

Day 2 Session 1: Joe Firinu (Northern Land Council), David Trigger (CNTA Director) and Susan Donaldson (consultant) in conversation.

Waanyi Garawa ALT was used as a case study in the discussion between Joe and David since it illustrates the tensions which can arise in the process of claim research with contemporary claimants, particularly over conceptualisations of Land Tenure and decision making.

Sue Donaldson's presentation (consultant): Interpretative Reports: *what did the old people say, what we say*, explores how a report can be made meaningful and useful for contemporary Native Title holders. Sue also shows how such reports might feed into a broader process of engagement around decision making for a PBC.

Sue Donaldson's pointed out that:

- Interpretative reports can improve decision making capacity of PBCs and can empower the group to define roles and responsibilities
- Interpretative reports can operate as a tool to assist PBCs to process memberships according to their understanding of law and custom
- That where community participation is high, as it was in the Patta example, people found the process valuable
- Using the report for engagement enabled Intergenerational learning to occur, and finally a note of caution since there can be a tendency for people to want to conform to the views of their Old People

In his contribution to the conversation Joe suggested that:

- Disputes over rights to speak for country are high, especially when distribution of resources is involved
- The role of the anthropologist and the accuracy of their research in determining who can participate in decision making can be called into question
- Early Land Claim Reports might be seen as indisputable 'truths'
- Repatriating records can assist people to work through disputes and understand their place in the land holding group
- Social change can inflame disputes when participants have differing understandings of their connection to place and their rights in decision making
- More work by anthropologists is required to understand how traditional decision making is done in contemporary contexts

David added that:

- The issues are continent wide, and it is important to discuss how previous research can be implemented in present day contexts
- A critical issue is how repatriated materials will coexist with inevitable cultural change and innovation
- Cultural change within landowning groups can be stifled by the structures imposed by the Native Title Act and Aboriginal Land Rights Act
- The 'truth' of prior records can be strategically used by some people to the exclusion of others, and that
- There can be issues when people attempt to interpret technical reports produced for a specific purpose.