

# STARTING AND SUSTAINING STRONG INDIGENOUS GOVERNANCE

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First, I want to thank the Mirrar people for your welcome last night and this morning and for the privilege of being in your country. Second, on behalf of myself and my wife, Maura Grogan, Dr. Manley Begay of the Navajo Nation, and Neil Sterritt of the Git'ksan Nation in British Columbia and his wife, Barbara, I want to thank all of you for your remarkable hospitality here in Australia over the last two weeks. From Ikuntji and Haasts Bluff to Nitmiluk and the Nyirranggulgung, from the Kalano Community Association to Wadeye and the Thamarrurr Council, from the Larrakia Nation to the Mirrar here at Gagudju yesterday—you have welcomed us to your homelands, you have fed us, and you have worked hard to educate us, and we are grateful to you.

Among other things, you have taught us that much of significance is happening in the area of Indigenous governance in Australia—and not just in the places we visited these last two weeks. Everywhere we go, we hear stories—we'll be hearing more of them over these three days—about good things that are happening. People have asked us, “Did you hear about what's happening over than country over there?” or they've said, “Come meet so-and-so and let her tell you how her people have turned their community around.” We'll be asked, “Have you heard what's happening at Fitzroy Crossing?” or “Do you know about the new council over that way and how they're changing things?”

I know many of you have been working for years to reclaim the future of your peoples. Sometimes you get tired. Sometimes you wonder how to keep going. I may be just an ignorant American, come here to look around a bit and say a few words. But I tell you, important things are happening here. Step by step, community by community, nation by nation, a change is coming. People are taking control of their futures. You are making it happen, and we are amazed by what you are doing.

So how do you move toward strong governance? And, once you begin, how do you keep it going? Those are the things I have been asked to talk about this morning.

Of course it may be that you should be giving me the answers to those stories, for some of you are already doing these things, but let me tell you my own view of the matter. My view comes from twenty years of work, mostly with American Indian

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nations—the Indigenous peoples of the United States. Let me give you some quick background.

The history of American Indians would sound familiar to you. Since the arrival of Europeans in North America at the end of the fifteenth century, American Indians' history also is a one of massive land loss, steep population declines, economic devastation, and imposed external controls of their lives. In 1500, it is estimated that some 3-5 million Indians occupied what is now the continental United States. By 1890, there were fewer than 300,000 of them left.

Today, there has been a remarkable resurgence among American Indians. They are two million strong in more than 500 surviving tribes. But they also are among the poorest people in the United States, with extraordinarily high levels of unemployment, inadequate housing, ill health, and an assortment of other problems. Poverty is rampant in what we call “Indian Country,” and yet—strikingly—these nations are not equally poor. Some American Indian nations have taken control of their affairs, building sustainable economies, solving their own problems, and remaking their own futures. They are making a different path for themselves.

What can we learn from these nations? How have they managed to break away from the prevailing pattern of poverty? What are the keys to sustainable community and economic development among Indigenous nations? Are there lessons for other Indigenous peoples and for other governments?

Sixteen or seventeen years ago, we started a research project called the Harvard Project on American Indian Economic Development. Our purpose was to discover what set these nations apart. What were they doing right? That research continues today through the Harvard Project and its sister organization, the Native Nations Institute for Leadership, Management, and Policy at the University of Arizona.

The findings of that research are intriguing. They indicate that the key factors among those nations that are breaking away from a history of entrenched poverty are not the economic factors that many people might think would be most important—things like natural resource endowments or location or educational attainment. Those things certainly matter, but their significance rests on a foundation of political change. The key factors in these success stories are political. I want to point to three factors in particular. Where we see Indigenous nations overcoming poverty and effectively pursuing their own visions of the future, we also find the following:

- ***Indigenous self-government*** – Indigenous peoples have real decision-making power over the design of governing institutions, over land and resource use, over development strategies, over program management, over internal affairs, and so forth.

- ***Capable governing institutions*** – Those nations have backed up decision-making power with capable institutions that can exercise power fairly and effectively. They can get things done.
- ***Cultural match*** – The governing institutions themselves are Indigenously generated, reflect Indigenous conceptions of how authority should be organized and exercised, and therefore have legitimacy with they people they govern.

Where these political factors are in place, community and economic development is more likely to succeed. Where they are in place, other assets such as education or natural resources or location begin to pay off. Where they are absent, those other resources or assets tend to be squandered or to produce few of their promised benefits. The key, in other words, is Indigenous governance.

What do I mean by Indigenous governance? When we talk about *governance* we're talking about people deciding how to work together to do the things they need to get done. How do we make decisions? Who has the authority to act for us? How do we resolve disputes among us? How do we get community business done? Good governance means having good rules for those sorts of things, rules that are effective and that have the support of the people.

*Indigenous* governance means Indigenous peoples make these rules for themselves. They make the decisions. They have the authority to decide how they will run their lives, their communities, their nations. Indigenous governance is not consultation. It is jurisdiction. It may be shared jurisdiction; it may be sole jurisdiction; but it involves genuine decision-making power. The first concern should be: how big a role do Indigenous peoples play in the decisions that most affect their lives? The bigger that role, the more self-governance you have. And the second concern should be: how well do you play that role? Do you have good rules? Are you making a good job of it?

So there are two questions that I've been asked to address:

- *How does strong Indigenous governance begin?*
- *How can it be sustained over time?*

Strong Indigenous governance starts not in federal or state policy but in Indigenous communities. It begins with Indigenous peoples themselves. But both Indigenous communities and non-Indigenous governments have critical roles to play in the process. I'm going to review their roles in starting strong governance. I'll begin with Indigenous communities.

## **GETTING STARTED: THE ROLE OF INDIGENOUS COMMUNITIES**

Strong Indigenous governance starts in communities. But what does that involve? I see five key steps.

## **1. Find those who are willing to lead**

Someone has to decide to take responsibility for the future of the community or nation. It may be a recognized leader; it may be someone else. But someone has to take the lead.

In nearly every case of successful Indigenous development that we have seen in the United States, some individual or group has said, “Enough! We’re not going to do things this way any more.” They’ve had enough of being poor, of not being respected, of having no say in how things are done, of living with violence or sickness or tragedy. And they have persuaded other members of the community not only that things can change, but that it is up to them to change things themselves.

## **2. Change the conversation**

You have to change the way people think and talk about what governance is, about who has responsibility for solving problems, about how things should be done.

For years and years in the United States, many Indian people have been taught that government is about distributing goodies: money, jobs, services. The reason to get on the council is so that you can control who gets the valuable stuff and direct it to yourself or your family or friends.

That view of government has to change. You need to see government—your own government—as the vehicle for achieving your vision of the nation’s future. Its primary task is not to be a funnel for goodies. Its primary task is to lay the foundation for rebuilding the nation—and to take the lead in that process.

## **3. Be tough-minded**

What’s holding you back? We all know that some of it is other people and other governments. Their actions, their policies, and their decisions are obstacles on the road to achieving what you want to achieve.

But perhaps some of it is you. Someone at one American Indian nation with whom we work said to us not long ago, “We’ve finally got over the messiah complex.” I said, “What’s the messiah complex?” He said, “It’s the belief that somebody—the federal government, the Ford Motor Company, some other outsider—is going to come in here and save us with jobs or money or solutions. We’ve finally realized that nobody is going to save us. We have to save ourselves.”

Identify the problems that you have to deal with, and take responsibility for them.

#### **4. Be strategic**

The problems may be overwhelming, and you can't do everything at once. But you can start somewhere.

Perhaps you begin by taking over the store in the community and being sure it is properly run. Perhaps you begin by giving out those three new jobs based on who would handle them best instead of who your relatives are or who voted for you. Perhaps you begin by going over to that other family group that you've fought with for years and saying, "I don't want to fight with you any more. If we work together and stop fighting each other, we might be able to really change things and improve life for everyone."

In one Indian nation that we have worked with, things began to turn around when the council threw the representative of the federal government—who used to have to approve all of their decisions—out of their council meetings. They said to him, "You don't need to come to our meetings any more. We'll tell you when we need you. From now on, the decisions will be ours, and we will do what needs to be done." They locked him out. It was a small action, but it began a new era for that nation in which they began to take responsibility for the future.

#### **5. Don't wait**

No one else can do it for you. And remember, time is short. Who knows what political changes are coming or what they will mean for your people. The window of opportunity for nation building may pass. So seize the moment. Do it now.

### **GETTING STARTED: THE ROLE OF NON-INDIGENOUS GOVERNMENTS**

Strong Indigenous governance may start in Indigenous communities, but there's also a critical role in the process for non-Indigenous governments. What are the challenges for them?

#### **1. Recognize that decision-making and accountability are linked**

If you want Indigenous communities to be accountable for what happens, you have to give them the power to decide what happens.

There's much talk these days in the United States and Canada about how Indigenous nations and communities have to be accountable for what happens, for use of funds, for the outcomes of programs, and so forth. The governments of both countries want Indigenous peoples to be accountable. I'm a supporter of accountability, but what's troubling in these cases is that, at the same time, these federal governments like to keep decision-making power in their own hands.

You can't have it both ways. If you retain decision-making power, then you're accountable for what happens. If you want Indigenous communities to be accountable, you have to give up decision-making power.

## **2. Find those who are willing to lead**

Leadership is needed as much from federal and state or territorial governments as it is from Indigenous communities. Someone in those governments has to take responsibility for changing the way things are done, including letting go of control and listening to Indigenous peoples.

Who's going to take the risk and try a new way of doing things?

## **3. Abandon one-size-fits-all fantasies**

For years, non-Indigenous governments have had the idea that they can come up with a governance model or solution or policy that can be applied to all Indigenous communities. The United States has followed an array of one-size-fits-all policies and models for Indigenous peoples, often imposing them over Indigenous resistance and claiming each time that this one will work. The evidence says otherwise. We now have decades of policy failure to look back on.

It's time to let those fantasies go. Indigenous cultures are diverse, and Indigenous ways of meeting governance challenges may be equally diverse. This is not a problem. It's a solution.

## **4. Listen to local knowledge about how things should be done.**

Non-Indigenous governments usually are better at talking than they are at listening. But Indigenous nations have been problem-solving for a long time. They have had to in order to survive. They know their situations and their communities better than outside governments ever will. It is worth listening to what they have learned about how things should be done.

Furthermore, governance solutions have to have legitimacy with those they govern. Telling Indigenous peoples what to do may be more convenient than listening, but it is less likely to work.

## **5. Invest in institutional capacity building**

Capacity-building has become a buzzword in the United States, and perhaps here as well. A lot of it has to do with upgrading skills. Nowhere near enough of it has to do with upgrading governing institutions: that is, with improving the

organizational capacity of Indigenous groups to achieve what they wish to achieve.

Non-Indigenous governments should invest in building *institutional* capacity. This doesn't mean reproducing dominant-society institutions in Indigenous societies. It means facilitating the development of capable Indigenous institutions—from councils to dispute resolution mechanisms to the delivery of social services.

## **6. Provide models of what works**

Indigenous nations can learn from each other's successes and innovations. If one community has solved a problem, perhaps its approach can work somewhere else as well—or at least open up new ways of thinking. We need to remind ourselves of something Indigenous peoples have always known: stories are the best teachers.

Non-Indigenous governments can help locate and disseminate stories of Indigenous communities that have taken charge of their affairs and addressed major governance challenges.

## **KEEPING IT GOING: THE ROLE OF INDIGENOUS COMMUNITIES**

Once you've started down the road to effective governance, how do you keep it going? How can strong governance be sustained in the face of turnover in Indigenous leadership, generational transitions, economic change, changes in state or territorial and federal policies, and so forth?

Again, it seems to me that there are critical roles for both Indigenous communities and non-Indigenous governments. Again, I see five key points for Indigenous communities.

### **1. Recognize that your role has changed**

Decision-making power brings accountability with it. Much of the responsibility for what happens to your community now rests with you.

This can be sobering. We had one Indian leader in the United States who said to us, "The problem with self-government is that once we're making the decisions, I can't blame the federal government any more for everything that's wrong." He's exactly right.

### **2. Institutionalize your solutions**

Protect your governance solutions by translating them into constitutions, Indigenous law, formal agreements with other governments, etc. Not all of this

has to be written down or formally adopted, although that is one way to protect it. The important part is to have agreement within the community that this is how things should be done.

Constitutions represent one opportunity for institutionalizing solutions. I understand that Aboriginal organizations have to have constitutions; it's a bureaucratic requirement. Why not take that requirement and turn it into a weapon: write that constitution not for the bureaucrats but for yourselves. Use it to lay out how you will govern yourselves, how you will make laws, resolve disputes, make decisions together, control your resources, and manage your affairs. Use it to maximize your own power and effectiveness and to create a governmental organization that both your own citizens and outsiders will respect and support. Take that requirement away from the bureaucrats and capture it for yourselves.

### **3. Educate your people**

Communities that understand why capable self-governance is important and how it works are more likely to respect and protect it. Help your people understand what effective governance means and what it demands from everyone.

You also have to educate yourselves to work at the intersection of these two very different worlds. A leader of the Apache people, the long-feared warriors of the American Southwest, once said to us, "I am looking for extraordinary persons. I need individuals who know how to walk in the Apache way, and how to walk in the Wall Street way. We need to do both if we are going to survive."

### **4. Invest in youth**

In our experience, young people are intrigued by the challenge of nation building. Help them rethink what governance means and how they can be part of it. They will respect and want to support a government that has real power, that they view as theirs, and that is effective at realizing the vision of the people.

The leader of one group of First Nations in Canada always tries to take one of the young people from her tribe with her when she attends meetings or conferences. She wants young people to understand the tasks of nation building, and to have a view of Indigenous governance that is not about distributing resources but instead is about making decisions for the future of the nation.

### **5. Focus on what happens when leadership changes**

The time will come when those who first confronted the governance challenge are no longer able to lead, or are replaced, or pass on. What happens then? Who will step up when the changes come? Who will be ready to serve the nation? Will

they understand the importance of governance? Will they respect the decisions that already have been made? Will they maintain the stability the nation needs?

## **KEEPING IT GOING: THE ROLE OF NON-INDIGENOUS GOVERNMENTS**

Again, it is not just Indigenous communities that need to work to keep strong governance going. It is up to non-Indigenous governments to support that effort as well.

### **1. Recognize that your role, too, has changed**

You have moved from a decision-maker role to a resource and partner role. This requires a different set of skills and a different way of interacting with Indigenous communities.

### **2. Tolerate mistakes**

Self-governance without mistakes is unrealistic—for anybody.

In the United States, we have a high tolerance for mistakes in government—except when it comes to Indigenous peoples. They're supposed to get it right or not do it at all. When non-Indigenous governments screw up, it's just one of those unfortunate things about government; we hope it will change after the next election. But when Indigenous communities screw up, we treat it as evidence that they're incapable of governing. It's nothing of the kind.

### **3. Celebrate success**

The best defense of Indigenous self-governance is success at achieving Indigenous goals. Non-Indigenous governments can help keep strong governance going by recognizing and celebrating such success.

### **4. Identify spin-off benefits**

Successful Indigenous nations spin off benefits to non-Indigenous communities. But those benefits have to be quantified and publicized if Indigenous governance is to survive.

There is considerable resistance to Indigenous governance in the United States. Some people are threatened by it. But our evidence indicates that when Indigenous communities are successful, non-Indigenous communities stand to gain. They gain through reduced welfare and other costs, through vendor business, sometimes even through jobs. They also benefit from the simple fact that as more people begin to live productive lives, the wealth of the society increases.

Our evidence also indicates that self-determination is necessary—not sufficient, but necessary—to Indigenous economic success. The benefits from viable, productive Indigenous communities depend, in part, on Indigenous governance.

If you put these two facts together—the first link between Indigenous success and non-Indigenous benefits, and the second link between Indigenous governance and Indigenous success—and you reach a compelling conclusion: Strong and effective Indigenous governance is in the interests of non-Indigenous society. It's time non-Indigenous society woke up to that fact.

## **5. Where you see it, support it**

Where you see strong governance emerging in Indigenous communities, give it support. Beginnings are fragile things, and self-governance is no exception. It's like the body: it needs to be nourished if it is going to survive.

## **6. Be patient**

Nation building—if it is done right—is a time-consuming process. It is unlikely to conform to policy timetables.

This is another thing that central governments seem to find difficult to understand. But nation building is a complicated business. The United States started down the nation-building path for itself more than two hundred years ago. There are parts of it we're still working on and may never get quite right. But we want Indigenous peoples to do the whole thing a lot quicker—preferably in the next six months. They, too, need time to make mistakes and time to deliberate about possible solutions. Hurrying down the wrong road is a quick trip to nowhere.

## **TIME IS SHORT**

Let me leave you with this thought. More than thirty years ago, I had a friend—an American Indian—who first introduced me to the challenges and issues facing Indigenous peoples. This was back in the late 1960s, a tough time for American Indian nations, a time when they were trying desperately to escape the shackles of paternalism and powerlessness. He once said, speaking of his people, “We do not make choices. Our choices are made for us.”

Fortunately, that is no longer the case. Today, American Indian nations are making choices for themselves. Some make good choices; some make bad ones. But a growing number are changing their economic and social situations and reclaiming their own futures.

Unfortunately, my friend is no longer there to see it happening. He had a hard life, and when he passed away, years before his time, the revolution in Indian Country was just getting underway. I wish he could see it now, but he can't.

So to those of you who have started down the road to strong governance, we want you to know that we admire and honor your courage, your efforts, and your achievements. And to those of you who have yet to start down that road, we say, “don’t wait too long.” As my colleague Manley Begay of the Navajo Nation, who is sitting here with us today, said in Darwin two days ago, life is short. You don’t know what will happen. But there is nothing to lose by beginning.

Thank you.