sought in focus groups. The government frames this work as ‘public participation’ and does not routinely pay for this kind of involvement. It becomes problematic when government processes and research are intertwined, and the issues may be different for government and for academic involvement. In the work we have done through the Yolŋu consultancy initiative we have had enough success to allow us to insist on budgeting for modest payments to community members, and good rates for experienced bilingual bicultural consultants.

### **Institutional Styles of participation with Indigenous knowledge**

Currently, the Teaching from Country and Yolŋu Aboriginal Consultancy Initiative<sup>5</sup> rates to Yolŋu are re-negotiated for each project. They range from \$100 to a young mentoree for a day’s work, to \$800 for a day’s work for an elder contributing significant ancestral knowledge to a research or consultancy project.

Our work on this issue for Teaching from Country led us to investigate other institutions - AIATSIS, and the Desert Knowledge Cooperative Research Centre for example, who have set out guidelines for different pay rates for different forms of consultancy work.

And at CDU we found two different approaches to the formal recognition of indigenous knowledge authority within the academy. The School for Environmental Research has been working to negotiate career paths for Indigenous experts which allow them to move up through the researcher pay scale without being blocked by requirements for higher degrees by research. From the other direction, the Traditional Knowledge Initiative of the United Nations University at CDU is working on a project called *Higher Education Recognition for Traditional Knowledge* which is aimed at finding ways for Indigenous knowledge authorities to demonstrate the strength, depth and integrity of their traditional knowledge in such a way that universities will recognise their equivalence to higher degrees and award Masters and Doctoral level qualifications accordingly. Both of these initiatives have met obstacles to the progress within the university, and while we support them both, the Yolŋu with whom we have been working, do not, by and large, want full time work on a university career path. They prefer to choose

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<sup>5</sup> See [www.cdu.edu.au/yaci](http://www.cdu.edu.au/yaci)

what work they commit themselves to, and negotiate timelines and rates of pay for each project – depending on its focus and their relation to the knowledge it entails. Nor do the Yolŋu we worked with much want a formal academic qualification which recognises their traditional knowledge – if such a calibration were really possible. They do however want formal and public recognition for their knowledge in both knowledge worlds, and we continue to explore ways to achieve that.

Institutional and Indigenous knowledge practices will never be wholly commensurable. They work differently. They have different regimes of ethics, of validation, of method. Approaches to fair payment in this intercultural space will always be tentative, provisional, and subject to discussion and review. There will never be a simple universally workable pay scale putting cash values against Aboriginal work. The work that the senior knowledge authorities do on behalf of their clan group, is ongoing. The knowledge they share has an ongoing life for which they remain responsible. It is not a one-off case. And the research ethics can not be sorted once and for all. What's ethical today might contravene ancestral law tomorrow.

### **Payment methods:**

Coming to agreement about ways of coming to agreement about rates of pay is only one of the problems. The other problem has to do with *how* people are paid. Most of our co-researchers prefer to be paid in cash, especially those who have come into town from a remote community. Cash supports the immediacy of everyday Yolŋu economic life. The method which the university finance system prefers is from the Yolŋu point of view, the least satisfactory method of all: the person to be paid must be registered by the university as a 'provider', they must supply an 'Australian business Number' (for which they must previously have applied to the Australian Government), and they must provide an invoice, and bank account details. If all goes smoothly, the money is paid into the bank account a few weeks after the work is done. There are many difficulties with this method, some technical, some cultural.

To date the only way we academic staff have been able to pay cash directly, is to withdraw money from our own private bank accounts, pay for the work done (at the carefully agreed upon rate), collect signed receipts and 'hobby forms' (for tax exemptions purposes). We then must collect the receipts and the hobby forms, and submit them for reimbursement against a research account. This system only works if the person doing the work is not receiving a taxable amount of annual income – which is most often the case. The university finance people are not particularly happy with this method for a variety of reasons, and have from time to time tried to prevent us from using it. We send in a reimbursement form for maybe \$6,000 – payments to half a dozen consultants for a three day workshop. The reimbursement comes back after a month or so, with an email telling us that the process will no longer be approved. There is usually a few lines from some unidentified person talking about why the 'university' does not approve the process. This is clearly not a satisfactory process, from either the university's or the academic's point of view: from ours, not least because it involves us having to use our own personal accounts, paying the transaction fees ourselves, having to keep track of hundreds of pieces of paper, and (unlike the university system) losing a few hundred dollars each time we lose a receipt or someone flies home with the money without leaving the receipt behind.

We have tried other methods, like transferring money from our own accounts into people's private accounts – using internet banking – and then withdrawing equivalent amount of cash from an automatic teller using a university credit card – then to match the credit transfer receipt with the credit card receipt for accounting. Almost satisfactory, but limited to \$200 per day, and \$500 per week.

The Teaching from Country gave us a high-enough profile for us to start pushing the issue of conducive payments a little further. The Dean of the Faculty, was very supportive, and we arranged a meeting with the Executive Director of Finance and Asset Services at the university. We canvassed a number of possibilities and finally came up with a very satisfactory

arrangement. We were to open a private bank account and arranged to have money transferred into it as a 'cash advance' from a 'restricted' research account. So while we manage the money and the payments and receipts in the same way, it is research money we are using. This is a new system. When it came to the crunch of moving the money into the external account, the requests for permission went all the way up to the dean. People were being careful. At the meeting it was made clear that this was a special case, and not to be considered normal practice. Since the meeting I have contacted the Executive Director and his offside the Manager of Treasury Operations five times to request a written acknowledgement of his agreement for the process. I haven't heard back.

We now have a pretty satisfactory way of paying Yolŋu co-researchers – more or less satisfactory to the Yolŋu knowledge authorities and more or less satisfactory for the university. The process has exposed some of the unusual ways that Aboriginal people and University people think about money, probity and value.

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